
MINUTES

THURSDAY 7 MARCH 2013

9.19am – 11.12am, 11.28am – 12.02pm, 12.09pm – 12.37pm

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

PRESENT:

Mayor Wade-Brown	(9.24am – 11.12am, 11.28am – 12.02pm, 12.09pm – 12.37pm)
Councillor Ahipene-Mercer	(9.19am – 11.03am)
Councillor Best (Deputy Chair)	(9.19am – 11.12am, 11.28am – 12.02pm, 12.09pm – 12.34pm)
Councillor Cook	(9.19am – 11.12am, 11.28am – 12.02pm, 12.09pm – 12.18pm, 12.19pm – 12.37pm)
Councillor Coughlan	(9.26am – 11.12am, 11.47am – 12.02pm, 12.09pm – 12.37pm)
Councillor Eagle	(9.20am – 9.35am, 9.36am – 11.03am, 11.09am - 11.12am, 11.28am – 12.02pm, 12.09pm – 12.37pm)
Councillor Foster (Chair)	(9.19am – 11.12am, 12.26pm – 12.37pm)
Councillor Gill	(9.19am – 11.12am, 11.28am – 12.02pm, 12.09pm – 12.37pm)
Councillor Lester	(9.19am – 11.12am, 11.28am – 12.02pm, 12.09pm – 12.35pm)
Councillor McKinnon	(9.19am – 11.12am, 11.28am – 12.02pm, 12.09pm – 12.37pm)
Councillor Marsh	(9.19am – 10.07am, 10.15am – 11.12am, 11.28am – 12.02pm, 12.09pm – 12.35pm)
Councillor Morrison	(9.20am – 11.12am, 11.30am – 11.34am)
Councillor Pannett	(9.27am – 9.29am, 9.32am – 10.45am, 10.48am – 11.12am, 11.28am – 12.02pm, 12.09pm – 12.37pm)
Councillor Pepperell	(9.19am – 11.00am, 11.03am – 11.12am, 11.28am – 12.00pm, 12.01pm – 12.02pm, 12.09pm – 12.37pm)
Councillor Ritchie	(9.19am – 9.23am, 9.29am - 11.12am, 11.28am – 11.29am, 11.30am – 11.45am, 11.48am - 12.02pm, 12.09pm – 12.20pm, 12.22pm - 12.37pm)

APOLOGIES:

Councillor Foster (for lateness)
Councillor McKinnon (for early departure)

034/13P **APOLOGIES**
(1215/52/IM)

NOTED:

There were no apologies.

035/13P **CONFLICT OF INTEREST DECLARATIONS**
(1215/52/IM)

NOTED:

There were no conflict of interest declarations.

036/13P **DEPUTATIONS**
(1215/52/IM)

NOTED:

There were no deputations

037/13P **PUBLIC PARTICIPATION**
(1215/52/IM)

NOTED:

There was no public participation.

038/13P **QUARTERLY REPORT – SECOND QUARTER (OCTOBER TO DECEMBER 2012)**

Report of Marianne Cavanagh – Senior Advisor, Research, Consultation and Planning and Martin Rodgers – Manager Research, Consultation and Planning.

(1215/52/IM)

(REPORT 1)

Moved Councillor McKinnon, seconded Councillor Best, the substantive motion with the changes to the recommendations in the officers report as follows:

THAT the Strategy and Policy Committee:

1. Receive the information.
2. **Amend the Quarterly Report published as part of the agenda papers to change the following text:**
 - (i) **Key Variances - Appendix 1, page 14**
Churton Park
~~The project has been delayed due to the inclusion of a public toilet within the lease space requiring an update of lease agreements, architectural drawings, and building consents. Work has begun on the fit-out and it is scheduled to be completed by the end of March.~~
The project has been delayed due to two reasons. Firstly, the inclusion of a public toilet within the leased space required an update of lease agreements, architectural drawings, and building consents. Secondly, there has been a delay in the base build of the shopping complex we are leasing space in. We cannot start our fit-out until the bulk of the base build is completed so we now project the fit-out to be completed by the end of April.
 - (ii) **Schedule 1, Governance, Highlights of this quarter**
~~We agreed to form a working party with other councils in the Wellington region to explore alternative governance models~~
We joined a working party with other councils in the Wellington region to explore alternative governance models.
 - (iii) **Schedule 1, Social and Recreation, Key projects planned for next quarter**
~~We will start construction work on the Keith Spry Pool upgrade once negotiations are completed with preferred contractor~~
Following the receivership announcement of Mainzeal Property and Construction Ltd in late February 2013, the Keith Spry Pool project will now have a revised start date. The date and project timeline will be reported on once contract negotiations are concluded with the new preferred contractor.
 - (iv) **Amended Schedule 2 as tabled.**

(Councillor Eagle joined the meeting at 9.20am.)

(Councillor Morrison joined the meeting at 9.20am.)

(Councillor Ritchie left the meeting at 9.23am.)

(Mayor Wade-Brown left the meeting at 9.24am.)

(Councillor Coughlan joined the meeting at 9.26am.)

(Councillor Pannett joined the meeting at 9.27am.)

(Councillor Pannett left the meeting at 9.29am.)

(Councillor Ritchie returned to the meeting at 9.29am.)

(Councillor Pannett returned to the meeting at 9.32am.)

(Councillor Eagle left the meeting at 9.35am.)
 (Councillor Eagle returned to the meeting at 9.36am.)
 (Councillor Marsh left the meeting at 10.07am.)
 (Councillor Marsh returned to the meeting at 10.15am.)
 (Councillor Pannett left the meeting at 10.45am.)
 (Councillor Pannett returned to the meeting at 10.48am.)
 (Councillor Pepperell left the meeting at 11.00am.)
 (Councillor Pepperell returned to the meeting at 11.03am.)
 (Councillor Eagle left the meeting at 11.03am.)
 (Councillor Ahipene-Mercer left the meeting at 11.03am.)
 (Councillor Eagle returned to the meeting at 11.09am.)

The substantive motion with the changes to the recommendations in the officers report was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Amend the Quarterly Report published as part of the agenda papers to change the following text:*
 - (i) **Key Variances - Appendix 1, page 14**
Churton Park
~~*The project has been delayed due to the inclusion of a public toilet within the lease space requiring an update of lease agreements, architectural drawings, and building consents. Work has begun on the fit-out and it is scheduled to be completed by the end of March.*~~
The project has been delayed due to two reasons. Firstly, the inclusion of a public toilet within the leased space required an update of lease agreements, architectural drawings, and building consents. Secondly, there has been a delay in the base build of the shopping complex we are leasing space in. We cannot start our fit-out until the bulk of the base build is completed so we now project the fit-out to be completed by the end of April.
 - (ii) **Schedule 1, Governance, Highlights of this quarter**
~~*We agreed to form a working party with other councils in the Wellington region to explore alternative governance models*~~
We joined a working party with other councils in the Wellington region to explore alternative governance models.
 - (iii) **Schedule 1, Social and Recreation, Key projects planned for next quarter**
~~*We will start construction work on the Keith Spry Pool upgrade once negotiations are completed with preferred contractor*~~

Following the receivership announcement of Mainzeal Property and Construction Ltd in late February 2013, the Keith Spry Pool project will now have a revised start date. The date and project timeline will be reported on once contract negotiations are concluded with the new preferred contractor.

(iv) *Amended Schedule 2 as tabled.*

NOTED:

The resolution differs from the recommendations in the officer's report as follows:

The Committee added the text in bold and deleted the text with strikethrough.

(Councillor Foster left the meeting at 11.12am and Councillor Best assumed the Chair.)

(The meeting adjourned for morning tea at 11.12am and reconvened at 11.28am.)

(Mayor Wade-Brown, Councillors Best, Cook, Eagle, Gill, Lester, McKinnon, Marsh, Pannett, Pepperell and Ritchie were present when the meeting reconvened.)

039/13P **ORDER OF BUSINESS**
(1215/52/IM)

NOTED:

Council Best as Chair advised the meeting that Report 2 – “Wellington City Council Submission to Department of Internal Affairs on Review of Development Contributions including timelines and next steps and advice on transferable development credits” be taken next.

040/13P **WELLINGTON CITY COUNCIL SUBMISSION TO DEPARTMENT OF INTERNAL AFFAIRS ON REVIEW OF DEVELOPMENT CONTRIBUTIONS INCLUDING TIMELINES AND NEXT STEPS AND ADVICE ON TRANSFERABLE DEVELOPMENT CREDITS**
Report of Corwin Wallens – Senior Policy Advisor and Andrew Stitt – Manager Policy.
(1215/52/IM) (REPORT 3)

Moved Councillor Pannett, seconded Mayor Wade-Brown, the substantive motion with changes to the recommendation 2 of the officer's report as follows:

THAT the Strategy and Policy Committee:

2. Approve the attached draft submission (**as amended**) to be forwarded to the Department of Internal Affairs **with the following additions/amendments:**
 - (i) **Amend the submission to be more explicit that Council supports the retention of development contributions as an equitable means of allocating the costs imposed on new public infrastructure (including public transport and community services), and a means to send appropriate market signals to developers about the costs developments impose.**
 - (ii) **Amend the submission to raise strong concerns about the provision of developers building and operating their own infrastructure, currently provided by the Council due to risks around the consequences of failure of such infrastructure and the impact on rates as well as the potential to increase the cost of housing.**

(Councillor Ritchie left the meeting at 11.29am.)

(Councillor Ritchie returned to the meeting at 11.30am.)

(Councillor Morrison returned to the meeting at 11.30am.)

(Councillor Morrison left the meeting at 11.34am.)

(Councillor Ritchie left the meeting at 11.45am.)

(Councillor Coughlan returned to the meeting at 11.47am.)

(Councillor Ritchie returned to the meeting at 11.48am.)

Moved Councillor Best, seconded Councillor Gill, the following amendment.

THAT the Strategy and Policy Committee:

2. Approve the attached draft submission (**as amended**) to be forwarded to the Department of Internal Affairs **with the following additions/amendments:**
 - (i) **Include information on the relative percentages of development costs that development contributions cover.**

The amendment was accepted with the leave of the meeting.

(Councillor Pepperell left the meeting at 12.00pm.)

(Councillor Pepperell returned to the meeting at 12.01pm.)

(The meeting adjourned at 12.02pm and reconvened at 12.09pm.)

(Mayor Wade-Brown, Councillors Best, Cook, Coughlan, Eagle, Gill, Lester, McKinnon, Marsh, Pannett, Pepperell and Ritchie were present when the meeting reconvened.)

The Chair advised that following clarification, recommendation 2(ii) originally moved by Councillor Pannett as part of the substantive motion, be amended as follows:

THAT the Strategy and Policy Committee:

2. Approve the attached draft submission **(as amended)** to be forwarded to the Department of Internal Affairs **with the following additions/amendments:**

(ii) **Add the text in bold to the section outlined below:**

6. Commentary on proposed solutions

- **Facilitating increased private provision of infrastructure through enhanced developer agreements** - New Provisions to make more explicit the ability of Councils to enter an agreement whereby a developer would build and operate their own infrastructure seem reasonable, **to encourage innovation** especially

~~(ii) — Amend the submission to raise strong concerns about the provision of developers building and operating their own infrastructure, currently provided by the Council due to risks around the consequences of failure of such infrastructure and the impact on rates as well as the potential to increase the cost of housing.~~

The amendment to the motion was agreed with the leave of the meeting.

The motion before the meeting is as follows:

THAT the Strategy and Policy Committee:

2. Approve the attached draft submission **(as amended)** to be forwarded to the Department of Internal Affairs **with the following additions/amendments:**

(i) **Amend the submission to be more explicit that Council supports the retention of development contributions as an equitable means of allocating the costs imposed on new public infrastructure (including public transport and community services), and a means to send appropriate market signals to developers about the costs developments impose.**

- (ii) Add the text in bold to the section outlined below:
6. Commentary on proposed solutions
- **Facilitating increased private provision of infrastructure through enhanced developer agreements** - New Provisions to make more explicit the ability of Councils to enter an agreement whereby a developer would build and operate their own infrastructure seem reasonable, **to encourage innovation** especially
- (ii) ~~Amend the submission to raise strong concerns about the provision of developers building and operating their own infrastructure, currently provided by the Council due to risks around the consequences of failure of such infrastructure and the impact on rates as well as the potential to increase the cost of housing.~~
- (iii) Include information on the relative percentages of development costs that development contributions cover.

The substantive motion recommendation 1 was put and declared **CARRIED**.

The substantive motion recommendation 2(i) was put and a **DIVISION** called.

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

Voting against: Councillors Coughlan and McKinnon.

Majority Vote: 10:2

The substantive motion recommendation 2(i) was declared **CARRIED**.

The substantive motion 2(ii) was put and declared **CARRIED**.

The substantive motion 2(iii) was put and declared **CARRIED**.

The substantive motion recommendation 3 was put and declared **CARRIED**.

The substantive motion recommendation 4 was put and declared **CARRIED**.

The substantive motion recommendations 5 and 6 were put and declared **CARRIED**.

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Approve the attached draft submission (as amended) to be forwarded to the Department of Internal Affairs with the following additions/amendments:*
 - (i) *Amend the submission to be more explicit that Council supports the retention of development contributions as an equitable means of allocating the costs imposed on new public infrastructure (including public transport and community services), and a means to send appropriate market signals to developers about the costs developments impose.*
 - (ii) *Add the text in bold to the section outlined below:*
 6. *Commentary on proposed solutions*
 - *Facilitating increased private provision of infrastructure through enhanced developer agreements - New Provisions to make more explicit the ability of Councils to enter an agreement whereby a developer would build and operate their own infrastructure seem reasonable, to encourage innovation especially.....*
 - (iii) *Include information on the relative percentages of development costs that development contributions cover.*
3. *Agree to delegate to the Chief Executive Officer and the Built Environment Portfolio leader, the authority to amend the proposed submission from Wellington City Council to the Department of Internal Affairs on the Development Contributions review to include any amendments agreed by the Committee and any associated minor consequential edits.*
4. *Note that transferable development credits are a mechanism for encouraging development. These are however, complicated to administer and officers do not recommend progressing consultation on them until the Government clarifies, finalises and implements its recommendations on development contributions.*
5. *Note that a second Local Government Reform Bill is likely to be submitted to Parliament likely in the second half of 2013 and this will likely include changes to the legislation governing Development Contributions.*

6. *Note that officers will continue to engage and collaborate with government to improve the advice informing changes to legislation to ensure it achieves the desired outcomes, is practical, implementable and does not lead to increased cost and decreased efficiency.*

NOTED:

The resolution differs from the recommendations in the officer's report as follows:

The Committee added the text in **bold**.

041/13P

REPORT BACK ON CONSULTATION - BUSINESS IMPROVEMENT DISTRICTS DRAFT POLICY

Report of Nelson Sheridan, Senior Strategy Advisor and Geoff Lawson, Principal Programme Advisor.

(1215/52/IM)

(REPORT 2)

Moved Councillor Coughlan, seconded Councillor Marsh, the substantive motion.

(Councillor Cook left the meeting at 12.18pm.)

(Councillor Cook returned to the meeting at 12.19pm.)

(Councillor Ritchie left the meeting 12.20pm.)

(Councillor Ritchie returned to the meeting 12.22pm.)

(Councillor Foster returned to the meeting at 12.26pm. He did not resume the Chair until after the vote for this item was taken.)

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Note the summary of submissions attached as Appendix 1 (of the officer's report), which are in support of this policy.*
3. *Agree to amend section 8.4 of the draft policy attached as Appendix 2 (of the officer's report), to state that it is a goal of the Business Improvement District poll to achieve a 75% voting return from the eligible voters for that poll; and for 75% of those votes to be in favour of the proposition.*

4. *Recommend to Council that it agree to the Business Improvement District Policy, attached as Appendix 2 (of the officer's report).*
5. *Recommend that the Council engage further with the interested parties on the Business Improvement District establishment process.*

042/13P

SUMMER GARDEN WATERING WATER RESTRICTIONS

Report of Paul Glennie, Strategic Policy Analyst, Capacity Infrastructure Services Ltd and Anthony Wilson, Chief Asset Officer, Wellington City Council.

(1215/52/IM)

(REPORT 4)

Moved Councillor Best, seconded Councillor Lester, the substantive motion with changes to the recommendations in the officer's report and as follows:

THAT the Strategy and Policy Committee:

1. Receive the information.
- ~~2. Delegate the decision of imposing water restrictions to the Chief Executive Officer from this date until the 30 June 2013.~~
2. **Recommend that Council:**
 - (a) **Resolve under clause 8.3 of the Water Services Bylaw 2012, to impose water restrictions in the Wellington City Boundaries that apply as follows:**
“Year-round restrictions apply. Use sprinklers and unattended garden hoses 6am - 8am and 7pm - 9pm on alternate days. If you have an even-numbered address, you can use sprinklers on even days of the month and vice versa”
“Hand held hose and watering cans/buckets can be used at any time.”
 - (b) **the 'base level' restriction is to apply at all times until 30 June 2013 unless a level 1, 2, 3, 4, or 5 restriction is in force**
- ~~3. Seek support for a review of section 8.3 of the Water Services Bylaw 2012 which would have the intent of passing the delegations of imposing water restrictions from the Council to the Chief Executive as and when required.~~
3. **Recommend that Council:**
 - (a) **Resolve under clause 8.3 of the Water Services Bylaw 2012, to impose water restrictions in the Wellington City Boundaries for the following:**

Level One (provides for):

Standard alternate day garden watering allowances and hand held hose use
Water Patrols (providing advice on allowed watering hours)
Joint advertising across Councils

Level Two (provides for):
Base Level and Level One, plus,
Increased advertising
Increased use of water patrols

Level Three (provides for):
Level Two, plus,
Increased advertising (restrictions/leak reporting) and water patrols
Ban on garden sprinklers and unattended irrigation systems (watering only by hand)

Level Four (provides for):
Level Three, plus,
Increased advertising (restrictions/leak reporting) and water patrols
Ban on domestic hose use (watering-can/bucket use only)

Level Five (provides for):
Level Four, plus,
Increased advertising (restrictions/leak reporting) and water patrols
Ban on all domestic outdoor water use (other than for emergencies)

- (b) **Apply level 1-5 (inclusive) restrictions only for the time periods and areas specified and publicly notified by the Chief Executive Officer from time to time.**
 - (c) **Delegate to the Chief Executive Officer the authority to determine when level 1-5 (inclusive) water restrictions are to take effect, on the proviso that:**
 - **the Chief Executive notifies the Council when this delegation is exercised**
 - **this delegation expires once the Council has considered and made a final decision on amending clause 8.3 of the Water Services Bylaw 2012**
- 4. Agree to a review of section 8.3 of the Water Services Bylaw 2012 which would have the intent of passing the delegations of imposing water restrictions from the Council to the Chief Executive as and when required.**

5. **Recommend that Council consult on a change to the Bylaw to be considered at the 27 March 2013 Council meeting that the current wording of clause 8.3 of the Water Services Bylaw 2012 does not allow for an appropriate operational response to manage high seasonal or other demands.**

The substantive motion changes to the recommendations in the officer's report was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Recommend that Council:*
 - (a) *Resolve under clause 8.3 of the Water Services Bylaw 2012, to impose water restrictions in the Wellington City Boundaries that apply as follows:*
“Year-round restrictions apply. Use sprinklers and unattended garden hoses 6am - 8am and 7pm - 9pm on alternate days. If you have an even-numbered address, you can use sprinklers on even days of the month and vice versa”
“Hand held hose and watering cans/buckets can be used at any time.”
 - (b) *the 'base level' restriction is to apply at all times until 30 June 2013 unless a level 1, 2, 3, 4, or 5 restriction is in force*
3. *Recommend that Council:*
 - (a) *Resolve under clause 8.3 of the Water Services Bylaw 2012, to impose water restrictions in the Wellington City Boundaries for the following:*

Level One (provides for):
Standard alternate day garden watering allowances and hand held hose use
Water Patrols (providing advice on allowed watering hours)
Joint advertising across Councils

Level Two (provides for):
Base Level and Level One, plus,
Increased advertising
Increased use of water patrols

Level Three (provides for):
Level Two, plus,
Increased advertising (restrictions/leak reporting) and water patrols

Ban on garden sprinklers and unattended irrigation systems (watering only by hand)

Level Four (provides for):

Level Three, plus,

Increased advertising (restrictions/leak reporting) and water patrols

Ban on domestic hose use (watering-can/bucket use only)

Level Five (provides for):

Level Four, plus,

Increased advertising (restrictions/leak reporting) and water patrols

Ban on all domestic outdoor water use (other than for emergencies)

- (b) *Apply level 1-5 (inclusive) restrictions only for the time periods and areas specified and publicly notified by the Chief Executive Officer from time to time.*
 - (c) *Delegate to the Chief Executive Officer the authority to determine when level 1-5 (inclusive) water restrictions are to take effect, on the proviso that:*
 - *the Chief Executive notifies the Council when this delegation is exercised*
 - *this delegation expires once the Council has considered and made a final decision on amending clause 8.3 of the Water Services Bylaw 2012*
4. *Agree to a review of section 8.3 of the Water Services Bylaw 2012 which would have the intent of passing the delegations of imposing water restrictions from the Council to the Chief Executive as and when required.*
5. *Recommend that Council consult on a change to the Bylaw to be considered at the 27 March 2013 Council meeting that the current wording of clause 8.3 of the Water Services Bylaw 2012 does not allow for an appropriate operational response to manage high seasonal or other demands.*

NOTED:

1. The resolution differs from the recommendations in the officer's report as follows:

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

2. Recommendation 5 was not considered by the Council at the 7 March 2013 meeting and would be at the 27 March 2013 meeting.

043/13P **REPORT BACK ON ATTENDANCE AT THE EMERGENCY MANAGEMENT CONFERENCE – FEBRUARY 2012**
Report of Councillor Stephanie Cook.
(1215/52/IM) (REPORT 5)

Moved Councillor Cook, seconded Mayor Wade-Brown, the substantive motion.

(Councillor Best left the meeting at 12.34pm.)

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*

044/13P **WELLINGTON PARTICIPATION IN THE UNITED NATIONS - HABITAT "CITIES RESILIENCE PROFILING PROGRAMME"**
Report of Chris Cameron – Principal Advisor.
(1215/52/IM) (REPORT 6)

Moved Mayor Wade-Brown, seconded Councillor Foster, the substantive motion.

(Councillor Lester left the meeting at 12.35pm.)

(Councillor Marsh left the meeting at 12.35pm.)

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Agree that Wellington participate as a partner city in the United Nations-Habitat “Cities Resilience Profiling Programme”.*
3. *Agree that Wellington register for the United Nations International Strategy for Disaster Reduction Making Cities Resilient Campaign (a prerequisite for the Cities Resilience Profiling Programme).*

