
**ORDINARY MEETING
OF
PŪRORO WAIHANGA | INFRASTRUCTURE COMMITTEE
AGENDA**

Time: 9:30am
Date: Wednesday, 23 March 2022
Venue: Virtual Meeting

MEMBERSHIP

Mayor Foster
Deputy Mayor Free
Councillor Calvert
Councillor Condie (Deputy Chair)
Councillor Day
Councillor Fitzsimons
Councillor Foon
Liz Kelly
Councillor Matthews
Councillor O'Neill
Councillor Pannett
Councillor Paul
Councillor Rush (Chair)
Councillor Woolf
Councillor Young

Have your say!

You can make a short presentation to the Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 04-803-8334, emailing public.participation@wcc.govt.nz or writing to Democracy Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number, and the issue you would like to talk about. All Council and committee meetings are livestreamed on our YouTube page. This includes any public participation at the meeting.

AREA OF FOCUS

The Pūroro Waihanga | Infrastructure Committee has the following responsibilities:

- Council Infrastructure and infrastructure strategy, including:
 - Transport
 - Waste
 - Water (three waters)
 - Council property (buildings)
 - Relationships with other non-council infrastructure.
- The Road Corridor
- 30-year infrastructure strategy
- Asset management plans
- Capital Works Programme Delivery, including CCO's and Wellington Water Limited
- capital works programmes
- Three waters reform.

The Committee has the responsibility to discuss and approve a forward agenda.

To read the full delegations of this committee, please visit wellington.govt.nz/meetings.

Quorum: 9 members

**TABLE OF CONTENTS
23 MARCH 2022**

Business	Page No.
1. Meeting Conduct	5
1.1 Karakia	5
1.2 Apologies	5
1.3 Conflict of Interest Declarations	5
1.4 Confirmation of Minutes	5
1.5 Items not on the Agenda	5
1.6 Public Participation	6
2. Petitions	7
2.1 Install a signalised crossing system at the Raroa Park/Onslow College pedestrian crossing	7
3. General Business	11
3.1 Wellington Water Limited Quarterly Report	11
3.2 Wellington Water Limited presentation on Porirua/ North Wellington wastewater overflow consent	15
3.3 Verandahs Bylaw and Public Places Bylaw review 2022	39
3.4 Proposed Disposal - part of 39 Chapman Street, Johnsonville	87
3.5 Actions Tracking	95
3.6 Forward Programme	101

1. Meeting Conduct

1.1 Karakia

The Chairperson will open the meeting with a karakia.

Whakataka te hau ki te uru,	Cease oh winds of the west
Whakataka te hau ki te tonga.	and of the south
Kia mākinakina ki uta,	Let the bracing breezes flow,
Kia mātaratara ki tai.	over the land and the sea.
E hī ake ana te atākura.	Let the red-tipped dawn come
He tio, he huka, he hauhū.	with a sharpened edge, a touch of frost,
Tihei Mauri Ora!	a promise of a glorious day

At the appropriate time, the following karakia will be read to close the meeting.

Unuhia, unuhia, unuhia ki te uru tapu nui	Draw on, draw on
Kia wātea, kia māmā, te ngākau, te tinana, te wairua	Draw on the supreme sacredness To clear, to free the heart, the body and the spirit of mankind
I te ara takatū	
Koia rā e Rongo, whakairia ake ki runga	Oh Rongo, above (symbol of peace)
Kia wātea, kia wātea	Let this all be done in unity
Āe rā, kua wātea!	

1.2 Apologies

The Chairperson invites notice from members of apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

1.3 Conflict of Interest Declarations

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

1.4 Confirmation of Minutes

The minutes of the meeting held on 23 February 2022 will be put to the Pūroro Waihanga | Infrastructure Committee for confirmation.

1.5 Items not on the Agenda

The Chairperson will give notice of items not on the agenda as follows.

Matters Requiring Urgent Attention as Determined by Resolution of the Pūroro Waihanga | Infrastructure Committee.

The Chairperson shall state to the meeting:

-
1. The reason why the item is not on the agenda; and
 2. The reason why discussion of the item cannot be delayed until a subsequent meeting.

The item may be allowed onto the agenda by resolution of the Pūroro Waihanga | Infrastructure Committee.

Minor Matters relating to the General Business of the Pūroro Waihanga | Infrastructure Committee.

The Chairperson shall state to the meeting that the item will be discussed, but no resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the Pūroro Waihanga | Infrastructure Committee for further discussion.

1.6 Public Participation

A maximum of 60 minutes is set aside for public participation at the commencement of any meeting of the Council or committee that is open to the public. Under Standing Order 31.2 a written, oral or electronic application to address the meeting setting forth the subject, is required to be lodged with the Chief Executive by 12.00 noon of the working day prior to the meeting concerned, and subsequently approved by the Chairperson.

Requests for public participation can be sent by email to public.participation@wcc.govt.nz, by post to Democracy Services, Wellington City Council, PO Box 2199, Wellington, or by phone at 04 803 8334, giving the requester's name, phone number and the issue to be raised.

2. Petitions

INSTALL A SIGNALISED CROSSING SYSTEM AT THE RAROA PARK/ONslow COLLEGE PEDESTRIAN CROSSING

Summary

Primary Petitioner: Amanda Barber
Total Signatures: 34

Presented by: Amanda Barber

Recommendation

That the Pūroro Waihanga | Infrastructure Committee:

1. Receive the information.

Background

2. Wellington City Council operates a system of petitions whereby people can conveniently and electronically petition the Council on matters related to Council business.
3. Amanda Barber opened a petition on the Wellington City Council website on 24 November 2021. The petition closed on 24 January 2022.
4. The petition details are as follows:
We the undersigned want a signalised traffic light/crossing system put in place at the Raroa/Onslow College pedestrian crossing to allow for a constant but controlled flow of students and traffic.
5. The background information provided for the petition was:
The pedestrian crossing at Raroa Park/Onslow College is problematic and has been so for years. Every morning from 8:20am to 8:45am, and again in the afternoon from 3:10pm until 3:30pm, is a constant flow of students going to school and then coming from school. This creates a massive gridlock of traffic going both directions, for several hundred metres every day, but more so in the morning.
6. The petition closed on 24 January 2022 with 34 authenticated signatures. The list of authenticated signatures will be provided by Democracy Services.

Officers' response

7. Thank you for your submission and petition for Signalised Crossing at the current Pedestrian Crossing for Raroa Park/Onslow College. We understand the concerns you have for this area.
8. We use a prioritisation framework to ensure a consistent, evidence-based approach to all customer enquiries and projects to prioritise the sites with the greatest safety and operational problems.
9. The process of prioritisation starts with collating all proposed projects and ranking them based on their safety and operational issues. This involves assessing crash data, speed counts, pedestrian counts, and the surrounding environment.
10. Reviewing these requests and implementing these schemes, if they meet the guidelines requires funding approval via a business case process.
11. The 2022/23 prioritisation exercise will be complete by the end of May 2022, however as this issue has been raised previously, we are already aware of several factors which will be considered as part of exercise.
12. The estimated cost for installing signals at this location is approximately \$150,000-\$200,000.
13. Installing signals would only reduce congestion during the before and after-school peaks of 10-15 minutes around 9am and 3pm on weekdays.
14. In addition, the scope for reducing congestion is limited, due to the proximity of the pedestrian crossings near the roundabout around 300 metres further down the road.
15. The 10-15 minute delays around 9am and 3pm on weekdays are similar to those experienced around other schools at this time of the day.
16. The petitioner will be advised of the outcome of the prioritisation work in June 2022.

Attachments

Attachment 1. Petition Signatory List

Authors	Zackary Moodie, T/L Transport Engineering Dennis Davis, Principal Transport Engineer Rebecca Adams, Chief Advisor to CIO
Authoriser	Soon Teck Kong, Transport Engineering and Operations Manager Siobhan Procter, Chief Infrastructure Officer

SUPPORTING INFORMATION

Engagement and Consultation

Council officers have approached the College several times to engage with the Onslow College to discuss this situation. In July 2020 we contacted the school to suggest operating a school warden at the pedestrian crossing to allow vehicles to pass through at regular intervals. Onslow College did not make a permanent arrangement; however, on occasion staff are seen managing the crossing.

We have also engaged with Raroa Normal Intermediate School to share the same concerns of the community as expressed to us, and likewise to offer assistance with setting up a school warden programme. To date this offer has not been taken up by either institution.

Treaty of Waitangi considerations

N/A

Financial implications

No current financial implications, as prioritisation process is underway.

Policy and legislative implications

N/A

Risks / legal

N/A

Climate Change impact and considerations

N/A

Communications Plan

N/A

Health and Safety Impact considered

Health and safety considerations are taken into account in our prioritisation process.

Signatory Details

Name	Suburb	City
Angeline O'Grady	Ngaio	Wellington
Steve William Walsh	CBD	Wellington
Bernard O'Shaughnessy	Miramar	Wellington
Nicholas Warmke	WELLINGTON	WELLINGTON
Paula Carryer	Wellington	Wellington
Rachel Brant	Crofton Downs	Wellington
Janet Mounsey-Smith	Khandallah	Wellington
Kate Manttan	Khandallah	WELLINGTON
Neil Mora	Crofton Downs	Wellington
Elizabeth Gasson	Ngaio	Wellington
Ruth Jolliff	Ngaio	Wellington
Wendy Harris	Northland	Wellington
Annemieke De Wit	Johnsonville	Wellington
Katharina Strambach	Johnsonville	Wellington
Lisa Woodley	Johnsonville	Wellington
William Simmers	Johnsonville	Wellington
Rebecca Jackson	Ngaio	Wellington
Richelle Kench	Khandallah	Wellington
Rachel Langford	Khandallah	Wellington.
Vanessa Patel	Broadmeadows	Wellington
Emma Marriott	Ngaio	Wellington
Philip Reeve	Ngaio	Wellington
Sarah Henty	Ngaio	Wellington
Kat Clemas	Ngaio	Wellington
Wendy Fairbrother	Ngaio	Wellington
Tanya Carr-Smith	Johnsonville	Wellington
Ann-Marie Whittome	Broadmeadows	Wellington
Egginson Ann	Khandallah	Wellington
Louise Carr-Smith	Johnsonville	Wellington
Shelly Cooper	Ngaio	Wellington
Fi Ireland	Broadmeadows	Wellington
Sam Somers	khandallah	khandallah
Sam Walker	Khandallah	Wellington
Amanda Barber	Wellington	Wellington

3. General Business

WELLINGTON WATER LIMITED QUARTERLY REPORT

Kōrero taunaki

Summary of considerations

Purpose

1. This report to Pūroro Waihanga | Infrastructure Committee provides the Committee the second quarter report submitted by Wellington Water Limited for consideration.

Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Sustainable, natural eco city | <input checked="" type="checkbox"/> Sustainable, natural eco city |
| <input checked="" type="checkbox"/> People friendly, compact, safe and accessible capital city | <input checked="" type="checkbox"/> People friendly, compact, safe and accessible capital city |
| <input type="checkbox"/> Innovative, inclusive and creative city | <input type="checkbox"/> Innovative, inclusive and creative city |
| <input type="checkbox"/> Dynamic and sustainable economy | <input type="checkbox"/> Dynamic and sustainable economy |
| Strategic alignment with priority objective areas from Long-term Plan 2021–2031 | <input checked="" type="checkbox"/> Functioning, resilient and reliable three waters infrastructure |
| | <input checked="" type="checkbox"/> Affordable, resilient and safe place to live |
| | <input type="checkbox"/> Safe, resilient and reliable core transport infrastructure network |
| | <input type="checkbox"/> Fit-for-purpose community, creative and cultural spaces |
| | <input type="checkbox"/> Accelerating zero-carbon and waste-free transition |
| | <input type="checkbox"/> Strong partnerships with mana whenua |

Relevant Previous decisions

Outline relevant previous decisions that pertain to the material being considered in this paper.

Financial considerations

- | | | |
|------------------------------|---|---|
| <input type="checkbox"/> Nil | <input checked="" type="checkbox"/> Budgetary provision in Annual Plan / Long-term Plan | <input type="checkbox"/> Unbudgeted \$X |
|------------------------------|---|---|

Risk

- | | | | |
|---|---------------------------------|-------------------------------|----------------------------------|
| <input checked="" type="checkbox"/> Low | <input type="checkbox"/> Medium | <input type="checkbox"/> High | <input type="checkbox"/> Extreme |
|---|---------------------------------|-------------------------------|----------------------------------|

Author	Rebecca Adams, Chief Advisor to CIO
Authoriser	Siobhan Procter, Chief Infrastructure Officer

Taunakitanga

Officers' Recommendations

Officers recommend the following motion

That the Pūroro Waihanga | Infrastructure Committee:

1. Receive the information.

Whakarāpopoto

Executive Summary

2. This report presents Wellington Water Limited's Quarter 2 performance report.

Takenga mai

Background

3. Pūroro Waihanga | Infrastructure Committee monitors the performance of Wellington Water Limited.

Kōrerorero

Discussion

4. The quarter 2 dashboard has been received from Wellington Water Limited and is attached as an appendix.
5. Explanations for KPIs that were not met this quarter can be found below.
6. 2.3.1 The number of dry weather sewerage overflows from the Council's sewerage system expressed per 1000 sewerage connections to the sewerage system 1.8 incidents were recorded against a target of zero. Zero overflows is unachievable, given the poor condition of network assets.

However, the result for Q2 is well within the regional standard target of 20 overflows per 1000 connections each year.

7. 2.4.1 Compliance with resource consents for discharge from its wastewater system GWRC issued an abatement notice (A993) for the unauthorised discharge of partially treated wastewater to the Coastal Marine Area from the Western WWTP during the period 29/10/21 – 04/11/21. The notice was sent on 26 Nov 2021

GWRC also issued an abatement notice (A991) for the unauthorised discharge of wastewater from the Moa Point WWTP discharge that occurred during the period 01/07/20 – 30/06/21, however the Abatement Notice wasn't received until 18 October 2021.

These are some of a number of notices received by Wellington Water for historic wastewater treatment plant breaches.

The review of the operations of our Wastewater Treatment Plants in the Wellington Metropolitan area was completed in December 2021. Wellington Water are now working stakeholders to understand feedback on the recommendations of the review.

8. 2.5.2 Percentage of monitored freshwater sites that have a rolling twelve month median value for E.coli (dry weather samples) that do not exceed 1000 cfu/100ml - 86% against a target of >90%.

The Human Health Mitigation project is underway and targeting environmental health improvements at catchments across Wellington City. This result is the same as Q4 2021 and Q1 2022, and an improvement from prior results.

9. 2.1.1 Average drinking water consumption per resident per day
The twelve-month rolling average result for Q2 of 390/L/p/d exceeds the target of 365/L/p/d. This is a very minor increase quarter on quarter, as demand is increasing as we come into the summer period. This quarter we also rolled out our summer water use campaign – “Shower as long as a four-minute song”

10. 3.4.1, 3.4.2, 3.2.1, 3.6.1 - Median Response Times
Response times across the region generally improved this quarter, as expected, and COVID-19 Alert levels 3 and 4 enabled a further opportunity to reduce outstanding jobs.

We continue to manage increasing workloads and capacity issues that have an impact on our response and resolution times.

11. 3.7.1, 3.7.2 - Flooding events, response times and affected
The Wellington region experienced a series of heavy rainfall events in early December, disturbing various parts of the network. In Wellington City, a total of nine residential properties were confirmed to have flooded on two occasions. We are working closely with the affected customers to close out the work.

Ngā mahinga e whai ake nei

Next actions

12. This report is preseted for noting only.

Attachments

- Attachment 1. Wellington Water Limited Q2 Report



2021/22 Council Performance Dashboard as at Q2



● On Track/Achieved
 ● Off Track/Not Achieved
 ● Not Due/Not Applicable/Not Available
 ● Baseline

	Service Objective	Goal	Performance Measure	Annual Target	YTD Status	YTD Status	In Quarter Performance		
							Q1	Q2	
Safe and healthy water	Bulk Water	To measure the quality of water supplied to residents	1.1.1 Compliance with Drinking Water Standards for NZ 2005 (revised 2008) (Part 4 bacterial compliance criteria)	100 %	100 %	●	100 %	100 %	
			1.1.2 Compliance with Drinking Water Standards for NZ 2005 (revised 2008) (Part 5 protozoal compliance criteria)	100 %	100 %	●	100 %	100 %	
	Water Supply	To achieve a high overall level of customer approval of the water service	1.2.1 Number of complaints per 1000 connections about: a) drinking water clarity d) drinking water pressure or flow b) drinking water taste e) drinking water continuity of supply c) drinking water odour f) response to drinking water complaints	<20	7.7	●	3.9	3.8	
Respectful of the environment	Wastewater	To maintain and promote appropriate standards of water quality and waterway health in the city's coastal and river environments	2.3.1 The number of dry weather sewerage overflows from the Council's sewerage system expressed per 1000 sewerage connections to the sewerage system	0	4	●	2.3	1.8	
			2.4.1 Compliance with resource consents for discharge from its wastewater system	0	3	●	1	2	
	Stormwater	To maintain and promote appropriate standards of water quality and waterway health in the cities' coastal and river environments	2.5.1 Percentage of days during the bathing season (from 1 November to 31 March) that the monitored beaches are suitable for recreational use	>90 %	100 %	●	Not Due	100 %	
			2.5.2 Percentage of monitored fresh water sites that have a rolling twelve month median value for E.coli (dry weather samples) that do not exceed 1000 cfu/100ml	>90 %	86 %	●	86 %	86 %	
			To meet all resource consenting requirements	2.6.1 Compliance with resource consents for discharge from its stormwater system	0	0	●	0	0
	Bulk Water	To minimise demands on the region's water resources	2.1.1 Average drinking water consumption/resident/day	<365 L/p/d	389	●	388	390	
Water Supply			To minimise water loss from the network	2.2.1 Percentage of real water loss from networked reticulation system	<17 %	Not Due	●	Not Due	Not Due
Outcome / Service	Wastewater	Median response times	3.4.1 Attendance time: from the time that the Council receives notification to the time that service personnel reach the site	<=60	168 mins	●	242 mins	168 mins	
			3.4.2 Resolution time: from the time that the Council receives notification to the time that service personnel confirm resolution of the blockage or other fault	<=6 hrs	22.8 hrs	●	28.1 hrs	22.8 hrs	
		Reliability of the network	3.3.1 Number of wastewater reticulation incidents per km of reticulation pipeline (blockages)	<=0.8	0.2	●	0.1	0.1	
		To achieve a relatively high overall level of customer approval of the wastewater service	3.5.1 The total number of complaints received by the council about any of the following: sewage odour; sewage system blockages; sewage system faults; council's response to issues with its sewage system. Expressed per 1000 connections	<30	13.6	●	8.3	5.3	
	Stormwater	Median response times	3.6.1 Median response time to attend a flooding event; measured from the time that Council received notification to the time that service personnel reach the site	<=60	5475 mins	●	6780 mins	5475 mins	
			To minimise the effects of flooding	3.7.1 Number of flooding events that occur in a territorial authority district	<=2	3	●	1	2
				3.7.2 Number of habitable floors affected per 1000 stormwater connections	<0.13	0.8	●	0.7	0.1
		Water Supply	To achieve a high overall level of customer approval of the stormwater service	3.8.1 Customer satisfaction with stormwater management	>75 %	Not Due	●	Not Due	Not Due
				3.8.2 Number of complaints per 1000 properties connected to the Council's stormwater system	<20	4.4	●	3	1.4
		Water Supply	Median response times	3.2.1 Median response times for: attendance for urgent callouts	<60	80 mins	●	81 mins	80 mins
3.2.2 Median response times for: resolution of urgent callouts	<4 hrs			2.8 hrs	●	2.6 hrs	2.8 hrs		
3.2.3 Median response times for: attendance for non-urgent callouts	<36 hrs			21.5 hrs	●	19.9 hrs	21.5 hrs		
3.2.4 Median response times for: resolution of non-urgent callouts	<5 days			1.7 days	●	1.7 days	1.7 days		

Authors	Rebecca Adams, Chief Advisor to CIO Chris Mathews, Manager Waste, Water and Resilience
Authoriser	Siobhan Procter, Chief Infrastructure Officer

Taunakitanga

Officers' Recommendations

Officers recommend the following motion

That the Pūroro Waihanga | Infrastructure Committee:

1. Receive the information
2. Note officers are working with WWL to develop a consenting approach for the Wellington City catchments.

Whakarāpopoto

Executive Summary

3. Wastewater overflows from the network are classed as dry-weather and wet-weather overflows. Wet-weather overflows are common across the network as rainwater enters the network through infiltration (poor pipe condition) and inflows (stormwater connections into the wastewater network). Both infiltration and inflow take the network beyond its volumetric capacity, resulting in wastewater discharges to a variety of environs.
4. This presentation provides an overview of WWL's progress to date with preparing its application for consent for wastewater network overflows in the Porirua/ North Wellington catchment.
5. The initial work is for northern Wellington in the Porirua catchment. Moa Point and Karori catchments will follow and WCC and WWL will work together to develop a consenting approach for the Wellington City catchments.

Takenga mai

Background

6. WWL holds the Global Stormwater Consent which includes settings that permit certain wet-weather overflows of wastewater into the environs. The City's three waters network has overflows that are described as unconsented (various manholes that surcharge wastewater during rain events) and consented, the approximately 77 constructed overflow connections from the wastewater into the stormwater network.
7. The Global Stormwater Consent is in the first stage (Stage 1) of a two stage approach.
8. Stage 1 provides WWL with the opportunity to learn and assess the various catchments across Wellington City.
9. Stage 2 of this consent is scheduled to begin in 2023 and will require a response to the specific needs of each catchment in deference to a more global approach.

Kōrerorero

Discussion

10. WCC is working with WWL on agreeing the consenting approach for the Moa Point and Karori catchments.

Ngā mahinga e whai ake nei

Next actions

11. WWL staff and WCC officers will work together over the next six month to agree a wastewater consenting approach for the Moa Point and Karori catchments and report back to Council as required.

Attachments

- Attachment 1. Presentation: North Wellington WWNO Wellington Water

Porirua and North Wellington Wastewater Network Overflow Consent

November 2021



Key points

- Update on progress with preparing application for consent for wastewater network overflows in the Porirua/North Wellington wastewater catchment
- Combined Moa Point and Karori catchments consent to follow
- Engagement with residents groups and interested parties supportive of reducing overflows
- Detailed mana whenua engagement to come
- Joint consent holder envisaged - tbc

About the Porirua – North Wellington network

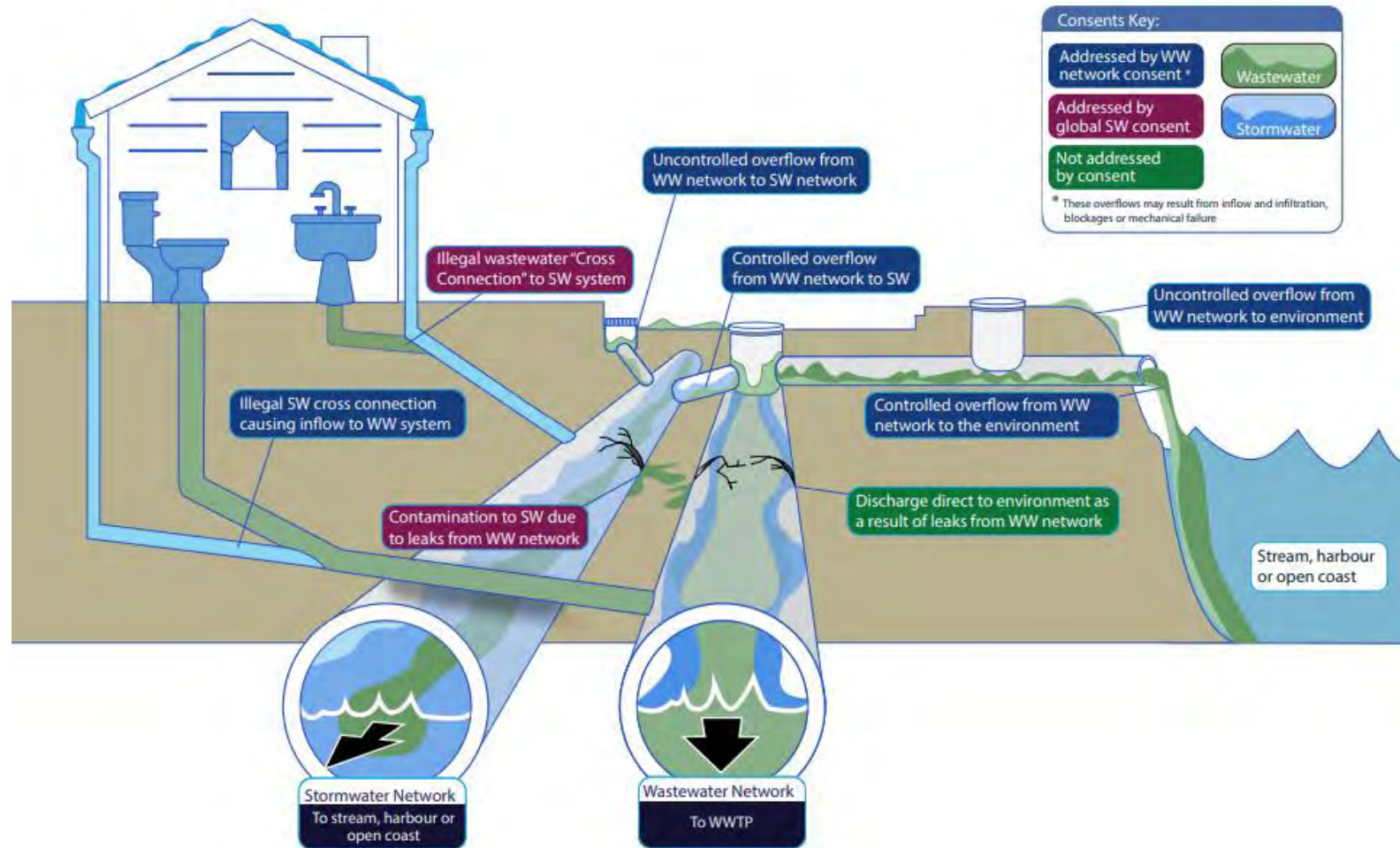
- 573 km of pipes
- 54 pumping stations
- Carries wastewater from Wellington suburbs north of Johnsonville
- Porirua Wastewater Treatment Plant
- Main outfall at Rukutane Point



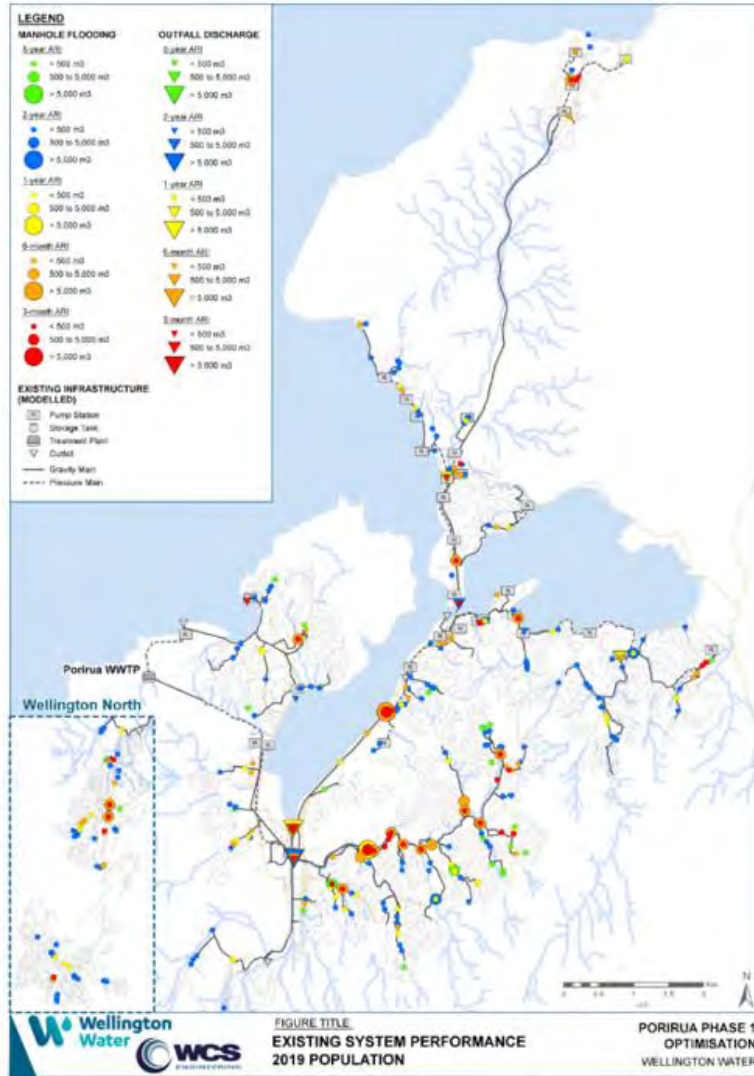
Overflows



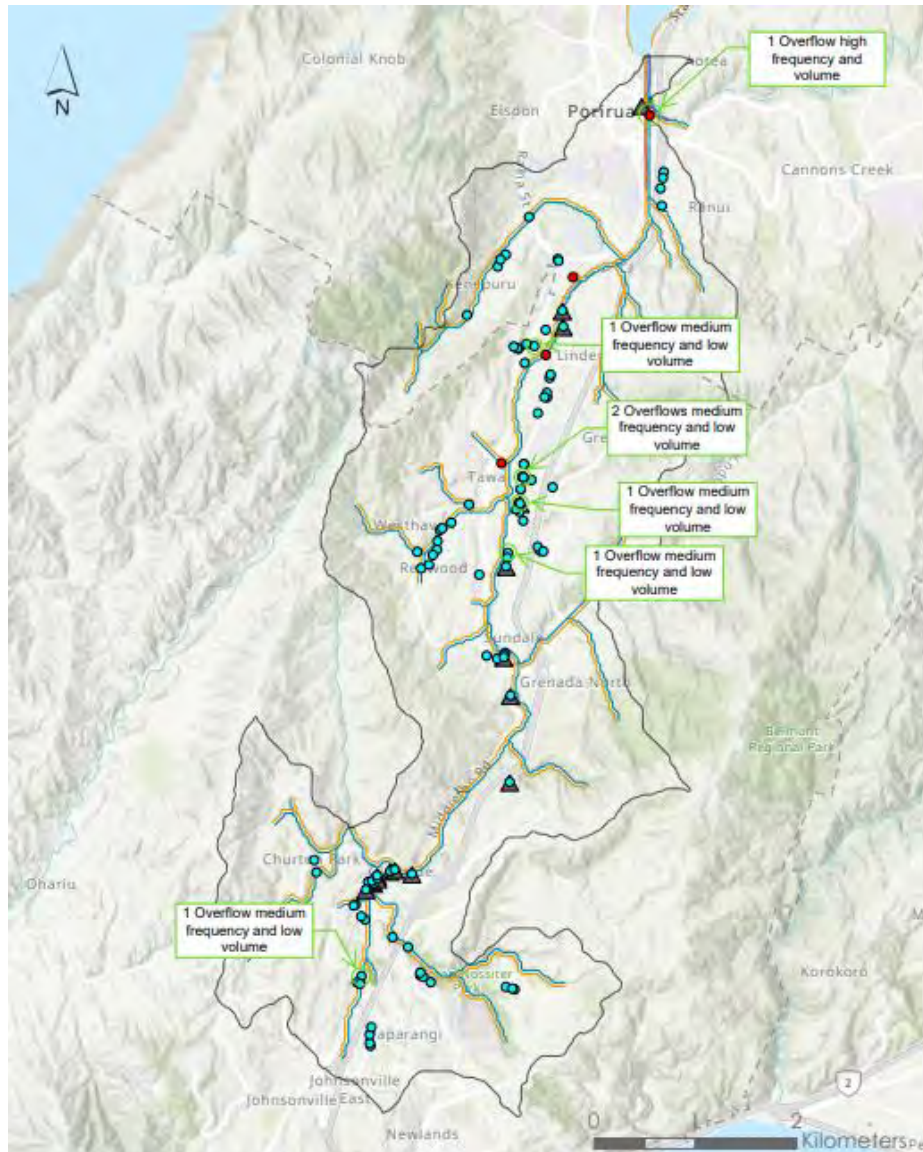
High connectivity with stormwater



Wastewater network improvement strategy



North Wellington overflow modelling



- Modelling indicates where overflows are likely
- Mostly infrequent and low volume
- Six points where model indicates medium frequency
- Pump station 20 in Porirua is being addressed

- Uncontrolled overflow
- Constructed overflow
- ▲ Pump station

How can we reduce overflows?



- Storage, e.g. Silverstream wastewater storage tank



- Reducing blockages

Reasons for and issues with overflows



Te Awarua-o-Porirua Whaitua Implementation Programme (WIP) 2019 includes direction to:

- progressively reduce wastewater overflows from networks to freshwater and coastal water.

Ngāti Toa Rangatira Statement on WIP agreed in principle to the values, findings, analysis encompassed by its work and the general direction of change.

“From Ngāti Toa’s perspective, there is no compromise: we wish for our people to be able to harvest food from, swim in and enjoy the waters of Te Awarua-o-Porirua, and we wish for the fish, birds, insects and plants of this ancient ecosystem to thrive once again. These aspirations are grounded in our responsibility as mana whenua of this region.”

Ngāti Toa-organised meeting in May:

- Primarily on central storage tank, also covered network improvements, treatment plant and overflows consent concept
- Reinforced that overflows are unacceptable
- Restated aim of being able to gather food from the harbour again



Wastewater network overflows resource consent application

- Discharges to the environment must be consented
- Catchment-wide approach rather than discharge-by-discharge
- Enables catchment-wide prioritisation of improvements
- Consent will provide planning framework and accountability for long-term network improvements



Investment implications

Wastewater renewals

- 0-3 years: \$27.8m
- 0-10 years: \$110m
- 0-30 years: \$885m

Mayoral Taskforce
Recommendation 21:
progressive reduction of
untreated wastewater into
the environment

Water quality

Finally, people's expectations for water quality are increasing and the National Policy Statement on Freshwater Management 2020 sets higher standards for freshwater quality.

More locally, Wellingtonians' expectations are increasing as evidenced through the increasing community concerns around wastewater overflow events around Te Whanganui a Tara and the aspiration for water quality expressed through the Whaitua te Whanganui-a-Tara Committee. Updating rules in our District Plan and our increased level of investment in three waters infrastructure are key steps forward in meeting these expectations, but sustained effort will be required to fully meet these growing expectations.

Priority Objectives

The outcomes present the long-term outlook for the city, and we have six priority objectives to focus on in the next three years. The priority objectives are a result of engagement with business groups, community groups, students, and the public, we heard that water, transport, and housing are particularly important and need to be a priority.

Priority Objectives for next three years

- 1 A functioning, resilient and reliable three waters infrastructure** - with improving harbour and waterway quality and, reducing water usage and waste.
- 2 Wellington has affordable, resilient and safe housing** - within an inclusive, accessible, connected, and compact city.
- 3 The city's core transport infrastructure is a safe, resilient, reliable network** - that supports active and public transport choices, and an efficient, productive and an environmentally sustainable economy.
- 4 The city has resilient and fit-for-purpose community, creative and cultural spaces** - including libraries, marae, museums and community halls, where people connect, develop and express their arts, culture and heritage.
- 5 An accelerating zero-carbon and waste-free transition** - with communities and the city economy adapting to climate change, development of low carbon infrastructure and buildings, and increased waste minimisation.
- 6 Strong partnerships with mana whenua** - upholding Te Tiriti o Waitangi, weaving Te Reo Māori and Te Ao Māori into the social, environmental and economic development of our city and, restore the city's connection with Papatūānuku (nature).

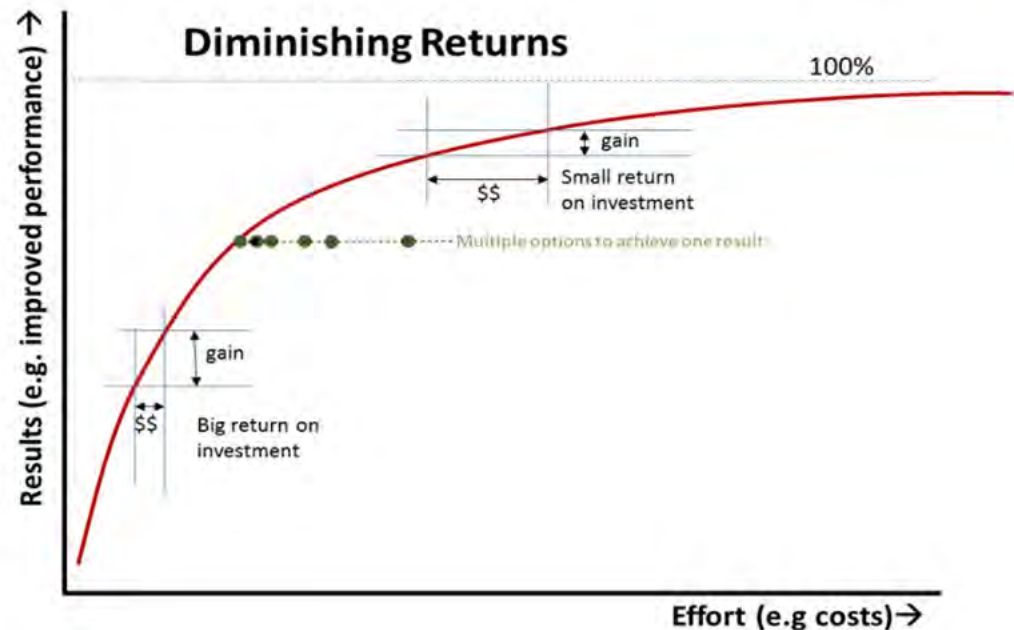
*The Appendix, pg 197, shows the suite of measures that we will track to monitor progress on priority objectives and outcomes overtime.



Aspirations and cost curves

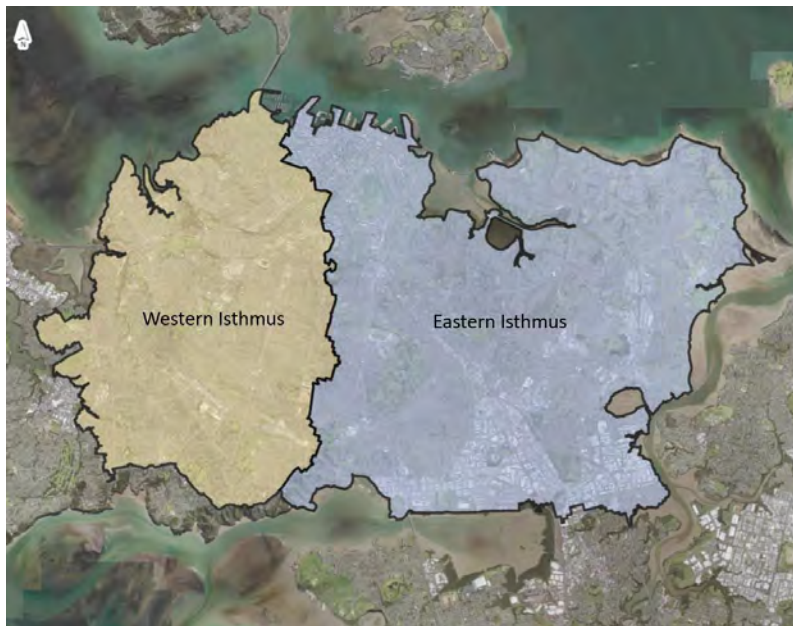
Typically, engineers consider it a good outcome if the network copes with 1 in 6 month events

Whaitua Te Whanganui a Tara:
1 in 25 year storm events

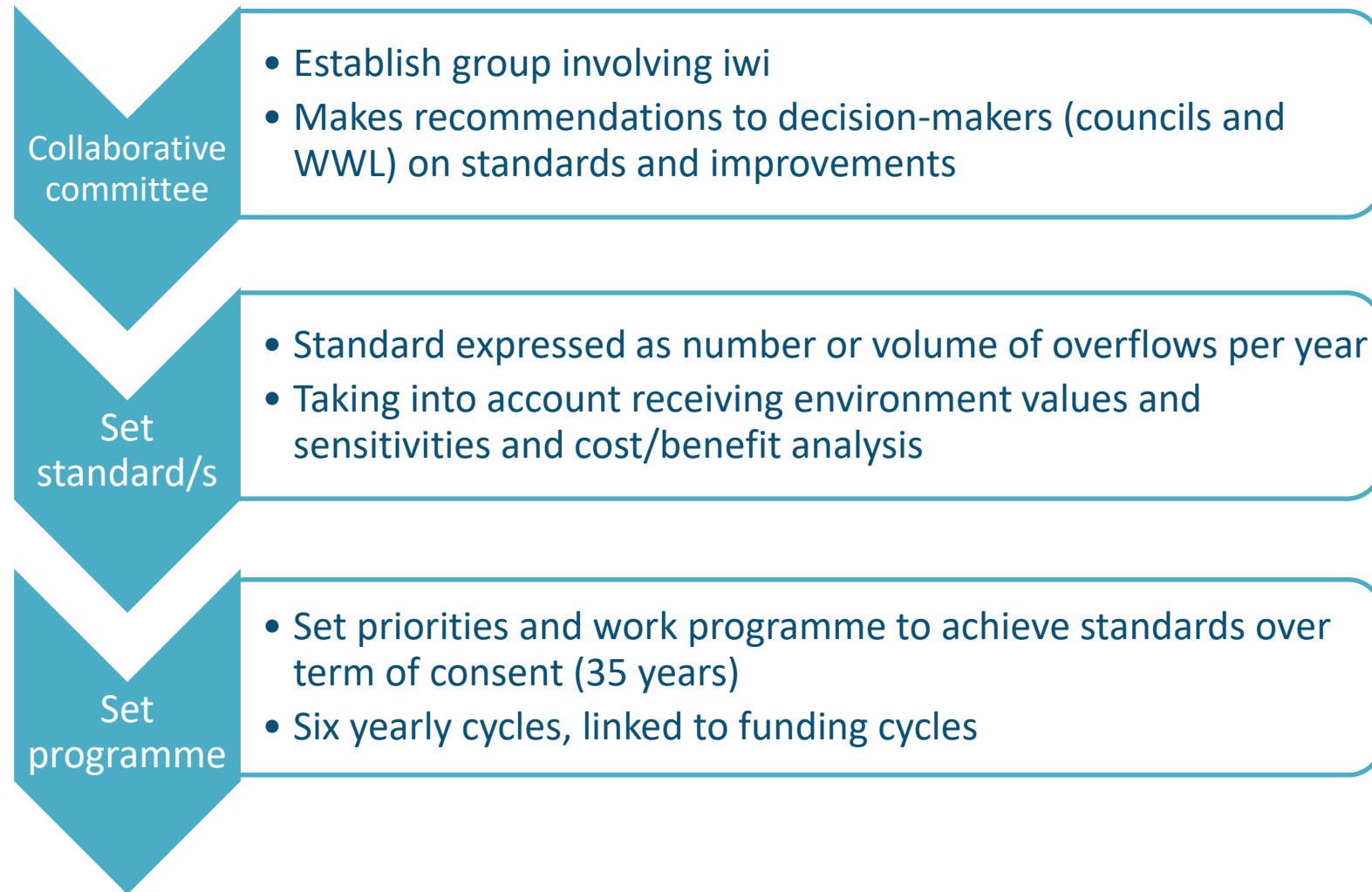


Watercare & the Western Isthmus

- High I&I rates
- Base expectation is no more than 2 spills a year – 1 in 6 month modelled storm events
- \$1.2b interceptor and \$1b budgeted for ‘other spill issues’
- Investigating another \$400m to upgrade the WWTP bypass which is a wet weather management tool
- No dry weather component to the above



Proposed network overflow approach



Managing growth

- Strategic priority
- Need to provide standards for developers in the interim



Community engagement

- Tawa Community Board and Johnsonville Residents Association
- Porirua Harbour Trust and Guardians of the Pauatahanui Inlet
- Public meeting in Mana for harbour users groups and Residents Associations



Feedback from engagement

- Any wastewater overflows are undesirable, especially when the wastewater is untreated.
- Te Awarua o Porirua (Porirua Harbour) is highly valued and water quality issues are a major concern.
- There is a desire to avoid overflows completely, with some stakeholders acknowledging that cost is a factor.
- Communities are most concerned with their local waterway (stream, beach or harbour) and want to see their local area prioritised.

Consent holder discussion

- Various approaches to consent holder
- Ultimately all relevant parties have responsibility
- WCC asset own and fund, WWL operate and manage
- Joint consent holder envisaged for this consent
- Shows both parties commitment to improving outcomes
- Important to get mana whenua support
- Management services agreement may need reviewing

Questions / comments



VERANDAHS BYLAW AND PUBLIC PLACES BYLAW REVIEW 2022

Kōrero taunaki

Summary of considerations

Purpose

1. This report asks the Pūroro Waihanga | Infrastructure Committee for approval to publicly consult on the Statement of Proposal presenting:
 - a review of Part 10 (Structures in Public Places – Verandahs) of the Wellington City Consolidated Bylaw 2008 (Consolidated Bylaw)
 - minor updates to Part 5 (Public Places) of the Consolidated Bylaw to support the implementation of the Trading and Events in Public Places Policy
 - removal of both Bylaws from the Consolidated Bylaw to create a new standalone Public Places Bylaw 2022.

Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- | | |
|--|--|
| Strategic alignment with priority objective areas from Long-term Plan 2021–2031 | <input type="checkbox"/> Sustainable, natural eco city |
| | <input checked="" type="checkbox"/> People friendly, compact, safe and accessible capital city |
| | <input type="checkbox"/> Innovative, inclusive and creative city |
| | <input type="checkbox"/> Dynamic and sustainable economy |
| | <input type="checkbox"/> Functioning, resilient and reliable three waters infrastructure |
| | <input checked="" type="checkbox"/> Affordable, resilient and safe place to live |
| | <input type="checkbox"/> Safe, resilient and reliable core transport infrastructure network |
| | <input type="checkbox"/> Fit-for-purpose community, creative and cultural spaces |
| | <input type="checkbox"/> Accelerating zero-carbon and waste-free transition |
| | <input type="checkbox"/> Strong partnerships with mana whenua |

Relevant Previous decisions

The proposed changes to Part 5 (Public Places) of the Consolidated Bylaw is to support the implementation of the Trading and Events in Public Places Policy (TEPPP), which was adopted in November 2021 and due to take effect July 2022.

Significance

The decision is **rated medium significance** in accordance with schedule 1 of the Council's Significance and Engagement Policy.

Financial considerations

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Nil | <input type="checkbox"/> Budgetary provision in Annual Plan / Long-term Plan | <input type="checkbox"/> Unbudgeted \$X |
|---|--|---|

2. The review of the Part 10 (Structures in Public Places – Verandahs) and minor updates to Part 5 (Public Places) of the Consolidated Bylaw has no financial implications.

Risk

| Low | Medium | High | Extreme

3. Officers consider that the proposed changes to the Bylaws are minimal and largely procedural. Therefore this review is low risk.

Authors	Shu Huang, Senior Policy Advisor Kristine Ford, Senior Policy Advisor Geoff Lawson, Team Lead, Policy
Authoriser	Baz Kaufman, Manager Strategy and Research Stephen McArthur, Chief Strategy & Governance Officer

Taunakitanga

Officers' Recommendations

Officers recommend the following motion

That Pūroro Waihanga | Infrastructure Committee:

1. Receive the information.
2. Agree to consult with the public and stakeholders on the draft Statement of Proposal for the proposed new Public Places Bylaw (**Attachment 1**) from 25 March to 29 April 2022.
3. Delegate to the Chief Executive and the Chair or Deputy Chair of the Pūroro Waihanga | Infrastructure Committee the authority to amend the draft Statement of Proposal to include any amendments as agreed by the Pūroro Waihanga | Infrastructure Committee at this meeting, as well as any minor consequential edits.

Whakarāpopoto

Executive Summary

4. The Statement of Proposal (**Attachment 1**) relates to a review of the Part 10 (Structures in Public Places – Verandahs) (the Verandahs Bylaw) and proposed amendments to Part 5 (Public Places) (the Public Places Bylaw) of the Consolidated Bylaw.
5. The Verandahs Bylaw was made under the Local Government Act 2002 (the Act) on 19 August 2015. It requires building owners to repair and maintain their verandahs to a reasonable standard - in waterproof condition and state of good repair.
6. The Council must review the Bylaw no later than five years after it was made (section 158(1) of the Act). Otherwise, the Bylaw is revoked two years after it should have been reviewed. The review of the Verandahs Bylaw therefore must be completed by 19 August 2022.
7. The Public Places Bylaw was also made under the Act. The Public Places Bylaw regulates a diverse range of activities in Wellington's public places. It does not need to be reviewed until 2028. However, to support implementation of the new Trading and Events in Public Places Policy (TEPPP, due to take effect from July 2022) some minor amendments have been proposed.

8. It is important to note that with planned changes to the freedom camping legislation expected in 2022/24, we will have the opportunity to conduct a full review of the Public Places Bylaw at this time. The focus of this current review is only on the procedural changes required for both Bylaws to be given effect, as well as the opportunity to improve the integrity of the Bylaw by making it a standalone combined bylaw.
9. It is proposed both Bylaws are removed from the Consolidated Bylaw and combined to create one comprehensive Public Places Bylaw. This is because the two Bylaws are concerned with public places, and they share common purposes and enforcement measures. A standalone bylaw focusing on one subject, or closely connected subjects, makes it easier to access, navigate and understand.
10. Further amendments proposed are to:
 - a. add relevant clauses from the Part 1: Introduction section of the Consolidated Bylaw to the proposed new Bylaw to ensure it has all required provisions for a standalone bylaw
 - b. clarify certain points of the verandahs section, such as defining the reasonable standard to which verandahs need to be repaired and maintained, and making it clearer that the owner bears the cost if the Council authorises work to be done to the verandahs on behalf of the owner
 - c. remove repetitive and self-evident clauses in the Verandahs Bylaw
 - d. update the parts of the Public Places Bylaw that refer to the Footpath Management and Trading in Public Places policies with reference to the new TEPPP
 - e. add definitions relevant to the new TEPPP
 - f. improve readability and application of the Bylaw through editorial changes.
11. The proposed new Public Places Bylaw 2022 is included in the Statement of Proposal. The proposed combined Bylaw showing all the tracked changes is provided as Attachment 2.
12. Public consultation will be carried out according to Sections 83 and 86 of the Act from 25 March to 29 April to obtain feedback about the proposed changes.

Takenga mai

Background

The Verandahs Bylaw

13. The Verandahs Bylaw was made under sections 145 and 146 of the Act in 2015 and included in the Consolidated Bylaw. Its purpose is to provide an important city amenity and improve public safety by requiring building owners to repair and maintain their verandahs to a reasonable standard.
14. The requirement for buildings to have verandahs is provided in the Wellington City District Plan. The Bylaw provides the requirements around the standards to which they must be maintained.

15. The current Wellington City District Plan requires buildings along designated routes within the Central Business District and City Centres to have verandahs. In the draft new District Plan, these areas are described as various zones and the Bylaw has been updated accordingly.
16. Under Section 158 of the Act, the Council must review a bylaw no later than five years after it was first made. If the bylaw is not reviewed as required, it is revoked two years after the bylaw should have been reviewed. Note that after adoption of the amended Bylaw, further review will be required every 10 years.

The Public Places Bylaw

17. The Public Places Bylaw (2018) was also made under sections 145 and 146 of the Act. It regulates a diverse range of activities. The Bylaw seeks to protect the public from nuisance, minimise the potential for offensive behaviour, maintain public health and safety, and manage land under the control of the Council to enhance the public's well-being and enjoyment of public places.
18. The Public Places Bylaw has been part of the Consolidated Bylaw since 2008. It was last reviewed and adopted by the Council in 2018. It does not need to be reviewed until 2028. However, as outlined above, for the newly adopted TEPPP to be implemented in July 2022, the Bylaw needs to be amended to support this.
19. There will be an opportunity for a full review of the Public Places Bylaw in 2023/24 to incorporate the planned changes to the freedom camping legislation.

Kōrerorero

Discussion

Review of the Verandahs Bylaw

20. We have reviewed the Verandahs Bylaw and conclude it is still relevant and fit-for-purpose. It is recommended that it is not left to lapse and reviewed according to the provisions of the Act.
21. The Wellington City District Plan requires buildings to have verandahs in designated areas. The Bylaw provides the requirements around maintenance and repair.
22. The purpose of the Bylaw remains relevant as verandahs are an important city amenity that will improve public safety, contribute to the city's resilience, protect people from the weather, and make the city an attractive place to visit and shop.
23. The requirement to ensure verandahs are maintained in a waterproof condition and state of good repair remains critical to public safety and wellbeing. Additionally, it is important that the Council retains the ability to require alteration and removal of certain verandahs for roading and asset management purposes.
24. The current Bylaw provides that the Council may authorise the cleaning, alteration or removal of the verandah if an owner fails to carry out any action required by a notice. However, the cross-referenced clauses in the Consolidated Bylaw for this authority no longer exist. This error has been corrected so the Council can exercise this power lawfully.

-
25. The Verandahs Bylaw still provides a necessary conduit to engaging with the relevant property owners to seek the desired outcome of public safety and wellbeing. This review has focused on improving understanding and compliance with the Bylaw by making it easier to navigate and access. The correction of the previous drafting errors will support the Council to enforce the Bylaw.

Changes to the Public Places Bylaw

26. The Public Places Bylaw was last reviewed and adopted in 2018. It does not need to be reviewed until 2028. In November 2021 the Council adopted the new TEPPP¹ and revoked the Council's Footpath Management Policy (2007) and Trading in Public Places Policy (2006).
27. The proposed changes are to update the parts of the Bylaw that refer to the Footpath Management and Trading in Public Places policies with reference to the new TEPPP. In addition, we have proposed that definitions relevant to the new TEPPP are included.

The proposed new Public Places Bylaw 2022

28. We propose that both the Verandahs Bylaw and the Public Places Bylaw are removed from the Consolidated Bylaw and combined to create one comprehensive standalone bylaw titled the Public Places Bylaw 2022. Note that in doing so these two parts of the Consolidated Bylaw will be revoked.
29. The Verandahs Bylaw shares the key purposes and enforcement measures with the Public Places Bylaw. Both Bylaws aim to protect the public from nuisance and maintain public health and safety. The Verandahs Bylaw is particularly concerned with ensuring verandahs in public places are a well-maintained public amenity. Managing verandahs in public places is a similar function to the array of activities already provided under the Public Places Bylaw.
30. Combining them into one standalone Bylaw will mean that they are no longer buried within the Consolidated Bylaw and will be easily accessible to the public. It will also support better understanding and compliance due to the improved structure and readability.
31. In summary the additional proposed changes are to:
- a. add relevant sections from Part 1 (Introduction) of the Consolidated Bylaw to ensure the new standalone bylaw has all required provisions to be functional
 - b. update the locations where verandahs are required to align with the zones set out in the new draft District Plan 2021
 - c. clarify what is meant by "reasonable standard" to which verandahs need to be repaired and maintained
 - d. clarify that the owner bears the cost if the Council authorises work to be done to a verandah on behalf of the owner
 - e. remove the repetitive or self-evident clauses of the Verandahs Bylaw
 - f. update the parts of the Public Places Bylaw that refer to the Footpath Management and Trading in Public Places policies with reference to the new Trading and Events in Public Places Policy

¹ It comes into force on 1 July 2022.

- g. add relevant definitions from the Trading and Events in Public Places Policy
- h. provide the definition of 'iwi customary rights' to clarify its use in the Public Places Bylaw
- i. remove the subheadings from the Offences clauses (which were originally intended to improve readability) so that it is clearer they apply to all public places
- j. divide the new Bylaw into four parts and make formatting changes to provide clarity and ease usability

Kōwhiringa

Options

- 32. The Committee may provide approval to publicly consult on the draft Statement of Proposal for a new Public Places Bylaw 2022, or decide to keep the current Verandahs Bylaw and the Public Places Bylaw (Parts 10 and 5 of the Consolidated Bylaw, respectively) unchanged.
- 33. If the Committee makes the decision not to consult, we are unable to progress the Verandahs Bylaw review and therefore the Bylaw would be revoked (as per section 160A of the Act). It would also mean we would not be able to update the Public Places Bylaw with the TEPPP changes – and therefore the two documents would not be aligned.

Whai whakaaro ki ngā whakataunga

Considerations for decision-making

Alignment with Council's strategies and policies

- 34. The proposed changes to the Public Places Bylaw align with the Council's newly adopted Trading and Events in Public Places Policy (TEPPP) 2021, which is due to take effect from July 2022.
- 35. The proposed changes to the Verandahs Bylaw align with the new draft District Plan in regard to the identified locations where verandahs are required in the city.

Engagement and Consultation

- 36. The proposed amendments have been developed through internal consultation with the Council's Legal, Building Resilience, and Mataaho Aronui teams.
- 37. There has been extensive engagement conducted on the TEPPP, including a public survey with 535 respondents to inform the development of the Policy and later consultation was carried out on the proposed Policy where we received 186 submissions. The feedback we received through this policy engagement and consultation has informed the proposed amendments to the Public Places Bylaw.

Implications for Māori

- 38. The Mataaho Aronui team have contributed to this Bylaw review and their feedback has been incorporated.

-
39. Consultation with mana whenua will be carried out if approval to consult is given by the Committee.

Financial implications

40. There are no financial implications from reviewing and amending the current Bylaws.

Legal considerations

41. The Legal Team have reviewed the proposed procedural amendments to the Bylaw and their feedback (which was minor edits) has been incorporated accordingly.
42. The Local Government Act 2002 has been considered in the review of the Bylaws. The proposed Bylaw is consistent with the New Zealand Bill of Rights Act 1990 and does not affect iwi customary rights (as defined in the Bylaw).

Risks and mitigations

43. This review does not affect the existing rights and interests of the public under the Bylaws. The proposal has been assessed as low risk using the Council's risk framework.

Disability and accessibility impact

44. The new TEPPP sets out accessibility provisions of trading and event activities in Wellington's public places. The TEPPP guides the use of the Public Places Bylaw and therefore updating it will support the implementation of the accessibility provisions.

Climate Change impact and considerations

45. The new TEPPP sets out requirements to integrate environmentally friendly practices in their operations. As above, the TEPPP guides the use of the Public Places Bylaw and therefore updating it will support the implementation of these provisions to reduce carbon.

Communications Plan

46. If approved, external consultation will be undertaken using the special consultative procedure required under Sections 83 and 86 of the Act. This process is designed to seek views from stakeholders and bring any public concerns or suggestions into the review process.
47. The suggested changes to both Bylaws are considered minor as they do not affect the public's existing rights under the Bylaws. Therefore, we are aiming only to meet our consultative requirements under the Act by making information about our proposals publicly available. We will have printed copies available at some libraries and the Arapaki Service Centre. We will also set up a Kōrero Mai page on the Council's website and will send details of the review to all the Residents' Associations in the city.

Health and Safety Impact considered

48. There will be positive health and safety impact from the review of the Verandah Bylaw through improved compliance and enforcement of the Bylaw.

49. The review has focused on improving understanding and compliance of the Bylaw through making it easier to navigate and access. The correction of drafting errors will support the Council to enforce the Bylaw lawfully. This might help avoid serious offences that endanger public health and safety.

Ngā mahinga e whai ake nei

Next actions

50. Upon committee approval, public consultation on the draft Statement of Proposal will commence, pursuant to sections 83 and 86 of the Act.
51. The proposed timeline for the consultation and review process is outlined in the following table.

Date	Activity
23 March	Pūroro Waihanga Infrastructure Committee approves the Statement of Proposal for public consultation.
25 March – 29 April	Consultation period.
Note: dates below may change depending on submission response.	
May	Pūroro Waihanga Infrastructure Committee hears oral submissions.
June	The Committee considers the report, as well as all written and oral submissions, and decides whether to adopt the proposed Bylaw.
	The Council considers whether to adopt the proposed Bylaw.
	Public notice of the amendment of the Bylaw by publication in the Gazette as per the conditions of the delegation.
July	Bylaw (as amended) comes into force. ²

Attachments

- Attachment 1. Statement of Proposal for Verandahs Bylaw Review and changes to Public Places Bylaw
- Attachment 2. Editing version of the proposed Public Places Bylaw 2022

² Because the new Trading and Events in Public Places Policy comes into force in July 2022, the new Bylaw also needs to take effect at this time.

Review of the Verandahs and Public Places Bylaws

Statement of Proposal

Contents

Summary of information	3
Have your say	4
Background	5
The process and timeframe for the review	5
Why we are proposing the changes	6
Summary of changes	7
Proposed Public Places Bylaw 2022	8
Part A: Introduction	8
Part B: Functions of the Council	12
Part C: Application	12
Part D: Offences and penalties	18
Schedule one: Restricted and prohibited areas for camping	21

Summary of information

We are reviewing the Council's Structures in Public Places – Verandahs Bylaw (Verandahs Bylaw) as required under the Local Government Act 2002 (the Act). We are also updating the Public Places Bylaw with minor changes. These two Bylaws are currently part ten and five, respectively, of the [Wellington City Consolidated Bylaw 2008](#).

The Verandahs Bylaw

The Verandahs Bylaw was made under the Act on 19 August 2015. It requires building owners to repair and maintain their verandahs to a reasonable standard.

Under section 158(1) of the Act, the Council must review its bylaws within five years after each bylaw was first made. If the bylaw is not reviewed within this timeframe, it is automatically revoked two years after it should have been reviewed. This means the review of the Verandahs Bylaw needs to be completed by 19 August 2022 in order for it to not be revoked.

Council officers have reviewed the Verandahs Bylaw and found it remains an appropriate bylaw under the Act to address verandah related matters in Wellington. Some minor changes have been proposed to clarify certain points such as “reasonable standard” and “recovery of costs”, as well as improving the structure and readability.

The Public Places Bylaw

The Public Places Bylaw (2018) was also made under the Act and forms part of the Consolidated Bylaw. It is not due for review until 2028. In November 2021 the Council adopted the new Trading and Events in Public Places Policy (TEPPP)¹ and revoked the Council's Footpath Management Policy (2007) and Trading in Public Places Policy (2006). Implementing these policy changes requires some minor updates to the Bylaw.

Proposed changes

The suggested changes to both Bylaws are considered minor as they do not affect the public's existing rights under the Bylaws. The proposed amendments to both Bylaws are to:

- remove both Bylaws from the Consolidated Bylaw
- create a new standalone bylaw called the Public Places Bylaw 2022 that incorporates the Verandahs Bylaw
- add relevant clauses from the Part 1: Introduction section of the Consolidated Bylaw to the proposed new Bylaw to ensure it has all required provisions for a standalone bylaw

¹ It comes into force on 1 July 2022.

- clarify the reasonable standard to which verandahs need to be repaired and maintained
- remove repetitive and self-evident clauses in the Verandahs Bylaw
- update the parts of the Public Places Bylaw that refer to the Footpath Management and Trading in Public Places policies with reference to the new TEPPP
- add definitions relevant to the new TEPPP
- improve readability and application of the Bylaw through editorial changes.

Have your say

Please let us know what you think about the review and proposed changes to the Wellington Consolidated Bylaw 2008 Part 10: Structures in Public Places - Verandahs and Part 5: Public Places.

To have your say about the proposed Bylaw you can:

- make a submission online at <https://www.letstalk.wellington.govt.nz>
- download a submission form from the website, complete and email it to **policy.submission@wcc.govt.nz**
- fill in the submission form and send it to:
Freepost 2199
Public Places and Verandahs Bylaw Review
Policy Team 259
PO Box 2199
Wellington 6140
- drop off a completed submission form to Arapaki Service Centre at **12 Manners Street.**

Printed copies of this Statement of Proposal are available from:

- Arapaki Service Centre and Library
- Te Awe Library
- emailing policy.submission@wcc.govt.nz
- phoning 04 499 4444 to request a copy.

If you wish to make an oral submission to Councillors, please indicate this on the submission form and ensure that you have included your contact details. We will contact you to arrange a time for you to speak.

Written submissions open on 25 March 2022 and close at **5pm on Friday, 29 April 2022.**

Background

This Statement of Proposal relates to a review of Part 10: Structures in Public Places – Verandahs (Verandahs Bylaw) and an update to Part 5: Public Places of the Wellington City Consolidated Bylaw 2008.

The Verandahs Bylaw

The Verandahs Bylaw was made under the Local Government Act 2002 (the Act) on 19 August 2015. It requires building owners to repair and maintain their verandahs to a reasonable standard.

Under section 158(1) of the Act, the Council must review a bylaw no later than five years after the bylaw was first made. Further reviews should be undertaken every 10 years. If a bylaw is not reviewed within this timeframe, it is automatically revoked two years after it should have been reviewed. This means the review of the Verandahs Bylaw needs to be completed by 19 August 2022 to prevent it from being revoked automatically.

The Public Places Bylaw

The Public Places Bylaw (2018) was made under sections 145 and 146 of the Act. It is not due for review until 2028. In November 2021, the Council adopted the new Trading and Events in Public Places Policy (TEPPP). This new policy will replace the Council's Footpath Management Policy (2007) and Trading in Public Places Policy (2006).

The TEPPP guides the use of the Public Places Bylaw and therefore it needs to be updated to support the policy implementation. The Bylaw refers to processes under the Footpath Management and Trading in Public Policies, and because these policies will be revoked in July, the Bylaw needs to be updated accordingly.

The process and timeframe for the review

The timeline for the consultation and further development process is outlined in the following table:

Date	Activity
23 March	Pūroro Waihanga Infrastructure Committee approves the Statement of Proposal for public consultation.
25 March – 29 April	Consultation period.
Note: dates below may change depending on submission response.	
May	Pūroro Waihanga Infrastructure Committee hears oral submissions.

June	The Committee considers the report, as well as all written and oral submissions, and decides whether to adopt the proposed Bylaw.
	The Council considers whether to adopt the proposed Bylaw.
	Public notice of the amendment of the Bylaw by publication in the Gazette as per the conditions of the delegation.
July	Bylaw (as amended) comes into force. ²

Why we are proposing the changes

The Verandahs Bylaw

We have reviewed the Verandahs Bylaw and found it remains an appropriate bylaw under the Act to address verandah related matters in Wellington. The Council does not intend to let the Bylaw to be revoked.

The requirement for buildings to have verandahs in particular zones around the city is provided in the Wellington City District Plan. The Bylaw provides the requirements around the standards to which they must be maintained.

We consider that the purpose of the Bylaw remains relevant. Verandahs remain an important city amenity that contribute to the city's resilience, protect people from the weather, and make the city an attractive place to visit and shop.

The requirement to ensure verandahs are maintained in a waterproof condition and in a state of good repair remains important. While the design and construction of verandahs has to meet the Council's encroachment setback and height clearance guidelines, repairing and maintaining verandahs to a reasonable standard is critical to public safety and wellbeing. Additionally, it is important that the Council retains the ability to require alteration and removal of certain verandahs for other legitimate reasons such as roading and asset management purposes.

Therefore, at conclusion of this review, the Verandahs Bylaw is still relevant to the Council's function and appropriate under the Act.

The Public Places Bylaw

The Public Places Bylaw regulates a diverse range of activities. It seeks to protect the public from nuisance, minimise the potential for offensive behaviour, maintain public health and safety, and manage land under the control of the Council to enhance the public's well-being and enjoyment of public places. The Bylaw is made under sections

² Because the new Trading and Events in Public Places Policy comes into force July 2022, the new Bylaw also needs to take effect at this time.

145 and 146 of the Local Government Act 2002. Some clauses of the Bylaw are made under the following legislation:

- a) section 12 of the Prostitution Reform Act 2003
- b) section 11 of the Freedom Camping Act 2011
- c) section 22AB of the Land Transport Act 1998
- d) section 12 of the Litter Act 1979.

The Public Places Bylaw was last reviewed and adopted in 2018. It has been part of the Consolidated Bylaw since 2008. It does not need to be reviewed until 2028. However, as outlined above, for the newly adopted TEPPP to be implemented in July 2022, the Bylaw needs to be amended to support this.

The proposed new Public Places Bylaw 2022

We propose that both the Verandahs Bylaw and the Public Places Bylaw are removed from the Consolidated Bylaw and then combined to create one comprehensive standalone bylaw titled the Public Places Bylaw 2022. Removing the Bylaws from the Consolidated Bylaw increases the accessibility and readability of the Bylaw.

The Verandahs Bylaw shares the key purposes and enforcement measures with the Public Places Bylaw. Both Bylaws aim to protect the public from nuisance and to maintain public health and safety. The Verandahs Bylaw is particularly concerned with ensuring verandahs in public places are a well maintained public amenity. Managing verandahs in public places is a similar function to the activities already provided under the Public Places Bylaw.

Combining them into one standalone Bylaw will mean that they are no longer buried within the Consolidated Bylaw and will be easily accessible to the public. It will also support better understanding and compliance due to the improved structure and readability.

Summary of changes

Wording and structural changes are proposed to improve the understanding and enforcement provisions of the Verandahs Bylaw. Changes to the Public Places Bylaw are mainly related to the new Trading and Events in Public Places Policy.

In summary the proposed changes are to:

- a) remove both Part 10: Structures in Public Places – Verandahs and Part 5: Public Places from the Wellington City Consolidated Bylaw 2008, and in doing so revoke these two parts of the Consolidated Bylaw
- b) combine these two Bylaws and create one comprehensive standalone Bylaw titled, the Public Places Bylaw 2022
- c) add relevant sections from Part 1: introduction to ensure the new standalone Bylaw has all required provisions to be functional

- d) update the locations where verandahs are required to align with the zones set out in the new draft District Plan 2021
- e) clarify what is meant by “reasonable standard” to which verandahs need to be repaired and maintained
- f) update the parts of the Public Places Bylaw that refer to the Footpath Management and Trading in Public Places policies with reference to the new Trading and Events in Public Places Policy
- g) add relevant definitions from the Trading and Events in Public Places Policy
- h) provide the definition of ‘iwi customary rights’ to clarify its use in the Public Places Bylaw
- i) remove the subheadings from the Offences clauses in the Public Places Bylaw (which were originally intended to improve readability) so that it is clearer they apply to all public places
- j) divide the new Bylaw into four parts and make minor formatting changes to provide clarity and ease usability

Proposed Public Places Bylaw 2022

Part A: Introduction

1. Preamble

- 1.1. The title of this Bylaw is the “Wellington City Council Public Places Bylaw 2022”. This Bylaw is consistent with the New Zealand Bill of Rights Act 1990 and does not affect iwi customary rights. The Council is committed to protecting fundamental rights and freedoms such as the right to freedom of expression and freedom of peaceful assembly.
- 1.2. This Bylaw is made under sections 145 and 146 of the Local Government Act 2002 and the following Acts:
 - a) Clause 11 is made under section 12 of the Prostitution Reform Act 2003.
 - b) Clause 13 is made under section 11 of the Freedom Camping Act 2011.
 - c) Clauses 17, 18 and 23.3 (o) are made under section 22AB of the Land Transport Act 1998.
 - d) Clause 23.3 (q) is made under section 12 of the Litter Act 1979.

2. Commencement

This Bylaw comes into force on [date].

3. Revocation and savings

- 3.1. This Bylaw consolidates, repeals, and replaces Part 5 (Public Places) and Part 10 (Structures in Public Places – Verandahs) of the Wellington City Council Consolidated Bylaw 2008.

- 3.2. Any resolution made under the Wellington Consolidated Bylaw 2008 continues in force until altered or revoked by further resolution.
- 3.3. All approvals issued under any revoked bylaw shall, after the coming into force of this Bylaw, be deemed to have been issued under this Bylaw and be subject to the provisions of this Bylaw.
- 3.4. All fees and charges fixed by resolution of the Council in regard to any goods, services, inspections or approvals provided for in any revoked bylaw shall apply under the corresponding provisions of this Bylaw until altered by further resolution of Council.

4. Purpose

This Bylaw regulates a diverse range of activities. It seeks to protect the public from nuisance, minimise the potential for offensive behaviour, maintain public health and safety, and manage land under the control of the Council to enhance the public's well-being and enjoyment of public places.

5. Interpretation

In this Bylaw, unless the context otherwise requires –

Approval means a permission issued by the Council and includes:

- a) licence;
- b) lease;
- c) permit;
- d) landowner approval;
- e) concession; or
- f) booking.

Beach means the foreshore (including the intertidal zone above the mean low water spring) and any area above mean high water springs that can reasonably be considered the beach environment including areas of sand, pebbles, shingle, dunes or coastal vegetation typically found in a marine environment.

Bulk bin means any receptacle used for the collection and/or eventual disposal of waste products. These may include (but are not limited to) metal skip bins, plastic wheel bins, flexi bins, and other similar objects.

Cable Car Lane means the public place connecting Lambton Quay to the Cable Car terminal (excluding the balcony extending at 6 Cable Car Lane).

Cemetery means any land held or otherwise set aside for the burial of the dead that is vested in or under the control of the Council from time to time.

Certified Self Contained means a vehicle that complies with New Zealand Standard 5465:2001 A2 self-containment of motor vehicles and caravans as in force from 30 May 2018.

Commercial sex premises means premises used or intended to be used primarily for exposing, selling or hiring goods or services related to sexual behaviour. To avoid

any doubt this includes strip clubs, strip bars, peep shows, lap dancing bars, escort agencies, adult bookshops, adult video shops, adult cinemas, sex shops; but does not include hospitals, health care services, chemists, community welfare facilities, or premises where therapeutic massage is offered and which are not brothels in terms of the Prostitution Reform Act 2003.

Council means the Wellington City Council.

Enforcement officer means a person appointed under the Local Government Act 2002, the Land Transport Act 1992, the Freedom Camping Act 2011, and the Litter Act 1979 to exercise the powers of an enforcement officer, including enforcement of this Bylaw.

Event means an organised temporary activity that takes place on one or more days including, without limitation to, an organised gathering, demonstration, competition, parade or procession, wedding, private function (which is independent of premises), festival, concert, celebration, multi-venue sports event of a significant scale, fun run, marathon, duathlon, or triathlon.

Freedom camp means to camp (other than at a camping ground) within 200m of a motor vehicle accessible area or the mean low-water springs line of any sea or harbour, or on or within 200m 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; and/or
- c) a car, campervan, house truck, or other motor vehicle.

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; and/or
- c) resting or sleeping at the roadside in a caravan or motor vehicle to avoid driver fatigue.

Freedom camping provisions will not be used against the homeless.

Good repair for the purposes of the verandah clauses, means it has been maintained to a reasonable standard, including the absence of visible rust; holed, rotted or otherwise damaged materials or elements; loose, visible or exposed electrical wires; and/or projections or other features that pose a danger to persons using a public place.

Iwi customary rights mean the use of land and/or buildings for traditional Māori activities and include making and/or creating customary goods, textiles and art, medicinal gathering, waka ama, Kingatanga events (Poukai), management and activities that recognise and provide for the special relationship between tangata whenua and places of customary importance. They also include harvesting of indigenous vegetation by mana whenua in accordance with tikanga for traditional uses.

Micromobility device means transportation using small, lightweight vehicles such as bicycles, skateboards, or scooters. Public micromobility share schemes refers to part of a self-service scheme in which people hire micromobility devices, usually electric, for short-term use within a town or city.

Nuisance has the same meaning as section 29 of the Health Act 1956 and includes a person, animal, thing or circumstance causing unreasonable interference with the peace, comfort or convenience of another person whether or not that person is in a public place.

Number includes any alphabetic symbol attached to the number allocated by the Council.

Public place means a place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place; and includes any hovercraft, ship or ferry or other vessel, train or vehicle carrying or available to carry passengers for reward. For the purposes of this Bylaw, public place includes Wellington Town Belt and reserve land.

Reserves management plan has the same meaning as “management plan” found in section 41 of the Reserves Act 1977.

Road has the same meaning provided in the Land Transport Act 1998.

Sign means a board, including any frame or other support device such as a notice board, for displaying posters or notices announcing future events or advertising for election purposes.

Street appeals means coordinated and organised events by organisations who ask for, or seek, any subscription, collection or donation from members of the public, and usually involves more than one collection person operating at the same time.

Street performance means a musical, dramatic or other performance involving musical, theatrical or circus performance skills, including busking, playing musical instruments, dancing, singing, clowning or juggling, pavement art, poetry or doing other acts of a similar nature.

Trading means the act of selling or trading, or offering to sell or trade goods or services, with or without use of a vehicle.

Vehicle access means any section of legal road that facilitates the access of vehicles from private property to the formed carriageway, and includes that part of a driveway on private property that impacts on the point of entry onto or from legal road.

Verandah means a roofed space extending from a building and includes any structure, assembly, machinery or equipment erected on, or attached to the side or underside of, a verandah.

Part B: Functions of the Council

6. Council may set conditions

- 6.1. The Council may prescribe conditions for access to or use of any public place.
- 6.2. The Council may revoke any approval previously given at any time.
- 6.3. The Council may prescribe the form of, and process to be followed for, any application, certificate, approval or other document, which is required under this Bylaw. These forms and processes may be altered or amended at any time.

7. Restrictions affecting public access

- 7.1. The Council may restrict any activity being undertaken in a public place in order to prevent material damage to the place or a nuisance or harm to any person.
- 7.2. The Council may close any public place at any time for the purpose of maintaining or improving it, or for holding sports matches or any other performances, or for any other purpose that the Council considers necessary.
- 7.3. An enforcement officer may exclude or remove any person from a public place:
 - a) who has acted in a manner that is contrary to conditions of use set by the Council;
 - b) who is not bona fide using the place for its normal intended purposes;
 - c) who has contravened any of the provisions of this Bylaw; or
 - d) for any good and sufficient reason relating to the efficient, reasonable, and fair management of the place.

8. Fees and charges

- 8.1. The Council may set fees and charges, either temporarily or permanently, where payment is a condition for access to, or use of any public place.
- 8.2. The Council may refund, remit or waive any fee prescribed by this Bylaw or charge payable for a certificate or approval from, or inspection by, the Council, for any reason it thinks fit.

Part C: Application

9. Trading and event activities

- 9.1. Written approval must be obtained from the Council to undertake a trading or event activity on public land as set out in the Trading and Events in Public Places Policy 2022.
- 9.2. To enable the Council to minimise disruption to pedestrians and other users, the organiser of any event, demonstration, competition, parade or procession that is likely to interfere with traffic or pedestrian thoroughfare in a public place shall notify the Council as soon as reasonably practicable prior to the event.

10. Signage

- 10.1. Written approval is required for all signage in public places. Approval may be subject to Council setting conditions including placement, fees and the duration a sign may be erected.
- 10.2. Any sign erected without approval must be removed within 1 hour of being instructed to do so, or as otherwise specified by the Council.
- 10.3. Posters or notices displayed on notice boards shall be covered or removed within 24 hours of the end of the event, or such other time as approved by the Council.
- 10.4. Responsibility for compliance with this Bylaw lies with the person who displayed the poster or notice, or the organiser, promoter or person in charge of the advertised good, service or event or, in the case of an election, the candidate or a delegate of that candidate.

11. Advertising for commercial sex premises and services

- 11.1. Written approval is required from the Council for signage that advertises any commercial sex premise or commercial sex service that will be visible from any road or public place.
- 11.2. The following criteria may be considered when assessing an application for approval:
 - a) the extent to which the signage depicts or implies sexual activity;
 - b) the extent to and manner in which the sign depicts nudity (the depiction of nudity is not encouraged);
 - c) the size, number, other effects and cumulative effects of the signage; and
 - d) the extent to which words and/or images could be offensive. (The Council will decline applications for signage that are found to be offensive.)

12. Sports and games

- 12.1. The organiser of any game, sporting activity or group activity (excluding informal or casual play) proposed to take place in any part of a public place must notify the Council as soon as reasonably practicable prior to commencing the activity.
- 12.2. The Council may set conditions for use of the public place such as to manage the potential for any damage caused by the activity and minimise conflict between users.

13. Freedom camping

Restricted and prohibited areas as outlined in Schedule One

- 13.1. A person must not camp in an area in which freedom camping is prohibited, as identified in **Schedule One: Restricted and Prohibited Areas for freedom camping**, unless they have prior written approval from the Council.
- 13.2. A person may camp in an area in which freedom camping is restricted, as identified in Schedule One: Restricted and Prohibited Areas for freedom camping, but must comply with the specific restrictions listed for that site unless they have prior written approval from the Council that waives these restrictions.

- 13.3. Freedom camping is permitted in any local authority area in Wellington City, unless it is restricted or prohibited in an area under this bylaw or any other enactment.
- 13.4. Camping is prohibited on all land managed under the Reserves Act 1977 and Wellington Town Belt Act 2016 unless allowed in a reserve management plan or the Wellington Town Belt Management Plan 2018. Campers are advised to camp in the restricted areas identified in Schedule One of this bylaw. For clarity, the Freedom Camping 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.

Prior written approval from the Council

- 13.5. A written application is required two weeks in advance of the planned date for approval to camp in a prohibited area.
- 13.6. A written application is required two weeks in advance of the planned date for approval to camp in a restricted area.
- 13.7. Freedom camping in Wellington is restricted or prohibited as illustrated and described within the following aerial photographs: **Schedule One: Restricted and Prohibited Areas for Camping.**

Approval process

- 13.8. Written applications will be considered for camping in public places for special purposes. Approval may be granted at the Council's sole discretion, with or without conditions. Applications to camp in accordance with clauses 13.1 and 13.2 above must be made in writing and provide the following information:
- a) the location;
 - b) the duration of occupation;
 - c) the number of people;
 - d) the provisions to ensure that there is no damage or effects to the public place; and
 - e) the reason why the camping is proposed.

14. Life-saving equipment

The Council may at its discretion authorise on any beach any volunteer life-saving club to provide and use life-saving appliances and boats, and erect and remove any danger notices as necessary.

15. Cemeteries

- 15.1. The purchaser of a plot or their representative must keep all fences, enclosures, tombstones, vaults, headstones and other monuments on any plot in proper order and repair.
- 15.2. The Council may from time to time set specifications for memorial hardware and structures that may be installed on plots.

- 15.3. The Council may remove, at any time, any memorial items, hardware or structures that do not comply with the Council's specifications that have fallen into a state of decay, become broken or pose a hazard.
- 15.4. Written approval must be obtained before installing a fence, tombstone, vault or other monument on any plot; prior to any interment or disinterment and carrying out any work in a cemetery.

16. Road and property identification

- 16.1. The Council may require the name of the road, private road or public place to which a building has frontage, to be painted or affixed onto that building.
- 16.2. The owner of a property, building or group of buildings forming part of a complex must mark the property with the number allocated by the Council, regardless of any other identification a property or building may have. The marking shall be:
- a) at least 50mm in height;
 - b) of a colour in contrast to its background;
 - c) easily visible from the road to which it has frontage; and
 - d) maintained by the owner in a way that easily identifies the property at all times.
- 16.3. Clauses 16.1 and 16.2 do not apply to property without buildings, and property not allocated a number by the Council.
- 16.4. When the Council advises the owner of a property that an address needs to be displayed or changed, the owner must arrange to do so within 15 working days, or as otherwise instructed.

17. Traffic

- 17.1. The Council may under the provisions of this Bylaw or under the [Traffic and Parking Bylaw 2021](#) impose any controls relating to vehicles in a public place to allow the proper use and enjoyment of the place.
- 17.2. If instructed to do so by an enforcement officer, any person must move a vehicle in or from any public place where that vehicle may be impacting upon the safety, convenience and enjoyment of the public using that place.
- 17.3. Any vehicle, whether attended or not, in breach of this Bylaw may be removed by the Council in accordance with the Vehicle Removal provisions in the [Traffic and Parking Bylaw 2021](#).

18. Vehicle access

- 18.1. Prior written approval must be obtained before any person may construct, repair, remove, widen or narrow any vehicle access way.
- 18.2. When considering an application for vehicle access, the Council will take into account what is reasonably necessary to protect the grass berm from damage and ensure the safe and convenient use of the road by pedestrians and vehicles.

- 18.3. Conditions may be set by way of licence or written approval for the construction of a vehicle crossing, and may include:
- a) use of materials and dimensions;
 - b) timeframe for completion;
 - c) a requirement that the applicant pay a cash deposit or bond of up to 150% of the estimated cost of work as a guarantee the work is completed to the satisfaction of the Council and/or against any damage to Council's property;
 - d) a requirement that the applicant arranges the construction work to meet the approved conditions and pays all associated costs; and/or
 - e) a requirement that all construction work be carried out in compliance with the Wellington City Council Code of Practice for Working on the Road and/or with specific regard to any relevant NZTA guidelines in force within the Council's jurisdiction.
- 18.4. The Council may by notice require the property owner which the vehicle crossing provides access, to repair, reconstruct, renew or remove such access to the satisfaction of the Council.
- 18.5. The Council may remove or alter any work located on the road constructed without prior written approval or contrary to the terms of written approval. Costs may be recovered from the person who undertook the work, or the property owner serviced by the vehicle access.

19. Encroachments

- 19.1. A property owner ('the encroacher') may be authorised by the Council to occupy a public place controlled by the Council ('an encroachment'). The Council may at its discretion authorise an encroachment by granting landowner consent, and if required, an encroachment licence to the applicant in accordance with any relevant Council policy.
- 19.2. The Council may consider whether the proposed encroachment will compromise the primary use of the road to facilitate free pedestrian and traffic movement, and/or unreasonably interfere with a property owner's right of access to any road across the frontage between the road and the private property.
- 19.3. An encroachment licence may authorise the occupation of the encroachment area for parking, boundary marking, airspace, subsoil or access structures, for the maintenance or beautification of the encroachment area, or any other purposes the Council considers appropriate.
- 19.4. An encroachment licence issued by the Council shall be subject to such conditions that the Council considers appropriate, at the sole discretion of the Council.
- 19.5. The encroacher must own the land adjoining or in the vicinity of the encroachment area that benefits from the encroachment and continue to own this land for the period of the encroachment.
- 19.6. Any subsequent encroacher must complete a new encroachment licence with the Council in order to continue the occupation of the encroachment area.

20. Building work and excavations

- 20.1. Prior written approval of the Council is required before any person carries out building work or excavations on a public place.
- 20.2. Council approval may be subject to conditions, including a requirement that the applicant pay a cash deposit or bond of up to 150% of the estimated cost of work as a guarantee the work is completed to the satisfaction of the Council and/or against any damage to the Council's property. The estimated cost of work shall be approved by the Council.
- 20.3. The Council may remove or alter any building or excavation work undertaken without prior written approval or contrary to the terms of written approval. Costs may be recovered from the person who undertook the work, or the person for whom the work was being done.
- 20.4. If any damage occurs to the place, the Council may require it to be reinstated.

21. Fences, walls and stability of land

- 21.1. The Council may require the owner of any land which has no fence, wall or retaining wall adjacent to a public place to erect a fence, wall or retaining wall if the Council considers that this is necessary for safety or other reasons relating to the use or administration of the public place.
- 21.2. Where any fence, wall, retaining wall or land adjacent to a public place is in a condition or state of disrepair which could cause injury to persons or damage to a public place, the Council may give notice requiring the owner to repair, remove or replace the fence, wall or retaining wall, or make the land safe.

22. Verandahs

- 22.1. The Wellington City District Plan requires buildings to have verandahs in designated zones.
- 22.2. Despite clause 22.1, no person, without prior written approval of the Council, may:
 - a) construct a new verandah over a public place;
 - b) demolish an existing verandah over a public place; or
 - c) enlarge, extend, or add to an existing verandah over a public place.
- 22.3. Any verandah constructed over a public place shall be maintained to a reasonable standard, including in a waterproof condition and in a state of good repair.
- 22.4. If the Council considers that a verandah constructed over a public place is not to a reasonable standard, the Council may serve a written notice on the owner of the building to which the verandah is attached, requiring the owner to repair and maintain the verandah so that it complies with this Bylaw.
- 22.5. If the Council considers that the alteration of a verandah constructed over a public place is required for roading purposes, asset protection and/or public safety, the Council may serve a written notice on the owner of the building to which the verandah is attached, requiring the owner to alter the

verandah, as stated in the notice. The Council must consult with the building owner before notice is served.

- 22.6. Any action required by a notice served on an owner under clause 22.4 or clause 22.5 must be carried out by the date stated in the notice.
- 22.7. If an owner fails to carry out any action required by a notice served under clause 22.4 or clause 22.5 by the date stated in the notice, the Council may authorise the alteration, repair and maintenance, or removal of the verandah and recover the costs from the owner.
- 22.8. No person shall use or otherwise occupy any verandah constructed over a public place, except for the purpose of inspection, cleaning, maintenance, repair, alteration, emergency egress, or carrying out work in accordance with this Bylaw.

Part D: Offences and penalties

23. Offences

- 23.1. Every person commits an offence against this Bylaw who damages, destroys or defaces (or has in their possession without authority from the Council) any property, article or thing belonging to the Council or under its control.
- 23.2. Every person commits an offence against this Bylaw who does not comply with any requirement or condition of their approval, or acts contrary to any prohibition or resolution made in this Bylaw.
- 23.3. Under this Bylaw no person may:
- a) in any public place wilfully obstruct, disturb, annoy or interfere with any person in their use or enjoyment of a public place;
 - b) use any public place in contravention of the conditions set by the Council regulating the use of that place;
 - c) use a public place after closing hours;
 - d) ride a micromobility device in a manner which causes a nuisance or damage to a public place. (Micromobility devices may be used in a public place except where signage prohibits it);
 - e) verbally advertise on behalf of, or distribute in any public place any handbills, writings or pictures of which the primary purpose, whether explicitly or implicitly, is to advertise, identify or inform the public of any commercial sex premise or commercial sex service;
 - f) place posters on any Council ornament, statue, structure, building or facility in a public place without the Council's prior approval;
 - g) smoke in close proximity to hazardous substances in any public place;
 - h) smoke in Cable Car Lane;
 - i) install a fence, tombstone, vault or other monument on any plot, or carry out any interments, disinterments or other work in a cemetery without the prior written approval from Council;

- j) hunt game in a public place;
- k) carry or discharge a firearm or any other weapon in a public place;
- l) discharge a firework in a public place;
- m) obstruct any member of a life-saving club carrying out life-saving activities;
- n) use, move or damage any appliance or signal provided by the Council or by any volunteer life-saving club, at any beach, except for the purpose of saving life or with the approval of the Council or the club;
- o) operate or drive a vehicle on a beach;
- p) gather food or firewood in a public place without prior approval from the Council;
- q) clean or prepare any fish in a public place;
- r) play a sport or game in a public place, if contrary to any notice, or if expressly forbidden to do so by an enforcement officer; or enter in or remain on any part of a public place marked out as a playing area for a sport or game while the sport or game is in progress;
- s) disturb, damage or remove from a public place any soil, sand, gravel, rock, plants, fish, animals (including eels), or any naturally occurring thing without having obtained prior written approval from the Council;
- t) disturb or damage land in a manner which is injurious or causes a nuisance to any person or causes material damage to land or Council property without having obtained prior written approval from the Council;
- u) drive, stop, stand or park any vehicle in any public place other than on any roadway or in any car park provided for the purpose, and then only in accordance with any controls or restrictions imposed by the Council;
- v) drive, stop, stand, park or leave any vehicle, bulk bin, container or other object in a public place in such a manner as to obstruct the normal or safe entry to, or exit from, or movement of other vehicles, or pedestrians within a public place;
- w) fail to maintain the verandah as required under clause 22.3; or
- x) put up, alter, or demolish any structure of any kind or undertake an excavation in a public place without prior written approval of the Council.

24. Penalties

- 24.1. A person in breach of clause 13 of this Bylaw commits an offence under the Freedom Camping Act 2011 and is liable to a fine not exceeding \$200.
- 24.2. A person in breach of clause 23.3 (q) of this Bylaw commits an offence under the Litter Act 1979 and is liable to a fine not exceeding \$400.
- 24.3. A person in breach of clauses 17, 18 and Clause 23.3 (o) of this Bylaw is liable to the fine under the Land Transport Act 1998 not exceeding \$1,000.
- 24.4. A person who is convicted of an offence under this Bylaw is liable to a fine not exceeding \$20,000 under the Local Government Act 2002.

25. Exemptions

- 25.1. The prohibitions and restrictions contained in this part of the Bylaw do not apply to any Council agent or officer when engaged in the performance of their regular duties.
- 25.2. An Iwi's customary rights are not affected by this Bylaw.

Schedule one: Restricted and prohibited areas for camping


Camping in Wellington is restricted or prohibited as illustrated and described within the following aerial photographs.

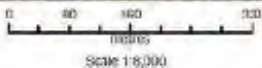




- a** Civic Square
- b** Glover Park
- c** Te Aru Park
- d** Midland Park
- e** Central Railway Station
- f** Post Office Square
- g** Waitangi Park
- h** Frank Kits Park

Prohibited Camping Areas
Wellington C.B.D.

 Prohibited



Copyright Wellington City Council. All rights reserved. This document is the property of Wellington City Council. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Wellington City Council. Wellington City Council is not responsible for any loss or damage arising from the use of this document.

MAP PRODUCED BY:
Wellington City Council
301 Victoria Street
WELLINGTON, NZ

ORIGINAL MAP SIZE: A4
AUTHOR: [redacted]
DATE: 7/10/2014
REFERENCE:

Absolutely Positively
Wellington City Council
147-149 Plunket



Prohibited Camping Areas
Wellington C.B.D.

Map data sources: 2013 Census, road survey, 100 ha, 1:10,000 & 1:50,000 based from Land Information NZ Crown Copyright. Property boundaries derived from the 2013/14 cadastral data. Data is not guaranteed to be accurate. The map is not intended for navigation purposes. The map is not intended for use in any other way. The map is not intended for use in any other way. The map is not intended for use in any other way.

MPP PRODUCED BY
Wellington City Council
101 Wakefield Street
WELLINGTON, NZ

ORIGINAL MAP SIZE: A4
AUTHOR: prest02
DATE: 7/10/2014
REFERENCE:


Absolutely Positively
Wellington City Council
We take it there

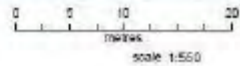


Balaena Bay is situated on Evans Bay Parade between Oriental Bay and Evans Bay. Freedom camping at Balaena Bay is prohibited.

Balaena Bay, Wellington

Freedom camping restrictions & prohibited areas

 Camping prohibited



Property boundaries, city council, road centre, sea level, address & its parts derived from LIDAR information NZ Crown Copyright reserved. Property boundaries accuracy +/-1m in urban areas, +/-20m in rural areas. Contour data supplied by Geomatics NZ. Prohibited boundaries are not for events, concerts, other and sporting activities where it is not intended and must not be used for detailed engineering design. Other data has been compiled from a variety of sources and its accuracy may vary, but is generally +/-1m.

MAP PRODUCED BY:
Wellington City Council
10 Wakefield Street
WELLINGTON, NZ

ORIGINAL MAP SIZE: A4
AUTHOR: [redacted]
DATE: 7/10/2014
REFERENCE:



Absolutely Positively
Wellington City Council
No. 16281896

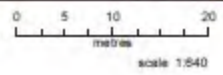


Evans Bay Marina is situated at the south end of Evans Bay Parade, where it meets Cobham Drive. The south end of the Marina car park is available for freedom camping with restrictions. Freedom camping in all other areas of the marina complex is prohibited.

Restrictions: Certified self-contained vehicles no greater than 7 metres long only, four nights max in a single calendar month.

Evans Bay, Wellington
Freedom camping restrictions & prohibited areas

-  Camping prohibited
-  Restrictions apply



Property boundaries, 30m Contours, road names, rail line, address & title points sourced from Land Information NZ, Crown Copyright (various). Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas. Contour data sourced from Geotitles NZ. Postcodes sourced from NZ Post. Assets, contours, water and drainage information shown is approximate and must not be used for detailed engineering design. Other data has been compiled from a variety of sources and its accuracy may vary, but is generally +/- 1m.

MAP PRODUCED BY:
Wellington City Council
101 Wakefield Street
WELLINGTON, NZ



ORIGINAL MAP SIZE: A4
AUTHOR: prestu2
DATE: 23/04/2018
REFERENCE:

**Absolutely Positively
Wellington City Council**
www.wellington.govt.nz



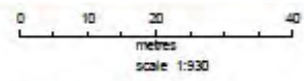
Te Kopahou Reserve, Wellington
Freedom camping restrictions & prohibited areas

Property boundaries, 20m Contours, road names, rail line, address & title points sourced from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas. Census data sourced from Statistics NZ. Postcodes sourced from NZ Post. Assets, contours, water and drainage information shown is approximate and must not be used for detailed engineering design. Other data has been compiled from a variety of sources and its accuracy may vary, but is generally +/- 1m.

-  Camping prohibited
-  Restrictions apply

MAP PRODUCED BY:
Wellington City Council
101 Wakefield Street
WELLINGTON, NZ

ORIGINAL MAP SIZE: A4
DATE: 16/10/2015
AUTHOR: presto2
REFERENCE:



Absolutely Positively
Wellington City Council
McRae Ki Pōkeka

Wellington City Council Public Places Bylaw 2022

Contents

Part A: Introduction	2
1. Preamble	2
2. Commencement.....	3
3. Revocation and savings.....	3
4. Purpose	3
5. Interpretation.....	3
Part B: Functions of the Council	5
6. Council may set conditions	5
7. Restrictions affecting public access	6
8. Fees and charges.....	6
Part C: Bylaw application	6
9. Trading and event activities	6
10. Signage	7
11. Advertising for commercial sex premises and services	7
12. Sports and games.....	7
13. Freedom Camping.....	7
14. Life-saving equipment.....	8
15. Cemeteries	8
16. Conduct in cemeteries	8
17. Road and property identification.....	9
18. Traffic	9
19. Vehicle access	9
20. Encroachments	10
21. Building work and excavations	10
22. Fences, walls and stability of land.....	10
23. Verandahs	11
Part D: Offences and penalties	12
24. Offences	12
25. Removal, repair and alteration of works in breach of bylaws and recovery of costs.....	Error!
Bookmark not defined.	
26. Enforcement powers.....	Error! Bookmark not defined.

27. Penalties.....	13
28. Exemptions.....	14

SCHEDULE ONE: RESTRICTED AND PROHIBITED AREAS FORCAMPING... **Error! Bookmark not defined.**

- 1. Purpose
- 2. Definitions
- 3. Council may set conditions
- 4. Restrictions affecting public access
- Section One: Public Places
- 5. Fees and charges
- 6. Assembly
- 7. Activities requiring written approval
- 8. Display of articles and trading
- 9. Signage
- 10. Advertising for commercial sex premises and services
- Section Two: Beaches, Cemeteries, Parks and Reserves
- 11. Sports and games
- 12. Freedom Camping
- 13. Life-saving equipment
- 14. Cemeteries
- 15. Conduct in cemeteries
- Section Three: Property and Access
- 16. Road and property identification
- 17. Traffic
- 18. Vehicle access
- 19. Encroachments
- 20. Building work and excavations
- 21. Fences, walls and stability of land
- 22. Offences
- 23. Penalties
- 24. Exemptions

Part A: Introduction

1. Preamble

1.1 The title of this Bylaw is the “Wellington City Council Public Places Bylaw 2022”. This ~~Public Places~~ Bylaw is consistent with the New Zealand Bill of Rights Act 1990 and does not affect iwi customary rights. The Council is committed to protecting fundamental rights and freedoms such as the right to freedom of expression and freedom of peaceful assembly.

1.2 This Bylaw is made under sections 145 and 146 of the Local Government Act 2002 and the following Acts:

- a) Clause 11~~section 10~~ of this Bylaw is made under section 12 of the Prostitution Reform Act 2003.

- b) ~~Clause 13 section 12 of this Bylaw~~ is made under section 11 of the Freedom Camping Act 2011.
- c) ~~Sections 17, 18 and clause 22(o)~~ Clauses 17, 18 and 23.3 (o) are made under section 22AB of the Land Transport Act 1998.
- d) ~~Clauses 22.3 (q) and (r)~~ Clause 23.3 (q) is made under section 12 of the Litter Act 1979.

2. Commencement

This Bylaw comes into force on [date].

3. Revocation and savings

- 3.1 This Bylaw consolidates, repeals, and replaces Part 5 (Public Places) and Part 10 (Structures in Public Places – Verandahs) of the Wellington City Council Consolidated Bylaw 2008.
- 3.2 Any resolution made under the Wellington Consolidated Bylaw ~~19912008, before this Bylaw came into force,~~ continues in force under this Bylaw until altered or revoked by further resolution.
- 3.3 All ~~licences~~ approvals issued under any revoked bylaw shall, after the coming into force of this Bylaw, be deemed to have been issued under this Bylaw and be subject to the provisions of this Bylaw.
- 3.4 All fees and charges fixed by resolution of the Council in regard to any goods, services, inspections or ~~licences~~ approvals provided for in any revoked bylaw shall apply under the corresponding provisions of this Bylaw until altered by further resolution of Council.

4. Purpose

- 4.1 ~~This part of the consolidated~~ Bylaw regulates a diverse range of activities. It seeks to protect the public from nuisance, minimise the potential for offensive behaviour, maintain public health and safety, and manage land under the control of the Council to enhance the public's well-being and enjoyment of public places.

5. Interpretation

- 5.1 In this Bylaw, unless the context otherwise requires –

Approval means a permission issued by the Council and includes:

- a) licence;
- b) lease;
- c) permit;
- d) landowner approval;
- e) concession; or
- f) booking.

Beach means the foreshore (including the intertidal zone above the mean low water spring) and any area above mean high water springs that can reasonably be considered the beach environment including areas of sand, pebbles, shingle, dunes or coastal vegetation typically found in a marine environment.

Bulk bin means any receptacle used for the collection and/or eventual disposal of waste products. These may include (but are not limited to) metal skip bins, plastic wheel bins, flexi bins, and other similar objects.

Cable Car Lane means the public place connecting Lambton Quay to the Cable Car terminal (excluding the balcony extending at 6 Cable Car Lane).

Cemetery means any land held or otherwise set aside for the burial of the dead that is vested in or under the control of the Council from time to time.

Certified Self Contained means a vehicle that complies with New Zealand Standard 5465:2001 A2 self-containment of motor vehicles and caravans as in force ~~at~~ from 30 May 2018.

Commercial sex premises means premises used or intended to be used primarily for exposing, selling or hiring goods or services related to sexual behaviour. To avoid any doubt this includes strip clubs, strip bars, peep shows, lap dancing bars, escort agencies, adult bookshops, adult video shops, adult cinemas, sex shops; but does not include hospitals, health care services, chemists, community welfare facilities, or premises where therapeutic massage is offered and which are not brothels in terms of the Prostitution Reform Act 2003.

Council means the Wellington City Council.

Enforcement officer means a person appointed under the Local Government Act 2002, the Land Transport Act 1992, the Freedom Camping Act 2011, and the Litter Act 1979 to exercise the powers of an enforcement officer, including enforcement of this Bylaw.

Event means an organised temporary activity that takes place on one or more days including, without limitation to, an organised gathering, demonstration, competition, parade or procession, wedding, private function (which is independent of premises), festival, concert, celebration, multi-venue sports event of a significant scale, fun run, marathon, duathlon, or triathlon.

Freedom camp means to camp (other than at a camping ground) within 200m of a motor vehicle accessible area or the mean low-water springs line of any sea or harbour, or on or within 200m 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; and/or
- c) a car, campervan, house truck, or other motor vehicle.

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; and/or
- c) resting or sleeping at the roadside in a caravan or motor vehicle to avoid driver fatigue.

Freedom camping provisions will not be used against the homeless.

Good repair for the purposes of the verandah clauses, means it has been maintained to a reasonable standard, including the absence of visible rust; holed, rotted or otherwise damaged materials or elements; loose, visible or exposed electrical wires; and/or projections or other features that pose a danger to persons using a public place.

Iwi customary rights mean the use of land and/or buildings for traditional Māori activities and include making and/or creating customary goods, textiles and art, medicinal gathering, waka ama, Kingatanga events (Poukai), management and activities that recognise and provide for the special relationship between tangata whenua and places of customary importance. They also include harvesting of indigenous vegetation by mana whenua in accordance with tikanga for traditional uses.

Micromobility device means transportation using small, lightweight vehicles such as bicycles, skateboards, or scooters. Public micromobility share schemes refers to part of a self-service scheme in which people hire micromobility devices, usually electric, for short-term use within a town or city.

Nuisance has the same meaning as section 29 of the Health Act 1956 and includes a person, animal, thing or circumstance causing unreasonable interference with the peace, comfort or convenience of another person whether or not that person is in a public place.

Number includes any alphabetic symbol attached to the number allocated by the Council.

Public place means a place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place; and includes any hovercraft, ship or ferry or other vessel, train or vehicle carrying or available to carry passengers for reward. For the purposes of this Bylaw, public place includes Wellington Town Belt and reserve land.

Reserves management plan has the same meaning as “management plan” found in section 41 of the Reserves Act 1977.

Road has the same meaning provided in the Land Transport Act 1998, ~~has the meaning given by the Local Government Act 1974.~~

Sign means a board, including any frame or other support device such as a notice board, for displaying posters or notices announcing future events or advertising for election purposes, ~~but excludes sandwich boards.~~

Street appeals means coordinated and organised events by organisations who ask for, or seek, any subscription, collection or donation from members of the public, and usually involves more than one collection person operating at the same time.

Street performance means a musical, dramatic or other performance involving musical, theatrical or circus performance skills, including busking, playing musical instruments, dancing, singing, clowning or juggling, pavement art, poetry or doing other acts of a similar nature.

Trading means the act of selling or trading, or offering to sell or trade goods or services, with or without use of a vehicle.

Vehicle access means any section of legal road that facilitates the access of vehicles from private property to the formed carriageway, and includes that part of a driveway on private property that impacts on the point of entry onto or from legal road.

Verandah means a roofed space extending from a building and includes any structure, assembly, machinery or equipment erected on, or attached to the side or underside of, a verandah.

Part B: Functions of the Council

6. Council may set conditions

~~3.1 The Council may, from time to time and subject to the provisions of this bylaw, prescribe conditions by resolution, by way of licence or otherwise) for access to any public place.~~

~~3.2 The Council may by resolution, or by way of a licence set conditions for the use of a public place.~~

6.1 The Council may prescribe conditions for access to or use of any public place.

6.2 The Council may revoke any approval previously given at any time.

6.3 The Council may prescribe the form of, and process to be followed for, any application, certificate, licence, permit approval or other document, which is required under this Bylaw. These forms and processes may be altered or amended at any time.

7. Restrictions affecting public access

7.1 The Council may restrict any activity being undertaken in a public place in order to prevent material damage to the place or a nuisance or harm to any person.

7.2 The Council may close any public place at any time for the purpose of maintaining or improving it, or for holding sports matches or any other performances, or for any other purpose that the Council considers necessary.

7.3 Any ~~authorised~~ enforcement officer under this Bylaw may exclude or remove any person from a public place:

- a) who has acted in a manner that is contrary to conditions of use set by the Council;
- b) who is not bona fide using the place for its normal intended purposes;
- c) who has contravened any of the provisions of this Bylaw; or
- d) for any good and sufficient reason relating to the efficient, reasonable, and fair management of the place.

~~Section One: Public Places~~

8. Fees and charges

8.1 The Council may set fees and charges, either temporarily or permanently, where payment is a condition for access to, or use or continued use of any public place.

8.2 The Council may refund, remit or waive any fee prescribed by this Bylaw or charge payable for a certificate or approval certificate, authority, permit or consent from, or inspection by, the Council, for any reason it thinks fit.

Part C: Application

~~8, Assembly~~

~~10. Activities requiring written approval~~

9. Trading and event activities

9.1 Written approval from the Council is required ~~for street appeals, charity fundraisers, street performances and busking. The Footpath Management Policy provides information on how to obtain approval for these activities to undertake a trading or event activity on public land as set out in the Trading and Events in Public Places Policy 2022.~~

9.2 To enable the Council to minimise disruption to pedestrians and other users, the organiser of any event demonstration, competition, parade or procession that is likely to interfere with traffic or pedestrian thoroughfare in a public place shall notify the Council as soon as reasonably practicable prior to the event so that the Council may arrange any necessary traffic management.

~~8. Display of articles and trading~~

~~8.1~~ Written approval from the Council is required for retail displays, kiosks and stalls.

~~8.2~~ Council may consider and grant at its discretion licences for:

- ~~•~~ a. open air markets;
- ~~•~~ b. outdoor dining;

- ~~c. trading in a public places;~~
- ~~d. any seating and furniture; and~~
- ~~e. any promotional signage associated with trading activities.~~

~~8.3 The Council may prescribe conditions for any licence and revoke any licence at any time.~~

10. Signage

- 10.1 Written approval is required for all signage in public places. Approval may be subject to Council setting conditions including placement, fees and the duration a sign may be erected.
- 10.2 Any sign erected without approval must be removed within 1 hour of being instructed to do so, or as otherwise specified by the Council.
- 10.3 Posters or notices displayed on notice boards shall be covered or removed within 24 hours of the end of the event, or such other time as approved by the Council.
- 10.4 Responsibility for compliance with this Bylaw lies with the person who displayed the poster or notice, or the organiser, promoter or person in charge of the advertised good, service or event or, in the case of an election, the candidate or a delegate of that candidate.

11. Advertising for commercial sex premises and services

- 11.1 Written approval is required from the Council for signage that advertises any commercial sex premise or commercial sex service that will be visible from any road or public place.
- 11.2 The following criteria may be considered when assessing an application for approval ~~permission~~:
- a) the extent to which the signage depicts or implies sexual activity;
 - b) the extent to and manner in which the sign depicts nudity (the depiction of nudity is not encouraged);
 - c) the size, number, other effects and cumulative effects of the signage; and
 - d) the extent to which words and/or images could be offensive. (The Council will decline applications for signage that are found to be offensive.)

~~Section Two: Beaches, Cemeteries, Parks and Reserves~~

12. Sports and games

- 12.1 The organiser of any game, sporting activity or group activity (excluding informal or casual play) proposed to take place in any part of a public place must notify the Council as soon as reasonably practicable prior to commencing the activity.
- 12.2 The Council may set conditions for use of the public place such as to manage the potential for any damage caused by the activity and minimise conflict between users.

13. Freedom Camping

Restricted and prohibited areas as outlined in Schedule One

13.1 A person must not camp in an area in which freedom camping is prohibited, as identified in Schedule One: Restricted and Prohibited Areas for freedom camping (18.8MB PDF), unless they have prior written ~~consent~~ approval from the Council.

13.2 A person may camp in an area in which freedom camping is restricted, as identified in Schedule One: Restricted and Prohibited Areas for freedom camping, but must comply with the

specific restrictions listed for that site unless they have prior written ~~consent~~ approval from the Council that waives these restrictions.

13.3 Freedom camping is permitted in any local authority area in Wellington City, unless it is restricted or prohibited in an area under this bylaw or any other enactment.

13.3 Camping is prohibited on all land managed under the Reserves Act 1977 and Wellington Town Belt Act 2016 unless allowed in a reserve management plan or the Wellington Town Belt Management Plan 2018. Campers are advised to camp in the restricted areas identified in Schedule One of this bylaw. For clarity, the Freedom Camping 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.

Prior written ~~consent~~ approval from the Council

13.4 A written application is required two weeks in advance of the planned date for ~~consent~~ approval to camp in a restricted or prohibited area.

13.5 A written application is required two weeks in advance of the planned date for ~~consent~~ approval to camp in a restricted area.

13.6 Freedom camping in Wellington is restricted or prohibited as illustrated and described within the following aerial photographs: Schedule One: Restricted and Prohibited Areas for Camping (18.8MB PDF).

Approval process

13.7 Written applications will be considered for camping in public places for special purposes. ~~Consent~~ Approval may be granted at the Council's sole discretion, with or without conditions. Applications to camp in accordance with clauses ~~12.1 and 12.2~~ 13.1 and 13.2 above must be made in writing and provide the following information:

- a) the location;
- b) the duration of occupation;
- c) the number of people;
- d) the provisions to ensure that there is no damage or effects to the public place; and
- e) the reason why the camping is proposed.

14 Life-saving equipment

14.1 The Council may at its discretion authorise on any beach any volunteer life-saving club to provide and use life-saving appliances and boats, and erect and remove any danger notices as necessary.

15 Cemeteries

15.1 The purchaser of a plot or their representative must keep all fences, enclosures, tombstones, vaults, headstones and other monuments on any plot in proper order and repair.

15.2 The Council may from time to time set specifications for memorial hardware and structures that may be installed on plots.

15.3 The Council may remove, at any time, Any memorial items, hardware or structures that do not comply with the Council's specifications that have fallen into a state of decay, become broken or pose a hazard ~~may, at any time, be removed from the cemetery by the Council.~~

~~15~~Conduct in cemeteries

15.4 Written ~~permission~~ approval must be obtained before installing a fence, tombstone, vault or other monument on any plot; prior to any interment or disinterment and carrying out any work in a cemetery.

Section Three: Property and Access

16 Road and property identification

16.1 The Council may require ~~from time to time numbering to be painted or affixed on a building,~~ the name of the road, private road or public place to which it a building has frontage, to be painted or affixed onto that building.

16.2 The owner of a property, building or group of buildings forming part of a complex must mark the property with the number allocated by the Council, regardless of any other identification a property or building may have. The marking shall be:

- a) at least 50mm in height;
- b) of a colour in contrast to its background;
- c) easily visible from the road to which it has frontage; and
- d) maintained by the owner in a way that easily identifies the property at all times.

16.3 Clauses 16.1 and 16.2 do not apply to property without buildings, and property not allocated a number by the Council.

16.4 When the Council advises the owner of a property that an address needs to be displayed or changed, the owner must arrange to do so within 15 working days, or as otherwise instructed.

17 Traffic

17.1 The Council may under the provisions in this ~~bylaw~~ Bylaw or under the ~~Traffic Bylaw~~ Traffic and Parking Bylaw 2021 impose any controls relating to vehicles in a public place to give effect to the proper use and enjoyment of the place.

17.2 If instructed to do so by an ~~authorised~~ enforcement officer, any person must move a vehicle in or from any public place where that vehicle may be impacting upon the safety, convenience and enjoyment of the public using that place.

17.3 Any vehicle, whether attended or not, in breach of this Bylaw may be removed by the Council in accordance with the Vehicle Removal provisions in Part 7: Traffic of the Consolidated Bylaw the Traffic and Parking Bylaw 2021.

18 Vehicle access

18.1 Prior written approval must be obtained before any person may construct, repair, remove, widen or narrow any vehicle access way.

18.2 When considering an application for vehicle access, the Council will take into account what is reasonably necessary to protect the grass berm from damage and ensure the safe and convenient use of the road by pedestrians and vehicles.

18.3 Conditions may be set by way of licence or written ~~permission~~ approval for the construction of a vehicle crossing, ~~and which~~ may include:

- a) use of materials and dimensions;
- b) timeframe for completion;
- c) a requirement that the applicant pay a cash deposit or bond of up to 150% of the estimated cost of work as a guarantee the work is completed to the satisfaction of the ~~Council~~ Council and/or against any damage to Council's property;
- d) a requirement that the applicant arranges the construction work to meet the approved conditions and pays all associated costs; and or

- e) a requirement that all construction work be carried out in compliance with the Wellington City Council Code of Practice for Working on the Road and/or with specific regard to any relevant NZTA guidelines in force within the Council's jurisdiction.

18.4 The Council may by notice require the property owner which the vehicle crossing provides access to, to repair, reconstruct, renew or remove such access to the satisfaction of the Council.

18.5 The Council may remove or alter any work located on the road constructed without prior written approval or contrary to the terms of written approval. Costs may be recovered from the person who undertook the work, or the property owner serviced by the vehicle access.

19 Encroachments

19.1 Any property owner ('the encroacher') may be authorised by the Council to occupy a public place controlled by the Council ('an encroachment'). The Council may at its discretion authorise an encroachment by granting landowner consent, and if required, an encroachment licence to the applicant in accordance with any relevant Council policy.

19.2 The Council may consider whether the proposed encroachment will compromise the primary use of the road to facilitate free pedestrian and traffic movement, and/or unreasonably interfere with a property owner's right of access to any road across the frontage between the road and the private property.

19.3 An encroachment licence may authorise the occupation of the encroachment area for parking, boundary marking, airspace, subsoil or access structures, for the maintenance or beautification of the encroachment area, or any other purposes the Council considers appropriate.

19.4 An encroachment licence issued by the Council shall be subject to such conditions that the Council considers appropriate, at the sole discretion of the Council.

19.5 The encroacher must own the land adjoining or in the vicinity of the encroachment area that benefits from the encroachment and continue to own this land for the period of the encroachment.

19.6 Any subsequent encroacher must complete a new encroachment licence with the Council in order to continue the occupation of the encroachment area.

20 Building work and excavations

20.1 Prior written approval of the Council is required before any person carries out building work or excavations on a public place.

20.2 Council approval may be subject to conditions, including a requirement that the applicant pay a cash deposit or bond of up to 150% of the estimated cost of work as a guarantee the work is completed to the satisfaction of the Council and/or against any damage to the Council's property. The estimated cost of work shall be approved by the Council.

20.3 The Council may remove or alter any ~~work~~-building or excavation work undertaken without prior written approval or contrary to the terms of written approval. Costs may be recovered from the person who undertook the work, or the person for whom the work was being done.

20.4 If any damage occurs to the place, the Council may require it to be reinstated.

21 Fences, walls and stability of land

21.1 The Council may require the owner of any land which has no fence, wall or retaining wall adjacent to a public place to erect a fence, wall or retaining wall if the Council considers that this is necessary for safety or other reasons relating to the use or administration of the public place.

21.2 Where any fence, wall, retaining wall or land adjacent to a public place is in a condition or state of disrepair which could cause injury to persons or damage to a public place, the Council

may give notice requiring the owner to repair, remove or replace the fence, wall or retaining wall, or make the land safe.

22 Verandahs

22.1 The Wellington City District Plan requires buildings to have verandahs ~~mainly along designated routes within the Central Business District and City Centres in designated zones.~~

~~This part of the Bylaw requires building owners to repair and maintain their verandahs to a reasonable standard.~~

~~This part of the Bylaw is made pursuant to the Local Government Act 2002 Section 146 (a) and (b) and Section 146 (b)(vi).~~

~~2.1 Written approval required~~

22.2 ~~Despite clause 22.1, no person, without prior written approval of the Council, may:~~

- ~~a) construct a new verandah over a public place; or~~
- ~~b) demolish an existing verandah over a public place; or~~
- ~~c) enlarge, extend, or add to an existing verandah over a public place.~~

~~Without prior written approval of the Council.~~

~~Maintenance and repair of verandahs~~

22.3 Any verandah constructed over a public place shall be maintained to a reasonable standard, including in a waterproof condition and in a state of good repair.

22.4 If the Council considers that a verandah constructed over a public place is not to a reasonable standard in a waterproof condition or a state of good repair, the Council may serve a written notice on the owner of the building to which the verandah is attached, requiring the owner to ~~clean, repair, or alter~~ and maintain the verandah so that it complies with this Bylaw.

22.5 If the Council considers that the alteration of a verandah constructed over a public place is required for roading purposes, asset protection and/or public safety, the Council may serve a written notice on the owner of the building to which the verandah is attached, requiring the owner to alter the verandah, as stated in the notice. The Council must consult with the building owner before notice is served.

22.6 Any action required by a notice served on an owner under clause ~~2.2.2~~ 22.4 ~~or clause 2.2.3~~ or clause 22.5 must be carried out by the date stated in the notice.

22.7 If an owner fails to carry out any action required by a notice served under clause ~~2.2.2 or clause 2.2.3~~ 22.4 or clause 22.5 by the date stated in the notice, the Council may authorise the cleaning, alteration, repair and maintenance, or removal of the verandah and recover the costs from the owner in accordance with Part 1, clauses 1.10.1 to 1.10.3 of this Bylaw.

22.8 No person shall ~~stand on~~ use or otherwise occupy any verandah constructed over a public place, except for the purpose of inspection, cleaning, maintenance, repair, alteration, emergency egress, or carrying out work in accordance with this Bylaw.

~~Clarifying Provisions~~

~~2.3.1 For the avoidance of doubt, clauses 2.2.1 to 2.2.6:~~

~~—(a) are additional to the provisions of any encroachment licence or encroachment lease granted by the Council under this Bylaw or the Local Government Act 1974;~~

~~—(b) are additional to any other provisions of this Bylaw, any enactment, or any Council policy relating to or affecting a verandah over a public place;~~

~~—(c) do not relieve any person of any duty or responsibility arising under any other provisions of this Bylaw, any enactment, or any Council policy relating to or affecting a verandah over a public place; and~~

~~—(d) do not limit the Council's decision-making or enforcement powers under any other provisions of this Bylaw, any enactment, or any Council policy.~~

Part D: Offences and penalties

23 Offences

23.1 Every person commits an offence against this Bylaw who damages, destroys or defaces (or has in his or her possession without authority from the Council) any property, article or thing belonging to the Council or under its control.

23.2 Every person commits an offence against this Bylaw who does not comply with any requirement or condition of their approval, or acts contrary to any prohibition or resolution made in this Bylaw, ~~or made by resolution, commits an offence against this bylaw. Including.~~

23.3 Under this Bylaw no person may:

Public places

~~22.2~~ No person may:

- a) in any public place wilfully obstruct, disturb, annoy or interfere with any person in their use or enjoyment of a public place;
- b) use any public place in contravention of the conditions set by the Council regulating the use of that place;
- c) use a public place after closing hours;
- d) ride a ~~skateboard~~ micromobility device in a manner which causes a nuisance or damage to a public place. (~~Skateboards and roller-skates~~ Micromobility devices may be used in a public place except where signage prohibits it);
- e) verbally advertise on behalf of, or distribute in any public place any handbills, writings or pictures of which the primary purpose, whether explicitly or implicitly, is to advertise, identify or inform the public of any commercial sex premise or commercial sex service;
- f) place posters on any Council ornament, statue, structure, building or facility in a public place without the Council's prior approval;
- g) smoke in close proximity to hazardous substances in any public place; ~~or~~
- h) smoke in Cable Car Lane;

Beaches, Cemeteries, Parks and Reserves

~~22.3~~ No person may:

- i) install a fence, tombstone, vault or other monument on any plot, or carry out any interments, disinterments or other work in a cemetery without the prior written approval from Council;
- j) hunt game in a public place;
- k) carry or discharge a firearm or any other weapon in a public place;
- l) discharge a firework in a public place;
- m) obstruct any member of a life-saving club carrying out life-saving activities;
- n) use, move or damage any appliance or signal provided by the Council or by any volunteer life-saving club, at any beach, except for the purpose of saving life or with the approval of the Council or the club;
- o) operate or drive a vehicle on a beach;
- p) gather food or firewood in a public place without prior ~~permission~~ approval from the Council;
- q) clean or prepare any fish in a public place;
- r) play a sport or game in a public place, if contrary to any notice, or if expressly forbidden to do so by an ~~authorised~~ enforcement officer; or enter in or remain on any part of a public place marked out as a playing area for a sport or game while the sport or game is in progress;
- s) disturb, damage or remove from a public place any soil, sand, gravel, rock, plants, fish, animals (including eels), or any naturally occurring thing without having obtained prior written approval from the Council; ~~or~~
- t) disturb or damage land in a manner which is injurious or causes a nuisance to any person or causes material damage to land or Council property without having obtained prior written approval from the Council;

Property and Access

22.4 ~~No person may:~~

- u) drive, stop, stand or park any vehicle in any public place other than on any roadway or in any car park provided for the purpose, and then only in accordance with any controls or restrictions imposed by the Council;
- v) drive, stop, stand, park or leave any vehicle, bulk bin, container or other object in a public place in such a manner as to obstruct the normal or safe entry to, or exit from, or movement of other vehicles, or pedestrians within a public place;
- w) fail to maintain the verandah as required under clause 22.3; or
- x) put up, alter, or demolish any structure of any kind or undertake an excavation in a public place without prior written approval of the Council. ~~, and then only in compliance with any condition under which such approval may be granted.~~

24 Penalties

24.1 ~~Freedom Camping~~

25.1 A person in breach of ~~clause 13 section 12~~ of this Bylaw commits an offence under the Freedom Camping Act 2011 and is liable to a fine not exceeding \$200.

~~24.2~~ — Litter

25.2 A person in breach of clause ~~22(a)~~ 23.3 (g) of this Bylaw commits an offence under the Litter Act 1979 and is liable to a fine not exceeding \$400.

~~24.3~~ — Land Transport

25.3 A person in breach of ~~sections~~ clauses 17, 18 and Clause 23.3 (o) of this Bylaw is liable to the fine under the Land Transport Act ~~1998~~ not exceeding ~~\$500~~ \$1,000.

~~24.4~~ — Local Government Act

25.4 A person who is convicted of an offence under this Bylaw is liable to a fine not exceeding \$20,000 under the Local Government Act 2002.

25 Exemptions

25.1 The prohibitions and restrictions contained in this part of the Bylaw do not apply to any Council agent or officer when engaged in the performance of their regular duties.

25.2 An Iwi's customary rights are not affected by this Bylaw.

PROPOSED DISPOSAL - PART OF 39 CHAPMAN STREET, JOHNSONVILLE

Kōrero taunaki

Summary of considerations

Purpose

1. This report to Pūroro Waihanga | Infrastructure Committee asks that the Committee recommend to Council that it approves to dispose of an approximately 307m² part of Council owned fee-simple land at 39 Chapman Street, Johnsonville (the Land) to the adjoining owners at 15 Chesterton Street, Johnsonville (the Applicant).

Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- Sustainable, natural eco city
- People friendly, compact, safe and accessible capital city
- Innovative, inclusive and creative city
- Dynamic and sustainable economy

Strategic alignment with priority objective areas from Long-term Plan 2021–2031

- Functioning, resilient and reliable three waters infrastructure
- Affordable, resilient and safe place to live
- Safe, resilient and reliable core transport infrastructure network
- Fit-for-purpose community, creative and cultural spaces
- Accelerating zero-carbon and waste-free transition
- Strong partnerships with mana whenua

Relevant Previous decisions

N/A

Significance

The decision is rated low significance in accordance with schedule 1 of the Council's Significance and Engagement Policy.

- Affects a limited number of individuals to a low degree
- Has very little public interest
- Low consequence for Wellington City
- Low impact to the Council being able to perform its role

Financial considerations

Nil Budgetary provision in Annual Plan / Long-term Plan Unbudgeted \$X

2. The applicant has agreed to cover all costs associated with the project. These costs will be recovered from the applicant as and when required.

Risk

Low Medium High Extreme

3. The overall risk of this project is considered to be low.

Author	Sarah-Jane Still, Property Advisor
Authoriser	John Vriens, Principal Property Advisor Chris Mathews, Head of Resilience Siobhan Procter, Chief Infrastructure Officer

Taunakitanga

Officers' Recommendations

Officers recommend the following motion

That Pūroro Waihanga | Infrastructure Committee:

1. Receive the information
2. Recommend to Council that it:
 - a. Declare that an approximately 307m² *part of* the fee simple land at 39 Chapman Street, Johnsonville being *part of* Lot 114 DP 41189 held on ROT WN15D/1193 (the Land) is not required for a public work and is surplus to Council's operational requirements.
 - b. Agree to dispose of the Land to the adjoining owner at 15 Chesterton Street, Johnsonville.
 - c. Delegate to the Chief Executive Officer the power to conclude all matters in relation to the disposal of the Land including all legislative matters, negotiating the terms of the sale, imposing any reasonable covenants, and anything else necessary.

Whakarāpopoto

Executive Summary

3. Council was approached by the adjoining owner at 15 Chesterton Street, Johnsonville (the Applicant) about potentially acquiring part of 39 Chapman Street, Johnsonville (the Land). Refer to Attachment 1 for the aerial plan – the Land is outlined in red, and the Applicant's property is outlined in green.
4. The Land is a Three Waters asset managed by Wellington Water Limited (WWL). It provides drive on access to the adjoining land which contains a working water reservoir.
5. WWL is supportive of the proposed part disposal, as the Land is not required for operational purposes of the adjoining reservoir and access to the reservoir will not be compromised or shared as a result.
6. Other Council business units were approached to determine if the Land may be needed for another Council operational requirement, but none indicated that the Land was required.

7. The Land is 'landlocked' (with no physical or legal access to road), and WWL is not willing to allow a right of way easement over the driveway on the balance of land to remain in Council ownership. Therefore, the only possible party to dispose of the Land to would be to an adjoining owner.
8. There are two adjoining owners to the Land: the Applicant, and the owners of 41 Chapman Street. As part of the investigation into the disposal of the Land, the owners at 41 Chapman Street were contacted and asked if they were interested in purchasing part of the Land, however they declined to proceed.
9. The Land would be sold to the Applicant at current market value assessed by a registered valuer.

Takenga mai

Background

10. The Land at 39 Chapman Street, being part of Lot 114 DP 41189 and held on ROT WN15D/1193, is approximately 307m² (subject to survey) and is currently part of Council's Chapman Street water reservoir site. Refer to Attachment 2 for the location plan.
11. The Land sits below both the Chapman Street formed carriageway and the Council-owned driveway used to access the main water reservoir site. The Land contains only vegetation and medium sized trees. There is no reservoir or other Council related infrastructure located within the Land.
12. The Land is held on a separate title from the main reservoir site. The parcel contains only a driveway which provides access to the main reservoir site and is located in the balance land that will be retained by Council.
13. There is no public works purpose listed on the Record of Title for the Land and the Land is zoned as Outer Residential in the current District Plan.

Kōrerorero

Discussion

14. There are two privately owned properties immediately adjoining the Land – 15 Chesterton Street and 41 Chapman Street. The adjoining owner at 15 Chesterton Street (the Applicant) approached Council about the possibility of purchasing part of Lot 114 DP 44189 which adjoins their property's rear boundary.
15. Before the Land is disposed of, it must be declared surplus to Council's operational requirements. The Public Works Act 1981 (PWA) dictates the disposal process.
16. Under section 40 of the PWA the Council 'shall endeavour' to dispose of land not required for the public work for which it was taken or held, and which is not required for any other public work.
17. If the Land is declared surplus, officers would then confirm whether there were any obligations under s40 of the PWA requiring Council to offer the Land back to the former owner, or their successor in title. Preliminary investigations indicate that an exemption to offer back exists.
18. No other Council business units indicated a requirement for the Land. It is therefore appropriate to declare the Land surplus to requirements and dispose of it.

19. If the Land is declared surplus and Council agree to dispose of the Land, the adjoining owners are the only reasonable parties to purchase the Land as it is landlocked and WWL is not supportive of a Right of Way easement being created over the remaining reservoir site and existing driveway.
20. As part of the disposal investigation, the other adjoining owner at 41 Chapman Street was asked if they had any interest in purchasing part of 39 Chapman Street, however, after initially expressing interest in doing so, they ultimately withdrew from the disposal process.

Kōwhiringa

Options

21. If the Land is not declared surplus and sold, then we would retain land not required for operational purposes.
22. The preferred option is to dispose of the Land as it is not required and as the Applicant will be paying current market value for it and all the associated costs of the transaction. The disposal of the Land would also increase the development opportunity of 15 Chesterton Street and their rateable value.

Whai whakaaro ki ngā whakataunga

Considerations for decision-making

Alignment with Council's strategies and policies

23. This proposed disposal will have no impact on the Long-Term Plan.
24. In line with Council's financial principles, assets that are declared surplus to strategic or operational requirements are sold.

Engagement and Consultation

25. No public consultation for this disposal is required, however, the only other adjoining owner was engaged during the initial investigation into the possible disposal. The other adjoining owner was approached about potentially purchasing part of the Land and it was concluded that they did not wish to do so.

Implications for Māori

26. The Land is not noted in Council's current or draft District Plans as being of significance to Māori.
27. The Land is not noted in either the 2008 Deed of Settlement with Taranaki Whānui ki Te Upoko o Te Ika, or the 2012 Deed of Settlement with Ngāti Toa Rangātira.
28. As the Land is landlocked it is only possible to dispose of the land to the adjoining owner, therefore, there are no known implications for Iwi.

Financial implications

29. As the applicant has agreed to pay all costs associated with this disposal, including officer time there are no financial implications for this project.

-
30. The proceeds from the sale will be directed to the general fund and off-set Council borrowing.

Legal considerations

31. The Land is landlocked and therefore the only reasonable and practical option is to sell to an adjoining owner. A section 40 PWA disposal report will be completed by Council officers and reviewed by Council's Legal Services team in order to ensure Council's section 40 PWA obligations are met.
32. Council's legal services team will prepare the Sale and Purchase agreement and oversee settlement and transfer of the Land.

Risks and mitigations

33. This proposal is considered low risk.

Disability and accessibility impact

34. There are no known disability or accessibility impacts relating to the disposal of the Land.

Climate Change impact and considerations

35. There are no known climate change impacts relating to the disposal of the Land.

Communications Plan

36. No communications plan is required as the landlocked land can only be sold to the adjoining owner.

Health and Safety Impact considered

37. N/A

Ngā mahinga e whai ake nei

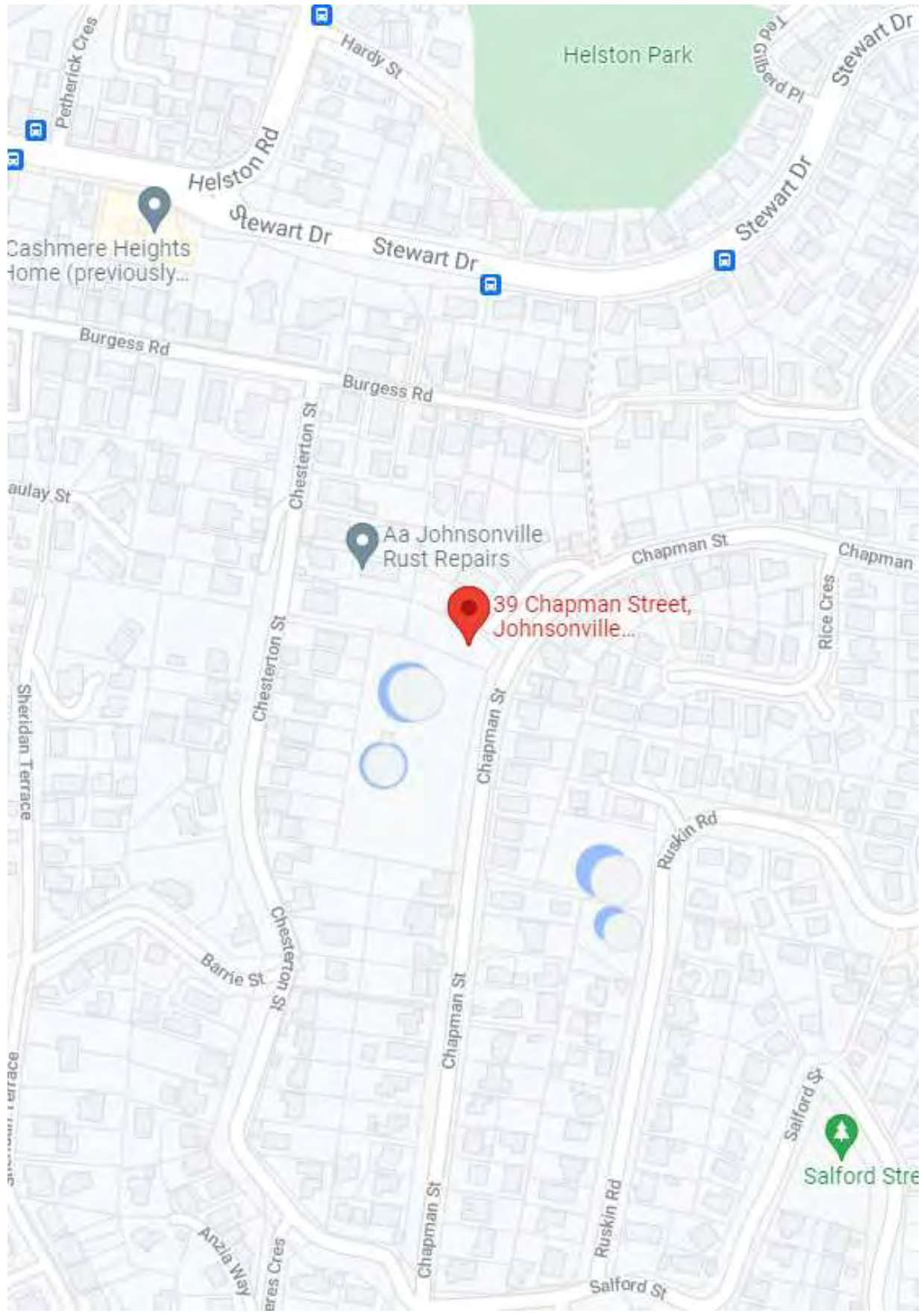
Next actions

38. Produce s40 PWA report.
39. Engage surveyor and complete subdivision of the land.
40. Arrange and sign a Sale and Purchase Agreement.
41. Settlement and Transfer.

Attachments

- Attachment 1. Aerial
Attachment 2. Location Plan

Location Plan



ACTIONS TRACKING

Kōrero taunaki Summary of considerations

Purpose

1. This report provides an update on the past actions agreed by the Pūroro Waihanga | Infrastructure Committee at its previous meetings.

Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

Strategic alignment with priority objective areas from Long-term Plan 2021–2031

- Sustainable, natural eco city
- People friendly, compact, safe and accessible capital city
- Innovative, inclusive and creative city
- Dynamic and sustainable economy

- Functioning, resilient and reliable three waters infrastructure
- Affordable, resilient and safe place to live
- Safe, resilient and reliable core transport infrastructure network
- Fit-for-purpose community, creative and cultural spaces
- Accelerating zero-carbon and waste-free transition
- Strong partnerships with mana whenua

Relevant Previous decisions

Not applicable.

Financial considerations

- Nil Budgetary provision in Annual Plan / Long-term Plan Unbudgeted \$X

Risk

- Low Medium High Extreme

Author	Leteicha Lowry, Democracy Advisor
Authoriser	Siobhan Procter, Chief Infrastructure Officer

Taunakitanga

Officers' Recommendations

Officers recommend the following motion

That the Pūroro Waihanga | Infrastructure Committee:

1. Receive the information.

Whakarāpopoto

Executive Summary

2. This report lists the dates of previous committee meetings and the items discussed at those meetings.
3. Each clause within the resolution has been considered separately and the following statuses have been assigned:
 - In progress: Resolutions with this status are currently being implemented.
 - Complete: Clauses which have been completed, either by officers subsequent to the meeting, or by the meeting itself (i.e. by receiving or noting information).
4. All actions will be included in the subsequent monthly updates, but completed actions will only appear once.

Takenga mai

Background

5. At the 13 May 2021 Council meeting, the recommendations of the Wellington City Council Governance Review (the Review Report) were endorsed and agreed to be implemented.
6. At the 13 May 2021 Council meeting, the recommendations of the Wellington City Council Governance Review (the Review Report) were endorsed and agreed to be implemented.
7. The purpose of this report is to ensure that all resolutions are being actioned over time. It does not take the place of performance monitoring or full updates. The committee could resolve to receive a full update report on an item if it wishes.

Kōrerorero

Discussion

8. Following feedback, the status system has been changed so that resolutions either show as 'in progress' or 'complete'.
9. Of the 6 resolutions of the Pūroro Waihanga | Infrastructure Committee in February 2022:
 - 4 are complete.
 - 2 are in progress.
10. 14 in progress actions were carried forward from the last action tracking report.
 - 0 are complete.
 - 14 are still in progress.
11. Further detail is provided in Attachment One.

Attachments

Attachment 1. Actions Tracking - March

Date	Meeting	Item	Clause	Status	Comments
Thursday, 14 October 2021	Pūroro Waihanga Infrastructure Committee	3.2 Residual Waste Disposal Options	9. Direct officers to progress two parallel work streams (in order to ensure that all reasonably practicable options are available for the Council's consideration of the issue of the disposal of residual waste beyond 2026): a. Continue to investigate and analyse further minimisation and waste disposal options and consultation requirements, reporting to Infrastructure b. Undertake the work to initiate and lodge the necessary resource consent applications to extend the Southern landfill	In progress	One of the landfill (Stage IV) has now been discounted as it was unreasonably practical due to time frame issues. Concentrate on piggy back (smaller) landfill option. a. Completed. b. Progressing -target lodgement by late October 2022
Thursday, 14 October 2021	Pūroro Waihanga Infrastructure Committee	3.2 Residual Waste Disposal Options	15. Request that the consultation signals the city's intended journey to minimal waste as outlined in the roadmap. This will be based on future residual waste quantities while noting that investment decisions will need to be made via LTP.	In progress	Noted.
Thursday, 14 October 2021	Pūroro Waihanga Infrastructure Committee	3.2 Residual Waste Disposal Options	18. Request officers to update on the timeline of the sludge removal project as a priority.	In progress	Ongoing until project is completed.
Thursday, 14 October 2021	Pūroro Waihanga Infrastructure Committee	3.3 Strategic Waste Review Update He Ara, He Para Iti/A Pathway, Minimal Waste	7. Agree to adopt in principle the draft Waste Minimisation Roadmap, and continue to build on the initiatives and how they will be delivered in co-design with the community.	In progress	A detailed assessment of resource recovery options and associated business case development is underway. Preliminary strategic and economic business case findings will be presented to the Infrastructure Committee in March 2022.
Thursday, 14 October 2021	Pūroro Waihanga Infrastructure Committee	3.3 Strategic Waste Review Update He Ara, He Para Iti/A Pathway, Minimal Waste	9. Agree that waste minimisation initiatives will be progressed in parallel with the sludge initiative so they can be quickly implemented and scaled up once the sludge constraint is removed.	In progress	A range of planning related to strategic waste projects, including the development of the new WMMP and business case development to expand Wellington City Resource Recovery network. Related project outputs will be considered by the Council throughout 2022.

Thursday, 14 October 2021	Pūroro Waihanga Infrastructure Committee	3.3 Strategic Waste Review Update He Ara, He Para Iti/A Pathway, Minimal Waste	11. Request officers to report back in six months, in order to feed into the Annual Plan, with a roadmap implementation plan for the strategic waste review which will increase the ambition around the name, initiatives, timeline, and reduction goals including ongoing co-design and collaboration with mana whenua, key stakeholders and the community. The implementation plan will include the following: <ul style="list-style-type: none"> • Financial implications of accelerating the strategic waste minimisation roadmap. • A strong narrative about the social, cultural, economic, and environmental benefits of the waste minimisation roadmap. 	In progress	In December 2021, the Infrastructure Committee agreed to a revised schedule for this work – now being due in October 2022.
Thursday, 11 November 2021	Pūroro Waihanga Infrastructure Committee	2.1 Wellington Water Limited - Community Infrastructure Resilience	2. Agree that the Council investigate the development of a proactive strategy for sale and delivery of water tanks enabling increased access at places deemed appropriate such as libraries, service centres, and weekend markets.	In progress	The information was formally received by the committee. WREMO coming to Infrastructure Committee to talk about this on 27/04/2022.
Thursday, 11 November 2021	Pūroro Waihanga Infrastructure Committee	2.2 Mayoral Taskforce Three Waters: Progress Report	4. Note that officers will provide a further progress report in May 2022.	In progress	The information was noted by the Committee
Thursday, 11 November 2021	Pūroro Waihanga Infrastructure Committee	2.3 Project Jasmine - Sewage Sludge Minimisation	2. Agree to engage further with the community and in particular with: <ul style="list-style-type: none"> • The residential ratepayer base regarding the indicative change in the proposed levy range compared to what was included in the LTP consultation. • The commercial ratepayer base on the indicative levy 	In progress	The information was formally received by the committee. Engagement on the levy is scheduled for Q4 once our cost estimates have been updated.
Thursday, 11 November 2021	Pūroro Waihanga Infrastructure Committee	2.3 Project Jasmine - Sewage Sludge Minimisation	5. Agree to the procurement approach specified in this report including market sounding for Early Contractor Involvement in November 2021 and release of an RFP in January 2022 (noting that commencing the procurement is not pre determinative of a final decision on the project)	In progress	The information was formally received by the committee. Market sounding has been completed, RFP for ECI was delayed until February due to the need to get other RFPs ahead of the ECI RFP. RFP has been released but deadline has been extended due to resource impact of Covid.
Thursday, 11 November 2021	Pūroro Waihanga Infrastructure Committee	2.3 Project Jasmine - Sewage Sludge Minimisation	9. Note that officers will report back in early 2022 with the final business case and results from the community engagement to propose a Committee decision to proceed with the project, and the technical option, and to provide an update on the funding arrangements and on other work streams.	In progress	The information was formally received by the committee. Business Case completion is progressing well and due for presentation to the Infrastructure Committee in Q4.

Thursday, 9 December 2021	Pūroro Waihanga Infrastructure Committee	2.3 Strategic Waste Planning Overview	7. Agree that officers will progress ongoing co-design and collaboration with mana whenua, key stakeholders and the community between February and October 2022, to refine the waste minimisation initiatives contained in the draft roadmap and to develop a new (draft) WMMP Action Plan and investment plan, with a report to Committee on the progress and outcomes in October 2022	In progress	The information was noted by the Committee
Thursday, 9 December 2021	Pūroro Waihanga Infrastructure Committee	2.3 Strategic Waste Planning Overview	8. Agree that the Council will work regionally to advance the development of the next Regional Waste Management and Minimisation Plan in 2022/2023, with a Regional WMMP currently scheduled for consultation in 2023.	In progress	The information was noted by the Committee
Thursday, 9 December 2021	Pūroro Waihanga Infrastructure Committee	2.2 Earthquake prone buildings programme update	7. Direct officers to report back to the Committee six monthly with an update on the programme.	In progress	The information was noted by the Committee
Wednesday, 23 February 2022	Pūroro Waihanga Infrastructure Committee	2.1 Wastewater Service Update	1. Receive the information	Complete	The information was received by the Committee.
Wednesday, 23 February 2022	Pūroro Waihanga Infrastructure Committee	2.1 Wastewater Service Update	2. Officers will report back to the Pūroro Waihanga Infrastructure Committee in August 2022 and March 2023 on progress and outcomes in respect to the implementation of the review's recommendations.	In progress	The information was noted by the Committee
Wednesday, 23 February 2022	Pūroro Waihanga Infrastructure Committee	2.1 Wastewater Service Update	3. Request that Wellington City Council is represented on the steering group that will oversee the implementation of the recommendations.	In progress	The information was noted by the Committee
Wednesday, 23 February 2022	Pūroro Waihanga Infrastructure Committee	2.2 Traffic Bylaw Implementation Update	1. Receive the information	Complete	The information was received by the Committee.
Wednesday, 23 February 2022	Pūroro Waihanga Infrastructure Committee	2.3 Forward Programme	1. Recieve the information	Complete	The information was received by the Committee.
Wednesday, 23 February 2022	Pūroro Waihanga Infrastructure Committee	2.4 Actions Tracking	1. Recieve the information	Complete	The information was received by the Committee.

FORWARD PROGRAMME

Kōrero taunaki

Summary of considerations

Purpose

1. This report provides the Forward Programme for the Pūroro Waihanga | Infrastructure Committee for the next two meetings.

Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- Sustainable, natural eco city
 - People friendly, compact, safe and accessible capital city
 - Innovative, inclusive and creative city
 - Dynamic and sustainable economy
- Strategic alignment with priority objective areas from Long-term Plan 2021–2031**
- Functioning, resilient and reliable three waters infrastructure
 - Affordable, resilient and safe place to live
 - Safe, resilient and reliable core transport infrastructure network
 - Fit-for-purpose community, creative and cultural spaces
 - Accelerating zero-carbon and waste-free transition
 - Strong partnerships with mana whenua

Relevant Previous decisions

Not applicable.

Financial considerations

- Nil Budgetary provision in Annual Plan / Long-term Plan Unbudgeted \$X

Risk

- Low Medium High Extreme

Author	Leteicha Lowry, Democracy Advisor
Authoriser	Siobhan Procter, Chief Infrastructure Officer

Taunakitanga

Officers' Recommendations

Officers recommend that Pūroro Waihanga | Infrastructure Committee:

1. Receive the information.

Whakarāpopoto

Executive Summary

2. The Forward Programme sets out the reports planned for Pūroro Waihanga | Infrastructure Committee meetings in the next two meetings that require committee consideration.
3. The Forward Programme is a working document and is subject to change on a regular basis.

Kōrerorero

Discussion

4. Wednesday 27 April 2022
 - Sludge Minimisation Project Business Case (Chief Infrastructure Officer)
 - Priority Investment Projects Report (Chief Infrastructure Officer)
 - Wellington Water Limited Opex and Capex options (Chief Infrastructure Officer)
 - WREMO's role in emergency preparation including sale of water tanks (Chief Infrastructure Officer)
 - Para Kai Miramar Trial (Chief Infrastructure Officer)
5. Wednesday 22 June 2022
 - Verandahs Bylaw post consultation (Chief Strategy and Governance Officer)
 - Mayoral Taskforce Three Waters: Progress Report (Chief Infrastructure Officer)
 - The allocation of landfill surpluses (Chief Financial Officer)

Attachments

Nil