

ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

MINUTES

Time: 10:00am
Date: Wednesday, 31 October 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 Marsh
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

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1 Meeting Conduct

1.1 Karakia

The Chairperson opened the meeting at 10.00am with the following 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

No apologies were received.

1.3 Announcements by the Mayor

The Mayor made no announcements.

1.4 Conflict of Interest Declarations

No conflicts of interest were declared.

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 September 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 Foster
Councillor Free
Councillor Gilbert
Councillor Lee
Councillor Marsh
Councillor Pannett
Councillor Sparrow
Councillor Woolf

Against:

Councillor Young

Majority Vote: 15:0

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.

2. General Business

2.1 Approval of District Plan Change 82

Moved Councillor Foster, seconded Councillor Gilbert

Resolved

That the Council:

1. Receives the information.
2. Agrees to approve District Plan Change 82 in accordance with clause 17 of Schedule 1 of the Resource Management Act 1991.
3. Agrees for District Plan Change 82 to be made operative in the Wellington City Council District Plan in accordance with clause 20 of Schedule 1 of the Resource Management Act 1991.

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 Marsh
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Majority Vote: 15:0

Carried

2.2 Local Government Funding Agency AGM Shareholder Voting

Moved Mayor Lester, seconded Councillor Marsh

Recommendation/s

That the Council:

1. Receives the information.
2. Notes the Local Government Funding Agency has advised that its Annual General Meeting will be held on 21 November in Wellington from 2–3.30pm at the Bolton Hotel in Wellington;
3. Appoints Martin Read, Manager, Financial Strategy & Treasury as proxy to vote on behalf of the Council, and the Chair of the Local Government Funding Agency Board as alternate;
4. Agrees that the proxy or alternate votes in favour of the following proposals which require ordinary shareholder resolutions:
 - a. John Avery is re-appointed to the Local Government Funding Agency's board as an independent director;
 - b. Mike Timmer is re-appointed to the Local Government Funding Agency's board as a non-independent director;
 - c. Hamilton City Council is re-elected to the Shareholders' Council;
 - d. Tauranga City Council is re-elected to the Shareholders' Council; and
 - e. Changes to the Local Government Funding Agency's foundation policies.

Moved Councillor Fitzsimons, seconded Councillor Day the following amendment

Resolved

That the Council:

5. Agrees to request the Local Government Funding Agency to improve the gender and ethnic diversity of its directors.

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 Marsh
Councillor Pannett
Councillor Sparrow

Against:

Councillor Woolf
Councillor Young

Majority Vote: 15:0

Carried

Note: Councillor Free declared her intention to move an amendment. The meeting adjourned at 10:18am to seek officer advice as to the specific wording of the amendment. The meeting reconvened at 10:30am.

Moved Councillor Free, seconded Councillor Calvert the following amendment

That the Council:

6. Remove recommendation 4(e).
7. Agrees that the proxy or alternate votes in favour of the following proposals which require ordinary shareholder resolutions:
 - a. Change to the Local Government Funding Agency's foundation policy to measure Council compliance with the LGFA covenants.
 - b. Change to the Local Government Funding Agency's foundation policy to lend to Council-Controlled Organisations directly.

Note: Voting on the amendment was taken in parts.

Moved Councillor Free, seconded Councillor Calvert the following amendment

Resolved

That the Council:

6. Remove recommendation 4(e).

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

For:

Councillor Calvert
Councillor Free
Councillor Pannett
Councillor Woolf

Against:

Mayor Lester
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Gilberd
Councillor Lee
Councillor Marsh
Councillor Sparrow
Councillor Young

Majority Vote: 4:11

Lost

Note: The vote on Councillor Free's amendment to add clause 6 being lost, the amendment to add clause 7 became redundant and the amendment was not put.

Moved Mayor Lester, seconded Councillor Marsh the following substantive motion

Resolved

That the Council:

1. Receives the information.
2. Notes the Local Government Funding Agency has advised that its Annual General Meeting will be held on 21 November in Wellington from 2–3.30pm at the Bolton Hotel in Wellington;
3. Appoints Martin Read, Manager, Financial Strategy & Treasury as proxy to vote on behalf of the Council, and the Chair of the Local Government Funding Agency Board as alternate;
4. Agrees that the proxy or alternate votes in favour of the following proposals which require ordinary shareholder resolutions:
 - a. John Avery is re-appointed to the Local Government Funding Agency's board as an independent director;
 - b. Mike Timmer is re-appointed to the Local Government Funding Agency's board as a non-independent director;
 - c. Hamilton City Council is re-elected to the Shareholders' Council;
 - d. Tauranga City Council is re-elected to the Shareholders' Council; and
 - e. Changes to the Local Government Funding Agency's foundation policies.
5. Agrees to request the Local Government Funding Agency to improve the gender and ethnic diversity of its directors.

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 Marsh
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Councillor Free

Majority Vote: 14:1

Carried

Note: The meeting adjourned for morning tea at 10:51am. The meeting reconvened at 11:08am with the following members present: Councillor Diane Calvert,

Councillor Chris Calvi-Freeman, Councillor Brian Dawson, Councillor Jill Day, Councillor Fleur Fitzsimons, Councillor Andy Foster, Councillor Sarah Free, Councillor Peter Gilbert, Mayor Justin Lester, Councillor Simon Marsh, Councillor Iona Pannett, Councillor Malcolm Sparrow, Councillor Simon Woolf and Councillor Nicola Young.

(Councillor Lee left the meeting at 10:51am)

3. Committee Reports

3.1 Report of the City Strategy Committee Meeting of 20 September 2018

Reserves Naming - Various Reserves

Moved Councillor Gilbert, seconded Councillor Day

Recommendation/s

That the Council:

1. Agrees the 'Proposed names' of reserves listed in **Tables 1 – 6** within **Attachment 1 – Table of proposed reserve names** be approved.

Note: Voting on the substantive motion was taken in parts.

Voting on Table 1 – Reserves 4, 8 and 9 (being the proposed Callander Reserve, Marshall Trig, and Amesbury Drive Reserve)

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

For:

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

Against:

Councillor Calvert

Majority Vote: 13:1

Carried

Voting on Table 1 – Reserves 1, 2, 3, 5 and 6 (being the proposed Ruru Valley Reserve, Toutouwai Hill Reserve, Kākāriki Reserve, Korimako Reserve and Kererū Reserve)

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

For:

Mayor Lester
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Free
Councillor Gilbert
Councillor Marsh
Councillor Pannett
Councillor Sparrow
Councillor Young

Against:

Councillor Calvert
Councillor Foster
Councillor Woolf

Majority Vote: 11:3

Carried

Voting on Table 1 – Reserve 7 (being the proposed Amesbury Drive Reserve)

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

For:

Mayor Lester
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Free
Councillor Gilbert
Councillor Pannett

Against:

Councillor Calvert
Councillor Foster
Councillor Marsh
Councillor Sparrow
Councillor Woolf
Councillor Young

Majority Vote: 8:6

Carried

Voting on Tables 2, 3, 4 and 5 (being the proposed Takarau Park, Tawhai Raunui Play Area, Hauora Reserve, Waihinahina Reserve, Sefton Nossiter Reserve, Te Pari Karangaranga and Te Ngahere-o-Tawa)

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

For:

Mayor Lester
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Fitzsimons
Councillor Foster
Councillor Free
Councillor Gilbert
Councillor Marsh

Against:

Councillor Calvert

Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Majority Vote: 13:1

Carried

Voting on Table 6 (being the proposed Ngā Kumikumi)

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

For:

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

Against:

Councillor Calvert
Councillor Foster

Majority Vote: 12:2

Carried

Note: For clarity, the substantive motion is presented again below without the divisions.

Moved Councillor Gilbert, seconded Councillor Day the following substantive motion

Resolved

That the Council:

1. Agrees the 'Proposed names' of reserves listed in **Tables 1 – 6** within **Attachment 1 – Table of proposed reserve names** be approved.

Carried

3.2 Report of the Te Awarua-o-Porirua Harbour and Catchment Joint Committee (Annual Report 2017/2018)

Moved Councillor Gilberd, seconded Councillor Day

Resolved

That the Council:

1. Receives the Annual Report for 2017/18 on the implementation of Te Awarua-o-Porirua Harbour and Catchment Strategy and Action Plan.

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 Gilberd
Councillor Marsh
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

Against:

Majority Vote: 14:0

Carried

4. PUBLIC EXCLUDED

MOVED MAYOR LESTER, SECONDED COUNCILLOR DAY

RESOLVED

THAT THE COUNCIL:

1. 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 REGULATORY PROCESSES COMMITTEE MEETING OF 10 OCTOBER 2018	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.
4.2 PUBLIC EXCLUDED REPORT OF THE ENVIRONMENT COMMITTEE MEETING OF 1 SEPTEMBER 2016	7(2)(I) THE WITHHOLDING OF THE INFORMATION IS NECESSARY TO ENABLE THE LOCAL AUTHORITY TO CARRY ON, WITHOUT PREJUDICE OR DISADVANTAGE, NEGOTIATIONS (INCLUDING COMMERCIAL AND INDUSTRIAL NEGOTIATIONS).	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.
4.3 APPOINTMENT OF DIRECTOR TO PREDATOR FREE WELLINGTON LIMITED	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 GILBERD
COUNCILLOR MARSH
COUNCILLOR PANNETT
COUNCILLOR SPARROW
COUNCILLOR WOOLF
COUNCILLOR YOUNG

AGAINST:

MAJORITY VOTE: 14:0

CARRIED

The meeting went into public excluded session at 11:37am.

The meeting concluded at 11:51am.

Confirmed: _____
Chair