
MINUTES

WEDNESDAY 23 NOVEMBER 2011

5.34PM - 5.51PM

**Council Chamber
First Floor, Town Hall
Wakefield Street
Wellington**

PRESENT:

Mayor Wade-Brown (5.34pm - 5.51pm)
Councillor Ahipene-Mercer (5.34pm - 5.51pm)
Councillor Best (5.34pm - 5.51pm)
Councillor Cook (5.34pm - 5.51pm)
Councillor Eagle (5.34pm - 5.51pm)
Councillor Foster (5.38pm - 5.51pm)
Councillor Gill (5.34pm - 5.51pm)
Councillor Lester (5.34pm - 5.51pm)
Councillor McKinnon (5.34pm - 5.51pm)
Councillor Marsh (5.34pm - 5.51pm)
Councillor Morrison (5.34pm - 5.51pm)
Councillor Pannett (5.34pm - 5.51pm)
Councillor Pepperell (5.34pm - 5.51pm)
Councillor Ritchie (5.34pm - 5.51pm)

APOLOGIES:

Councillor Coughlan

DEMOCRATIC SERVICES OFFICERS IN ATTENDANCE:

Fiona Dunlop - Committee Advisor
Luka Dujmovic - Committee Advisor
Sophie Rapson - Committee Advisor

118/11C **APOLOGIES**
(1215/11/IM)

Moved Mayor Wade-Brown, seconded Councillor McKinnon, the motion that apologies for absence be received from Councillor Coughlan.

The motion was put and declared CARRIED on voices.

RESOLVED:

THAT Council:

- 1. Accept apologies for absence from Councillor Coughlan.*

119/11C **CONFIRMATION OF MINUTES**
(1215/11/IM)

Moved Mayor Wade-Brown, seconded Councillor McKinnon, the motion that Council Approve the minutes of the meetings held on Wednesday 28 September 2011 and Wednesday 26 October 2011, having been circulated, that they be taken as read and confirmed as an accurate record of those meetings.

The motion was put:

Voting for: Mayor Wade-Brown, Councillors Ahipene-Mercer, Best, Cook, Eagle, Gill, Lester, McKinnon, Marsh, Morrison, Pannett, Pepperell and Ritchie.

Voting against: Nil.

Majority Vote: 13:0

The motion was declared CARRIED.

RESOLVED:

THAT Council:

- 1. Approve the minutes of the meetings held on Wednesday 28 September 2011 and Wednesday 26 October 2011, having been circulated, that they be taken as read and confirmed as an accurate record of those meetings.*

120/11C **PRESENTATION OF APW AWARDS**
(1215/11/IM)

NOTED:

1. Mayor Wade-Brown presented an APW Award to Richard Naylor and gave the following speech:

“As someone who is passionate about IT, and was one of the few women working in the field in the early days, I am delighted to be the one to present this award to Richard Naylor.

Richard was *the* individual most responsible for our status as a connected city. As IT Services Manager for Wellington City Council, Richard ensured that he linked the Council to the Internet through Victoria University as early as 1989, first for the Usenet News services, but later to provide information about Wellington to its own citizens and the world. Wellington City Council is recognised as the first government organisation in the world to make information available on the Internet. With the work Richard did, Wellington could boast the world’s first local government Gopher server and the first government website.

Early in the 1990’s Richard convinced the Council to use its spare capacity to provide free dial-up ISP for residents – this was at a time when just slightly over 1000 people in New Zealand had an internet connection.

Richard was a founder of 2020 Communications Trust, which has spawned many good initiatives nationally and in Wellington – from NetDay in the 90’s when we cabled up schools with CAT5 cable – through to laptop WiFi access for Hospice patients and their visitors.

Then in 1995 Richard formed CityLink, a municipal fibre company. He was involved in every aspect of the business, including poking optic fibre out of the first floor of the Council offices. CityLink has become the model for municipal fibre loops in New Zealand, and he also introduced the WIX, the first open peering exchange in New Zealand. His influence was critical in the District Plan being permissive to allow early and cost-effective broadband rollout.

Richard is highly respected in his field and continues to contribute through many means including his new venture R2 – a video/audio streaming business. On his website he states – “our focus is on technology and how it can be used to make things easier in life, to help disadvantaged people, to express ideas that need publicity, to make life a better place.”

He champions open standards, open peering and accessibility for all; values that lie at the very heart of the Internet. He was made an Internet Fellow in 1998.

Richard was the winner of the inaugural InternetNZ Lifetime Achievement Award to recognise the significant contribution to developing the Internet in New Zealand. Tonight we recognise him as an Absolutely Positive Wellingtonian.

I am pleased to present an APW Award to Richard and to thank him for his many years of work, vision and dedication – he has indeed made Wellington a better place and a connected Smart Capital.”

(During the presentation of the APW Award to Richard Naylor Councillor Foster joined the meeting at 5.38pm.)

2. Mayor Wade-Brown presented an APW Award to Inspector Simon Perry and gave the following speech:

“It is my pleasure to present this award to Inspector Simon Perry – and I can assure you he *is* an absolutely *positive* Wellingtonian!

Simon’s career with the Police dates back to 1980 when he became a Constable in Wellington Central – in fact, working for the Police seems to run in the family as his father and brother both worked for the New Zealand Police.

Throughout his career he has steadily risen up the ranks. In 1993 he was promoted to the rank of Sergeant and then subsequently became Detective Sergeant, Senior Sergeant, Detective Senior Sergeant and finally Inspector.

He has worked in a number of areas performing numerous tasks and roles – including Metro Drug Squad, Station Supervisor, CIB Trainer and also served time in Afghanistan in a mentoring and training capacity.

However, the reason he was cited for this award was for the work he did as District Planning Officer for RWC 2011.

As you can imagine, a global event of this size is a huge undertaking. Years of planning and preparation went into it and Simon liaised with various internal and external groups across the city to make sure the policing end would run smoothly. He saw that any risks or threats were been dealt with quickly, professionally and fairly.

Simon also provided invaluable information and resources during the tournament and Festival, and his experience with crowd management and control was extremely useful.

RWC 2011 went off without a hitch and Simon's input was a big piece of the puzzle. A good deal of credit goes to Simon – for his organisational skills, his experience and maturity, his passion for the job, and most importantly, his sense of humour!

It is my pleasure to present Inspector Simon Perry with this award. Thank you for your contribution to Wellington, and specifically to RWC 2011.”

121/11C **PUBLIC PARTICIPATION**
(1215/11/IM)

NOTED:

There was no public participation.

122/11C **ANNOUNCEMENTS BY THE MAYOR**
(1215/11/IM)

NOTED:

There were no announcements from the Mayor.

123/11C **PETITIONS**
(1215/11/IM)

NOTED:

There were no petitions presented.

124/11C **CONFLICT OF INTEREST DECLARATIONS**
(1215/11/IM)

NOTED:

Councillor Gill declared a conflict of interest in relation to Report 2 - Regulatory Processes Committee, Meeting of Wednesday 9 November 2011, Item 082/11RP Road Stopping and Disposal - Legal Road Adjoining 30A Seatoun Heights Road, Seatoun. She advised that she would no take part in debate or voting on the matter.

Reports from Committees – Committee Decisions requiring Council approval

125/11C STRATEGY AND POLICY COMMITTEE

Meeting of Thursday 10 November 2011

(1215/11/IM)

(REPORT 1)

1. ITEM 307/11P PROTECTION OPTIONS FOR OLD COACH ROAD
(1215/52/IM) (REPORT 3)

Moved Councillor Ritchie, seconded Councillor Ahipene-Mercer, the substantive motion.

The substantive motion was put.

Voting for: Mayor Wade-Brown, Councillors Ahipene-Mercer, Best, Cook, Eagle, Foster, Gill, Lester, McKinnon, Marsh, Morrison, Pannett, Pepperell and Ritchie.

Voting against: Nil.

Majority Vote: 14:0

The substantive motion was declared CARRIED.

RESOLVED:

THAT Council:

1. *Subject to consultation, the Council restricts the use of motorised vehicles, including motorbikes and quad bikes, on the unsealed sections of Old Coach Road and Rifle Range Road under Part 7: Traffic of the Wellington Consolidated Bylaw 2008 except for motorised vehicular traffic associated with*
 - (a) *Farming activities of the neighbouring land owner of lots 205, 206 and 207 of DP 80025;*
 - (b) *Maintenance of the power lines in the area by Transpower and its contractors;*
 - (c) *Maintenance of the Old Coach Road and Rifle Range Road by the Council and its contractors;*
 - (d) *Emergency and civil defence vehicles; and*
 - (e) *Activities, including but not limited to organised events, that have obtained the prior written approval of the Council.*
2. (a) *Request the Minister of Lands to gazette a secondary use for the unsealed sections of Old Coach Road and Rifle Range Road under the s191 of the Public Works Act 1981 with similar characteristics to that of a Historic Reserve under the Reserves Act 1977;*

- (b) *Agree that all provisions of the Reserves Act relevant to Historic Reserves will be gazetted to apply to the unsealed sections of Old Coach Road and Rifle Range Road; and*
- (c) *Delegate to the Chief Executive the authority to agree the final wording of the gazette notice and supporting documentation.*

2. **ITEM 309/11P DISPOSAL OF PROPERTY - 68A VICTORY AVENUE, KARORI**
(1215/52/IM) (REPORT 5)

Moved Councillor Foster, seconded Councillor Morrison, the substantive motion.

The substantive motion was put.

Voting for: Mayor Wade-Brown, Councillors Ahipene-Mercer, Best, Cook, Eagle, Foster, Gill, Lester, McKinnon, Marsh, Morrison, Pannett, Pepperell and Ritchie.

Voting against: Nil.

Majority Vote: 14:0

The substantive motion was declared CARRIED.

RESOLVED:

THAT Council:

1. (a) *Agree to revoke the reserve status of Lot 28 DP 48695 pursuant to section 24 of the Reserves Act 1977.*
- (b) *Authorise the Chief Executive Officer to conclude the reserve revocation of Lot 28 DP 48695.*
2. (a) *If the reserve revocation is successful, agree that the property at 68A Victory Avenue, Karori; comprising Lot 28 DP 48695 and Lot 4 DP 91338 is not required for a public work and is surplus to requirements.*
- (b) *If 68A Victory Avenue is declared surplus, authorise Council officers or suitably qualified consultants to undertake a section 40 report to identify whether the land must be offered back to the former owner (s) or their successor(s) or whether an exemption from offer back applies under section 40 (2), 40 (3) or 40 (4) of the Public Works Act 1981.*
- (c) *If 68A Victory Avenue is declared surplus, approve its disposal.*

- (d) *If the reserve revocation is successful, authorise for the proposed rezoning of Lot 28 DP 48695 to be rezoned from Open Space A to Outer Residential as part of the next minor amendments change to the district Plan (or other appropriate plan change).*
- (e) *Delegate the Chief Executive Officer the power to take all actions necessary to sell 68A Victory Avenue, Karori in accordance with the provisions of the Public Works Act 1981.*

126/11C **REGULATORY PROCESSES COMMITTEE**
Meeting of Wednesday 9 November 2011
 (1215/11/IM) (REPORT 2)

1. **ITEM 080/11RP ROAD STOPPING AND DISPOSAL -LEGAL ROAD ADJOINING 1 MATAI ROAD, HATAITAI**
 (1215/53/IM) (REPORT 5)

Moved Councillor Gill, seconded Councillor Cook, the substantive motion.

The substantive motion was put.

Voting for: Mayor Wade-Brown, Councillors Ahipene-Mercer, Best, Cook, Eagle, Foster, Gill, Lester, McKinnon, Marsh, Morrison, Pannett, Pepperell and Ritchie.

Voting against: Nil.

Majority Vote: 14:0

The substantive motion was declared CARRIED.

RESOLVED:

THAT Council:

1. (a) *Agree that the approximate 60m² (subject to survey) area of unformed legal road land adjoining 1 Matai Road, Hataitai, is not required for a Public Work.*
- (b) *Approve the disposal of the approximately 60 m² area of unformed legal road land adjoining 1 Matai Road, Hataitai, to the owner of that property.*
- (c) *Authorise Council officers to undertake a section 40 PWA report to identify whether the area of unformed legal road land must be*

offered back to its former owner or their successor, or whether exemptions from offer back applies.

- (d) *Delegate to the Chief Executive Officer the power to either offer the area of unformed legal road land back to its former owner(s) or their successor(s), or to approve the exercise of exemptions from offer back under section 40(2), 40(3), or 40(4) PWA(if appropriate).*
- (e) *Authorise Council officers to initiate the road stopping process for the area of unformed legal road in accordance with Section 342 and the Tenth Schedule of the Local Government Act 1974.*
- (f) *Delegate to the Chief Executive Officer the power to formally approve the road stopping, and issue the public notice to declare the area of unformed legal road land stopped as road, subject to all statutory and Council requirements being met with no objections being received.*
- (g) *Delegate to the Chief Executive Office the power to negotiate the terms of sale, impose any reasonable covenants, and enter into a sale and purchase agreement in respect of the unformed legal road land adjoining 1 Matai Road, either with the former owner, or their successor, or the owner of 1 Matai Road, provided any such agreement is conditional upon the road being stopped.*

2. **ITEM 081/11RP ROAD STOPPING AND DISPOSAL - LEGAL ROAD (SALFORD STREET) ADJOINING 103 & 105 NEWLANDS ROAD, NEWLANDS**
(1215/53/IM) (REPORT 6)

Moved Councillor Gill, seconded Councillor Cook, the substantive motion.

The substantive motion was put.

Voting for: Mayor Wade-Brown, Councillors Ahipene-Mercer, Best, Cook, Eagle, Foster, Gill, Lester, McKinnon, Marsh, Morrison, Pannett, Pepperell and Ritchie.

Voting against: Nil.

Majority Vote: 14:0

The substantive motion was declared CARRIED.

RESOLVED:

THAT Council:

1. (a) *Agree that the area of approximately 372 m² (subject to survey) of unformed legal road land, on Salford Street, adjoining 103 and 105 Newlands Road, Newlands, is not required for a Public Work.*
- (b) *Approve the disposal of approximately 372m² of unformed legal road land, on Salford Street, adjoining 103 and 105 Newlands Road, to the owner of that property.*
- (c) *Authorise Council officers or suitably qualified consultants to undertake a section 40 Public Works Act 1981 report to identify whether the area of unformed legal road land must be offered back to its former owner or their successor, or whether exemptions from offer back applies.*
- (d) *Delegate to the Chief Executive Officer the power to either offer the area of unformed legal road land back to its former owner(s) or their successor(s), or to approve the exercise of exemptions from offer back under section 40(2), 40(3), or 40(4) Public Works Act (if appropriate).*
- (e) *Authorise Council officers to initiate the road stopping process for the area of unformed legal road in accordance with Section 342 and the Tenth Schedule of the Local Government Act 1974.*
- (f) *Delegate to the Chief Executive Officer the power to formally approve the road stopping, and issue the public notice to declare the area of unformed legal road land stopped as road, subject to all statutory and Council requirements being met with no objections being received.*
- (g) *Delegate to the Chief Executive Office the power to negotiate the terms of sale, impose any reasonable covenants, and enter into a sale and purchase agreement in respect of the unformed legal road land, on Salford Street, 103 and 105 Newlands Road, either with the former owner, or their successor, or the owner of 103 and 105 Newlands Road, provided any such agreement is conditional upon the road being stopped.*

(Councillor Gill withdrew from the table due to a conflict of interest.

3. **ITEM 082/11RP ROAD STOPPING AND DISPOSAL - LEGAL ROAD ADJOINING 30A SEATOUN HEIGHTS ROAD, SEATOUN (1215/53/IM) (REPORT 7)**

Moved Councillor Morrison, seconded Councillor Foster, the substantive motion.

The substantive motion was put.

Voting for: Mayor Wade-Brown, Councillors Ahipene-Mercer, Best, Cook, Eagle, Foster, Lester, McKinnon, Marsh, Morrison, Pannett, Pepperell and Ritchie.

Voting against: Nil.

Majority Vote: 13:0

The substantive motion was declared CARRIED.

RESOLVED:

THAT Council:

1. (a) *Agree that the area of approximately 77m² (subject to survey) of unformed legal road land, adjoining 30A Seatoun Heights Road, Seatoun is not required for a Public Work.*
- (b) *Approve the disposal of approximately 77m² of unformed legal road land adjoining 30A Seatoun Heights Road, Seatoun to the owner of that property.*
- (c) *Authorise Council officers or suitably qualified consultants to undertake a section 40 Public Works Act 1981 report to identify whether the area of unformed legal road land must be offered back to its former owner or their successor, or whether exemptions from offer back applies.*
- (d) *Delegate to the Chief Executive Officer the power to either offer the area of unformed legal road land back to its former owner(s) or their successor(s), or to approve the exercise of exemptions from offer back under section 40(2), 40(3), or 40(4) Public Works Act (if appropriate).*
- (e) *Authorise Council officers to initiate the road stopping process for the area of unformed legal road in accordance with Section 342 and the Tenth Schedule of the Local Government Act 1974.*
- (f) *Delegate to the Chief Executive Officer the power to formally approve the road stopping, and issue the public notice to declare the area of unformed legal road land stopped as road, subject to all statutory and Council requirements being met with no objections being received.*

