

ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

MINUTES

Time: 5.32pm
Date: Wednesday, 17 December 2014
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

PRESENT

Mayor Wade-Brown
Councillor Ahipene-Mercer
Councillor Coughlan
Councillor Eagle
Councillor Foster
Councillor Free
Councillor Lee
Councillor Lester
Councillor Marsh
Councillor Pannett
Councillor Peck
Councillor Ritchie
Councillor Sparrow
Councillor Woolf
Councillor Young

TABLE OF CONTENTS

17 DECEMBER 2014

Business	Page No.
1. Meeting Conduct	5
1.1 Apologies	5
1.2 Announcements by the Mayor	5
1.3 Conflict of Interest Declarations	5
1.4 Confirmation of Minutes	5
1.5 Items not on the Agenda	5
1.6 Public Participation	6
2. Petitions	6
Nil	
3. General Business	6
3.1 Amendments to delegations to facilitate decisions under the Housing Accords and Special Housing Areas Act	6
3.2 Granting of CCO exemption to Wellington Rural Fire Authority under section 7(4) of the Local Government Act 2002	7
3.3 Airport Runway Extension - Update and Funding Request for RMA Approvals Process	11
4. Committee Reports	7
4.1 Report of the Transport and Urban Development Committee Meeting of 3 December 2014	7
Dangerous Insanitary and Affected Buildings Policy	7

4.2 Report of the Environment Committee Meeting of 27 November 2014	8
Amendments to the Trading in Public Places Policy: Report on Consultation and Final Proposals	8
Charles Plimmer Bequest Forward Programme	9
4.3 Report of the Environment Committee Meeting of 16 December 2014	9
Reserve Naming - Leonie Gill Pathway	9
4.4 Report of the Regulatory Processes Committee Meeting of 27 November 2014	10
Proposed Road Stopping – Land adjacent to 114 Te Anau Road, Hataitai	10

1 Meeting Conduct

1.1 Apologies

No apologies were received.

((Councillor Ahipene-Mercer was not present.))

1.2 Announcements by the Mayor

The Mayor acknowledged and congratulated Council on receiving a couple of awards since the last full Council meeting. The Wellington Cable Car Limited's Trolley Bus Overhead Protection Project was awarded a prestigious IPENZ New Zealand Engineering Excellence Award for its superb electrical safety protection. The South Coast Kids' Track, located in Island Bay, is the first mountain bike track for Wellington children, and has won the New Zealand Recreation Association (NZRA) award for an outstanding recreation project.

The Auditor General's report on local government infrastructure described Wellington City as "a shining example of asset management" and was praised for understanding the performance of our network and having good-quality data.

The Mayor announced that Wellington won a bid to be part of the international network of 100 Resilient Cities, set up by the Rockefeller Foundation to help cities around the world become more resilient to physical, social and economic challenges.

The Mayor acknowledged the diligent and constructive work by Councillors and staff throughout the year, and wished everyone a safe and happy holiday season.

1.3 Conflict of Interest Declarations

The Mayor declared a conflict of interest in respect of Item 3.3 Airport Runway Extension - Update and Funding Request for RMA Approvals Process and announced that she would vacate the Chair and the Deputy Mayor would chair the meeting for this item.

The Mayor announced a change to the order of the agenda items. Item 3.3 Airport Runway Extension - Update and Funding Request for RMA Approvals Process would be taken last.

1.4 Confirmation of Minutes

Moved Mayor Wade-Brown, seconded Councillor Coughlan

Resolved

That the Council:

Approve the minutes of the Ordinary Council Meeting held on 5 November 2014, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting.

Carried

1.5 Items not on the Agenda

There were no items not on the agenda.

1.6 Public Participation

1.6.1 John Milford representing Wellington Employers' Chamber of Commerce

Mr Milford spoke in support of the business case analysis for the Wellington airport runway extension.

1.6.2 Steve Martin representing the Tourism Industry Association

Mr Martin spoke in support of the process for furthering the development of the Wellington airport runway extension.

2. Petitions

Nil.

3. General Business

3.1 Amendments to delegations to facilitate decisions under the Housing Accords and Special Housing Areas Act

Changes to the original officers' recommendations were provided by to Councillors. The changes are noted in bold below.

Moved Mayor Wade-Brown, seconded Councillor Foster,

Resolved

That the Council:

1. Receive the information.
2. Agree to delegate to the Transport and Urban Development Committee the power to recommend **to Council** Special Housing Areas and qualifying development criteria, and the disestablishment of Special Housing Areas, to the Minister of Housing under the Housing Accords and Special Housing Areas Act.
3. Agree to delegate to hearings commissioners on Council's approved list of hearings commissioners the functions, powers and duties to conduct HASHAA hearings on resource consent applications.
4. Note that all other HASHAA powers are delegated to the Chief Executive under the Chief Executive's delegations from Council dated 14 November 2013.
5. Agree to delegate to the Chair Regulatory Processes Committee the power to appoint hearings commissioners (including Councillors sitting as Commissioners) to HASHAA hearings.
6. Agree that the power to terminate the Housing Accord be retained by Council.
7. Note that the amendments to the 2013/16 Terms of Reference that give effect to recommendations 2, 3, 5 and 6 are contained in paragraph 19 of the officers' report, **amended to:**
 - **reflect that the delegation to the Transport and Urban Development**

- **Committee in 2 above is a power of recommendation not decision include decisions on Special Housing Areas and criteria for qualifying developments in the Council Terms of Reference and Delegations (section 1.2).**

Voting For: Mayor Wade-Brown, Councillor Coughlan, Councillor Eagle, Councillor Foster, Councillor Free, Councillor Lee, Councillor Lester, Councillor Marsh, Councillor Peck, Councillor Ritchie, Councillor Sparrow, and Councillor Woolf, Councillor Young

Voting Against: Councillor Pannett

Majority Vote: 13:1

Carried

3.2 Granting of CCO exemption to Wellington Rural Fire Authority under section 7(4) of the Local Government Act 2002

Moved Mayor Wade-Brown, seconded Councillor Foster

Resolved

That the Council:

1. Receive the information.
2. Agree, in accordance with the provisions of section 7 the Local Government Act 2002 to treat the Wellington Rural Fire Authority (WRFA) as an exempted organisation for the purposes of section 6(4)(i) of the LGA2002.

Voting For: Mayor Wade-Brown, Councillor Coughlan, Councillor Eagle, Councillor Foster, Councillor Free, Councillor Lee, Councillor Lester, Councillor Marsh, Councillor Pannett, Councillor Peck, Councillor Ritchie, Councillor Sparrow, Councillor Woolf and Councillor Young

Voting Against: Nil

Majority Vote: 14:0

Carried

4. Committee Reports

4.1 Report of the Transport and Urban Development Committee Meeting of 3 December 2014

Dangerous Insanitary and Affected Buildings Policy

Moved Councillor Foster, seconded Councillor Pannett

Resolved

That Council:

1. Adopt the Dangerous Insanitary and Affected Buildings Policy as attached as Attachment 1.

Voting For: Mayor Wade-Brown, Councillor Coughlan, Councillor Eagle, Councillor Foster, Councillor Free, Councillor Lee, Councillor Lester, Councillor Marsh, Councillor Pannett, Councillor Peck, Councillor Ritchie, Councillor Sparrow, and Councillor Woolf, Councillor Young

Voting Against: Nil

Majority Vote: 14:0

Carried

4.2 Report of the Environment Committee Meeting of 27 November 2014

(Councillor Ahipene-Mercer entered the meeting at 6.00 pm.)

Amendments to the Trading in Public Places Policy: Report on Consultation and Final Proposals

Moved Councillor Ritchie, seconded Councillor Pannett

Resolved

That the Council:

1. Adopt the further amended Trading in Public Places Policy in Attachment 1 (that reflects the Environment Committee's decision on 27 November 2014).
2. Delegate Council officers with the power to take all actions necessary to negotiate and issue licences in relation to open spaces and land classified as Reserve (under the Reserves Act 1977), as agreed to by this Committee on 6 August 2014.
3. Note that Council has the discretion to revisit the adoption of changes relating to functions, events and guided tours in the future.

Voting For: Mayor Wade-Brown, Councillor Ahipene-Mercer, Councillor Coughlan, Councillor Eagle, Councillor Foster, Councillor Free, Councillor Lee, Councillor Lester, Councillor Marsh, Councillor Pannett, Councillor Peck, Councillor Ritchie, Councillor Sparrow, and Councillor Woolf, Councillor Young

Voting Against: Nil

Majority Vote: 15:0

Carried

Attachments

- 1 Trading in Public Places Policy

Charles Plimmer Bequest Forward Programme

Moved Councillor Ritchie, seconded Councillor Marsh

Resolved

That the Council:

1. Approves use of the Charles Plimmer funding as set out below and includes in the 2015-2025 LTP as follows:
 - a. \$650,000 to part fund the development of the Children's Garden, Wellington Botanic Garden in 2015/2016 to supplement Charles Plimmer Bequest funding of \$750,000 approved in March 2012
 - b. \$50,000 in 2017/2018 and \$600,000 in 2018/2019 for the redevelopment of Newlands Park
2. Agree in principle that the forecast distributed funds of up to \$2 million by 2025 be used for a suitable project as part of the proposed heritage park on Watts Peninsula and that officers will report back with a detailed funding proposal once governance and management arrangements for the proposed park are completed .

Voting For: Mayor Wade-Brown, Councillor Ahipene-Mercer, Councillor Coughlan, Councillor Eagle, Councillor Foster, Councillor Free, Councillor Lee, Councillor Lester, Councillor Marsh, Councillor Pannett, Councillor Peck, Councillor Ritchie, Councillor Sparrow, and Councillor Woolf, Councillor Young

Voting Against: Nil

Majority Vote: 15:0

Carried

4.3 Report of the Environment Committee Meeting of 16 December 2014

Reserve Naming - Leonie Gill Pathway

Moved Councillor Ritchie, seconded Mayor Wade-Brown

Resolved

That Council:

1. Agree that the 3.463ha of open space comprising the land legally described as Part Section 4-5, 8 Evans Bay District, Section 173 Evans Bay District, Part Lot 61 DP21360 and Lot 2 DP83928; be named 'Leonie Gill Reserves'.

(Councillor Foster left the meeting at 06:19 pm.)

(Councillor Young left the meeting at 06:19 pm.)

Voting For: Mayor Wade-Brown, Councillor Ahipene-Mercer, Councillor Coughlan,

Councillor Eagle, Councillor Free, Councillor Lee, Councillor Lester,
Councillor Marsh, Councillor Pannett, Councillor Peck, Councillor Ritchie,
Councillor Sparrow and , Councillor Woolf

Voting Against: Nil

Majority Vote: 13:0

Carried

4.4 Report of the Regulatory Processes Committee Meeting of 27 November 2014

Proposed Road Stopping – Land adjacent to 114 Te Anau Road, Hataitai

(Councillor Young returned to the meeting at 06:21 pm.)

Moved Councillor Ahipene-Mercer, seconded Councillor Marsh

Resolved

That the Council:

1. Recommend to the Council that it:
 - a. Agree that approximately 190m² of unformed legal road land at the intersection of Te Anau Road and Kio Road, Hataitai (the **Land**), adjoining 114 Te Anau Road, Hataitai (Pt Lot 15 DP7425, CFR WN384/27) is not required for a public work.
 - b. Authorise Council officers to undertake a section 40 Public Works Act 1981 (**PWA**) report to identify whether the Land must be offered back to its former owner or their successors, or whether exemptions from offer back apply.
 - c. Delegate to the Chief Executive Officer the power to either offer the 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).
 - d. Authorise Council officers to initiate the road stopping process for the Land in accordance with Section 342 and the Tenth Schedule of the Local Government Act 1974.
 - e. Delegate to the Chief Executive Officer the power to formally approve the road stopping, issue all relevant public notices, declare the Land stopped, negotiate the terms of sale or exchange, impose any reasonable covenants, enter into an agreement in respect of the Land, and conclude all matters in relation to this transaction.

Voting For: Mayor Wade-Brown, Councillor Ahipene-Mercer, Councillor Coughlan,
Councillor Eagle, Councillor Free, Councillor Lee, Councillor Lester,
Councillor Marsh, Councillor Pannett, Councillor Peck, Councillor Ritchie,
Councillor Sparrow, and Councillor Woolf, Councillor Young

Voting Against: Nil

Majority Vote: 14:0

Carried

(Mayor Wade-Brown left the meeting at 6:22 pm.)
(Councillor Foster returned to the meeting at 6.23 pm.)

3.3 Airport Runway Extension - Update and Funding Request for RMA Approvals Process

Moved Councillor Lester, seconded Councillor Coughlan,

That the Council:

Recommendations

It is recommended that the Council:

1. Receive the information.
2. Note the analysis from the Ernst and Young report shows the economic case for the runway extension is strong.
3. Note the analysis from InterVISTAS indicates a range of viable long haul routes to Asia and North America do exist to and from Wellington.
4. Note that the runway extension will go towards the south and engineering work shows that forecast costs remain within the \$300-350 million initial estimates.
5. Note Council agreed to fund \$1 million towards the RMA approvals process for the runway extension at its meeting of 29 May 2013.
6. Agree to commit up to \$1.95 million to Wellington International Airport Limited to assist in funding the process to secure the necessary Resource Management Act approvals for the extension of the length of the Wellington Airport runway
7. Agree that the further Council contribution of up to \$1.95 million will be funded from the forecast increased dividend from Wellington International Airport Limited for the 2014/15 financial year, and is contingent on confirmation that the dividend in 2014/15 is at least \$1.95 million greater than budgeted in the 2014/15 Annual Plan.
8. Agree that the provision of the funding be on the conditions that:
 - a. the Board of Wellington International Airport Limited agree that any costs beyond the total cost of \$5.95 million will be met by Wellington International Airport Limited and that no further funding requests will be made; and
 - b. the funding the Council has contributed for the RMA approval process is taken into account in the consideration of the overall funding of the project.
9. Note that in agreeing to provide funding to Wellington international Airport Limited for the Resource Management Act approval process there is no commitment from Council towards funding any runway extension which will form a separate process.
10. Agree to delegate to the Chief Executive authority to finalise and enter into a funding agreement with Wellington International Airport limited in accordance with this report.
11. Note that Wellington City Council has a separate regulatory role under the Resource Management Act and this decision has no impact on the independent discharge of that role.

Moved Councillor Pannett, seconded Councillor Free, the following amendment to replace recommendations 6 and 7:

That the Council:

6. **Agree to consult on the expenditure of up to \$1.95 million to Wellington International Airport Limited to assist in funding the process to secure the necessary Resource Management Act approvals for the extension of the length of the Wellington Airport runway through the 2015-25 Long Term Plan.**
7. **Agree that the consultation specify that this further amount of money would be funded from the forecast increased dividend from Wellington International Airport Limited for the 2014/2015 financial year, and is contingent on confirmation that the dividend in 2014/2015 is at least \$1.95 million greater than budgeted in the 2014/2015 Annual Plan and the additional dividend is reflected in the carried forward surplus from the 2014/15.**

Voting For: Councillor Foster, Councillor Free, Councillor Lee, Councillor Pannett and Councillor Ritchie

Voting Against: Councillor Ahipene-Mercer, Councillor Coughlan, Councillor Eagle, Councillor Lester, Councillor Marsh, Councillor Peck, Councillor Sparrow, Councillor Woolf and Councillor Young

Majority Vote: 5:9

Lost

Moved Councillor Foster, seconded Councillor Lee, the following amendment:

That the Council:

8. Agree that the provision of the funding be on the conditions that:
 - c. **the Updating and Reporting requirements in clause 4 of the funding agreement (dated June 2013) with the Wellington International Airport are complied with and incorporated in the renegotiated funding agreement.**

The meeting was adjourned at 7.34 pm.

The meeting re-convened at 7.40 pm.

Moved Councillor Lester, seconded Councillor Foster

That the Council:

1. Temporarily suspend standing orders to allow for clarification of the proposed amendment.

Voting For: Councillor Coughlan, Councillor Eagle, Councillor Foster, Councillor Free, Councillor Lee, Councillor Lester, Councillor Pannett, Councillor Peck, Councillor Sparrow, Councillor Woolf and Councillor Young

Voting Against: Councillor Ahipene-Mercer, Councillor Marsh and Councillor Ritchie

Majority Vote: 11:3

Carried

Moved Councillor Foster, seconded Councillor Lee, the following amendment:
That the Council:

8. Agree that the provision of the funding be on the conditions that:
- c. the Updating and Reporting requirements in clause 4 of the funding agreement (dated June 2013) with the Wellington International Airport are complied with and incorporated in the renegotiated funding agreement.**

Voting For: Councillor Ahipene-Mercer, Councillor Coughlan, Councillor Eagle, Councillor Foster, Councillor Free, Councillor Lee, Councillor Lester, Councillor Marsh, Councillor Pannett, Councillor Peck and Councillor Woolf

Voting Against: Councillor Ritchie, Councillor Sparrow and Councillor Young

Majority Vote: 11:3

Carried

The vote was taken in two parts, with Council voting first on recommendations 1 -7, 8(b), 8(c) and 9 -11. Recommendation 8(a) was taken separately.

Resolved

That the Council:

1. Receive the information.
2. Note the analysis from the Ernst and Young report shows the economic case for the runway extension is strong.
3. Note the analysis from InterVISTAS indicates a range of viable long haul routes to Asia and North America do exist to and from Wellington.
4. Note that the runway extension will go towards the south and engineering work shows that forecast costs remain within the \$300-350 million initial estimates.
5. Note Council agreed to fund \$1 million towards the RMA approvals process for the runway extension at its meeting of 29 May 2013.
6. Agree to commit up to \$1.95 million to Wellington International Airport Limited to assist in funding the process to secure the necessary Resource Management Act approvals for the extension of the length of the Wellington Airport runway
7. Agree that the further Council contribution of up to \$1.95 million will be funded from the forecast increased dividend from Wellington International Airport Limited for the 2014/15 financial year, and is contingent on confirmation that the dividend in 2014/15 is at least \$1.95 million greater than budgeted in the 2014/15 Annual Plan.
8. Agree that the provision of the funding be on the conditions that:
 - b. the funding the Council has contributed for the RMA approval process is taken into account in the consideration of the overall funding of the project.
 - c. That the Updating and Reporting requirements in clause 4 of the funding agreement (dated June 2013) with the Wellington International Airport are complied with and incorporated in the renegotiated funding agreement.
9. Note that in agreeing to provide funding to Wellington international Airport Limited for the Resource Management Act approval process there is no commitment from Council

towards funding any runway extension which will form a separate process.

10. Agree to delegate to the Chief Executive authority to finalise and enter into a funding agreement with Wellington International Airport limited in accordance with this report.
11. Note that Wellington City Council has a separate regulatory role under the Resource Management Act and this decision has no impact on the independent discharge of that role.

Voting For: Councillor Ahipene-Mercer, Councillor Coughlan, Councillor Eagle, Councillor Foster, Councillor Lester, Councillor Marsh, Councillor Peck, Councillor Sparrow, Councillor Woolf and Councillor Young

Voting Against: Councillor Free, Councillor Lee, Councillor Pannett and Councillor Ritchie

Majority Vote: 10:4

Carried

Resolved

That the Council:

8. Agree that the provision of the funding be on the conditions that:
 - a. the Board of Wellington International Airport Limited agree that any costs beyond the total cost of \$5.95 million will be met by Wellington International Airport Limited and that no further funding requests will be made; and

Voting For: Councillor Ahipene-Mercer, Councillor Coughlan, Councillor Eagle, Councillor Lester, Councillor Marsh, Councillor Peck, Councillor Sparrow, Councillor Woolf and Councillor Young

Voting Against: Councillor Foster, Councillor Free, Councillor Lee, Councillor Pannett and Councillor Ritchie

Majority Vote: 9:5

Carried

The meeting concluded at 8.04 pm.

Confirmed: _____
Chair