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**MINUTES**

**WEDNESDAY 28 AUGUST 2013**

**5.31pm – 7.00pm**

**Committee Room 1  
Ground Floor, Council Offices  
101 Wakefield Street  
Wellington**

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**PRESENT:**

Mayor Wade-Brown  
Councillor Ahipene-Mercer  
Councillor Best  
Councillor Cook  
Councillor Coughlan  
Councillor Eagle  
Councillor Foster  
Councillor Gill  
Councillor Lester  
Councillor McKinnon  
Councillor Marsh  
Councillor Morrison  
Councillor Pannett  
Councillor Pepperell  
Councillor Ritchie

074/13C **APOLOGIES**  
(1215/11/IM)

**NOTED:**

There were no apologies.

075/13C **CONFIRMATION OF MINUTES**  
(1215/11/IM)

**Moved Councillor McKinnon, seconded Councillor Pepperell, the motion that Council approve the minutes of the meeting held on Thursday 27 June 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 on voices.**

**RESOLVED:**

*THAT Council:*

- 1. Approve the minutes of the meetings held on Thursday 27 June 2013, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting.*

076/13C **APW AWARD**  
(1215/11/IM)

**NOTED:**

Mayor Wade-Brown presented an APW award to Sharda Patel. She shared the following with the meeting.

*Congratulations and abinandan Sharda Patel. You are an Absolutely Positive Wellingtonian.*

*Wellington is a friendly, thriving, absolutely positive city because of outstanding people like you. Your commitment to community work is extremely impressive.*

*Since 1989 you have worked with the Wellington's Indian Association. During that time you were a pioneer. You were the Association's first Female President 1997 – 2000, provided a positive role model to women in the community and paved the way for others to follow.*

*Your dedication to the welfare of others is heart-warming. You have given hundreds of hours to the local Indian Community and your work is also international. Thank you for your contribution to the Rwanda Appeal Concert and the Mumbai Earthquake appeal.*

*Wellington is a compact cosmopolitan capital that thrives because of the unique array of cultures here. Celebrating this diversity is important; it keeps Wellington's heart alive and beating. It also brings us amazing music, food and dancing as well as business skills and international connections. Thank you for your contributions to the Diwali Festival.*

*Your commitment to education is also outstanding. You've given your time and energy to support the Gujarati language school for many years. Communication is a basic need for everyone, and having the opportunity to learn Gujarati, a language spoken by more than 65 million people is hugely positive. Keeping Gujarati alive for Kiwi born Indians is important also.*

*This language school provides cultural links with New Zealand born Indians. It is important to maintain links with international families. These links keep culture, family and economic communities thriving. For Wellington to be an international city we must cultivate international skills.*

*Your voluntary work benefits the Indian Community in Wellington, communities in need throughout the world, and helps enrich our coolest little capital. On behalf of Wellington, Thank you.*

077/13C **PUBLIC PARTICIPATION**  
(1215/11/IM)

**NOTED:**

There was no public participation.

078/13C **ANNOUNCEMENTS BY THE MAYOR**  
(1215/11/IM)

**NOTED:**

Mayor Wade-Brown advised the meeting that the last Council meeting for the Triennium scheduled for Wednesday 2 October 2013 would be held in the Council Chamber commencing at 9.15am.

She also advised the meeting that the agenda would be taken as follows:  
Report 1 - Ngāti Toa Rangatira Settlement – Transfer of Taputeranga Island  
Report 7 - Strategy and Policy Committee, Meeting of Wednesday 28 August 2013  
Report 8 - Regulatory Processes Committee, Meeting of Wednesday 21 August 2013  
Report 2 - Classification of Land Under the Reserves Act 1977  
Report 3 - Vehicle Based Camping in Wellington – Opportunities and Management – Report on Pre-Consultation for the Camping Bylaw Change and Approval to Consult on Proposed Camping Bylaws

Report 4 - Strategy and Policy Committee, Meeting of Thursday 1 August 2013

Report 5 - Strategy and Policy Committee, Meeting of Thursday 15 August 2013

Report 6 - Strategy and Policy Committee, Meeting of Thursday 22 August 2013

079/13C **PETITIONS**  
(1215/11/IM)

**NOTED:**

There were no petitions.

080/13C **CONFLICT OF INTEREST DECLARATIONS**  
(1215/11/IM)

**NOTED:**

There were no conflicts of interest declared.

## **General Business**

082/13C **MIHI**  
(1215/11/IM)

**NOTED:**

Mayor Wade-Brown welcomed, Te Taku Parai and Jennie Smeaton two representatives from Ngāti Toa to the meeting to be present for Report 1 - Ngāti Toa Rangatira Settlement – Transfer of Taputeranga Island.

083/13C **NGĀTI TOA RANGATIRA SETTLEMENT – TRANSFER OF TAPUTERANGA ISLAND**  
Report of Nicky Karu – Manager, Treaty Relations and Michael Oates – Manager, Open Space and Recreation Planning.  
(1215/11/IM) (REPORT 1)

**Moved Mayor Wade-Brown, seconded Councillor Ahipene-Mercer, the substantive motion with a new officer recommendation 6 as follows.**

**THAT Council:**

- 6. Agree that on receipt of the compensation funds they will be transferred to the Reserve Purchase and Development Fund pending Council's decision on the use of the compensation.**

**The substantive motion with a new officer recommendation 6 was put.**

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

Voting against: Nil.

Majority Vote: 15:0

**The substantive motion with a new officer recommendation 6 was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Receive the information.*
2. *Note that the ownership of Taputeranga Island will pass from Wellington City Council to the Crown and vest in Ngāti Toa Rangatira (the Trustees of Toa Rangatira Trust) as part of the Crown's settlement of the Waitangi Tribunal claim*
3. *Note that this transfer of ownership will occur as part of the settlement legislation and will have the following effects:*  
*Taputeranga will be vested in Ngāti Toa Rangatira*
  - (a) *The island will be declared a reserve and classified as historic reserve*
  - (b) *It will be named Taputeranga Historic Reserve*
  - (c) *Taputeranga can only be transferred to a Ngāti Toa Rangatira entity and requires the Minister of Conservation's agreement.*
  - (d) *In the case of transfer Wellington City Council will remain the administering authority*
  - (e) *The repeal of sections 2-4 of the Wellington City Council Empowering and Amendment Act*
  - (f) *Will provide Wellington City Council with \$700,000 compensation*
4. *Note that the timing for the settlement legislation is anticipated for December 2013 and payment of compensation will be after settlement day in the first quarter of 2014.*

5. *Agree that a project to complete the five year restoration of Taputeranga Island at an estimated cost of \$130,000 and options for the use of compensation funds will be considered as part of the 2014/2015 Annual Plan.*
6. *Agree that on receipt of the compensation funds they will be transferred to the Reserve Purchase and Development Fund pending Council's decision on the use of the compensation.*

**NOTED:**

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

The meeting added the text in bold.

## **Reports from Committees – Committee Decisions requiring Council approval**

084/13C **STRATEGY AND POLICY COMMITTEE**  
**Meeting of Wednesday 28 August 2013**  
 (1215/11/IM)

(REPORT 7)

1. **ITEM 230/13P REPORT OF THE AUDIT AND RISK MANAGEMENT SUBCOMMITTEE MEETING OF MONDAY 19 AUGUST 2013**

- **2012/2013 Financial Statements and Statements of Service Performance**  
 (1215/52/IM) (REPORT 1)

**Moved Councillor McKinnon, seconded Councillor Pepperell, the substantive motion.**

The Auditors addressed the meeting and advised of their unmodified audit clearance for the 2012/2013 Financial Statements and Statements of Service Performance. Mayor Wade-Brown and Chief Executive Kevin Lavery signed the letter of representation following the vote on the matter.

**The substantive motion was put.**

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

Voting against: Nil.

Majority Vote: 15:0

**The substantive motion was declared CARRIED.**

**RESOLVED:***THAT Council:*

1. (a) *Approve that the Accounting Policies contained in the draft financial statements (attached to the officers' report) are formally confirmed for adoption for the financial statements for the year ended 30 June 2013.*
- (b) *Adopt the financial statements including Statements of Service Performance for Wellington City Council and Group within the Annual Report for the year ended 30 June 2013, subject to receiving final unmodified audit clearance from Audit New Zealand.*
2. *Adopt the Annual Report for Wellington City Council and Group for the year ended 30 June 2013 (attached in Appendix 1 of the report).*
3. *Delegate to the Chair of the Audit and Risk Management Subcommittee and Chief Executive the authority to make minor editorial changes that may arise as part of preparing the 2012/13 Annual Report document for publication.*

085/13C **REGULATORY PROCESSES COMMITTEE****Meeting of Wednesday 21 August 2013**

(1215/11/IM)

(REPORT 8)

1. **ITEM 050/13RP ROAD STOPPING AND DISPOSAL – LEGAL ROAD ADJOINING 11 RAVI STREET, KHANDALLAH**  
(1215/53/IM) (REPORT 3)

**Moved Councillor Gill, seconded Councillor Foster, the substantive motion.****The substantive motion was put.**

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

Voting against: Nil.

Majority Vote: 15:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. (a) *Agree that approximately 80 m<sup>2</sup> (subject to survey) of unformed legal road land (Road Land) adjoining 11 Ravi Street, Khandallah, is not required for a Public Work.*
- (b) *Approve the disposal of the Road Land to the owners of 11 Ravi Street, Khandallah.*
- (c) *Authorise Council officers to commission a section 40 Public Works Act 1981 (PWA) report from suitably qualified consultants to identify whether the area of unformed legal road land must be offered back to its former owner or their successor, or whether exemptions from offer back applies.*
- (d) *Delegate to the Chief Executive Officer the power to either offer the Road Land back to its former owner(s) or their successor(s), or to approve the exercise of exemptions from offer back under section 40(2), 40(3), or 40(4) PWA (if appropriate).*
- (e) *Authorise Council officers to initiate the road stopping process for the Road Land in accordance with Section 342 and the Tenth Schedule of the Local Government Act 1974.*
- (f) *Delegate to the Chief Executive Officer the power to formally approve the road stopping, and issue the public notice to declare the Road Land stopped as road, subject to all statutory and Council requirements being met with no objections being received.*
- (g) *Delegate to the Chief Executive Office the power to negotiate the terms of sale, impose any reasonable covenants, and enter into a sale and purchase agreement in respect of the Road Land, either with the former owner, or their successor, or the owner of 11 Ravi Street, Khandallah, provided any such agreement is conditional upon the road being stopped.*



## General Business

- 086/13C **CLASSIFICATION OF LAND UNDER THE RESERVES ACT 1977**  
**178 and 180 Owhiro Bay Parade, Makara Mountain Bike Park, Linden**  
**Park, 30 Sunhaven Drive, Glenside Reserve (around the Halfway**  
**House), 130 South Karori Road**  
 Report of Michael Oates – Manager, Open Space and Recreation Planning.  
 (1215/11/IM) (REPORT 2)

**Moved Councillor Ritchie, seconded Councillor Pepperell, the substantive motion.**

**The substantive motion was put.**

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

Voting against: Nil.

Majority Vote: 15:0

**The substantive motion was declared CARRIED.**

### **RESOLVED:**

*THAT Council:*

1. *Receive the information.*
2. *Resolve to declare as reserve the parcels of land listed below (and described in Appendix 1 of the officer's report) to reflect each parcels primary purpose:*
  - (a) *Classify under section 14 of the Reserves Act 1977*
    - *178 & 180 Owhiro Bay Parade as Scenic Reserve, for the purpose specified in s. 19 (1)(b) (Lot 1 DP 10394 and Lot 2 DP 10394)*
    - *Makara Peak Mountain Bike Park carpark as Recreation Reserve (Sec 1 SO 448758)*
    - *Linden Park as Recreation Reserve (Part Section 53 Porirua District)*
  - (b) *Classify under section 16 (1)(b) of the Reserves Act 1977*
    - *30 Sunhaven Drive as Scenic Reserve, for the purpose specified in s. 19 (1)(b) (Lot 1 DP 433198)*
    - *part of Oruaiti Reserve as Recreation Reserve*

*(Lot 13 DP 420813)*

- (c) *Reclassify under section 24 of the Reserves Act 1977*
  - *part of Glenside Reserve around Halfway House from recreation reserve to historic reserve (Part Section 23 Porirua District)*
  
- (d) *Classify under section 14 of the Reserves Act 1977*
  - *130 South Karori Road as Recreation Reserve (Part Section 47 Karori District, being the balance of the land comprised in Computer Freehold Register WN20C/944 (Part Cancelled))*

## **Reports from Committees – Committee Decisions requiring Council approval**

087/13C **VEHICLE BASED CAMPING IN WELLINGTON – OPPORTUNITIES AND MANAGEMENT – REPORT ON PRE-CONSULTATION FOR THE CAMPING BYLAW CHANGE AND APPROVAL TO CONSULT ON PROPOSED CAMPING BYLAWS**  
 Report of Andrew Stitt – Manager, Policy and Paul Andrews – Manager, Parks, Sport and Recreation.  
 (1215/11/IM) (REPORT 3)

**Moved Mayor Wade-Brown, seconded Councillor Foster, the substantive motion with changes to the officer’s recommendations as follows and indicated in bold which are consistent with officer advice:**

THAT Council:

1. Receive the information.
2. Agree to the proposed amendments to Part 5 of the Bylaw, and that the proposed changes undergo public consultation.
3. Agree to the Statement of Proposal **(as tabled at the meeting and attached to the minutes as appendix 1)** and to initiate the special consultative procedure under Section 83 of the Local Government Act 2002 with the following changes.
4. **Note that a question will be added to the consultation document to ask the public for suggestions on formal camping sites in Wellington.**
5. Agree to delegate to the Chief Executive and the Portfolio Leader, the authority to amend the proposed Statement of Proposal to include any amendments agreed by the Council and any associated minor consequential edits.

**The substantive motion with changes to the recommendations in the officer's report was put.**

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

Voting against: Nil.

Majority Vote: 15:0

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

**RESOLVED:**

*THAT Council:*

1. *Receive the information.*
2. *Agree to the proposed amendments to Part 5 of the Bylaw, and that the proposed changes undergo public consultation.*
3. *Agree to the Statement of Proposal (as tabled at the meeting and attached to the minutes as appendix 1) and to initiate the special consultative procedure under Section 83 of the Local Government Act 2002 with the following changes.*
4. *Note that a question will be added to the consultation document to ask the public for suggestions on formal camping sites in Wellington.*
5. *Agree to delegate to the Chief Executive and the Portfolio Leader, the authority to amend the proposed Statement of Proposal to include any amendments agreed by the Council and any associated minor consequential edits.*

**NOTED:**

The resolutions differ from the recommendations in the officer's report as follows:

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

1. **ITEM 192/13P ADOPTION OF FINAL WELLINGTON CITY COUNCIL CONSOLIDATED BYLAW 2012 PART 8: WATER SERVICES**  
(1215/52/IM) (REPORT 2)

**Moved Councillor Best, seconded Councillor Ritchie, the substantive motion.**

**The substantive motion was put.**

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

Voting against: Nil.

Majority Vote: 15:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Adopt the Wellington Consolidated Bylaw 2013 part 8: Water Services as attached as Appendix 2 of the minutes.*

2. **ITEM 196/13P APPOINTMENT OF DISTRICT LICENSING COMMITTEES**  
(1215/52/IM) (REPORT 4)

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

**The substantive motion was put.**

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

Voting against: Nil.

Majority Vote: 15:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Approve the Chief Executive having authority to delegate his powers, functions and duties under the Sale and Supply of Alcohol Act 2012.*

089/13C **STRATEGY AND POLICY COMMITTEE**  
**Meeting of Thursday 15 August 2013**  
(1215/11/IM) (REPORT 5)

1. **ITEM 215/13P POLICY ON INTERNATIONAL RELATIONS**  
(1215/52/IM) (REPORT 3)

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

**The substantive motion was put.**

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

Voting against: Councillors Cook and Pannett.

Majority Vote: 13:2

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Adopt the final International Relations Policy attached as appendix 3 of the minutes.*

090/13C **STRATEGY AND POLICY COMMITTEE**  
**Meeting of Thursday 22 August 2013**  
(1215/11/IM) (REPORT 6)

1. **ITEM 222/13P OUR CAPITAL SPACES: AN OPEN SPACES AND RECREATION FRAMEWORK FOR WELLINGTON: 2013/23 - CONSULTATION REPORT BACK**  
(1215/52/IM) (REPORT 1)

**Moved Councillor Ritchie, seconded Councillor Foster, the substantive motion.**

**The substantive motion was put.**

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

Voting against: Nil.

Majority Vote: 15:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Adopt the “Our Capital Spaces” attached as appendix 4 of the minutes, as a framework to guide decision-making to develop Wellington’s open space, sports and recreation assets, including the priorities in Appendix 1 of the officer’s report.*

2. **ITEM 223/13P BASIN BRIDGE PROJECT PROPOSAL: APPROACH TO SUBMISSION, AND BOARD OF INQUIRY PROCESS (1215/52/IM) (REPORT 5)**

**Moved Councillor Foster, seconded Councillor Marsh, the substantive motion.**

**The substantive motion was put.**

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

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

Majority Vote: 11:4

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Agree in Council's capacities as trustee, territorial authority and administering body under the Reserves Act 1977 of the Canal Reserve that it:*

- (i) *Note that the Town Belt and Canal Reserve are distinct entities under the 1873 deed; that the Canal Reserve is explicitly not covered by the Town Belt Management Plan; and that Council's decisions made on the Town Belt Management Plan and to progress local legislation that may be enacted by Parliament in the future do not prevent decisions being taken under Recommendation 9 of the officer's report.*
- (ii) *Note Council's obligations as trustee of the Canal Reserve under the 1873 deed of trust.*
- (iii) *Note that the New Zealand Transport Agency will request the Minister for Land Information to declare part of the Canal Reserve to be road and seek Council's written consent to that declaration.*
- (iv) *Note that, pursuant to section 114(2)(b) of the Public Works Act 1981, Council is able, notwithstanding anything to the contrary in any Act or rule of law, to consent to part of the Canal Reserve being declared road.*
- (v) *Note that the area of Canal Reserve that the New Zealand Transport Agency will seek to be declared road will be generally in accordance with the diagram attached as Appendix 4, and will include part of the bridge's central pier, clearance for ongoing maintenance and to protect the bridge structure, and the road above.*
- (vi) *Note that, as compensation for part of the Canal Reserve being declared road, the New Zealand Transport Agency has agreed by letter dated 7 August 2013 to participate in undertaking improvements to other parts of the Canal Reserve.*
- (vii) *Consent to the Minister declaring under section 114 of the Public Works Act 1981 part of the Canal Reserve (generally in accordance with the diagram attached as Appendix 4) to be road, and delegate to the Chief Executive authority to give such written consent if a request from the New Zealand Transport Agency or the Minister is received.*

3. **ITEM 224/13P SUBURBAN RESERVES MANAGEMENT PLAN  
(1215/52/IM) (REPORT 2)**

**Moved Councillor Ritchie, seconded Councillor Foster, the substantive motion.**

**The substantive motion was put.**

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

Voting against: Nil.

Majority Vote: 15:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

- 1. Approve the preparation of the Suburban Reserves Management Plan for the reserves outlined in appendix 2 (of the report Committee) in accordance with section 41 of the Reserves Act 1977.*

091/13C **QUESTIONS**  
(1215/11/IM)

**NOTED:**

There were no questions.

The meeting concluded at 7.00pm.

Confirmed: \_\_\_\_\_  
Chair  
/ /