
MINUTES

THURSDAY 9 NOVEMBER 2006

9.15AM

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

PRESENT:

Councillor Shaw (Acting Chair)

Councillor Ahipene-Mercer

Councillor Cook

Councillor Foster (9.34 – 9.35am, 10.10 – 10.22, 10.23 – 11.46am)

Councillor Gill

Councillor Goulden (9.35 – 9.41am, 10.10 – 11.44am)

Councillor McKinnon

Councillor Pepperell (9.15 – 9.16am, 9.34 – 9.37am)

Councillor Ritchie (9.34 – 11.44am)

Councillor Ruben (9.15 – 9.16am, 9.34 – 9.35am, 9.36 – 11.49am)

Councillor Wade-Brown

Councillor Wain (9.15 – 9.16am, 10.09 – 10.42am, 11.01 – 11.44am)

APOLOGIES:

Mayor Prendergast

Councillor Armstrong

Councillor Morrison

259/06P **APOLOGIES**
(1215/52/IM)

Moved Councillor Shaw, seconded Councillor Cook, the motion that apologies for absence be received from Mayor Prendergast and Councillors Armstrong and Morrison.

The motion was put and declared CARRIED on voices.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Accept apologies for absence from Mayor Prendergast, Councillors Armstrong and Morrison.*

260/06P **ADJOURNMENT OF MEETING**
(1215/52/IM)

NOTED:

The Chair advised that the meeting would adjourn to enable Stagecoach to brief the Councillors on their new brand.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Adjourn until the conclusion of the briefing from Stagecoach.*

The meeting adjourned at 9.16am.

The meeting reconvened at 9.34am.

Councillors Shaw (Acting Chair), Ahipene-Mercer, Cook, Foster, Gill, Goulden, McKinnon, Pepperell, Ritchie, Ruben, Wade-Brown and Wain were present when the meeting reconvened.

261/06P **CONFLICT OF INTEREST DECLARATIONS**
(1215/52/IM)

NOTED:

1. Councillor Foster advised that he had a conflict of interest in relation to Report 2 "Statement of Proposal to Amend the Gaming Venues Policy" as he is a member of a Trust with administers funds from gaming machines.

262/06P **MINUTES FOR CONFIRMATION**
(1215/52/IM)

(Councillor Goulden left the meeting at 9.35am.)
(Councillor Ruben left the meeting at 9.35am.)

RESOLVED:

THAT the Strategy and Policy Committee:

- 1. Approve the minutes of the meetings held on Thursday 12 October 2006 and Thursday 19 October 2006, having been circulated, be taken as read and confirmed as an accurate record of those meetings.*

(Councillor Ruben returned to the meeting at 9.36am.)

263/06P **PUBLIC PARTICIPATION**
(1215/52/IM)

NOTED:

There was no public participation.

264/06P **FEEDBACK ON THE DRAFT TRADING IN PUBLIC PLACES POLICY**

Report of Ken Bowater – Senior Policy Adviser.
(1215/52/IM)

(REPORT 1)

(Councillor Pepperell left the meeting at 9.37am.)

(The meeting adjourned at 9.41am for a fire evacuation.)
(The meeting reconvened at 10.09am.)

(Councillors Ahipene-Mercer, Cook, Gill, McKinnon, Ritchie, Ruben, Shaw, Wade-Brown and Wain were present when the meeting reconvened.)

(Councillor Foster returned to the meeting at 10.10am.)
(Councillor Goulden returned to the meeting at 10.10am.)

Moved Councillor Shaw, seconded Councillor ~~Foster~~ Wain the substantive motion with the following as amendment. (See noted section later in the item)

“Principles of the policy”

Add

- The effect on existing businesses will be taken into account.

Open Air Markets

Add (after ...case by case basis,)

...taking into account the nature of the public place and the potential effect on existing businesses.”

Moved Councillor Ritchie, seconded Councillor Goulden, the following amendment.

New Recommendation 6

Agree to amend section 6 of the Draft Trading in Public Places Policy to require Wellington Waterfront Limited to provide an open air market on the waterfront.

Add to policy at end of section 6 “That Council will require Wellington Waterfront Limited to provide an open air market on the waterfront.”

(Councillor Foster left the meeting at 10.22am.)

NOTED:

As a result of Councillor Foster leaving the meeting a new seconder for the substantive motion was required. Councillor Wain advised that she was prepared to do this.

(Councillor Foster returned to the meeting at 10.23am.)

The amendment moved by Councillor Ritchie was put and declared CARRIED on voices.

Councillor Wade-Brown moved the amendment that the word “Segway” be removed from the policy. This amendment was accepted by the meeting.

The substantive motion as amendment was put and declared CARRIED.

RESOLVED AND RECOMMENDED TO COUNCIL:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Note that public consultation has been undertaken on the draft Trading in Public Places Policy.*
3. *Note that 18 submissions were received and are attached as Appendix 3 (of the officers report) and oral submissions on the draft Policy were heard by the Strategy and Policy Committee on Thursday 12 October.*

4. *Recommend to Council that it adopt the amended Trading in Public Places Policy, attached as Appendix 2 of the officers report.*
5. *Delegate to the Chief Executive and the Economy Portfolio Leader the authority to make any required amendments.*
6. *Agree to amend section 6 of the Draft Trading in Public Places Policy to require Wellington Waterfront Limited to provide an open air market on the waterfront.*

Add to policy at end of section 6 “That Council will require Wellington Waterfront Limited to provide an open air market on the waterfront.”

NOTED:

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

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

(The meeting adjourned for morning tea at 10.42am and reconvened at 10.55am.)

(Councillors Ahipene-Mercer, Cook, Foster, Gill, Goulden, McKinnon, Ritchie, Ruben, Shaw and Wade-Brown were present when the meeting reconvened.

265/06P **STATEMENT OF PROPOSAL TO AMEND THE GAMING VENUES POLICY**

Report of Matt Powell – Senior Policy Adviser.
(1215/52/IM)

(REPORT 2)

(Councillor Foster withdrew from the table due to conflict of interest issues.)

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

Moved Councillor Cook, seconded Councillor Goulden the substantive motion.

Moved Councillor Wade-Brown, the amendment that option 3 be adopted for consultation. A seconder was sought for the amendment and there were no members of the Committee prepared to do so. The amendment lapsed due to the want of a seconder.

The substantive motion was put and declared CARRIED.

RESOLVED AND RECOMMENDED TO COUNCIL:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Agree to the statement of proposal (attached as appendix 1) which includes an updated social impact report and the draft Gaming Venues Policy - noting;*
 - i. *that the term 'gaming venue zones' will be used to describe the geographic boundaries for the policy*
 - ii. *that the proposed draft policy retains the same limits on machine numbers as the current policy.*
3. *Note that the Committee will consider a report on oral and written submissions, and a final draft Gaming Venues Policy, in February 2007.*
4. *Recommends to Council that it:*
 - i. *Note the findings of the updated social impact report included in the statement of proposal*
 - ii. *Agrees to the draft Gaming Venues Policy and resolves to initiate the special consultative procedure as required by the Gambling Act 2003.*
5. *Note that Council will consider a final draft Gaming Venues Policy in March 2007.*

(Councillor Foster returned to the table.)

266/06P

WATER COURSES BYLAW

Report of Wayne Murphy – Senior Policy Adviser.
(1215/52/IM)

(REPORT 3)

Moved Councillor Wade-Brown, seconded Councillor Goulden the substantive motion.

The substantive motion was put and declared CARRIED.

RESOLVED AND RECOMMENDED TO COUNCIL:

THAT the Strategy and Policy Committee:

1. *Receive the information.*

2. *Note that three submissions have been received in response to the Special Consultative Procedure, undertaken in accordance with section 86 of the Local Government Act 2002.*
3. *Agree that issues raised by submitters on the proposed bylaw have been considered.*
4. *Recommend to the Council that it:*
 - a. *Revoke Part 19 of the Wellington Consolidated Bylaw – Watercourses, as it no longer appears to be the most appropriate mechanism to achieve Council’s objectives.*
 - b. *Agree that the Special Consultative Procedure has been completed pursuant to section 86 of the Local Government Act 2002.*

267/06P **SAFER COMMUNITIES CONFERENCE REPORT BACK**
 Report of Councillors McKinnon and Wain.
 (1215/52/IM) (REPORT 4)

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

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*

268/06P **2006 RESOURCE MANAGEMENT LAW CONFERENCE: REPORT BACK**
 Report of Councillor Gill.
 (1215/52/IM) (REPORT 5)

Moved Councillor Gill, seconded Councillor Goulden the substantive motion.

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*

269/06P **FORWARD PROGRAMME**

Report of John McGrath – Director, Policy.
(1215/52/IM)

(REPORT 6)

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

(Councillor Goulden left the meeting at 11.44am.)

The substantive motion was 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.*

270/06P **RESOLUTION TO EXCLUDE THE PUBLIC**

(1215/52/IM)

Moved Councillor Shaw, seconded Councillor Foster, the motion to exclude the public.

The motion to exclude the public was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

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:

Report 7 - Property disposal - Public Works Act 1981

Grounds: Section 48(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.

Reason: Section 7(2)(i) To enable the Council to carry out, without prejudice or disadvantage, negotiations of a commercial nature.

Report 8 – Service Lane Acquisition - Public Works Act 1981

Grounds: Section 48(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.

Reason: Section 7(2)(i) To enable the Council to carry out, without prejudice or disadvantage, negotiations of a commercial nature.

(The meeting went into public excluded session at 11.46am.)

(Councillor Foster left the meeting at 11.46am.)

(For items 271/06P and 272/06P, please see the public excluded minutes.)

The meeting concluded at 11.49am.

Confirmed: _____
Chair
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