

ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

AGENDA

Time: 9:30 am
Date: Wednesday, 26 April 2017
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

MEMBERSHIP

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

Have your say!

You can make a short presentation to the Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 803-8334, emailing public.participation@wcc.govt.nz or writing to Democratic Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number and the issue you would like to talk about.

TABLE OF CONTENTS
26 APRIL 2017

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	5

2. General Business	7
2.1 Exemption of a Council Controlled Organisation from the Statutory Reporting Regime; Wellington Waterfront Limited	
Presented by Councillor Woolf	7
3. Committee Reports	11
3.1 Report of the City Strategy Committee Meeting of 16 March 2017	
Wellington Play Spaces Policy, Presented by Councillor Pannett	11
3.2 Report of the Regulatory Processes Committee Meeting of 12 April 2017	
Proposed Road Stopping - Land Adjoining 400 Middleton Road, Glenside, Presented by Councillor Sparrow	13
3.3 Report of the City Strategy Committee Meeting of 13 April 2017	
Victoria University Surplus Land: Aro Valley, Presented by Councillor Pannett	15
Questions	
4. Public Excluded	17
4.1 Public Excluded Report of the City Strategy Committee Meeting of 20 April 2017	
Acquisition of Land, Presented by Councillor Pannett	17
4.2 Proposed Long-term Lease and Sale of Council Land at Shelly Bay	
Presented by Mayor Lester	17

1 Meeting Conduct

1.1 Apologies

The Chairperson invites notice from members of:

1. Leave of absence for future meetings of the Wellington City Council; or
2. Apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

1.2 Announcements by the Mayor

1.3 Conflict of Interest Declarations

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

1.4 Confirmation of Minutes

The minutes of the meeting held on 6 April 2017 will be put to the Council for confirmation.

1.5 Items not on the Agenda

The Chairperson will give notice of items not on the agenda as follows:

Matters Requiring Urgent Attention as Determined by Resolution of the Wellington City Council

1. The reason why the item is not on the agenda; and
2. The reason why discussion of the item cannot be delayed until a subsequent meeting.

Minor Matters relating to the General Business of the Wellington City Council

No resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the Wellington City Council for further discussion.

1.6 Public Participation

A maximum of 60 minutes is set aside for public participation at the commencement of any meeting of the Council or committee that is open to the public. Under Standing Order 3.23.3 a written, oral or electronic application to address the meeting setting forth the subject, is required to be lodged with the Chief Executive by 12.00 noon of the working day prior to the meeting concerned, and subsequently approved by the Chairperson.

2. General Business

EXEMPTION OF A COUNCIL CONTROLLED ORGANISATION FROM THE STATUTORY REPORTING REGIME; WELLINGTON WATERFRONT LIMITED

Purpose

1. To seek Council approval for the exemption of Wellington Waterfront Limited (WWL), a Council Controlled Organisation (CCO) from the statutory monitoring regime set out in the Local Government Act 2002 (LGA).

Summary

2. WWL is a CCO, wholly owned by the Council. It would normally be subject to the prescribed statutory monitoring regime set out in the LGA. However, section 7(3) of the LGA allows the Council to exempt a small organisation such as WWL.
3. The Council granted an exemption under section 7(3) of the LGA in 2014, however this exemption must be renewed by resolution of the Council every three years.

Recommendations

That the Council:

1. Receive the information.
2. Agree that in accordance with the provisions of Section 7 of the Local Government Act 2002 to treat Wellington Waterfront Limited as an exempted organisation for the purpose of compliance with Section 6(4)(i) of the Local Government Act.

Background

4. A CCO is an entity in which a council, either on its own or jointly with other local authorities, has the right directly or indirectly to appoint 50% or more of the trustees, directors or managers of the organisation. Alternatively, an entity is also a CCO if council(s) have the right to 50% or more of the votes at a meeting of members (shareholders)
5. Under these definitions, WWL is deemed a CCO and is subject to the prescribed monitoring regime as set out in the LGA. However, section 6(4)(i) of the LGA provides that an organisation is not a CCO if it is exempted by resolution of council under section 7 of the LGA.
6. This exemption is not allowed for a CCTO, a CCTO undertakes a trading activity with the intention of making a profit, WWL does not qualify as a CCTO.
7. A council may grant an exemption after having taken account of:
 - the nature and scope of the activities provided by the organisation, and
 - the costs and benefits, if an exemption is granted, to the council, the CCO and the community.

8. The exemption is required to be granted by resolution of the council and must be reviewed every three years.
9. The benefits of the exemption for WWL are that there will be no requirements ;
 - to produce an annual Statement of Intent, incorporating measures by which the Council can assess the achievement of its objectives;
 - to submit to the Council a half yearly report on its operations;
 - to submit to the Council, and make available to the public, an annual report on its operations; and

Discussion

10. In 2014 the management services carried out by WWL (including planning, management of day-to-day operations and property development in respect of the Waterfront), were transferred to Council.
11. However, the company structure of WWL was and is still required to be retained to hold the Council's Waterfront assets in trust with respect to the Marine and Coastal Areas Act (2011) as a bare Trustee.
12. As such, WWL essentially functions as a holding company for the Council's Waterfront assets with the day to day operations formerly delivered by WWL now been undertaken by the Council.
13. The Board of WWL is now made up of Council officers appointed by the Chief Executive who carry out administrative and compliance duties as necessary on behalf of WWL.
14. Therefore, the activities that are required to be monitored under the LGA are carried out by Council and as such, no purpose would be served by requiring WWL to meet the monitoring requirements of the LGA.

Attachments

Nil

Author	Barry Turfrey, Economic Development Unit
Authoriser	Danny McComb, Manager CCOs & City Growth Projects Derek Fry, Director City Growth & Partnerships

SUPPORTING INFORMATION

Engagement and Consultation

Not applicable

Treaty of Waitangi considerations

This report raises no new treaty considerations.

Financial implications

There are no financial implications

Policy and legislative implications

This report complies with the legislative requirements of the Local Government Act (2002) and is consistent with existing Council policy.

Risks / legal

Not applicable

Climate Change impact and considerations

Not applicable

Communications Plan

Not applicable

Health and Safety Impact considered

Not applicable

3. Committee Reports

REPORT OF THE CITY STRATEGY COMMITTEE MEETING OF 16 MARCH 2017

Members: Mayor Lester, Councillor Calvert, Councillor Calvi-Freeman, Councillor Dawson, Councillor Day, Councillor Eagle, Councillor Foster, Councillor Free, Councillor Gilberd, Councillor Lee, Councillor Marsh, Councillor Pannett (Chair), Councillor Sparrow, Councillor Woolf, Councillor Young.

The Committee recommends:

Wellington Play Spaces Policy

Recommendations

That the Council:

1. Agree to adopt the Wellington Play Spaces Policy, (Attachment 1 of the officers report) with the following amendments:
 - a. Amend Priority 2, Policy 1 to ensure that play spaces as much as possible cater to a wide range of children and young people.
 - b. Agree that the Council has a strong preference for the redevelopment of the Basin Reserve to contain play space suitable for children and young people.
 - c. Undertake further investigation as part of the implementation work to ensure that girls and young women have equal access to all play spaces and to remove barriers to participation.
 - d. Amend the vision to include young people, not just children.
 - e. Amend Priority 2, Policy 1 to state that careful consideration must be given to the provision of shade in all playgrounds.
 - f. Undertake further work to ascertain the best site and the necessary resources to achieve a Destination Park.
 - g. Consider additional play spaces in collaboration with community-led partnerships, subject to the principles of this policy, community placed-based need and adequate funding and maintenance provisions.

Attachments

Nil

REPORT OF THE REGULATORY PROCESSES COMMITTEE MEETING OF 12 APRIL 2017

Members: Mayor Lester, Councillor Calvert, Councillor Calvi-Freeman, Councillor Lee, Malcolm Sparrow (Chair).

The Committee recommends:

Proposed Road Stopping - Land Adjoining 400 Middleton Road, Glenside

Recommendations

That the Council:

1. Agree to:
 - a. Declare that approximately 1,650m² (subject to survey) of unformed legal road land in Rowells Road, Glenside, (shown outlined in red on Attachment 1 of the Officer's report) (the Land), and adjoining 400 Middleton Road (Part Section 29 – 30 Porirua District CFR WN526/164) is not required for a public work and is surplus to Council's requirements.
 - b. Stop the legal road and dispose of the Land.
 - c. Delegate the Chief Executive Officer the power to conclude all matters in relation to the road stopping and disposal of the Land, including all legislative matters, issuing relevant public notices, declaring the road stopped, negotiating the terms of sale or exchange, impose any reasonable covenants, and anything else necessary.

Attachments

Nil

REPORT OF THE CITY STRATEGY COMMITTEE MEETING OF 13 APRIL 2017

Members: Mayor Lester, Councillor Calvert, Councillor Calvi-Freeman, Councillor Dawson, Councillor Day, Councillor Eagle, Councillor Foster, Councillor Free, Councillor Gilberd, Councillor Lee, Councillor Marsh, Councillor Pannett (Chair), Councillor Sparrow, Councillor Woolf, Councillor Young.

The Committee recommends:

Victoria University Surplus Land: Aro Valley

Recommendation

That the Council:

1. Instructs officers to advise the Victoria University of Wellington that Council does not have any public work requirement for the properties at 225, 227 and 229 Aro Street and 1 and 1A Holloway Road.

Attachments

Nil

4. Public Excluded

Resolution to Exclude the Public:

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 Public Excluded Report of the City Strategy Committee Meeting of 20 April 2017		
4.2 Proposed Long-term Lease and Sale of Council Land at Shelly Bay	7(2)(h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	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.
