
MINUTES

**THURSDAY 21 MARCH 2013
(Reconvened on Tuesday 26 March 2013,
Thursday 4 April 2013 and Tuesday 9 April 2013)**

**9.21AM – 10.38AM
11.03AM – 12.30PM
1.03PM – 2.33PM
2.40PM – 4.04PM**

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

PRESENT:

Mayor Wade-Brown	(9.21am – 10.38am, 11.03am – 12.30pm, 1.03 pm – 2.33pm, 2.40pm – 4.04pm.)
Councillor Ahipene-Mercer	(9.28am – 10.38am, 11.03am – 12.30pm, 1.03pm - 2.33pm, 2.43pm – 3.08pm, 3.13pm – 3.48pm, 3.50pm – 4.04pm.)
Councillor Best (Deputy Chair)	(9.21am – 10.38am, 11.03am – 12.30pm, 1.03 pm - 2.33pm, 2.42pm – 4.04pm.)
Councillor Cook	(9.21am – 10.38am, 11.03am – 11.53am, 11.54am – 12.18pm, 12.19pm – 12.30pm, 1.03pm - 2.33pm, 2.40pm - 3.03pm)
Councillor Coughlan	(9.21am – 10.38am, 11.03am – 12.30pm, 1.03 pm - 2.33pm, 2.50pm – 4.04pm.)
Councillor Eagle	(9.21am – 10.38am, 11.03am – 12.30pm, 1.03 pm - 2.33pm, 2.42pm – 4.04pm.)
Councillor Foster (Chair)	(9.21am – 10.38am, 11.03am – 12.30pm, 1.03 pm - 2.33pm, 2.40pm - 4.04pm.)
Councillor Gill	(9.21am – 10.38am, 11.03am – 12.30pm, 1.03 pm – 1.45pm, 1.47pm - 2.33pm, 2.40pm – 3.06pm, 3.08pm – 4.04pm.)
Councillor Lester	(9.21am – 10.38am, 11.03am – 12.30pm, 1.03 pm - 2.33pm, 2.40pm – 4.04pm.)

Councillor McKinnon	(9.21am – 10.38am, 11.03am – 12.30pm, 1.03 pm – 1.21pm.)
Councillor Marsh	(9.21am – 10.38am, 11.03am – 12.30pm, 1.03 pm - 2.33pm, 2.42pm – 3.18pm, 3.20pm – 3.36pm, 3.37pm – 4.04pm.)
Councillor Morrison	(9.21am – 10.38am, 11.03am – 12.30pm, 1.03 pm - 2.33pm, 2.40pm - 3.34pm, 3.45pm – 4.04pm.)
Councillor Pannett	(9.21am – 10.38am, 11.03am – 12.30pm, 1.03 pm - 2.33pm, 2.40pm – 3.12pm, 3.24pm - 3.31pm, 3.33pm – 4.04pm.)
Councillor Pepperell	(9.21am – 10.38am, 11.03am – 12.30pm, 1.03 pm – 1.05pm, 1.10pm - 2.33pm, 2.40pm – 3.07pm, 3.09pm – 4.04pm.)
Councillor Ritchie	(9.21am – 10.38am, 11.03am – 12.30pm, 1.03 pm – 1.55pm, 1.59pm - 2.33pm, 2.46pm – 3.09pm, 3.11pm – 3.43pm.)

DEMOCRATIC SERVICES OFFICERS IN ATTENDANCE:

Antoinette Bliss - Committee Advisor

063/13P **APOLOGIES**
(1215/52/IM)

NOTED:

There were no apologies.

064/13P **MINUTES FOR CONFIRMATION**
(1215/52/IM)

Moved Councillor Foster, seconded Mayor Wade-Brown, the motion that the Strategy and Policy Committee approve the minutes of the meeting held on Thursday 7 February 2013, Thursday 14 February 2013 and Thursday 21 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 Strategy and Policy Committee:

1. *Approve the minutes of the meeting held on Thursday 7 February 2013, Thursday 14 February 2013 and Thursday 21 February 2013, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting..*

(Councillor Ahipene-Mercer arrived at the meeting at 9.28am.)

065/13P **CONFLICT OF INTEREST DECLARATIONS**
(1215/52/IM)

NOTED:

There were no conflict of interest declarations.

066/13P **PUBLIC PARTICIPATION**
(1215/52/IM)

NOTED:

1. Alana Bowman addressed the committee on Report 4 – Basin Reserve – Assessment of Alternative Options for Transport Improvements.

TABLED INFORMATION: Speaking notes reference 066/13P(A).

2. Victor Davies addressed the committee on Report 4 – Basin Reserve – Assessment of Alternative Options for Transport Improvements.

TABLED INFORMATION: Speaking notes reference 066/13P(B).

067/13P **DEPUTATIONS**
(1215/52/IM)

NOTED:

1. Guy Marriage representing Wellington Architectural Centre addressed the committee on Report 4 – Basin Reserve – Assessment of Alternative Options for Transport Improvements.

TABLED INFORMATION: Speaking notes reference 067/13P(A).

2. Richard Reid representing Richard Reid Associates addressed the committee on Report 4 – Basin Reserve – Assessment of Alternative Options for Transport Improvements.

TABLED INFORMATION: Speaking notes reference 067/13P(B).

068/13P **REPORT OF COUNCIL CONTROLLED ORGANISATION
PERFORMANCE SUBCOMMITTEE
MEETING OF MONDAY 11 MARCH 2013 (10.08AM – 10.12AM)**
(1215/52/IM) (REPORT 1)

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

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT Strategy and Policy Committee:

1. *Note the following matters with regard to the second quarter 2012/13 performance of Council Controlled Organisations:*
 - (a) *The Basin Reserve Trust, after allowing for depreciation of \$68k, made an operating deficit for the quarter of \$158k, \$44k below budget. However, year to date the Trust has a net deficit after depreciation of \$84k, \$25k ahead of budget. As a result of the renewal of drainage on the Basin Reserve playing surface, there was no use of the ground possible until Boxing Day. The Trust continues to work with officers and NZTA on mitigation measures to offset the impact of the proposed traffic bridge at the northern end of the ground, and that officers will keep the Elected Members informed on developments.*
 - (b) *Year to date, Capacity is reporting an overspend of \$116k (or 0.6%) against the opex budget for Wellington City Council, largely due to increased operating and maintenance costs. Capacity is also reporting an under spend of \$1.9m (or 15%) year to date against the capex budget, largely due to project plans being behind schedule. Council officers continue to work with Capacity to minimise the impact of the identified budget issues. City Care took over responsibility for the drainage service responsiveness indicators on 1 July 2012. These results are significantly below target year to date, largely due to transfer issues with new staff and the City Care IT reporting system. Officers expect that these issues will be resolved in time for quarter four. There has been no adverse impact on customer complaints.*
 - (c) *Positively Wellington Tourism saw growth in domestic visitation to Wellington during the quarter, but subdued international visitation compared to the same period in 2011/12. Tourism New Zealand has partnered with the Trust for the Australian Marketing Campaign with a contribution of \$500k. The Trust is tracking ahead of its budget year to date, but this is due to timing differences that will be normalised by year end. Key Performance Indicators for Destination Wellington for the 2012/2013 year are in draft and that the final are expected at the April 2013 meeting of the Subcommittee.*
 - (d) *Positively Wellington Venues achieved a net profit in quarter two of \$207k, \$21k ahead of budget, and remains on target to achieve a breakeven net profit result for 2012/13. Although venue occupancy is below 2011/12 levels for the same period,*

revenue has increased by 10%. Work has begun to deliver the modified Shed 6 venue ahead of the closure of the Town Hall in August 2013.

- (e) *Wellington Cable Car has lodged the resource consent application for the Kelburn terminal redevelopment with Wellington City Council. Subject to receiving resource consent, construction is still expected to commence in April. The Company paid a dividend of \$94k to the Council during the quarter. The Company anticipates achieving its budgeted result for the year.*
- (f) *Visitor numbers for the Museums Trust in quarter two were 157,679, 10% below the target of 174,940, largely related to the earthquake prone building issues at Capital E. In quarter two, the Trust recorded a surplus of \$305k against a budgeted deficit of \$22k, mainly due to reduced operating expenses. At this stage, the Trust expects to record a deficit of \$118k at year end 30 June 2013 due to the financial impact on Capital E.*
- (g) *Wellington Waterfront Limited recorded an operating deficit for quarter two of \$2.9m against a budgeted deficit of \$2.3m. The main reason for this \$594k unfavourable result is that depreciation for the year to date is over budget by \$1.2m because of the revaluation of Waterfront assets. The Taranaki Street Wharf jump platform has been closed while water quality tests are undertaken. At the end of quarter two, the advance from Council was \$17.891 million.*
- (h) *Year to date visitation of 112,920 at Wellington Zoo is ahead of last year by 8% and ahead of plan by 3%. The strong December quarter was helped by the newly opened Asia Precinct and less wet weather days than last year. The year to date operating surplus of \$110k is above the budgeted \$29k, due to trading income being above budget, largely due to the higher than budgeted visitor numbers and personnel costs being slightly below budget. The Trust expects a minimal surplus for the full financial year.*
- (i) *The New Zealand Local Government Funding Agency Limited's quarter two surplus before dividends and tax was \$0.79m, or \$0.55m ahead of its forecast. As a result, it anticipates being in a position to make a larger first dividend payment than forecast.*
- (j) *The interim board of the Karori Sanctuary Trust completed its review of the business and reported to the Council in December 2012. The new board is now in place and Denise Church accepted the role as Chair commencing 1 January 2013. Despite visitor numbers falling below budget in quarter two, paying visitors have maintained revenue just above budget.*

Excluding depreciation, the year to date operating deficit was \$234k, against a budgeted deficit of \$376k and this is reflected in the Trust's improved cash position versus budget. Cash at bank at 31 December 2012 was \$654k or \$185k better than the budgeted cash balance of \$469k.

- (k) *Total attendance at the Stadium was 160,591 and it welcomed its seven millionth patron during the half. The Trust recorded a year to date surplus of \$1.0m, well above the budgeted surplus of \$0.5m. It is on track to deliver an above budget full year result. The Master Plan work got underway with the upgrade of the changing rooms and the administrative offices. The upgrade to the Deloitte Clubroom member lounge will commence in March and design work for the Mezzanine bars is being finalised.*

069/13P **ORDER OF BUSINESS**

NOTED:

The Chair advised the meeting that the remainder of the agenda would be taken as follows:

- Report 6 - Significance Policy Amendments 2013
- Report 7 - Strategy and Policy Committee Forward Programme
- Report 3 - Capacity Outcome Based Business Model
- Report 4 - Basin Reserve - Assessment of Alternative Options for Transport Improvements
- Report 5 - Submission on Discussion Document: Improving Our Resource Management System
- Report 2 - Wellington City Council Standing Orders Review

070/13P **SIGNIFICANCE POLICY AMENDMENTS 2013 (10.13AM – 10.20AM)**

Report of Nigel Taptiklis, Policy Advisor.

(1215/52/IM)

(REPORT 6)

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

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT Strategy and Policy Committee:

1. *Receive the information.*
2. *Recommend that Council agree to consult on the proposed amendments to the Council's Significance Policy as part of the 2013/14 draft Annual Plan consultation process.*

071/13P **STRATEGY AND POLICY COMMITTEE FORWARD PROGRAMME** (10.21AM – 11.06AM)
 Report of Anusha Guler, Manager and Antoinette Bliss, Committee Adviser, Democratic Services.
 (1215/52/IM) (REPORT 7)

Moved Mayor Wade-Brown, seconded Councillor Best, the substantive motion with changes to the recommendations in the officer's report as follows (in bold and strikethrough):

THAT the Strategy and Policy Committee:

1. Receive the information.
2. Agree to the Forward Programme for the Strategy and Policy Committee, attached as Appendix 1 ~~to this report.~~ **(of the officer's report) with the following changes:**

Reports Added:

- **Proposed Disposal of Council Land Princess Terrace, Newtown (18 April 2013)**
- **LGNZ Zone 4 REMIT (18 April 2013).**
- **Transport Strategy (To be scheduled)**

Reports moved:

- **Annual Report for the Accessibility Advisory Group (moved to 18 April 2013 from 11 April 2013)**
- **Update on action plan for Climate Change (moved to 16 May 2013 from 8 August 2013)**
- **Oral Hearings - Draft Alcohol Management Strategy and Draft Local Alcohol Policy (moved to 8 August 2013 from 1 August 2013)**
- **Adopt Final Alcohol Management Strategy and Local Alcohol Policy (moved to 5 September 2013 from 22 August 2013)**
- **Volunteering Strategy Action Plan (moved to be scheduled in May 2013).**

Report descriptions amended

- **Capital City Status (change to Capital City Education Initiative)**
- **Te Mahana: A Strategy to End Homelessness in Wellington by 2020 (change description)**
- **Draft Alcohol Management Strategy and Draft Local Alcohol Policy (change description).**

(The meeting adjourned for morning tea at 10.38am and reconvened at 11.03am.)

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

The substantive motion with changes to the officer's recommendations were put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Agree to the Forward Programme for the Strategy and Policy Committee, attached as Appendix 1 to this report. (of the officer's report) with the following changes:*

Reports Added:

- *Proposed Disposal of Council Land Princess Terrace, Newtown (18 April 2013)*
- *LGNZ Zone 4 REMIT (18 April 2013).*
- *Transport Strategy (To be scheduled)*

Reports moved:

- *Annual Report for the Accessibility Advisory Group (moved to 18 April 2013 from 11 April 2013)*
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Report descriptions amended

- **Capital City Status (change to Capital City Education Initiative)**
- **Te Mahana: A Strategy to End Homelessness in Wellington by 2020 (change description)**
- **Draft Alcohol Management Strategy and Draft Local Alcohol Policy (change description).**

NOTED:

The Resolution differs from the officer's recommendations as follows:

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

072/13P **ORDER OF BUSINESS****NOTED:**

The Chair advised the meeting that the remainder of the agenda would be taken as follows:

- Report 4 - Basin Reserve - Assessment of Alternative Options for Transport Improvements
- Report 3 - Capacity Outcome Based Business Model
- Report 5 - Submission on Discussion Document: Improving Our Resource Management System
- Report 2 - Wellington City Council Standing Orders Review

073/13P **BASIN RESERVE - ASSESSMENT OF ALTERNATIVE OPTIONS FOR TRANSPORT IMPROVEMENTS (11.07AM – 3.08PM)**
 Report of Geoff Swainson, Manager - Transport Planning.
 (1215/52/IM) (REPORT 4)

Moved Councillor Foster, seconded Mayor Wade-Brown, the substantive motion with changes to the recommendations in the officer's report as follows (in bold):

THAT the Strategy and Policy Committee:

1. Receive the information.
2. **Note Council's previous resolution to support a multi-modal package of transport investments including separation of north-south and east-west traffic at this location as outlined in the Ngauranga to Airport Corridor Plan.**

3. **Note Council's previously stated preference for an underground solution to achieve that separation.**
4. **Receive the Assessment of Alternatives report.**
5. **Thank Council officers, NZTA officials and consultants, the Architecture Centre, and Richard Reid for their work on the review.**
6. **Note that Option X and Richard Reid and Associates at grade solution are not developed to the same level of detail as Option A.**
7. **Note the report's findings that none of the roading alternatives evaluated in the review are assessed as better than Option A overall in terms of cost, transport and urban form outcomes.**
8. **Request officers to continue to work with NZTA to achieve optimum mitigation outcomes for the city in respect of Option A, and in particular work with NZTA to achieve the following additional mitigation elements identified through the review process:**
 - (a.) **Ellice Street corner (visual and noise issues)**
 - (b.) **Kent and Cambridge Terrace (potential boulevard or vegetation, art and landscape treatment)**
 - (c.) **Bridge design (identifiably Wellington)**
 - (d.) **Public Transport priority on Adelaide Road and Kent and Cambridge Terraces and north/south bus lanes implemented immediately on construction of the flyover**
 - (e.) **Karo Drive (address longstanding amenity issues)**
 - (f.) **Long term corridor planning between Terrace Tunnel and Basin Reserve including future use of Vivian St as State Highway**
 - (g.) **Addressing any effects on strategic cycle and walking routes from the south and east of the city**
9. **Agree that officers will report back to Strategy and Policy Committee at the appropriate time with a draft submission focussed on mitigation.**
10. **Request officers to commence work with the Mayor and Transport Portfolio Leaders on refreshing the Council's Transport Strategy to emphasise travel demand management , emergency and freight priority, better walking, cycling and public transport to provide real transport choices for more people and report back to Strategy and Policy in June on an engagement plan.**

Moved Councillor Lester, seconded Councillor Eagle, the following amendment as a new recommendation 8:

THAT the Strategy and Policy Committee:

New 8. Resolve not to support the flyover.

(Councillor Cook left the meeting at 11.53am.)
(Councillor Cook returned to the meeting at 11.54am.)
(Councillor Cook left the meeting at 12.18pm.)
(Councillor Cook returned to the meeting at 12.19pm.)
(Councillor Morrison left the meeting at 12.30pm.)

(The meeting adjourned for lunch at 12.30pm and reconvened at 1.03pm.)

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

(Councillor Pepperell left the meeting at 1.05pm.)
(Councillor Pepperell returned to the meeting at 1.10pm.)
(Councillor McKinnon left the meeting at 1.21pm.)
(Councillor Gill left the meeting at 1.45pm.)
(Councillor Gill returned to the meeting at 1.47pm.)
(Councillor Ritchie left the meeting at 1.55pm.)
(Councillor Ritchie returned to the meeting at 1.59pm.)

The amendment moved by Councillor Lester was put and a DIVISION called:

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

Voting against: Councillors Ahipene-Mercer, Best, Coughlan, Foster, Gill, Marsh and Morrison.

Vote: 7:7

The amendment moved by Councillor Lester was declared LOST on the Chair's CASTING VOTE.

(The meeting adjourned at 2.33pm and reconvened at 2.40pm.)

(Mayor Wade-Brown, Councillors Cook, Foster, Gill, Lester, Morrison, Pannett and Pepperell were present when the meeting reconvened.)

Moved Councillor Pannett, seconded Councillor Cook, the following amendment as a new recommendation 11:

THAT the Strategy and Policy Committee:

11. Agree to write to the Minister for the Environment requesting that any application for resource consents to build the Basin Reserve Flyover is heard by the Environment Court rather than a Board of Inquiry.

(Councillor Best returned to the meeting at 2.42pm.)

(Councillor Eagle returned to the meeting at 2.42pm.)

(Councillor Marsh returned to the meeting at 2.42pm.)

(Councillor Ahipene-Mercer returned to the meeting at 2.43pm.)

The amendment moved by Councillor Pannett was put and a DIVISION called:

Voting for: Mayor Wade-Brown, Councillors Cook, Eagle, Foster Lester, Pannett and Pepperell.

Voting against: Councillors Ahipene-Mercer, Best, Gill, Marsh and Morrison.

Vote: 7:5

The amendment moved by Councillor Pannett was put and declared CARRIED.

(Councillor Ritchie returned to the meeting at 2.46pm.)

(Councillor Coughlan returned to the meeting at 2.50pm.)

(Councillor Cook left the meeting at 3.03pm.)

The substantive recommendation 1 was put and declared CARRIED.

The substantive new recommendation 2 was put and declared CARRIED.

(Councillor Morrison requested that his dissenting vote be recorded.)

The substantive new recommendation 3 was put and declared CARRIED.

The substantive new recommendation 4 was put and declared CARRIED.

The substantive new recommendation 5 was put and declared CARRIED.

The substantive new recommendation 6 was put and declared CARRIED.

The substantive new recommendation 7 was put and a DIVISION called:

Voting for: Mayor Wade-Brown, Councillors Ahipene-Mercer, Best, Coughlan, Foster, Gill, Marsh and Morrison.

Voting against: Councillors Eagle, Lester, Pannett, Pepperell and Ritchie.

Vote: 8:5

The substantive new recommendation 7 was declared CARRIED.

The substantive new recommendation 8 was put and a DIVISION called:

Voting for: Mayor Wade-Brown, Councillors Ahipene-Mercer, Best, Coughlan, Eagle, Foster, Gill, Lester, Marsh and Morrison.

Voting against: Councillors Pannett, Pepperell and Ritchie.

Vote: 10:3

The substantive new recommendation 8 was declared CARRIED.

The substantive new recommendation 9 was put and a DIVISION called:

Voting for: Mayor Wade-Brown, Councillors Ahipene-Mercer, Best, Coughlan, Foster, Gill, Lester, Marsh, Morrison and Ritchie.

Voting against: Councillors Eagle, Pannett and Pepperell.

Vote: 10:3

The substantive new recommendation 9 was declared CARRIED.

The substantive new recommendation 10 was put and declared CARRIED.

(Councillor Gill left the meeting at 3.06pm.)

The substantive new recommendation 11 was put and a DIVISION called:

Voting for: Mayor Wade-Brown, Councillors Eagle, Foster, Lester, Pannett, Pepperell and Ritchie.

Voting against: Councillors Ahipene-Mercer, Best, Coughlan, Marsh and Morrison.

Vote: 7:5

The substantive new recommendation 11 was declared CARRIED.

(Councillor Pepperell left the meeting at 3.07pm.)

(Councillor Gill returned to the meeting at 3.08pm.)

(Councillor Ahipene-Mercer left the meeting at 3.08pm.)

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Note Council's previous resolution to support a multi-modal package of transport investments including separation of north-south and east-west traffic at this location as outlined in the Ngauranga to Airport Corridor Plan.*
3. *Note Council's previously stated preference for an underground solution to achieve that separation.*
4. *Receive the Assessment of Alternatives report.*
5. *Thank Council officers, NZTA officials and consultants, the Architecture Centre, and Richard Reid for their work on the review.*
6. *Note that Option X and Richard Reid and Associates at grade solution are not developed to the same level of detail as Option A.*
7. *Note the report's findings that none of the roading alternatives evaluated in the review are assessed as better than Option A overall in terms of cost, transport and urban form outcomes.*
8. *Request officers to continue to work with NZTA to achieve optimum mitigation outcomes for the city in respect of Option A, and in particular work with NZTA to achieve the following additional mitigation elements identified through the review process:*
 - (a.) *Ellice Street corner (visual and noise issues)*
 - (b.) *Kent and Cambridge Terrace (potential boulevard or vegetation, art and landscape treatment)*
 - (c.) *Bridge design (identifiably Wellington)*

- (d.) *Public Transport priority on Adelaide Road and Kent and Cambridge Terraces and north/south bus lanes implemented immediately on construction of the flyover*
 - (e.) *Karo Drive (address longstanding amenity issues)*
 - (f.) *Long term corridor planning between Terrace Tunnel and Basin Reserve including future use of Vivian St as State Highway*
 - (g.) *Addressing any effects on strategic cycle and walking routes from the south and east of the city*
9. *Agree that officers will report back to Strategy and Policy Committee at the appropriate time with a draft submission focussed on mitigation.*
- 10 *Request officers to commence work with the Mayor and Transport Portfolio Leaders on refreshing the Council's Transport Strategy to emphasise travel demand management , emergency and freight priority, better walking, cycling and public transport to provide real transport choices for more people and report back to Strategy and Policy in June on an engagement plan.*
11. *Agree to write to the Minister for the Environment requesting that any application for resource consents to build the Basin Reserve Flyover is heard by the Environment Court rather than a Board of Inquiry.*

NOTED:

The Resolution differs from the officer's recommendations as follows:

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

075/13P **CAPACITY OUTCOME BASED BUSINESS MODEL** (3.09PM – 4.01PM)
 Report of Anthony Wilson, Chief Asset Officer, Peter Garty, Chief Financial Officer, David Hill, Chief Executive Officer, Capacity and Gunther Wild, Senior Analyst, Capacity.
 (1215/52/IM) (REPORT 3)

(Councillor Pepperell returned to the meeting at 3.09pm.)
 (Councillor Ritchie left the meeting at 3.09pm.)

Moved Councillor Best, seconded Councillor Lester, the substantive motion.

(Councillor Ritchie returned to the meeting at 3.11pm.)
 (Councillor Pannett left the meeting at 3.12pm.)
 (Councillor Ahipene-Mercer returned to the meeting at 3.13pm.)
 (Councillor Marsh left the meeting at 3.18pm.)
 (Councillor Marsh returned to the meeting at 3.20pm.)

(Councillor Pannett returned to the meeting at 3.24pm.)

(Councillor Pannett left the meeting at 3.31pm.)

(Councillor Pannett returned to the meeting at 3.33pm.)

(Councillor Morrison left the meeting at 3.34pm.)

(Councillor Marsh left the meeting at 3.36pm.)

Moved Councillor Eagle, seconded Councillor Gill, the following amendment:

THAT the Strategy and Policy Committee:

5. — ~~Recommend that Council agree the Capacity outcome based business model (already approved in principle) will now be implemented commencing the 2013/14 financial year, subject to the agreed transition plan and the capability review being reported back to the Council.~~
5. **Request that before implementing the proposed outcome based business model for Capacity (already approved in principle), the WCC Chief Executive Officer reports back to Council as part of the 2013/14 Annual Plan process, that he is satisfied that Capacity’s capability and asset management systems transparency are at a level that can assure the long term protection of the Council’s 3 water assets for final approval.**
6. **Request that Councillors remain as appointments to the Board of the CCTO, and consideration be given and reported by the WCC Chief Executive Officer on how community representation can be included in the Board’s governance duties (as per the original proposal in 2001, “Managing your water – together”).**
7. **Direct officers to develop a branding framework for council controlled organisations as part of the city communications and marketing strategy work and delegate to the Chief Executive Officer and Portfolio Leader, Community Engagement the authority to sign-off.**
8. **Direct Capacity’s Board to note council’s current position that it wishes to avoid the need for either compulsory residential water metering or the construction of additional major storage dams, in order to inform its water conservation planning. Additionally, that water services are to remain publicly owned, funded and managed and with emphasis on service efficiency for the community benefit and not for profit.**

Councillor Foster under Standing Order 155.1 ruled new amendment 7 out of order and advised that it would be deleted accordingly.

The amendment moved by Councillor Eagle is now as follows:

THAT the Strategy and Policy Committee:

5. ~~Recommend that Council agree the Capacity outcome based business model (already approved in principle) will now be implemented commencing the 2013/14 financial year, subject to the agreed transition plan and the capability review being reported back to the Council.~~
5. **Request that before implementing the proposed outcome based business model for Capacity (already approved in principle), the WCC Chief Executive Officer reports back to Council as part of the 2013/14 Annual Plan process, that he is satisfied that Capacity's capability and asset management systems transparency are at a level that can assure the long term protection of the Council's 3 water assets for final approval.**
6. **Request that Councillors remain as appointments to the Board of the CCTO, and consideration be given and reported by the WCC Chief Executive Officer on how community representation can be included in the Board's governance duties (as per the original proposal in 2001, "Managing your water – together").**
7. **Direct Capacity's Board to note council's current position that it wishes to avoid the need for either compulsory residential water metering or the construction of additional major storage dams, in order to inform its water conservation planning. Additionally, that water services are to remain publicly owned, funded and managed and with emphasis on service efficiency for the community benefit and not for profit.**

(Councillor Marsh returned to the meeting at 3.37pm.)

Moved Councillor Pepperell, seconded Councillor Pannett, the following foreshadowed amendment:

THAT the Strategy and Policy Committee:

7. **Direct officers to develop a branding framework for ~~council controlled organisations~~ Capacity as part of the city communications and marketing strategy work and delegate to the Chief Executive Officer and Portfolio Leader, Community Engagement the authority to sign-off.**

(Councillor Ritchie left the meeting at 3.43pm.)

The Chair called for a seconder to the foreshadowed amendment in the absence of Councillor Ritchie. Councillor Pannett agreed to second the foreshadowed amendment.

(Councillor Morrison returned to the meeting at 3.45pm.)
(Councillor Ahipene-Mercer left the meeting at 3.48pm.)
Councillor Ahipene-Mercer returned to the meeting at 3.50pm.)

Councillor Morrison, seconded Councillor Coughlan, procedural motion that the procedural motion was declared lost as there was not a $\frac{3}{4}$ majority.

The amendment new recommendation 5 was put and a DIVISION called:

Voting for: Councillors Eagle, Gill, Marsh, Pepperell and Ritchie.

Voting against: Mayor Wade-Brown, Councillors Ahipene-Mercer, Best, Coughlan, Foster, Lester, Morrison and Pannett.

Vote: 5:8

The amendment new recommendation 5 was put and declared LOST.

The amendment new recommendation 6 was put and a DIVISION called:

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

Voting against: Councillors Ahipene-Mercer, Best, Coughlan, Foster and Morrison.

Vote: 7:5

The amendment new recommendation 6 was put and declared CARRIED.

The amendment new recommendation 7 was put and declared CARRIED. (Councillor Ahipene-Mercer requested that his dissenting vote be recorded.)

The Foreshadowed amendment moved by Councillor Pepperell new recommendation 7 was put and declared LOST.

The substantive motion as amended was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. Receive the information.

2. *Recommend that Council note work is continuing to finalise the 2013/14 Service Level Agreement between Council and Capacity.*
3. *Recommend that Council note work is continuing to develop the Capacity Shareholder Memorandum of Understanding.*
4. *Recommend that Council note that Capacity's other current shareholder, Hutt City Council, has already unanimously voted to support Capacity to move to the outcomes based business model as set out in this report.*
5. *Recommend that Council agree the Capacity outcome based business model (already approved in principle) will now be implemented commencing the 2013/14 financial year, subject to the agreed transition plan and the capability review being reported back to the Council.*
6. ***Request that Councillors remain as appointments to the Board of the CCTO, and consideration be given and reported by the WCC Chief Executive Officer on how community representation can be included in the Board's governance duties (as per the original proposal in 2001, "Managing your water – together").***
7. ***Direct Capacity's Board to note council's current position that it wishes to avoid the need for either compulsory residential water metering or the construction of additional major storage dams, in order to inform its water conservation planning. Additionally, that water services are to remain publicly owned, funded and managed and with emphasis on service efficiency for the community benefit and not for profit.***
8. *Recommend that Council note the current authority for the Council Chief Executive Officer to approve and execute all final documentation to move Capacity to an outcome based business model is subject to the Council Chief Executive Officer reporting back to the Council on the capability review by the end of May 2013.*

NOTED:

The Resolution differs from the officer's recommendations as follows:

The Committee added the text in **bold** and ~~striketrough~~.

076/13P **ADJOURNMENT OF MEETING**
(1215/52/IM)

Moved Councillor Foster, seconded Councillor Best, the motion that the Strategy and Policy Committee adjourn to reconvene at 9.15am on Tuesday 26 March 2013.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Adjourn to reconvene at 9.15am on Tuesday 26 March 2013.*

The meeting adjourned at 4.04pm.

TUESDAY 26 MARCH 2013

The meeting reconvened at 9.19am on Tuesday 26 March 2013.
(9.19am – 9.32am, 10.09am – 10.43am, 10.58am – 11.50am.)

PRESENT:

Mayor Wade-Brown (Chair)	(9.19am – 9.32am, 10.09am – 10.43am, 10.58am – 11.50am.)
Councillor Ahipene-Mercer	(9.19am – 9.32am, 10.09am – 10.43am, 11.07am – 11.50am.)
Councillor Cook	(10.09am – 10.42am, 10.58am – 11.50am.)
Councillor Coughlan	(9.19am – 9.32am, 10.10am – 10.41am.)
Councillor Eagle	(9.19am – 9.32am, 10.09am – 10.43am, 11.01am – 11.02am, 11.03am - 11.50am.)
Councillor Foster (Chair)	(9.19am – 9.32am, 10.09am – 10.43am, 10.58am – 11.50am.)
Councillor Gill	(9.19am – 9.32am, 10.09am – 10.43am, 10.58am – 11.50am.)
Councillor Lester	(9.19am – 9.32am, 10.10am – 10.31am, 10.37am – 10.43am, 10.58am – 11.50am.)
Councillor McKinnon	(9.19am – 9.32am, 10.09am – 10.43am, 10.58am – 11.50am.)
Councillor Marsh	(10.40am – 10.43am.)
Councillor Morrison	(9.19am – 9.32am.)
Councillor Pannett	(9.19am – 9.32am, 10.09am – 10.43am, 10.58am – 11.50am.)
Councillor Pepperell	(9.19am – 9.32am, 10.09am – 10.43am, 10.58am – 11.50am.)
Councillor Ritchie	(9.19am – 9.30am, 10.12am – 10.43am, 10.58am – 11.08am.)

APOLOGIES

Councillor Best
Councillor Cook (lateness)
Councillor Marsh (lateness)

077/13P **APOLOGIES**
(1215/52/IM)

Moved Councillor Foster, seconded Councillor Eagle, the motion that the Strategy and Policy Committee accept apologies for absence from Councillor Best and accept apologies for lateness from Councillor Cook and Marsh.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

- 1. Accept apologies for absence from Councillor Best and apologies for lateness from Councillor Cook and Marsh.*

078/13P **ORDER OF BUSINESS**

NOTED:

The Chair advised the meeting that the remainder of the agenda would be taken as follows:

Report 5 - Submission on Discussion Document: Improving Our Resource Management System

Report 2 - Wellington City Council Standing Orders Review

079/13P **SUBMISSION ON DISCUSSION DOCUMENT: IMPROVING OUR RESOURCE MANAGEMENT** (9.21AM – 11.48AM)
Report of Warren Ulusele, Manager, Urban Development.
(1215/52/IM) (REPORT 5)

(Councillor Ritchie left the meeting at 9.30am.)

(The meeting adjourned at 9.32am and reconvened at 10.09am.)

(Mayor Wade-Brown, Councillors Ahipene-Mercer, Cook, Eagle, Foster, Gill, McKinnon, Pannett and Pepperell were present when the meeting reconvened.)

(Councillor Lester returned to the meeting at 10.10am.)

(Councillor Coughlan returned to the meeting at 10.10am.)

(Councillor Ritchie returned to the meeting at 10.12am.)

(Councillor Lester left the meeting at 10.31am.)

(Councillor Lester returned to the meeting at 10.37am.)

(Councillor Marsh arrived at the meeting at 10.40am.)

(Councillor Coughlan left the meeting at 10.41am.)

(Councillor Cook left the meeting at 10.42am.)

(The meeting adjourned for morning tea at 10.43am and reconvened at 10.58am.)

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

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

(Councillor Eagle returned to the meeting at 11.01am.)

(Councillor Eagle left the meeting at 11.02am.)

(Councillor Eagle returned to the meeting at 11.03am.)

(Councillor Ahipene-Mercer returned to the meeting at 11.07am.)

(Councillor Ritchie left the meeting at 11.08am.)

Moved Councillor Gill, seconded Mayor Wade-Brown, the following amendment:

THAT the Strategy and Policy Committee:

2. Agree to the draft submission **as amended and tabled** (~~attached as Appendix One~~) in response to the discussion document 'Improving the resource management system' **subject to the deletion of:**
 - (i) **Yellow highlighted text relating to the following matters.**
 - (a) **Section 7 matters – retaining reference to: Stewardship; intrinsic values and; finite characteristics of natural and physical resources- return to officer recommendations. (page 16)**
 - (b) **Narrowing of appeals to the Environment Court and the appointment of independent commissioners to first schedule plan change processes - return to officers recommendations. (page 25)**
 - (c) **De novo hearings - return to officer recommendations. (page 33)**
 - (d) **Not supporting the Minister only publishing a summary of reasons for making a direction and concern about the 9 month timeframe – return to officer recommendations. (page 36/37)**
 - (e) **EPA timeframe for decisions – return to officer recommendations (page 37)**
 - (f) **Consequent changes to the Executive Summary to reflect all decisions made above. (page 5/6)**
 - (ii) **Blue highlighted text relating to the following matters.**
 - (a) **Identification of significant landscapes in district plans and regional plan. (page 12)**
 - (b) **Opposition to private plan changes. (page 25)**

- (c) **Opposition to preparation of a simple plan via joint process. (page 25)**
 - (d) **Opposition to exemption to minor or technical breaches of district plan rules. (page 29)**
 - (e) **Opposition of limiting scope of consent conditions. (page 31)**
 - (f) **Opposition to Minister publishing a summary of the reasons for making a direction. (page 37)**
3. Agree to delegate to the Chief Executive, ~~and~~ the Portfolio Leader Built Environment **and the Chair of the Regulatory Processes Committee**, the authority to make any changes to the submission required as a result of decisions of this Committee, as well as minor editorial amendments, prior to the submission being sent to the Ministry for the Environment.

The amendment new recommendation 2(i)(a) was put and a DIVISION called:

Voting for: Councillors Ahipene-Mercer and McKinnon.

Voting against: Mayor Wade-Brown, Councillors Cook, Eagle, Foster, Gill, Lester, Pannett and Pepperell.

Vote: 2:8

The amendment new recommendation 2(i)(a) was put and declared LOST.

The amendment new recommendation 2(i)(b) was put and a DIVISION called:

Voting for: Councillors Ahipene-Mercer and McKinnon.

Voting against: Mayor Wade-Brown, Councillors Cook, Eagle, Foster, Gill, Lester, Pannett and Pepperell.

Vote: 2:8

The amendment new recommendation 2(i)(b) was put and declared LOST.

The amendment new recommendation 2(i)(c) was put and a DIVISION called:

Voting for: Councillors Ahipene-Mercer, Foster and McKinnon.

Voting against: Mayor Wade-Brown, Councillors Cook, Eagle, Gill, Lester, Pannett and Pepperell.

Vote: 3:7

The amendment new recommendation 2(i)(c) was put and declared LOST.

The amendment new recommendation 2(i)(d) was put and a DIVISION called:

Voting for: Mayor Wade-Brown, Councillors Ahipene-Mercer, Foster, Gill and McKinnon.

Voting against: Councillors Cook, Eagle, Lester, Pannett and Pepperell.

Vote: 5:5

The amendment new recommendation 2(i)(d) was put and declared CARRIED on the Chair's CASTING VOTE.

The amendment new recommendation 2(i)(e) was put and a DIVISION called:

Voting for: Councillors Ahipene-Mercer, Foster, Gill and McKinnon.

Voting against: Mayor Wade-Brown, Councillors Cook, Eagle, Lester, Pannett and Pepperell.

Vote: 4:6

The amendment new recommendation 2(i)(e) was put and declared LOST.

The amendment new recommendation 2(i)(f) was put and declared CARRIED.

The amendment new recommendation 2(ii)(a) was put and a DIVISION called:

Voting for: Councillors Ahipene-Mercer, Gill and McKinnon.

Voting against: Mayor Wade-Brown, Councillors Cook, Eagle, Foster, Lester, Pannett, Pepperell.

Vote: 3:7

The amendment new recommendation 2(ii)(a) was put and declared LOST.

The amendment new recommendation 2(ii)(b) was put and a DIVISION called:

Voting for: Mayor Wade-Brown, Councillors Ahipene-Mercer, Gill and McKinnon.

Voting against: Councillors Cook, Eagle, Foster, Lester, Pannett, Pepperell.

Vote: 4:6

The amendment new recommendation 2(ii)(b) was put and declared LOST.

The amendment new recommendation 2(ii)(c) was put and a DIVISION called:

Voting for: Mayor Wade-Brown, Councillors Ahipene-Mercer, Foster, Gill and McKinnon.

Voting against: Councillors Cook, Eagle, Lester, Pannett, Pepperell.

Vote: 5:5

The amendment new recommendation 2(ii)(c) was put and declared CARRIED.

The amendment new recommendation 2(ii)(d) was put and a DIVISION called:

Voting for: Councillors Ahipene-Mercer and McKinnon.

Voting against: Mayor Wade-Brown, Councillors Cook, Eagle, Foster, Gill, Lester, Pannett and Pepperell.

Vote: 2:8

The amendment new recommendation 2(ii)(d) was put and declared LOST.

The amendment new recommendation 2(ii)(e) was put and a DIVISION called:

Voting for: Councillors Ahipene-Mercer and McKinnon.

Voting against: Mayor Wade-Brown, Councillors Cook, Eagle, Foster, Gill, Lester, Pannett and Pepperell.

Vote: 2:8

The amendment new recommendation 2(ii)(e) was put and declared LOST.

The amendment new recommendation 2(ii)(f) was put and a DIVISION called:

Voting for: Mayor Wade-Brown, Councillors Ahipene-Mercer, Foster, Gill and McKinnon.

Voting against: Councillors Cook, Eagle, Lester, Pannett and Pepperell.

Vote: 5:5

The amendment new recommendation 2(ii)(f) was put and declared CARRIED on the Chair's CASTING VOTE.

The amendment recommendation 3 was put and declared CARRIED.

The substantive motion as amended was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*

2. *Agree to the draft submission as amended and tabled at the meeting (attached as Appendix One) in response to the discussion document 'Improving the resource management system' subject to the deletion of:*
- (i) *Yellow highlighted text relating to the following matters.*
 - (a) *Section 7 matters – retaining reference to: Stewardship; intrinsic values and; finite characteristics of natural and physical resources- return to officer recommendations. (page 16)*
 - (b) *Narrowing of appeals to the Environment Court and the appointment of independent commissioners to first schedule plan change processes - return to officers recommendations. (page 25)*
 - (c) *De novo hearings - return to officer recommendations. (page 33)*
 - (d) *EPA timeframe for decisions – return to officer recommendations (page 37)*
 - (e) *Consequent changes to the Executive Summary to reflect all decisions made above. (page 5/6)*
 - (ii) *Blue highlighted text relating to the following matters.*
 - (a) *Identification of significant landscapes in district plans and regional plan. (page 12)*
 - (b) *Opposition to private plan changes. (page 25)*
 - (c) *Opposition to exemption to minor or technical breaches of district plan rules. (page 29)*
 - (d) *Opposition of limiting scope of consent conditions. (page 31)*
3. *Agree to delegate to the Chief Executive, ~~and~~ the Portfolio Leader Built Environment and the Chair of the Regulatory Processes Committee, the authority to make any changes to the submission required as a result of decisions of this Committee, as well as minor editorial amendments, prior to the submission being sent to the Ministry for the Environment.*

NOTED:

The Resolution differs from the officer's recommendations as follows:

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

080/13P **ADJOURNMENT OF MEETING**
(1215/52/IM)

Moved Councillor Foster, seconded Councillor Pannett, the motion that the Strategy and Policy Committee adjourn to reconvene at 11.30am on Thursday 4 April 2013.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Adjourn to reconvene at 11.30am on Thursday 4 April 2013.*

The meeting adjourned at 11.50am.

THURSDAY 4 APRIL 2013

The meeting reconvened at 11.36am on Thursday 4 April 2013.
(11.36am – 12.01pm, 12.20pm – 12.35pm, 3.17pm – 3.19pm.)

PRESENT:

Mayor Wade-Brown (Chair)	(11.36am – 11.56am, 12.20pm – 12.35pm, 3.17pm – 3.19pm)
Councillor Best	(11.36am – 12.01pm, 12.20pm – 12.35pm, 3.18pm – 3.19pm.)
Councillor Cook	(11.36am – 12.01pm, 12.20pm – 12.35pm.)
Councillor Coughlan	(11.36am – 12.01pm, 12.20pm – 12.35pm.)
Councillor Eagle	(11.39am – 12.01pm, 12.20pm – 12.35pm.)
Councillor Foster (Chair)	(11.36am – 12.01pm, 12.20pm – 12.35pm, 3.17pm – 3.19pm)
Councillor Gill	(11.36am – 12.01pm, 12.20pm – 12.35pm, 3.17pm – 3.19pm)
Councillor Lester	(11.36am – 12.01pm, 12.20pm – 12.35pm.)
Councillor McKinnon	(11.36am – 12.01pm, 12.20pm – 12.35pm, 3.17pm – 3.19pm)
Councillor Marsh	(11.37am – 12.01pm, 12.20pm – 12.35pm, 3.17pm – 3.19pm)
Councillor Morrison	(11.36am – 12.01pm, 12.20pm – 12.35pm, 3.17pm – 3.18pm)
Councillor Pannett	(11.36am – 12.01pm, 12.20pm – 12.35pm, 3.17pm – 3.19pm)
Councillor Pepperell	(11.36am – 12.01pm, 12.20pm – 12.35pm, 3.17pm – 3.19pm)
Councillor Ritchie	(11.38am – 12.01pm, 12.20pm – 12.35pm.)

081/13P **APOLOGIES**
(1215/52/IM)

Moved Councillor Foster, seconded Councillor Best, the motion that the Strategy and Policy Committee accept apologies for absence from Councillor Ahipene-Mercer.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Accept apologies for absence from Councillor Ahipene-Mercer.*

082/13P **WELLINGTON CITY COUNCIL STANDING ORDERS REVIEW**
Report of Anusha Guler – Manager, Democratic Services.
(1215/52/IM) (REPORT 2)

NOTED:

The Committee commenced consideration of Review of Standings Orders.

For the final decision on Report 2, please see 085/13P.

(Councillor Marsh arrived at the meeting at 11.37am.)

(Councillor Ritchie arrived at the meeting at 11.38am.)

(Councillor Eagle arrived at the meeting at 11.39am.)

(Mayor Wade-Brown left the meeting at 11.56am.)

(The meeting adjourned at 12.01pm and reconvened at 12.20pm.)

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

(The meeting adjourned at 12.35pm for the Extraordinary Council Meeting of 4 April 2013 and reconvened at 3.17pm.)

(Mayor Wade-Brown, Councillors, Foster, Gill, McKinnon, Marsh, Morrison, Pannett and Pepperell were present when the meeting reconvened.)

(Councillor Morrison left the meeting at 3.18pm.)

(Councillor Best returned to the meeting at 3.18pm.)

083/13P **ADJOURNMENT OF MEETING**
(1215/52/IM)

Moved Councillor Foster, seconded Councillor Best, the motion that the 21 March 2013 Strategy and Policy Committee adjourn to reconvene at 9.15am on Tuesday 9 April 2013.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Adjourn to reconvene at 9.15am on Tuesday 9 April 2013.*

The meeting adjourned at 3.19pm on Thursday 4 April 2013.

TUESDAY 9 APRIL 2013

The meeting reconvened at 9.18am on Tuesday 9 April 2013.
(9.18am – 9.19am, 11.25am – 12.45pm, 1.06pm – 2.14pm.)

(Councillors Best, Cook, Foster, Gill, Lester, McKinnon, Marsh, Morrison, Pannett, Pepperell and Ritchie were present when the meeting reconvened.)

Moved Councillor Foster, seconded Councillor McKinnon, the motion that the 21 March 2013 Strategy and Policy Committee adjourn to reconvene at the conclusion of the Tuesday 9 April 2013 Pre Meeting Session.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Adjourn until the conclusion of the Tuesday 9 April 2013 Pre Meeting Session.*

The meeting adjourned at 9.19am on Tuesday 9 April 2013.

The meeting reconvened at 11.25am on Tuesday 9 April 2013.

(Councillors Best, Cook, Foster, Gill, Lester, McKinnon, Marsh, Pannett, Pepperell and Ritchie were present when the meeting reconvened.)

PRESENT:

Councillor Best	(9.18am – 9.19am, 11.25am – 12.45pm, 1.06pm – 2.14pm.)
Councillor Cook	(9.18am – 9.19am, 11.25am – 12.45pm, 1.06pm – 2.14pm.)
Councillor Foster (Chair)	(9.18am – 9.19am, 11.25am – 12.45pm, 1.06pm – 2.14pm.)
Councillor Gill	(9.18am – 9.19am, 11.25am – 12.45pm, 1.06pm – 2.14pm.)
Councillor Lester	(9.18am – 9.19am, 11.25am – 12.45pm, 1.12pm – 2.14pm.)
Councillor McKinnon	(9.18am – 9.19am, 11.25am – 12.45pm, 1.06pm – 2.14pm.)

Councillor Marsh	(9.18am – 9.19am, 11.25am – 12.05pm, 12.06pm – 12.45pm, 1.06pm – 2.14pm.)
Councillor Morrison	(9.18am – 9.19am, 1.12pm – 2.14pm.)
Councillor Pannett	(9.18am – 9.19am, 11.25am – 12.45pm, 1.06pm – 2.14pm.)
Councillor Pepperell	(9.18am – 9.19am, 11.25am – 12.45pm, 1.06pm – 2.14pm.)
Councillor Ritchie	(9.18am – 9.19am, 11.25am – 11.27am, 11.30am – 11.44am, 11.45am - 12.45pm, 1.06pm - 1.08pm, 1.10pm – 2.14pm.)

APOLOGIES

Mayor Wade Brown
Councillor Ahipene-Mercer
Councillor Coughlan
Councillor Eagle

084/13P **APOLOGIES**
(1215/52/IM)

Moved Councillor McKinnon, seconded Councillor Best, the motion that the Strategy and Policy Committee accept apologies for absence from Mayor Wade-Brown and Councillors Ahipene-Mercer, Coughlan and Eagle.

The motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

- 1. Accept apologies for absence from Mayor Wade-Brown and Councillors Ahipene-Mercer, Coughlan and Eagle.*

(Councillor Ritchie left the meeting at 11.27am.)

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

085/13P **WELLINGTON CITY COUNCIL STANDING ORDERS REVIEW**
Report of Anusha Guler – Manager, Democratic Services.
(1215/52/IM) (REPORT 2)

Moved Councillor McKinnon, seconded Councillor Best, the substantive motion.

THAT the Strategy and Policy Committee:

- 1. Receive the information.**

2. Note that, pursuant to clause 27, Schedule 7 of the Local Government Act 2002, the Council may amend Standing Orders or adopt a new set of Standing Orders by a vote of not less than 75 percent of the members present.
3. Note that the last major review of Standing Orders was in 2004, with minor updates in 2005 and 2007.
4. Note that the provisions of the draft Standing Orders in Attachment 1 are based on the NZS 9202 (2003): Model Standing Orders for Meetings of Local Authorities and Community Boards and are substantially the same as those in the current Standing Orders with the following changes:
 - (a) legislative requirements are included as direct quotations from statute.
 - (b) the provisions of the draft Standing Orders relating to public access, public notification, passing of resolutions and making of decisions do not apply to any meeting of the Council, a committee or a subcommittee where no decision or resolutions are made.
 - (c) the provisions relating to workshops in the current Standing Orders are not included in the draft Standing Orders.
 - (d) the provisions in the current Standing Orders relating to Public Participation and Deputations have been combined to be known as Public Input with a maximum of 60 minutes set aside at the beginning of meetings and with 5 minutes speaking time for individuals or a total of 10 minutes for groups with two or more speakers.
 - (e) the provisions of the current Standing Orders permit the chair to move an amendment without a seconder and this has been amended in the draft Standing Orders attached to permit the chair to move an amendment without a seconder only to clarify the intent of a motion. The chair may move such an amendment whether or not they have already spoken to the motion.
 - (f) the timeframe for a Notice of Motion to raise a matter (other than a Notice of Motion to revoke or alter a resolution) has been extended from 2 weeks to 4 weeks prior to the meeting to discuss the matter.
5. Agree the provisions in the draft Standing Orders relating to moving a report at committee:

EITHER:

 - (a) remains as status quo which provides for the mover of a report to move either the officers recommendations or an alternate motion(s) relating to the matter for debate;

OR:

- ~~(b) are amended to include the following paragraph to draft Standing Order 3.12.8~~

~~“At a meeting of a committee, if the mover of an item states the Officer recommendations are being moved ‘pro-forma’ the mover may also subsequently propose an amendment to the motion.”~~

6. Agree the provisions in the draft Standing Orders relating to questions to other members:

EITHER:

- (a) remain as status quo which provides for an item on **every full Council meeting** agenda ‘Questions’ (draft Standing Order 3.9.3 in Attachment 1 of the officers report), **with an additional provision making it clear that before putting a question, a member shall endeavour to obtain the relevant information from the appropriate Officer or Chair of the relevant committee.**

OR:

- ~~(b) are amended to provide for 15 minutes to be set aside at the end of the open agenda at any meeting of a local authority or committee for questions to members around any matter relevant to the conduct, actions or statements made by another member in their capacity as Councillor; questions must be received and agreed by the Chair or Chief Executive a minimum of 1 hour prior to the scheduled start of the meeting.~~

7. Note that the provisions of the draft Standing Orders in Attachment 1 include the additional powers of the Mayor established under the Local Government Amendment Act 2012 relating to

- (a) appointment of the deputy mayor;
 (b) establishing council committees;
 (c) appointment of a chairperson of each committee established under (b) above.

These provisions come into effect after 12 October 2013.

8. **Agree the following is added to the provisions in the draft Standing Orders relating to appointment of the Deputy Mayor:**

2.2.1 MAYOR MAY APPOINT A DEPUTY MAYOR

The Mayor has the power to appoint the Deputy Mayor. The Mayor may decline to exercise this power.

[s. 41A (3)(a) & (7), LGA]

9. Recommend to Council to:
- (a) adopt the draft Standing Orders in Attachment 1 as amended by recommendations 5, 6 and 8 above to come into force on 1 ~~April~~ **May** 2013;
 - (b) revoke Wellington City Council's Standing Orders 2004 from 1 ~~April~~ **May** 2013.
10. Delegate to the Portfolio Leader – Governance and the Chief Executive the authority to make minor editorial amendments before the Standing Orders are adopted by the Council.

Committee noted that to progress the report forward to Council for approval, a three quarter majority voting was required.

(Councillor Ritchie left the meeting at 11.44am.)

(Councillor Ritchie returned to the meeting at 11.45am.)

Moved Councillor Pannett, seconded Councillor Cook, the following amendment.

THAT the Strategy and Policy Committee:

New 9. Agree to the following amendments to the draft Standing Orders relating to Conflicts of Interest:

- (a.) **Amend draft Standing Order 3.18.11 'Pecuniary interest a reason for leaving the room' and draft Standing Order 3.18.12 'Declaration of conflict of interest' to state that a member with a declared pecuniary or conflict of interest must leave the room**

New 10. Note that while the Local Government Official Information and Meetings Act 1987 and the draft Standing Orders provide that agendas must be available to the public 2 working days prior to a meeting, the Councils current performance measures require that agendas are provided 5 days prior to the meeting date.

The amendment new recommendation 9 moved by Councillor Pannett was put and a DIVISION called:

Voting for: Councillors Cook and Pannett.

Voting against: Councillors Best, Foster, Gill, Lester, McKinnon, Marsh, Pepperell and Ritchie.

Vote: 2:8

The amendment new recommendation 9 moved by Councillor Pannett was put and declared LOST.

The amendment new recommendation 10 moved by Councillor Pannett was put and a DIVISION called:

Voting for: Councillors Cook and Pannett.

Voting against: Councillors Best, Foster, Gill, Lester, McKinnon, Marsh, Pepperell and Ritchie.

Vote: 2:8

The amendment new recommendation 10 moved by Councillor Pannett was put and declared LOST.

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

THAT the Strategy and Policy Committee:

New 9. Recommend to Council to:

- (a) **Agree the following amendments to the second and third bullet points under draft Standing Order 3.10.6 to align the provisions with current practice:**
 - **the mover of a motion when exercising their right of reply, may speak for up to three minutes. This time may be extended by up to ~~another~~ a maximum of ten minutes at the chair's discretion;**
 - **the member presenting a report of a committee may speak for no more than three minutes when introducing that report. This time may be extended by up to ~~another~~ a maximum of ten minutes at the chair's discretion;"**
- (b) **Agree the following paragraph be added to draft Standing Order 3.18.6 to align with current Standing Orders:**

"(d) At a meeting of the Council, all voting shall be by division".
- (c) **Agree the following amendments to the first paragraph of draft Standing Order 3.22.3 to align with current Standing Orders:**

"Public input may be received by the local authority or any of its committees provided an written, oral or electronic application to address the meeting setting forth the subject, has been lodged with the Chief Executive by 12:00 noon of the working day prior to at

~~least 2 working days before the date of the meeting concerned, and has been subsequently approved by the chairperson.”~~

- (d) Agree the following amendments to the first paragraph of draft Standing Order 3.23.3:
 “Where a petition is presented by a petitioner, unless the local authority determines otherwise, a limit of three five minutes is placed on that person.”
- (e) Agree the following amendments to draft Standing Order 3.13.2:
 “Where a notice of motion has been given in terms of Standing Order 3.13.1, no action which is irreversible may be taken under the resolution which is proposed for revocation or alteration until the proposed notice of motion has been dealt with by the local authority, provided that if, in the opinion of the chairperson:
 (a) the practical effect of the delay would be equivalent to a revocation of the resolution, or if;
 (b) by reason of repetitive notices the effect of the notice is an attempt by a minority to frustrate the will of the local authority;
then, in either case, action may be taken as though no such notice of the chief executive has been given or signed.”

(Councillor Marsh left the meeting at 12.05pm.)

(Councillor Marsh returned to the meeting at 12.06pm.)

The amendment new recommendation 9(a) moved by Councillor Foster was put and a DIVISION called:

Voting for: Councillors Best, Cook, Foster, Gill, Lester, McKinnon, Marsh, Pannett, Pepperell and Ritchie.

Voting against: Nil

Vote: 10:0

The amendment new recommendation 9(a) moved by Councillor Foster was put and declared CARRIED.

The amendment new recommendation 9(b) moved by Councillor Foster was put and a DIVISION called:

Voting for: Councillors Best, Cook, Foster, Gill, Lester, McKinnon, Marsh, Pannett, Pepperell and Ritchie.

Voting against: Nil

Vote: 10:0

The amendment new recommendation 9(b). moved by Councillor Foster was put and declared CARRIED.

The amendment new recommendation 9(c). moved by Councillor Foster was put and a DIVISION called:

Voting for: Councillors Best, Cook, Foster, Gill, Lester, McKinnon, Marsh, Pannett, Pepperell and Ritchie.

Voting against: Nil

Vote: 10:0

The amendment new recommendation 9(c). moved by Councillor Foster was put and declared CARRIED.

The amendment new recommendation 9(d). moved by Councillor Foster was put and a DIVISION called:

Voting for: Councillors Best, Cook, Foster, Gill, Lester, McKinnon, Marsh, Pannett, Pepperell and Ritchie.

Voting against: Nil

Vote: 10:0

The amendment new recommendation 9(d). moved by Councillor Foster was put and declared CARRIED.

The amendment new recommendation 9(e). moved by Councillor Foster is a minor edit so was not voted on separately.

Moved Councillor Marsh, seconded Councillor Lester, the following amendment.

THAT the Strategy and Policy Committee:

New 10. Agree the following amendments to the draft Standing Orders relating to speaking time limits.

- a) Amend the heading of draft Standing Order 3.10.6 as follows:
“3.10.6 Time limits on speakers at meetings of the local authority”
- b) Delete the last paragraph of 3.10.6
- c) Add the following section after 3.10.6
“3.10.6a Time limits on speakers at committee and sub-committee meetings.

The following time limits will apply during debate in a meeting of a committee or subcommittee:

- **members may speak for up to five minutes each time they speak to a motion. This time may not be extended;**
- **the mover of a motion when introducing that motion may speak for up to five minutes. This time may be extended by up to another five minutes at the chair’s discretion;**
- **the mover of a motion when exercising their right of reply, may speak for up to five minutes. This time may be extended by up to another five minutes at the chair’s discretion;**
- **members presenting a report of a sub-committee may speak for up to five minutes when introducing that report. This time may be extended by up to another five minutes at the chair’s discretion.**

The amendment new recommendation 10 moved by Councillor Marsh was put and a DIVISION called:

Voting for: Councillors Gill, Lester, McKinnon and Marsh.

Voting against: Councillors Best, Cook, Foster, Pannett, Pepperell and Ritchie.

Vote: 4:6

The amendment new recommendation 10 moved by Councillor Marsh was put and declared LOST.

(The meeting adjourned for lunch at 12.45pm and reconvened at 1.06pm.)

(Councillors Best, Cook, Foster, Gill, McKinnon, Marsh, Pannett, Pepperell and Ritchie were present when the meeting reconvened.)

(Councillor Ritchie left the meeting at 1.08pm.)

(Councillor Ritchie returned to the meeting at 1.10pm.)

(Councillor Morrison returned to the meeting at 1.12pm.)

(Councillor Lester returned to the meeting at 1.12pm.)

The substantive motion as amended recommendation 5(b) was put and a DIVISION called:

Voting for: Councillors Best, Gill, Lester, Marsh, McKinnon, Morrison, Pepperell and Ritchie.

Voting against: Councillors Cook, Foster and Pannett.

Vote: 8:3

The substantive motion as amended recommendation 5(b) was put and declared LOST. Lost as it did not achieve the required three quarters majority.

The substantive motion as amended recommendation 6(a) was put and a DIVISION called:

Voting for: Councillors Best, Cook, Foster, Gill, Lester, McKinnon, Marsh, Morrison, Pannett, Pepperell and Ritchie.

Voting against: Nil

Vote: 11:0

The substantive motion as amended recommendation 6(a) was put and declared CARRIED.

The substantive motion as amended recommendation 7(a), 7(b) and 7(c) was put and a DIVISION called:

Voting for: Councillors Best, Cook, Foster, Gill, Lester, McKinnon, Marsh, Morrison, Pannett, Pepperell and Ritchie.

Voting against: Nil

Vote: 11:0

The substantive motion as amended recommendation 7(a), 7(b) and 7(c) was put and declared CARRIED.

The substantive motion as amended recommendation 8 was put and a DIVISION called:

Voting for: Councillors Best, Cook, Foster, Gill, Lester, McKinnon, Marsh, Morrison, Pannett, Pepperell and Ritchie.

Voting against: Nil

Vote: 11:0

The substantive motion as amended recommendation 8 was put and declared CARRIED.

The substantive motion recommendations 1, 2, 3 and 4(a), 4(b), 4(c), 4(e) and 4(f) were put and a DIVISION called:

Voting for: Councillors Best, Cook, Foster, Gill, Lester, McKinnon, Marsh, Morrison, Pannett, Pepperell and Ritchie.

Voting against: Nil

Vote: 11:0

The substantive motion recommendations 1, 2, 3 and 4(a), 4(b), 4(c), 4(e) and 4(f) were put and declared CARRIED.

The substantive motion recommendation 4(d) was put and a DIVISION called:

Voting for: Councillors Best, Foster, Gill, Lester, McKinnon, Marsh, Morrison, Pepperell and Ritchie.

Voting against: Councillors Cook and Pannett

Vote: 9:2

The substantive motion recommendation 4(d) was put and declared CARRIED.

The substantive motion as amended recommendation 9 was put and a DIVISION called:

Voting for: Councillors Best, Cook, Foster, Gill, Lester, McKinnon, Marsh, Pannett, Pepperell and Ritchie.

Voting against: Councillor Morrison.

Vote: 10:1

The substantive motion as amended recommendation 9 was put and declared CARRIED.

The substantive motion recommendation 10 was put and a DIVISION called:

Voting for: Councillors Best, Cook, Foster, Gill, Lester, McKinnon, Marsh, Morrison, Pannett and Pepperell.

Voting against: Councillor Ritchie.

Vote: 10:1

The substantive motion recommendation 10 was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Note that, pursuant to clause 27, Schedule 7 of the Local Government Act 2002, the Council may amend Standing Orders or adopt a new set of Standing Orders by a vote of not less than 75 percent of the members present.*
3. *Note that the last major review of Standing Orders was in 2004, with minor updates in 2005 and 2007.*
4. *Note that the provisions of the draft Standing Orders in Attachment 1 (of the officers report) are based on the NZS 9202 (2003): Model Standing Orders for Meetings of Local Authorities and Community Boards and are substantially the same as those in the current Standing Orders with the following changes:*
 - (a) *legislative requirements are included as direct quotations from statute.*
 - (b) *the provisions of the draft Standing Orders relating to public access, public notification, passing of resolutions and making of*

decisions do not apply to any meeting of the Council, a committee or a subcommittee where no decision or resolutions are made.

- (c) *the provisions relating to workshops in the current Standing Orders are not included in the draft Standing Orders.*
- (d) *the provisions in the current Standing Orders relating to Public Participation and Deputations have been combined to be known as Public Input with a maximum of 60 minutes set aside at the beginning of meetings and with 5 minutes speaking time for individuals or a total of 10 minutes for groups with two or more speakers.*
- (e) *the provisions of the current Standing Orders permit the chair to move an amendment without a seconder and this has been amended in the draft Standing Orders attached to permit the chair to move an amendment without a seconder only to clarify the intent of a motion. The chair may move such an amendment whether or not they have already spoken to the motion.*
- (f) *the timeframe for a Notice of Motion to raise a matter (other than a Notice of Motion to revoke or alter a resolution) has been extended from 2 weeks to 4 weeks prior to the meeting to discuss the matter.*

5. *Agree the provisions in the draft Standing Orders relating to moving a report at committee:*

EITHER:

- (a) *remains as status quo which provides for the mover of a report to move either the officers recommendations or an alternate motion(s) relating to the matter for debate;*

OR:

- ~~(b) *are amended to include the following paragraph to draft Standing Order 3.12.8*~~

~~*“At a meeting of a committee, if the mover of an item states the Officer recommendations are being moved ‘pro forma’ the mover may also subsequently propose an amendment to the motion.”*~~

6. *Agree the provisions in the draft Standing Orders relating to questions to other members:*

EITHER:

- (a) *remain as status quo which provides for an item on every full Council **meeting** agenda ‘Questions’ (draft Standing Order 3.9.3 in Attachment 1 of the officers report), with an additional provision making it clear that before putting a question, a*

member shall endeavour to obtain the relevant information from the appropriate Officer or Chair of the relevant committee.

OR:-

~~(b) are amended to provide for 15 minutes to be set aside at the end of the open agenda at any meeting of a local authority or committee for questions to members around any matter relevant to the conduct, actions or statements made by another member in their capacity as Councillor; questions must be received and agreed by the Chair or Chief Executive a minimum of 1 hour prior to the scheduled start of the meeting.~~

7. Note that the provisions of the draft Standing Orders in Attachment 1 include the additional powers of the Mayor established under the Local Government Amendment Act 2012 relating to

- (a) appointment of the deputy mayor;
- (b) establishing council committees;
- (c) appointment of a chairperson of each committee established under (b) above.

These provisions come into effect after 12 October 2013.

8. **Agree the following is added to the provisions in the draft Standing Orders relating to appointment of the Deputy Mayor:**

2.2.1 MAYOR MAY APPOINT A DEPUTY MAYOR

The Mayor has the power to appoint the Deputy Mayor. The Mayor may decline to exercise this power.

[s. 41A (3)(a) & (7), LGA]

9. Recommend to Council to:

- (a) Adopt the draft Standing Orders in Attachment 1 (of the officers report) as amended by recommendations 5, 6 and 8 above **and amended as follows** to come into force on 1 ~~April~~ **May** 2013:
 - (i) **Agree the following amendments to the second and third bullet points under draft Standing Order 3.10.6 to align the provisions with current practice:**
 - **“the mover of a motion when exercising their right of reply, may speak for up to three minutes. This time may be extended by up to ~~another~~ a maximum of ten minutes at the chair’s discretion;**
 - **the member presenting a report of a committee may speak for no more than three minutes when introducing that report. This time may be extended**

by up to ~~another~~ a maximum of ten minutes at the chair's discretion;"

- (ii) *Agree the following paragraph be added to draft Standing Order 3.18.6 to align with current Standing Orders:*
 "(d) *At a meeting of the Council, all voting shall be by division*".
- (iii) *Agree the following amendments to the first paragraph of draft Standing Order 3.22.3 to align with current Standing Orders:*
 "Public input may be received by the local authority or any of its committees provided an written, oral or electronic application to address the meeting setting forth the subject, has been lodged with the Chief Executive by 12:00 noon of the working day prior to at least 2 working days before the date of the meeting concerned, and has been subsequently approved by the chairperson."
- (iv) *Agree the following amendments to the first paragraph of draft Standing Order 3.23.3:*
 "Where a petition is presented by a petitioner, unless the local authority determines otherwise, a limit of ~~three~~ five minutes is placed on that person."
- (v) *Agree the following amendments to draft Standing Order 3.13.2:*
 "Where a notice of motion has been given in terms of Standing Order 3.13.1, no action which is irreversible may be taken under the resolution which is proposed for revocation or alteration until the proposed notice of motion has been dealt with by the local authority, provided that if, in the opinion of the chairperson:
 (a) the practical effect of the delay would be equivalent to a revocation of the resolution, or if;
 (b) by reason of repetitive notices the effect of the notice is an attempt by a minority to frustrate the will of the local authority;
then, in either case, action may be taken as though no such notice of the chief executive has been given or signed."

- (b) *revoke Wellington City Council's Standing Orders 2004 from 1 April ~~May~~ 2013.*

10. *Delegate to the Portfolio Leader – Governance and the Chief Executive the authority to make minor editorial amendments before the Standing Orders are adopted by the Council.*

