

TOWN BELT MANAGEMENT PLAN HEARINGS SUBCOMMITTEE



MINUTES

WEDNESDAY 17 APRIL 2013

11.07am – 11.18am, 11.21am – 1.08pm, 1.34pm – 2.10pm

**(Reconvened Tuesday 23 April 2013,
Wednesday 8 May 2013 and Thursday 9 May 2013)**

**Committee Room One
Ground Floor, Council Offices
101 Wakefield Street
Wellington**

PRESENT:

Councillor Foster (11.07am – 11.18am, 11.21am – 1.08pm, 1.34pm – 2.10pm)
Councillor Pannett (11.07am – 11.18am, 11.21am – 1.08pm, 1.34pm – 2.10pm)
Councillor Ritchie (Chair) (11.07am – 11.18am, 11.21am – 1.08pm, 1.34pm – 2.10pm)

APOLOGIES:

Mayor Wade-Brown
Councillor Eagle
Councillor Morrison (lateness)

011/13PT **APOLOGIES**
(1215/52/15/IM)

Moved Councillor Ritchie, seconded Councillor Pannett, the motion that the Town Belt Management Plan Hearings Subcommittee receive apologies for absence from Mayor Wade-Brown, apologies for absence for Wednesday 17 April 2013 from Councillor Eagle and apologies for lateness from Councillor Morrison.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Town Belt Management Plan Hearings Subcommittee:

- 1. Receive apologies for absence from Mayor Wade-Brown, apologies for absence for Wednesday 17 April 2013 from Councillor Eagle and apologies for lateness from Councillor Morrison.*

012/13PT **MINUTES FOR CONFIRMATION**
(1215/52/15/IM)

Moved Councillor Ritchie, seconded Councillor Foster, the motion that the Town Belt Management Plan Subcommittee approve the minutes of the meeting held on Monday 18 February 2013, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Town Belt Management Plan Subcommittee

- 1. Approve the minutes of the meeting held on Monday 18 February 2013, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting.*

013/13PT **CONFLICT OF INTEREST DECLARATIONS**
(1215/52/15/IM)

NOTED:

There were no conflicts of interest declared.

014/13PT **PUBLIC PARTICIPATION**
(1215/52/15/IM)

NOTED:

1. John Bishop representing Friends of the Town Belt addressed the meeting regarding Report 1 - Town Belt Legislative and Policy Framework Review – Management Plan and Drafting Instructions for Proposed Wellington Town Belt Bill.
2. Michael Gibson addressed the meeting regarding Report 1 - Town Belt Legislative and Policy Framework Review – Management Plan and Drafting Instructions for Proposed Wellington Town Belt Bill.

TABLED INFORMATION – speaking notes reference 014/13PT(a).

3. David Lee representing Action for the Environment addressed the meeting regarding Report 1 - Town Belt Legislative and Policy Framework Review – Management Plan and Drafting Instructions for Proposed Wellington Town Belt Bill.

TABLED INFORMATION – speaking notes reference 014/13PT(b).

(The meeting adjourned at 11.18am and reconvened at 11.21am.)

(Councillors Foster, Pannett and Ritchie were present when the meeting reconvened.)

4. Craig Palmer representing the Civic Trust addressed the meeting regarding Report 1 - Town Belt Legislative and Policy Framework Review – Management Plan and Drafting Instructions for Proposed Wellington Town Belt Bill.
5. James Harris addressed the meeting regarding Report 1 - Town Belt Legislative and Policy Framework Review – Management Plan and Drafting Instructions for Proposed Wellington Town Belt Bill.
6. Chris Gray addressed the meeting regarding Report 1 - Town Belt Legislative and Policy Framework Review – Management Plan and Drafting Instructions for Proposed Wellington Town Belt Bill.
7. Joan Quinn representing Friends of the Town Belt addressed the meeting regarding Report 1 - Town Belt Legislative and Policy Framework Review – Management Plan and Drafting Instructions for Proposed Wellington Town Belt Bill.

TABLED INFORMATION – speaking notes reference 014/13PT(c).

015/13PT **TOWN BELT LEGISLATIVE AND POLICY FRAMEWORK REVIEW – MANAGEMENT PLAN AND DRAFTING INSTRUCTIONS FOR PROPOSED WELLINGTON TOWN BELT BILL**

Report of Mike Oates, Manager Open Space and Recreation Planning.
(1215/52/15/IM) (REPORT 1)

NOTED:

The Subcommittee commenced discussion on Report 1.

(The meeting adjourned for lunch at 1.08pm and reconvened at 1.34pm.)

(Councillors Foster, Pannett and Ritchie were in attendance when the meeting reconvened.)

016/13PT **ADJOURNMENT OF MEETING**
(1215/52/15/IM)

Moved Councillor Ritchie, seconded Councillor Foster, the motion that the Town Belt Management Plan Hearings Subcommittee adjourn to reconvene at 1.30pm on Tuesday 23 April 2013.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Town Belt Management Plan Hearings Subcommittee:

1. *Adjourn to reconvene at 1.30pm on Tuesday 23 April 2013.*

(The meeting adjourned at 2.10pm.)

TUESDAY 23 APRIL 2013

The meeting reconvened at 1.31pm.

(Councillors Eagle, Pannett and Ritchie were present when the meeting reconvened.)

PRESENT:

Councillor Eagle (1.31pm – 1.32pm)

Councillor Foster (3.05pm – 4.46pm)

Councillor Pannett (1.31pm – 1.32pm, 3.05pm – 4.46pm)

Councillor Ritchie (Chair) (1.31pm – 1.32pm, 3.05pm – 4.46pm)

APOLOGIES:

Mayor Wade-Brown

Councillor Eagle

Councillor Morrison

017/13PT **ADJOURNMENT OF MEETING**
(1215/52/15/IM)

Moved Councillor Ritchie, seconded Councillor Pannett, the motion that the Town Belt Management Plan Hearings Subcommittee adjourn to reconvene at 3.00pm.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Town Belt Management Plan Hearings Subcommittee:

1. *Adjourn to reconvene at 3.00pm.*

(The meeting adjourned at 1.32pm and reconvened at 3.05pm.)

(Councillors Foster, Pannett and Ritchie were present when the meeting reconvened.)

018/13PT **APOLOGIES**
(1215/52/15/IM)

Moved Councillor Ritchie, seconded Councillor Foster, the motion that the Town Belt Management Plan Hearings Subcommittee receive apologies for absence from Mayor Wade-Brown and Councillors Eagle and Councillor Morrison for the reconvened meeting on Tuesday 23 April 2013.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Town Belt Management Plan Hearings Subcommittee:

- 1. Receive apologies for absence from Mayor Wade-Brown and Councillors Eagle and Morrison for the reconvened meeting on Tuesday 23 April 2013.*

019/13PT **TOWN BELT LEGISLATIVE AND POLICY FRAMEWORK REVIEW – MANAGEMENT PLAN AND DRAFTING INSTRUCTIONS FOR PROPOSED WELLINGTON TOWN BELT BILL (CONTINUED)**
Report of Mike Oates, Manager Open Space and Recreation Planning.
(1215/52/15/IM) (REPORT 1)

NOTED:

The Subcommittee continued discussion on Report 1.

020/13PT **ADJOURNMENT OF MEETING**
(1215/52/15/IM)

Moved Councillor Ritchie, seconded Councillor Pannett, the motion that the Town Belt Management Plan Hearings Subcommittee adjourn to reconvene at 9.15am on Wednesday 8 May 2013.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Town Belt Management Plan Hearings Subcommittee:

- 1. Adjourn to reconvene at 9.15am on Wednesday 8 May 2013.*

(The meeting adjourned at 4.46pm.)

WEDNESDAY 8 MAY 2013

The meeting reconvened at 9.22am.

(Councillors Foster, Pannett and Ritchie were present when the meeting reconvened.)

PRESENT:

Councillor Foster (9.22am – 10.45am, 11.03am – 12.02pm)

Councillor Pannett (9.22am – 10.45am, 11.03am – 12.02pm)

Councillor Ritchie (Chair) (9.22am – 10.45am, 11.03am – 12.02pm)

Councillor Morrison (9.28am - 10.45am, 11.03am – 12.02pm)

APOLOGIES:

Mayor Wade-Brown

Councillor Eagle

021/13PT **TOWN BELT LEGISLATIVE AND POLICY FRAMEWORK
REVIEW – MANAGEMENT PLAN AND DRAFTING
INSTRUCTIONS FOR PROPOSED WELLINGTON TOWN BELT
BILL (CONTINUED)**

Report of Mike Oates, Manager Open Space and Recreation Planning.

(1215/52/15/IM)

(REPORT 1)

NOTED:

The Subcommittee continued discussion on Report 1.

(Councillor Morrison joined the meeting at 9.28am.)

(The meeting adjourned for morning tea at 10.45am and reconvened at 11.03am.)

(Councillors Foster, Morrison, Pannett and Ritchie were present when the meeting reconvened.)

(Councillor Foster left the meeting at 12.02pm.)

022/13PT **ADJOURNMENT OF MEETING**

(1215/52/15/IM)

Moved Councillor Ritchie, seconded Councillor Morrison, the motion that the Town Belt Management Plan Hearings Subcommittee adjourn to reconvene at 9.15am on Thursday 9 May 2013.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Town Belt Management Plan Hearings Subcommittee:

1. *Adjourn to reconvene at 9.15am on Thursday 9 May 2013.*

(The meeting adjourned at 12.10pm.)

THURSDAY 9 MAY 2013

The meeting reconvened at 9.17am.

(Councillors Eagle, Foster, Pannett and Ritchie were present when the meeting reconvened.)

PRESENT:

Councillor Eagle (9.17am – 9.18am)

Councillor Foster (9.17am – 9.18am, 2.42pm – 3.09pm)

Councillor Pannett (9.17am – 9.18am, 2.42pm – 3.09pm)

Councillor Ritchie (Chair) (9.17am – 9.18am, 2.42pm – 3.09pm)

023/13PT **ADJOURNMENT OF MEETING**
(1215/52/15/IM)

Moved Councillor Ritchie, seconded Councillor Foster, the motion that the Town Belt Management Plan Hearings Subcommittee adjourn until the conclusion of the Strategy and Policy Committee and subsequent briefings to Councillors.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Town Belt Management Plan Hearings Subcommittee:

1. *Adjourn until the conclusion of the Strategy and Policy Committee and subsequent briefings to Councillors.*

(The meeting adjourned at 9.18am.)

(The meeting reconvened at 2.42pm.)

(Councillors Foster, Morrison, Pannett and Ritchie were present when the meeting reconvened.)

024/13PT **TOWN BELT LEGISLATIVE AND POLICY FRAMEWORK
REVIEW – MANAGEMENT PLAN AND DRAFTING
INSTRUCTIONS FOR PROPOSED WELLINGTON TOWN BELT
BILL (CONTINUED)**

Report of Mike Oates, Manager Open Space and Recreation Planning.
(1215/52/15/IM) (REPORT 1)

Moved Councillor Ritchie, seconded Councillor Foster, the substantive motion recommendation 1 of the officer's report.

The substantive motion recommendation 1 of the officer's was put and a DIVISION called.

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The substantive motion recommendation 1 of the officer's report was declared CARRIED.

Moved Councillor Ritchie seconded Councillor Foster, the motion a new recommendation 2 (as follows):

THAT the Town Belt Management Plan Hearings Subcommittee:

2. Receive the written and oral submissions.

The motion a new recommendation 2 was put and a DIVISION called.

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The motion a new recommendation 2 was declared CARRIED.

Moved Councillor Ritchie, seconded Councillor Morrison, the substantive motion recommendation 2 of the officer's report (now 3), recommendations 4 and 5 with changes to the recommendations in the officer's report as follows (indicated in bold and strikethrough):

THAT the Town Belt Management Plan Hearings Subcommittee:

3.2. Accept the changes to the draft Town Belt Management Plan and drafting instructions following public consultation and outlined in appendix 1 **of the officer's report and appendix 1 as tabled (and**

attached to the minutes) at the reconvened meeting on Thursday 9 May 2013 as follows:

Changes to appendix 1 of the officer's report

Draft Town Belt Management Plan

| | | |
|---|---|--|
| 1 | Issue identified by subcommittee | Is there a need for a vision for the Management Plan? |
| | Subcommittee amendment | Review the vision to make it more inspirational and reflective of the Town Belt's unique and special features |
| 2 | Issue identified by subcommittee | Leases Policy vis a vis Town Belt Management Plan |
| | Subcommittee amendment | Change policy 6.6.3 bullet point 4 to read: Being consistent with the Leases Policy for Community and Recreation Groups where the policy does not conflict with this management plan That the process and criteria for granting leases (as in the leases policy) will be spelt out in the management plan |
| 3 | Issue identified by subcommittee | Do Councillors want to review the Guiding Principles? |
| | Subcommittee amendment | Amend guiding principles to ensure the self sustaining issue is removed in the proposed new ecology principle. Review whole chapter. |
| 4 | Issue identified by subcommittee | Scale of pine tree removal |
| | Subcommittee amendment | No change to 4.6.10 |
| 5 | Issue identified by subcommittee | Maximise community use of facilities on Town Belt eg Artificial sports turf, buildings |
| | Subcommittee amendment | To change policy 6.6.2 to read "...and club facilities to within the existing footprint..." |
| 6 | Issue identified by subcommittee | Commercial activity, professional sport, tourism concessions & pay to play sports competitions |
| | Subcommittee amendment | (i) Add to policy 9.6.3 Prohibited Activity by including policy 8.8 of Leases Policy with amendment "... the commercial activity complements and is |

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| | | ancillary to the group’s primary community or recreational activity” (ii) Add to policy 9.6.8 Prohibited Activity <ul style="list-style-type: none"> • gaming machines |
| 7 | Issue identified by subcommittee | Commuting |
| | Subcommittee amendment | Change all references to commuting to “ cycle and walking commuting ” |
| 8 | Issue identified by subcommittee | Dogs off-leash |
| | Subcommittee amendment | Amend policy 6.6.17 to state “...provision of Dog Exercise areas and off-lead tracks on Town Belt during the next review...” |
| 9 | Issue identified by subcommittee | Hataitai Park: Precinct development & access (Alexandra Rd) |
| | Subcommittee amendment | Add to policy 8.8.4.1 at end of third bullet point: “ Alexandra Rd should not be used as alternative vehicular access except for utility vehicles to/from Hataitai Park. ” |
| 10 | Issue identified by subcommittee | Environmental education (not for profit) |
| | Subcommittee amendment | The wording could be improved with an emphasis on not for profit and adding in that it “supports and complements the primary role...” |
| 11 | Issue identified by subcommittee | Implications of encroachment policies on existing use |
| | Subcommittee amendment | Carmichael Street: an encroachment licence application will be decided by the Regulatory Processes Committee |

Drafting instructions

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| 12 | Issue identified by subcommittee | The local bill should not provide “relatively flexible powers” to Council |
| | Subcommittee amendment | Change section 3.4 of the drafting instructions to: Provide Council with relatively flexible powers to manage the Legal Town Belt, provided that it does so in a way |

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| | | that is consistent with both the charitable purpose of the 1873 deed, and the management plan in force at the time, <u>and the principles in paragraph 14 below.</u> |
| 13 | Issue identified by submitters | The Deed should prevail. There is no need for a local bill |
| | Subcommittee amendment | That the bill be drafted to be consistent with the intent of the Deed. In particular that the drafting instructions be amended as follows: Section 12 be replaced with the following words: The Bill will be a code for how the Legal Town Belt is governed. Following the Bill's enactment, the legal status of the Legal Town Belt will be sourced primarily from the Bill, rather than the underlying 1873 deed. |
| 14 | Issue identified by subcommittee | Leasing powers & limit to leased land |
| | Subcommittee amendment | (i) That the maximum area of Town Belt to be leased will be no more than 8 hectares. (ii) The maximum lease term to be 20 years. |
| 15 | Issue identified by subcommittee | Officers should not be able to interpret "public recreation ground" as applying to circumstances as they arise |
| | Subcommittee amendment | That the drafting instructions and the bill will define recreation and recreation ground. The proposed definition will be in the draft report for the Subcommittee approval and then for approval by Strategy and Policy Committee |
| 16 | Issue identified by subcommittee | Can Council (as Trustees) enter voluntary agreement about the loss of Town Belt land under the Public Works Act? |
| | Subcommittee amendment | Agreed that there will be no voluntary agreement with NZTA over land as that would be contrary to our Trustee obligation. |

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| 17 | Issue identified by submitters | Bill would make previous decisions to build infrastructure legal – even if they are contrary to Deed |
| | Subcommittee amendment | That infrastructure means public utilities. |
| 18 | Issue identified by subcommittee | Special powers regarding the Chest Hospital & Zoo |
| | Subcommittee amendment | As per drafting instruction 24 without reference to “ broad ”. |

~~3. Recommend that Strategy and Policy Committee recommend to Council that the proposed changes to the draft Town Belt Management Plan and drafting instructions outlined in appendix 1 be approved~~

4. Agree to delegate to the Chief Executive and the Chair of the Subcommittee the authority to make any changes to the draft Town Belt Management Plan and drafting instructions required as a result of decisions of this Subcommittee, as well as minor editorial amendments, prior to the presentation to the Strategy and Policy Committee to the **30 May 2013 meeting of the Subcommittee.**

5. Note that officers will prepare a final draft of the Wellington Town Belt Management Plan and drafting instructions based on the above changes for approval by the **Town Belt Management Plan Hearings Subcommittee** ~~Strategy and Policy Committee.~~

Moved Councillor Foster, seconded Councillor Pannett, the following amendment to recommendation 3.6:

THAT the Town Belt Management Plan Hearings Subcommittee:

Request that Officers clarify the definition of professional sport.

The amendment to recommendation 3.6 was put and a DIVISION called:

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The amendment to recommendation 3.6 was declared CARRIED.

The substantive motion recommendation 3.1 was put and a DIVISION called:

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The substantive motion recommendation 3.1 was declared CARRIED.

The substantive motion recommendation 3.2 was put and a DIVISION called:

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The substantive motion recommendation 3.2 was declared CARRIED.

The substantive motion recommendation 3.3 was put and a DIVISION called:

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The substantive motion recommendation 3.3 was declared CARRIED.

The substantive motion recommendation 3.4 was put and a DIVISION called:

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The substantive motion recommendation 3.4 was declared CARRIED.

The substantive motion recommendation 3.5 was put and a DIVISION called:

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The substantive motion recommendation 3.5 was declared CARRIED.

The substantive motion recommendation 3.6(i) was put and a DIVISION called:

Voting for: Councillors Foster, Morrison and Ritchie.

Voting against: Councillor Pannett.

Majority Vote: 3:1

The substantive motion recommendation 3.6(i) was declared CARRIED.

The substantive motion recommendation 3.6(ii) was put and a DIVISION called:

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The substantive motion recommendation 3.6(ii) was declared CARRIED.

The substantive motion recommendation 3.7 was put and a DIVISION called:

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The substantive motion recommendation 3.7 was declared CARRIED.

The substantive motion recommendation 3.8 was put and a DIVISION called:

Voting for: Councillors Foster, Morrison and Pannett

Voting against: Councillor Ritchie.

Majority Vote: 3:1

The substantive motion recommendation 3.8 was declared CARRIED.

The substantive motion recommendation 3.9 was put and a DIVISION called:

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The substantive motion recommendation 3.9 was declared CARRIED.

The substantive motion recommendation 3.10 was put and declared CARRIED. Councillor Pannett requested that her dissenting vote be recorded.

The substantive motion recommendation 3.11 was put and a DIVISION called:

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The substantive motion recommendation 3.11 was declared CARRIED.

The substantive motion recommendation 3.12 was put and a DIVISION called:

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The substantive motion recommendation 3.12 was declared CARRIED.

The substantive motion recommendation 3.13 was put and a DIVISION called:

Voting for: Councillors Foster, Morrison and Ritchie.

Voting against: Councillor Pannett

Majority Vote: 3:1

The substantive motion recommendation 3.13 was declared CARRIED.

The substantive motion recommendation 3.14(i) was put and a DIVISION called:

Voting for: Councillors Pannett and Ritchie.

Voting against: Councillors Foster and Morrison.

Majority Vote: 2:2

The substantive motion recommendation 3.14(i) was declared CARRIED on the Chair's CASTING vote.

The substantive motion recommendation 3.14(ii) was put and a DIVISION called:

Voting for: Councillors Foster, Pannett and Ritchie.

Voting against: Councillor Morrison.

Majority Vote: 3:1

The substantive motion recommendation 3.14(ii) was declared CARRIED.

The substantive motion recommendation 3.15 was put and a DIVISION called:

Voting for: Councillors Foster, Pannett and Ritchie.

Voting against: Councillor Morrison.

Majority Vote: 3:1

The substantive motion recommendation 3.15 was declared CARRIED.

The substantive motion recommendation 3.16 was put and a DIVISION called:

Voting for: Councillors Morrison, Pannett and Ritchie.

Voting against: Councillors Foster.

Majority Vote: 3:1

The substantive motion recommendation 3.16 was declared CARRIED.

The substantive motion recommendation 3.17 was put and a DIVISION called:

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The substantive motion recommendation 3.17 was declared CARRIED.

The substantive motion recommendation 3.18 was put and a DIVISION called:

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The substantive motion recommendation 3.18 was declared CARRIED.

The substantive motion recommendation 3 as amended was put and a DIVISION called:

Voting for: Councillors Foster, Morrison, Pannett and Ritchie.

Voting against: Nil.

Majority Vote: 4:0

The substantive motion recommendation 3 as amended was declared CARRIED.

The substantive motion recommendation 4 with changes from the officers report was put and declared CARRIED.

The substantive motion 5 was put and declared CARRIED.

RESOLVED:

THAT the Town Belt Management Plan Hearings Subcommittee:

1. *Receive the information.*
2. ***Receive the written and oral submissions.***
- 3.2. *Accept the changes to the draft Town Belt Management Plan and drafting instructions following public consultation and outlined in appendix 1 of the officer's report and appendix 1 as tabled (and attached to the minutes) at the reconvened meeting on Thursday 9 May 2013 as follows:*

Changes to appendix 1 of the officer's report

Draft Town Belt Management Plan

| | | |
|----------|--|--|
| 1 | <i>Issue identified by subcommittee</i> | <i>Is there a need for a vision for the Management Plan?</i> |
| | <i>Subcommittee amendment</i> | <i>Review the vision to make it more inspirational and reflective of the Town Belt's unique and special features</i> |
| 2 | <i>Issue identified by subcommittee</i> | <i>Leases Policy vis a vis Town Belt Management Plan</i> |
| | <i>Subcommittee amendment</i> | <i>Change policy 6.6.3 bullet point 4 to read:</i> <i>Being consistent with the Leases Policy for Community and Recreation Groups where the policy does not conflict with this management plan</i> <i>That the process and criteria for granting leases (as in the leases policy) will be spelt out in the management plan</i> |
| 3 | <i>Issue identified by subcommittee</i> | <i>Do Councillors want to review the Guiding Principles?</i> |
| | <i>Subcommittee amendment</i> | <i>Amend guiding principles to ensure the self sustaining issue is removed in the proposed new ecology principle. Review whole chapter.</i> |
| 4 | <i>Issue identified by subcommittee</i> | <i>Scale of pine tree removal</i> |
| | <i>Subcommittee amendment</i> | <i>No change to 4.6.10</i> |
| 5 | <i>Issue identified by subcommittee</i> | <i>Maximise community use of facilities on Town Belt</i> <i>eg Artificial sports turf, buildings</i> |
| | <i>Subcommittee</i> | <i>To change policy 6.6.2 to read "...and</i> |

| | | |
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| | <i>amendment</i> | <i>club facilities to within the existing footprint...</i> |
| 6 | Issue identified by subcommittee | Commercial activity, professional sport, tourism concessions & pay to play sports competitions |
| | <i>Subcommittee amendment</i> | (i) Add to policy 9.6.3 Prohibited Activity by including policy 8.8 of Leases Policy with amendment “... the commercial activity complements and is ancillary to the group’s primary community or recreational activity” (ii) Add to policy 9.6.8 Prohibited Activity • gaming machines (iii) Request that Officers clarify the definition of professional sport. |
| 7 | Issue identified by subcommittee | Commuting |
| | <i>Subcommittee amendment</i> | Change all references to commuting to “ cycle and walking commuting ” |
| 8 | Issue identified by subcommittee | Dogs off-leash |
| | <i>Subcommittee amendment</i> | Amend policy 6.6.17 to state “...provision of Dog Exercise areas and off-lead tracks on Town Belt during the next review...” |
| 9 | Issue identified by subcommittee | Hataitai Park: Precinct development & access (Alexandra Rd) |
| | <i>Subcommittee amendment</i> | Add to policy 8.8.4.1 at end of third bullet point: “ Alexandra Rd should not be used as alternative vehicular access except for utility vehicles to/from Hataitai Park. ” |
| 10 | Issue identified by subcommittee | Environmental education (not for profit) |
| | <i>Subcommittee amendment</i> | The wording could be improved with an emphasis on not for profit and adding in that it “supports and complements the primary role...” |
| 11 | Issue identified by subcommittee | Implications of encroachment policies on existing use |
| | <i>Subcommittee amendment</i> | Carmichael Street: an encroachment licence application will be decided by the Regulatory Processes Committee |

Drafting instructions

| | | |
|----|---|---|
| 12 | Issue identified by subcommittee | The local bill should not provide “relatively flexible powers” to Council |
| | Subcommittee amendment | Change section 3.4 of the drafting instructions to: Provide Council with relatively flexible powers to manage the Legal Town Belt, provided that it does so in a way that is consistent with both the charitable purpose of the 1873 deed, and the management plan in force at the time, <u>and the principles in paragraph 14 below.</u> |
| 13 | Issue identified by submitters | The Deed should prevail. There is no need for a local bill |
| | Subcommittee amendment | That the bill be drafted to be consistent with the intent of the Deed. In particular that the drafting instructions be amended as follows: Section 12 be replaced with the following words: The Bill will be a code for how the Legal Town Belt is governed. Following the Bill's enactment, the legal status of the Legal Town Belt will be sourced primarily from the Bill, rather than the underlying 1873 deed. |
| 14 | Issue identified by subcommittee | Leasing powers & limit to leased land |
| | Subcommittee amendment | (i) That the maximum area of Town Belt to be leased will be no more than 8 hectares. (ii) The maximum lease term to be 20 years. |
| 15 | Issue identified by subcommittee | Officers should not be able to interpret "public recreation ground" as applying to circumstances as they arise |
| | Subcommittee amendment | That the drafting instructions and the bill will define recreation and recreation ground. The proposed definition will be in the draft report for the Subcommittee approval and then for approval by Strategy and Policy Committee |

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| 16 | <i>Issue identified by subcommittee</i> | <i>Can Council (as Trustees) enter voluntary agreement about the loss of Town Belt land under the Public Works Act?</i> |
| | <i>Subcommittee amendment</i> | <i>Agreed that there will be no voluntary agreement with NZTA over land as that would be contrary to our Trustee obligation.</i> |
| 17 | <i>Issue identified by submitters</i> | <i>Bill would make previous decisions to build infrastructure legal – even if they are contrary to Deed</i> |
| | <i>Subcommittee amendment</i> | <i>That infrastructure means public utilities.</i> |
| 18 | <i>Issue identified by subcommittee</i> | <i>Special powers regarding the Chest Hospital & Zoo</i> |
| | <i>Subcommittee amendment</i> | <i>As per drafting instruction 24 without reference to “broad”.</i> |

3. ~~*Recommend that Strategy and Policy Committee recommend to Council that the proposed changes to the draft Town Belt Management Plan and drafting instructions outlined in appendix 1 be approved*~~
4. *Agree to delegate to the Chief Executive and the Chair of the Subcommittee the authority to make any changes to the draft Town Belt Management Plan and drafting instructions required as a result of decisions of this Subcommittee, as well as minor editorial amendments, prior to the presentation to the Strategy and Policy Committee to the 30 May 2013 meeting of the Subcommittee.*
5. *Note that officers will prepare a final draft of the Wellington Town Belt Management Plan and drafting instructions based on the above changes for approval by the **Town Belt Management Plan Hearings Subcommittee** ~~Strategy and Policy Committee.~~*

NOTED:

The resolutions differ from the recommendations in the officer’s report as follows:

The Subcommittee added the text in **bold** and deleted the text with ~~strikethrough~~.

The meeting concluded at 3.09pm on Thursday 9 May 2013.

Confirmed: _____
 Chair
 / /