
ORDINARY MEETING

OF

PŪRORO ĀMUA - PLANNING AND ENVIRONMENT
COMMITTEE

MINUTES

Time: 9:30am
Date: Wednesday, 4 August 2021
Venue: Ngake (16.09)
Level 16, Tahiwī
113 The Terrace
Wellington

PRESENT

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

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1. Meeting Conduct

1.1 Karakia

The Chairperson declared the meeting open at 9:30am and invited members to stand and read the following karakia to open the meeting.

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

(Councillor Paul and Councillor Foon joined the meeting at 9:31am.)

1.2 Apologies

Moved Councillor Pannett, seconded Councillor Day, the following motion

Resolved

That the Pūroro Āmua | Planning and Environment Committee:

1. Accept the apologies received from Mayor Foster for absence on council business.

Carried

1.3 Conflict of Interest Declarations

No conflicts of interest were declared.

1.4 Confirmation of Minutes

Moved Councillor Pannett, seconded Councillor Paul, the following motion

Resolved

That the Pūroro Āmua | Planning and Environment Committee:

1. Approve the minutes of the Pūroro Āmua | Planning and Environment Committee Meeting held on 24 June 2021, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting.
2. Note that the minutes include updated information on the divisions of item 3.2 Approval of 30-year Spatial Plan, specifically:
 - a) Cr Matthews/Paul Amendment Clause 1 division: Mayor Foster voted **against**
 - b) Cr Matthews/Paul Amendment Clause 9 division: Cr Sparrow voted **for**, Cr

Young voted **against**

- c) Substantive Clause 39: Majority vote was **12:2**
- d) Substantive Clause 40: Majority vote was **12:2**
- e) Substantive Clause 42: Majority vote was **12:2**

Carried

1.5 Items not on the Agenda

There were no items not on the agenda.

1.6 Public Participation

There was no public participation.

The meeting adjourned at 9:52am and reconvened at 9:58am with the following members present: Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Ms Kelly, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf and Councillor Young.

2. General Business

2.1 Approval of Submission to the Select Committee Inquiry on the Exposure Draft of the Natural and Built Environments Bill

Moved Councillor Paul, seconded Councillor Day the following motion

Recommendation/s

That the Pūroro Āmua | Planning and Environment Committee:

1. Receive the information.
2. Approve the submission, as set out in Attachment 1, to the Environment Select Committee inquiry on the exposure draft of the Natural and Built Environments Bill, **with the following changes:**
 - a) Paragraph 14: Including Te Oranga o te Taiao in the purpose of the Bill is an important step for the endorsing planning outcomes that will improve the quality of the natural environment as well as addressing the relationship of iwi and hapū with te Taiao. Enabling Te Oranga o te Taiao, in conjunction with the proposals to require outcomes that benefit the environment helps change the notion of 'sustainable management' to one of kaitiakitanga (stewardship). We suggest consideration of the application of the concept of 'oranga' in relation to the built environment as well, including consideration of how development might foster wellbeing needs such as access to housing and communities designed with wellbeing in mind. Status quo consideration of plans and resource consents takes into account the natural environment alongside other factors such as access to public space, urban amenity, and other matters of national significance.
 - b) Paragraph 33: The Council supports proposals in the Bill which strengthen the role of Te Tiriti o Waitangi and representation of mana whenua in the resource management system. It is critical that the legislation provide clarity, by way of direction under the National Planning Framework how Local Government can meet its obligations to give effect to the principles of Te Tiriti. This direction and supporting guidance needs to be made available at assent of the Bill to ensure local authorities have understanding of their obligations from the very start of the new system. There is little guidance for councils on how to fulfil their Te Tiriti obligations. At present, Council's rely on vague clauses in legislation such as the Local Government Act and the RMA on our obligations to mana whenua. We support subsequent clarification of Te Tiriti through the National Policy Statement process as explored in the Randerson Report.
 - c) Paragraph 39: Partnerships between local government and Māori can support the expression of the principles of Te Tiriti. For this relationship to be able to be developed and fully realised, funding needs to be provided, capacity built, and decision making power shared. The Council considers the Government should

provide funding for both Māori to build capacity and participate in resource management and decision making, as well as for local authorities to remove barriers to offer these opportunities. The Council again encourages the Government to work towards a consistent approach at a national level to the resourcing, education and succession planning for Māori input in resource management. For example, this could include a fund to assist training young Māori in resource management, which would build capability for the long term. The Government should take a wider, holistic look at funding and financing tools available to local authorities as funding can be allocated towards this ongoing relationship.

- d) Paragraph 40: The Council notes that the terms hapū/iwi/Māori are used variably throughout the exposure draft. The Council is unsure whether this is intentional or an omission. Each of these terms have different implications for those exercising functions under the Act. This variability needs to be addressed. The Council suggests that Te Ara Whiti Office of Treaty Settlements may be able to offer assistance.
- e) Paragraph 71: There is also a risk that elevating plan making to a regional level could erode the discrete mana of hapū and iwi. Mana whenua may feel pressured and in competition at a region wide plan making table alongside many different local authorities, other iwi and government officials. One of the benefits of the current plan making approach for mana whenua is that resource management conversations are had directly with the relevant local authorities within their rohe. This smaller scale of plan making is more likely to lead to better and more representative outcomes for mana whenua.

3. Agree to delegate authority to the Chair Pūroro Āmua and the Chief Executive to finalise the submission consistent with any amendments made by the Committee.
4. Appoint a representative to speak to the submission at the Environment Select Committee.

Secretarial note: Councillor Paul moved the moved the original motion with amendments (supported by officers, with the exception of 2a) as marked in red.

The meeting adjourned at 10:27am and reconvened at 10:46am with the following members present: Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Ms Kelly, Councillor Matthews, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf and Councillor Young.

(Councillor O'Neill returned to the meeting at 10:47am.)

(Mayor Foster joined the meeting at 11:03am.)

Moved Councillor Pannett, seconded Councillor Foon, the following amendment

Resolved

3. Agree to delegate authority to the Chair **and Deputy Chair** of Pūroro Āmua and the Chief Executive to finalise the submission consistent with any amendments made by the Committee.
4. Appoint ~~a representative~~ **Mayor Foster, Councillor Pannett and Councillor Paul** to speak to the submission at the Environment Select Committee.
5. **Include the following changes to the submission:**
 - a) **Agree to support the inclusion of a precautionary approach and the definition with the addition of preventing irreversible harm to human beings as a result of threats or harm to the natural environment.**
 - ~~b) Agree to emphasise the needs of local communities to have input into resource management whilst ensuring that communities and government give effect to the needs of future generations.~~
 - c) **Agree to emphasise the ecological emergency and therefore the urgent need to protect the natural environment.**
 - ~~d) Agree to state that appeals should be allowed where significant matters of environmental interests are concerned.~~
 - e) **Agree to emphasise that environmental limits should be tightly defined and enforced through regulatory mechanisms.**

Carried

A division was called for, voting on which was as follows:

Clauses 3 and 4:

For:

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

Against:

Councillor Rush

Majority Vote: 15:1

Carried

Clause 5a:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Liz Kelly, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Sparrow, Councillor Woolf

Against:

Councillor Calvert, Councillor Rush, Councillor Young

Majority Vote: 13:3

Carried

Clause 5b:

For:

Mayor Foster, Councillor Foon, Deputy Mayor Free, Councillor Pannett, Councillor Paul,
Councillor Sparrow, Councillor Woolf

Against:

Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Liz Kelly,
Councillor Matthews, Councillor O'Neill, Councillor Rush, Councillor Young

Majority Vote: 7:9

Lost

Clause 5c:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon,
Deputy Mayor Free, Liz Kelly, Councillor Matthews, Councillor O'Neill, Councillor Pannett,
Councillor Paul, Councillor Woolf

Against:

Councillor Calvert, Councillor Rush, Councillor Sparrow, Councillor Young

Majority Vote: 12:4

Carried

Clause 5d:

For:

Mayor Foster, Councillor Foon, Deputy Mayor Free, Councillor Pannett, Councillor Paul,
Councillor Woolf

Against:

Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Liz Kelly,
Councillor Matthews, Councillor O'Neill, Councillor Rush, Councillor Sparrow, Councillor
Young

Majority Vote: 6:10

Lost

Clause 5e:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Liz Kelly, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Sparrow, Councillor Woolf

Against:

Councillor Calvert, Councillor Rush, Councillor Young

Majority Vote: 13:3

Carried

Moved Councillor Paul, seconded Councillor Day

Resolved

Substantive motion:

That the Pūroro Āmua | Planning and Environment Committee:

1. Receive the information.
2. Approve the submission, as set out in Attachment 1, to the Environment Select Committee inquiry on the exposure draft of the Natural and Built Environments Bill, with the following changes:
 - a) Paragraph 14: Including Te Oranga o te Taiao in the purpose of the Bill is an important step for the endorsing planning outcomes that will improve the quality of the natural environment as well as addressing the relationship of iwi and hapū with te Taiao. Enabling Te Oranga o te Taiao, in conjunction with the proposals to require outcomes that benefit the environment helps change the notion of 'sustainable management' to one of kaitiakitanga (stewardship). We suggest consideration of the application of the concept of 'oranga' in relation to the built environment as well, including consideration of how development might foster wellbeing needs such as access to housing and communities designed with wellbeing in mind. Status quo consideration of plans and resource consents takes into account the natural environment alongside other factors such as access to public space, urban amenity, and other matters of national significance.
 - b) Paragraph 33: The Council supports proposals in the Bill which strengthen the role of Te Tiriti o Waitangi and representation of mana whenua in the resource management system. It is critical that the legislation provide clarity, by way of direction under the National Planning Framework how Local Government can meet its obligations to give effect to the principles of Te Tiriti. This direction and supporting guidance needs to be made available at assent of the Bill to ensure local authorities have understanding of their obligations from the very start of

the new system. There is little guidance for councils on how to fulfil their Te Tiriti obligations. At present, Council's rely on vague clauses in legislation such as the Local Government Act and the RMA on our obligations to mana whenua. We support subsequent clarification of Te Tiriti through the National Policy Statement process as explored in the Randerson Report.

- c) Paragraph 39: Partnerships between local government and Māori can support the expression of the principles of Te Tiriti. For this relationship to be able to be developed and fully realised, funding needs to be provided, capacity built, and decision making power shared. The Council considers the Government should provide funding for both Māori to build capacity and participate in resource management and decision making, as well as for local authorities to remove barriers to offer these opportunities. The Council again encourages the Government to work towards a consistent approach at a national level to the resourcing, education and succession planning for Māori input in resource management. For example, this could include a fund to assist training young Māori in resource management, which would build capability for the long term. The Government should take a wider, holistic look at funding and financing tools available to local authorities as funding can be allocated towards this ongoing relationship.
 - d) Paragraph 40: The Council notes that the terms hapū/iwi/Māori are used variably throughout the exposure draft. The Council is unsure whether this is intentional or an omission. Each of these terms have different implications for those exercising functions under the Act. This variability needs to be addressed. The Council suggests that Te Ara Whiti Office of Treaty Settlements may be able to offer assistance.
 - e) Paragraph 71: There is also a risk that elevating plan making to a regional level could erode the discrete mana of hapū and iwi. Mana whenua may feel pressured and in competition at a region wide plan making table alongside many different local authorities, other iwi and government officials. One of the benefits of the current plan making approach for mana whenua is that resource management conversations are had directly with the relevant local authorities within their rohe. This smaller scale of plan making is more likely to lead to better and more representative outcomes for mana whenua.
3. Agree to delegate authority to the Chair **and Deputy Chair of Pūroro Āmua** and the Chief Executive to finalise the submission consistent with any amendments made by the Committee.
 4. Appoint **a representative Mayor Foster, Councillor Pannett and Councillor Paul** to speak to the submission at the Environment Select Committee.
 5. **Include the following changes to the submission:**
 - a) **Agree to support the inclusion of a precautionary approach and the definition with the addition of preventing irreversible harm to human beings as a result of threats or harm to the natural environment.**

- ~~b) Agree to emphasise the needs of local communities to have input into resource management whilst ensuring that communities and government give effect to the needs of future generations.~~
- c) Agree to emphasise the ecological emergency and therefore the urgent need to protect the natural environment.
- ~~d) Agree to state that appeals should be allowed where significant matters of environmental interests are concerned.~~
- e) Agree to emphasise that environmental limits should be tightly defined and enforced through regulatory mechanisms.

Carried

A division was called for, voting on which was as follows:

Clause 1:

For:

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

Majority Vote: 16:0

Carried

Clause 2:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Liz Kelly, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

Councillor Rush

Majority Vote: 16:1

Carried

Clause 2a:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Liz Kelly, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Woolf

Against:

Councillor Calvert, Councillor Sparrow, Councillor Young

Majority Vote: 13:3

Carried

Clause 2b:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Liz Kelly, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf

Against:

Councillor Calvert, Councillor Young

Majority Vote: 14:2

Carried

Clause 2c:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Liz Kelly, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Woolf

Against:

Councillor Calvert, Councillor Rush, Councillor Sparrow, Councillor Young

Majority Vote: 12:4

Carried

Clause 2d:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Liz Kelly, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf

Against:

Councillor Calvert, Councillor Young

Majority Vote: 14:2

Carried

Clause 2e:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Liz Kelly, Councillor Matthews, Councillor O'Neill, Councillor Pannett,

Councillor Paul, Councillor Rush, Councillor Woolf

Against:

Councillor Calvert, Councillor Sparrow, Councillor Young

Majority Vote: 13:3

Carried

Clauses 3 and 4:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Liz Kelly, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

Councillor Rush

Majority Vote: 16:1

Carried

Clause 5:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Liz Kelly, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Sparrow, Councillor Woolf

Against:

Councillor Calvert, Councillor Rush, Councillor Young

Majority Vote: 13:3

Carried

(Councillor Paul left the meeting at 11:25am and returned to the meeting at 11:27am.)

(Mayor Foster left the meeting at 11:32am.)

(Councillor Fitzsimons left the meeting at 11:33am and returned to the meeting at 11:35am.)

2.2 Traffic and parking bylaw review

Moved Councillor Condie, seconded Councillor Foon, the following motion

Resolved

That the Pūroro Āmua | Planning and Environment Committee:

1. Receive the information.
2. Agree to the amended new Traffic and Parking Bylaw 2021 as per Attachment Three.
3. Agree to recommend to Council that the new Traffic and Parking Bylaw 2021 is adopted and the current Part 5: Traffic of the Wellington Consolidated Bylaw 2008 is revoked.
4. Agree to review, and if required, amend the definitions pertaining to active transport and micro-mobility, and if necessary, clause 13 Shared paths and cycle paths, when the Government has finalised and adopted the new Accessible Streets Regulatory Package.
5. Note the changes to align the Traffic and Parking Bylaw 2021 with the Parking Policy 2020 will result in new or amendments to existing traffic resolutions and changes to the eligibility criteria, the fees and use of certain types of existing parking permits.
6. Note signage is required to enforce the restriction on heavy motor vehicles parked on the street for longer than 7 days in specific problem roads or parts of roads. An operational decision is needed to use this provision or the proposed clause 24.1(b) to introduce a parking restriction or prohibition for a different type of vehicle class to a specific parking area.
7. Note, if required, the Council can provide supplementary guidance on when and how to apply for prior written permission to drive, ride or park a motor vehicle on a beach, such as for events.
8. Note, the Council will actively engage with all types of users, the local community, land and property owners and others with an interest in the South Coast/Red Rocks unformed legal road before proposing a traffic resolution to control motor vehicle access on that road.
9. Note the provision of parking in the central city should include a consideration of suitable spaces for cargo bicycles as well as more motorcycle parking.
10. Note a traffic resolution and new technology is required to allow motorcycles to park in standard size parking spaces.
11. Note the staged approach recommended for gathering evidence and data on any engine braking disturbance on Ohiro Road and Brooklyn Road, followed by liaison with the truck drivers and industry, with regulatory and Police intervention as a last resort.
12. Note the feasible approaches to managing pedestrian and vehicle access and parking on narrow streets where parking on the footpath has been commonplace; the planned communications and education campaign to increase awareness that parking on footpaths is an offence; and the roll-out of engineering and other changes to support

this will prioritise those streets with access issues for emergency vehicles and high risk to pedestrians. The implementation will be over time based on resource availability.

13. Request officers report back to the Infrastructure Committee, within six months, on the implementation of changes in the Traffic Bylaw, including but not limited to introduction of new signage to prevent parking beyond seven days, improving design of shared use zones for pedestrian safety, enforcement of parking on footpaths and berms, and the potential need for more broken yellow lines on narrow streets, near bus stops and within six metres of intersections.
14. Delegate to the Chief Executive and the Chair of Planning and Environment Committee the authority to amend the Bylaw to include any amendments agreed by the Committee and any minor consequential edits.
15. Request officers add to the work programme to request engine braking noise monitoring by Waka Kotahi NZ Transport Agency on Brooklyn Hill Rd and Ohiro Road due to the high number and frequency of trucks that travel to and from the three landfills. Officers to commence engagement with waste operators to explore voluntary measures to reduce engine braking noise disturbance.

Carried

Secretarial note: Councillor Condie moved the moved the original motion with amendments (supported by officers) as marked in red.

A division was called for, voting on which was as follows:

Clause 2 and 3:

For:

Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Liz Kelly, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow

Against:

Councillor Calvert, Councillor Woolf, Councillor Young

Absent:

Mayor Foster

Majority Vote: 12:3

Carried

Clauses 1, 4-15:

For:

Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Liz Kelly, Councillor Matthews, Councillor O'Neill, Councillor Pannett,

Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Absent:

Mayor Foster

Majority Vote: 15:0

Carried

2.3 Forward Programme

Moved Councillor Pannett, seconded Councillor Paul, the following motion

Resolved

That the Pūroro Āmua | Planning and Environment Committee:

1. Receive the information.

Carried

(Deputy Mayor Free and Councillor Calvert left the meeting at 11:59am.)

2.4 Action Tracking

Moved Councillor Pannett, seconded Councillor Fitzsimons, the following motion

Resolved

That the Pūroro Āmua | Planning and Environment Committee:

1. Receive the information.

Carried

The meeting concluded at 12:12 pm with the reading of the following karakia:

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
I te ara takatū	and the spirit of mankind
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!	

Authenticated: _____

Chair