



**Report 08.962**

18 February 2008

File: E/06/28/02

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**Confirmed Minutes of the Meeting of the Parks, Forests and Utilities Committee held in the Council Chamber, Porirua City Council, Cnr Cobham Court and Hagley Street, Porirua on Thursday, 14 February 2008 at 9.30 am**

**Present**

Councillors Kirton (Chairman), Baber, Burke, Glensor, Greig, Laidlaw, Lamason, Wilde, and Wilson; Mr McKenzie.

**Officers Present**

Benham, Bradbury, Cox, Kennedy, Laidlow, Reay, Shaw, Waititi, and Waddy.

**Public Business**

**Procedural Items**

PFU 12 **Apologies**

*Resolved*

*(Cr Baber/Cr Greig)*

*That the Committee:*

*Accepts the apology for lateness from Councillor Wilde.*

PFU 13 **Conflict of Interest declarations**

There were no declarations of conflict of interest.

PFU 14 **Public Participation**

**Tabled**

*Re Attachment 2 to report No.PE-08.16. Ken McAdam*

**Ken McAdam** expressed concern about whether Greater Wellington has acted unlawfully by entering into a contract with RES including Battle Hill land while the Battle Hill Forest Park Management plan is in draft stages, therefore predetermining the plan outcome.

**Mark Phillips** expressed concern that Greater Wellington's entering into a contract with RES would give control of the park to a private company, and believes that the proposal triggers the Council's significance policy.

**Nicky Chapman** asked that the Council furthers the consultation process which DLA Philips recommends after Council has further considered the content of the draft management plan in relation to the Puketiro wind farm.

PFU 15 **Confirmation of Minutes**

*Resolved*

*(Cr Burke/Cr Greig)*

*That the Committee confirms the public and public excluded minutes of the meeting of 5 December 2007, Report 08.50 and Report PE 08.51.*

PFU 16 **Local Government Act 2002 Review**

**Report 08.06**

File: PK/01/09/01

*Resolved*

*(Cr Wilde/Cr Baber)*

*That the Committee*

- (1) Receives and notes the content of the report.*
- (2) Recommends that Council adopts the following position in relation to the Local Government Commission's review of the Local Government Act 2002:*
  - 2a. Amend section 147 of the Local Government Act 2002 to allow regional councils the same powers as those held by territorial authorities to place controls on the consumption and possession of alcohol on land owned or controlled by it.*
  - 2b Support Auckland Regional Council's recommendation to provide an*

*exemption from the liability to pay gift duty where land is gifted to a regional council to be held as open space.*

- 2c. *Withdraw section 138 of the Local Government Act 2002. If not withdrawn, amend to provide for:*
- *A local authority to consult when proposing to transfer a fee simple estate park or part of a park or proposing to lease a park or part of a park.*
  - *An amendment the definitions of park and lease as recommended in the report.*
- 2d. *Not support Auckland Regional Council's submission on classifying park land that is consistent with Reserves Act 1977.*
- 2e. *Partially support Auckland Regional Council's submission relating to mandatory requirements for management plans under the Local Government Act 2002 by recommending amendments to the Local Government Act 2002 so that it provides*
- *for the preparation of management plans following a process of consultation*
  - *for parks to be administered in accordance with the relevant management plan*
  - *for the ability to amend and review an operative management plan as required, and without reverting to the full plan preparation process.*
- 2f. *Submit to the Local Government Commission for clarification as to whether regional councils have the powers to make dog control bylaws under s149 of the Local Government Act 2002.*
- 2g. *Submit to the DIA review of the Dog Control Act 1996 that Section 20 be amended to allow Regional Councils to make dog control bylaws for the purposes laid out in Section 20 (1) (a,b,c,d,h,j,k, & l) in accordance with or under section 149 of the Local Government Act 2002.*
- 2h. *Submit to the Local Government Commission that local authorities be given the powers to serve infringement notices with fixed penalty fines for breaches of bylaws made under the Local Government Act 2002.*

## **Noted**

The Committee revised recommendation 2c.

**PFU 17 Wholesale water capital works programme 2007-2008 half year review**

**Report 08.53**

File: B/25/01/02

*Resolved*

*(Cr Greig/Cr Burke)*

*That the Committee*

- (1) Receives the report.*
- (2) Notes the forecast cost reduction of \$1,148,000 and total net underspend of \$892,000 in the capital works programme as detailed in Attachment 1.*
- (3) Approves the increased expenditure on capital works programme projects of \$256,000 as detailed in Attachment 1.*

**PFU 18 Divisional report for period ended 31 January 2008**

**Report 08.16**

File: E/06/28/03

*Resolved*

*(Cr Burke/Cr Wilson)*

*That the Committee*

- (1) Receives the report.*
- (2) Notes the content of the report.*
- (3) Asks officers to circulate the submission on emissions trading to committee members before signing by the Chairman.*

**PFU 19 General**

There were no matters of general business.

The meeting closed at 10.45 am.

CR RS KIRTON  
Chairman

Date: