

ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

MINUTES

Time: 9:30am
Date: Wednesday, 30 May 2018
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

PRESENT

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilberd
Councillor Lee
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

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1 Meeting Conduct

1.1 Karakia

The Mayor opened the meeting with a karakia.

Whakataka te hau ki te uru,	Cease oh winds of the west
Whakataka te hau ki te tonga.	and of the south
Kia mākinakina ki uta,	Let the bracing breezes flow,
Kia mātaratara ki tai.	over the land and the sea.
E hī ake ana te atākura.	Let the red-tipped dawn come
He tio, he huka, he hauhū.	with a sharpened edge, a touch of frost,
Tihei Mauri Ora!	a promise of a glorious day

1.2 Apologies

Moved Mayor Lester, seconded Councillor Calvi-Freeman

Resolved

That the Council:

1. Accept the apology of Councillor Simon Marsh for absence.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Free
Councillor Gilbert
Councillor Lee
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Majority Vote: 13:0

Carried

1.3 Announcements by the Mayor

No announcements were made.

1.4 Conflict of Interest Declarations

When the meeting arrived at item 3.2, Report of the Regulatory Processes Committee, Councillor Malcolm Sparrow declared a conflict of interest. He withdrew from the table, did not take part in debate, and did not vote on the item.

1.5 Confirmation of Minutes

Moved Mayor Lester, seconded Councillor Gilbert

Resolved

That the Council:

1. Approve the minutes of the Ordinary Council Meeting held on 26 April 2018, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Free
Councillor Gilbert
Councillor Lee
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Majority Vote: 13:0

Carried

1.6 Items not on the Agenda

There were no items not on the agenda.

1.7 Public Participation

There were no requests for public participation.

(Councillor Foster arrived at the meeting at 9:32 a.m..)

2. General Business

2.1 Representation Review for the 2019/2022 Local Body Elections: Final Proposal

Moved Councillor Day, seconded Councillor Fitzsimons

Recommendation/s

That the Council:

1. Receive the information.
2. Consider the submissions received on the Council's representation arrangements.
3. Resolves, in accordance with the provisions of the Local Electoral Act 2001 and following its consideration of the public submissions received to its 2018 review of representation arrangements, to amend its initial proposal to the following final proposal for the 2019 Wellington City Council triennial elections:
 - i. Wellington City Council comprises 14 councillors elected under the ward system, plus the mayor elected at large;
 - ii. Wellington City Council be divided into five wards, these being:
 - Motukairangi/Eastern Ward** (3 councillors) being the existing Eastern Ward comprising the area delineated on SO Plan 37887 (i.e. Breaker Bay, Hataitai, Houghton Bay, Karaka Bays, Kilbirnie, Lyaal Bay, Maupuia, Melrose, Miramar, Moa Point, Rongotai, Roseneath, Seatoun and Strathmore Park);
 - Paekawakawa/Southern Ward** (2 councillors) being the existing Southern Ward comprising the area delineated on SO Plan 37888, with the inclusion of the balance of the suburb of Brooklyn (i.e. Berhampore, -Brooklyn, Island Bay, Kingston, Mornington, Newtown, Owhiro Bay, Southgate and Vogeltown);
 - Pukehīnau/Lambton Ward** (3 councillors), being the existing Lambton Ward comprising the area delineated on SO Plan 37886, with the exclusion of part of the suburb of Brooklyn (i.e. Aro Valley, Highbury, Kelburn, Mt Cook, Mt Victoria, Oriental Bay, Pipitea, Te Aro, Thorndon and Wellington Central);
 - Takapū/Northern Ward** (3 councillors) being the existing Northern Ward comprising the area delineated on SO Plan 37883, with the inclusion the balance of the suburb of Ohariu (i.e. Churton Park, Glenside, Grenada North, Grenada Village, Horokiwi, Johnsonville, Newlands, Ohariu, Paparangi, Takapu Valley, Tawa and Woodridge);
 - Wharangi/Onslow-Western Ward** (3 councillors) being the existing Onslow-Western Ward comprising the area delineated on SO Plan 335633, with the exclusion of part of the suburb of Brooklyn and a small part of Ohariu Broadmeadows, Crofton Downs, Kaiwharawhara, Karori, Khandallah, Makara, Makara Beach, Ngaio, Ngauranga, Northland, Wadestown and Wilton);
 - the proposed boundaries as shown on **Attachments 1–6**;
 - iii. two community boards electing 12 members, these being:
 - Makara-Ohariu Community Board** (6 members elected from the community at large) being the existing community board area comprising the area delineated

on LG-047-2013-Com-1 deposited with the Local Government Commission, with the exclusion of parts of the suburbs of Brooklyn and Owhiro Bay;

Tawa Community Board (6 members elected from the community at large plus two councillors representing the Takapū/Northern Ward as appointed by Council) being the existing community board area comprising the area delineated on LG-047-2015-Com-1 deposited with the Local Government Commission;

the proposed boundaries as shown on **Attachments 7 and 8**;

- iv. the reason the total number of councillors is proposed to remain at 14 (plus the mayor) is to provide effective representation to Wellington residents and ratepayers;
 - v. the reason for the ward boundary and community board boundary adjustments is to better reflect communities of interest (specifically uniting the suburb of Brooklyn into one ward) and to recognise the fact that Lambton Ward is growing significantly faster than the Southern Ward;
 - vi. as two of the proposed wards are non-compliant with the fair representation requirements (+/- 10% rule), if adopted, the proposal must be treated as an appeal under section 19V(5) of the Local Electoral Act 2001 and referred to the Local Government Commission following the appeal/objection period;
 - vii. the above final proposal be publicly notified on 13 June 2018 providing the opportunity for appeals and objections to be lodged in the period 13 June to 13 July 2018;
4. Agree that the wording of the reasons for the Council's decision, and its acceptance or rejection of submissions received on the Council's initial proposal, as required under section 19N(2) of the Local Electoral Act 2001, be approved by the Council's Head of Governance.

Moved Councillor Dawson, seconded Councillor Calvert the following amendment by way of replacement

Resolved

- v. The reason for the ward boundary and community board boundary adjustments is to ~~better reflect communities of interest (specifically uniting the suburb of Brooklyn into one ward)~~ **unite the suburb of Brooklyn into one ward** and to recognize the fact that Lambton Ward is growing significantly faster than the Southern Ward.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Foster
Councillor Free
Councillor Gilberd
Councillor Lee
Councillor Pannett
Councillor Sparrow
Councillor Woolf

Against:

Councillor Day
Councillor Fitzsimons
Councillor Young

Majority Vote: 11:3

Carried

Moved Councillor Foster, seconded Councillor Free

Resolved

That the Council:

- A. i. Amends the representation review proposal such that:
- a. There are 16 councillors (plus the mayor);
 - b. Brooklyn remains in the Lambton Ward;
 - c. Broadmeadows moves to the Northern Ward;
 - d. Lambton Ward and Northern Ward have 4 councillors each;
 - e. All other aspects of the proposal remain the same.

ii. Notes that the representation numbers would then look like the following table:

Ward	Pop	Cllrs	Average	Fits rule	% Variation
Eastern	39,200	3	13,067	Y	- 1.7%
Southern	28,900	2	14,450	Y	+ 8.7%
Lambton	52,000	4	13,000	Y	- 2.2%
Onslow-Western	44,600 – 1533 = 43,067	3	14,356	Y	+ 8.0%
Northern	47,900 + 1533 = 49,433	4	12,358	Y	- 7.0%
Wellington	212,600	16	13,287		

Part A was taken separately. A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Councillor Foster
Councillor Free

Against:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Gilbert
Councillor Lee
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Majority Vote: 2:12

Lost

- B. Agree that Council will consider reviewing representation arrangements for the 2022 election.

Part B was taken separately. A division was required under Standing Order 3.18.6, voting on which was as follows:

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Foster
Councillor Free
Councillor Lee
Councillor Sparrow
Councillor Woolf

Against:

Mayor Lester
Councillor Day
Councillor Fitzsimons
Councillor Gilbert
Councillor Pannett
Councillor Young

Majority Vote: 8:6

Carried

Moved Councillor Day, seconded Councillor Fitzsimons the following substantive motion

Resolved

That the Council:

1. Receive the information.
2. Consider the submissions received on the Council's representation arrangements.
3. Resolves, in accordance with the provisions of the Local Electoral Act 2001 and following its consideration of the public submissions received to its 2018 review of representation arrangements, to amend its initial proposal to the following final proposal for the 2019 Wellington City Council triennial elections:
 - i. Wellington City Council comprises 14 councillors elected under the ward system, plus the mayor elected at large;
 - ii. Wellington City Council be divided into five wards, these being:
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 - Paekawakawa/Southern Ward** (2 councillors) being the existing Southern Ward comprising the area delineated on SO Plan 37888, with the inclusion of the balance of the suburb of Brooklyn (i.e. Berhampore, -Brooklyn, Island Bay, Kingston, Mornington, Newtown, Owhiro Bay, Southgate and Vogeltown);
 - Pukehinau/Lambton Ward** (3 councillors), being the existing Lambton Ward comprising the area delineated on SO Plan 37886, with the exclusion of part of the suburb of Brooklyn (i.e. Aro Valley, Highbury, Kelburn, Mt Cook, Mt Victoria, Oriental Bay, Pipitea, Te Aro, Thorndon and Wellington Central);
 - Takapū/Northern Ward** (3 councillors) being the existing Northern Ward comprising the area delineated on SO Plan 37883, with the inclusion the balance

of the suburb of Ohariu (i.e. Churton Park, Glenside, Grenada North, Grenada Village, Horokiwi, Johnsonville, Newlands, Ohariu, Paparangi, Takapu Valley, Tawa and Woodridge);

Wharangi/Onslow-Western Ward (3 councillors) being the existing Onslow-Western Ward comprising the area delineated on SO Plan 335633, with the exclusion of part of the suburb of Brooklyn and a small part of Ohariu Broadmeadows, Crofton Downs, Kaiwharawhara, Karori, Khandallah, Makara, Makara Beach, Ngaio, Ngauranga, Northland, Wadestown and Wilton);

the proposed boundaries as shown on **Attachments 1–6**;

- iii. two community boards electing 12 members, these being:

Makara-Ohariu Community Board (6 members elected from the community at large) being the existing community board area comprising the area delineated on LG-047-2013-Com-1 deposited with the Local Government Commission, with the exclusion of parts of the suburbs of Brooklyn and Owhiro Bay;

Tawa Community Board (6 members elected from the community at large plus two councillors representing the Takapū/Northern Ward as appointed by Council) being the existing community board area comprising the area delineated on LG-047-2015-Com-1 deposited with the Local Government Commission;

the proposed boundaries as shown on **Attachments 7 and 8**;

- iv. the reason the total number of councillors is proposed to remain at 14 (plus the mayor) is to provide effective representation to Wellington residents and ratepayers;
- v. The reason for the ward boundary and community board boundary adjustments is to unite the suburb of Brooklyn into one ward and to recognize the fact that Lambton Ward is growing significantly faster than the Southern Ward.
- vi. as two of the proposed wards are non-compliant with the fair representation requirements (+/- 10% rule), if adopted, the proposal must be treated as an appeal under section 19V(5) of the Local Electoral Act 2001 and referred to the Local Government Commission following the appeal/objection period;
- vii. the above final proposal be publicly notified on 13 June 2018 providing the opportunity for appeals and objections to be lodged in the period 13 June to 13 July 2018;
4. Agree that the wording of the reasons for the Council's decision, and its acceptance or rejection of submissions received on the Council's initial proposal, as required under section 19N(2) of the Local Electoral Act 2001, be approved by the Council's Head of Governance.
5. Agree that Council will consider reviewing representation arrangements for the 2022 election.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Day
Councillor Fitzsimons
Councillor Free

Against:

Councillor Dawson
Councillor Foster

Councillor Gilbert
Councillor Lee
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Majority Vote: 12:2

Carried

2.2 Approval of District Plan Change 81 and 82

Moved Councillor Foster, seconded Mayor Lester

Resolved

That the Council:

1. Receive the information.
2. Agree to approve proposed District Plan Change 81 in accordance with clause 17 of Schedule 1 of the Resource Management Act 1991, and agree that the plan change will become operative as outlined in Attachment 1 (Proposed District Plan Change 81 – Court Approved Amended Provisions).
3. Adopt the recommendations of the Hearing Commissioner in respect of proposed District Plan Change 82, as set out in Attachment 2 (Proposed District Plan Change 82 – Hearing Commissioner Decision Report) and Attachment 3 (Proposed District Plan Change 82 – Plan Change Document).

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Gilbert
Councillor Lee
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Councillor Free
Councillor Pannett

Majority Vote: 12:2

Carried

2.3 Delegated authority to amend suburb boundaries

Moved Councillor Day, seconded Councillor Sparrow

Resolved

That the Council:

1. Receive the information.
2. Delegate the responsibility for amending suburb boundaries and hearing any objections to contentious suburb boundary change proposals to the Regulatory Processes Committee.
3. Delegate the ability to co-authorise minor, uncontentious suburb boundary change proposals to the Chair of the Regulatory Processes Committee alongside a senior Council officer who has been approved to do so by the Chief Executive (except where the Chair has declared a conflict of interest).
4. Note that officers will report annually to the Regulatory Processes Committee on which suburb boundary change proposals have been co-authorised by the Chair and senior Council officer.
5. Note that if the proposed delegations are endorsed, the terms of reference and delegations for the Regulatory Processes Committee will be updated and published on the Council website.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilbert
Councillor Lee
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Majority Vote: 14:0

Carried

2.4 Elected member appointments to Finance, Audit and Risk Management Subcommittee and Pacific Advisory Group

Moved Mayor Lester, seconded Councillor Gilbert

Resolved

That the Council:

1. Receive the information.
2. Appoint Councillor Sarah Free to be a member of the Finance, Audit and Risk Management Subcommittee, replacing Councillor Nicola Young.
3. Appoint Councillor Sarah Free to be a Councillor representative to the Pacific Advisory Group, as an alternate to Councillor Brian Dawson, replacing Deputy Mayor Jill Day.
4. Note that these appointments will commence immediately and, unless otherwise specified, will terminate at the 2019 triennial election.
5. Note that if these appointments are approved, officers will amend the Terms of Reference and Delegations for the 2016/19 Triennium to reflect the change of membership, and publish the amended document online.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Against:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilbert
Councillor Lee
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Majority Vote: 14:0

Carried

3. Committee Reports

3.1 Report of the City Strategy Committee Meeting of 3 May 2018

Public Places Bylaw Review

Moved Councillor Pannett, seconded Councillor Dawson

Resolved

That the Council:

1. Approves the proposed Wellington Consolidated Bylaw Part 5: Public Places as attached in Attachment 2.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilbert
Councillor Lee
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Majority Vote: 14:0

Carried

3.2 Report of the Regulatory Processes Committee Meeting of 16 May 2018

Councillor Sparrow declared a conflict of interest on this item. He moved away from the table, did not take part in discussion and did not vote.

Decision on objections to the proposed road stopping and disposal of legal road land adjoining 400 Middleton Road, Glenside

Moved Councillor Lee, seconded Councillor Calvi-Freeman

Resolved

That the Council:

1. Does not uphold two objections to the proposal to stop 1,695m² of legal road in Rowells Road adjoining 400 Middleton Road, Glenside (the Land).
2. Delegates to the Chief Executive Officer the power to approve and conclude any action relating to Environment Court proceedings, if needed.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilbert
Councillor Lee
Councillor Pannett
Councillor Woolf
Councillor Young

Against:

Majority Vote: 13:0

Carried

4. Public Excluded

Moved Mayor Lester, seconded Councillor Gilbert

Resolved

THAT the Council :

Pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, exclude the public from the following part of the proceedings of this meeting namely:

General subject of the matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
4.1 Appointment of a Trustee to a Council Organisation	7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.

A division was required under Standing Order 3.18.6(d), voting on which was as follows:

For:

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilbert
Councillor Lee
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Majority Vote: 14:0

Carried

The meeting went into public excluded session at 10:24am.

The meeting concluded at 10:32am.

Confirmed: _____
Chair