
MINUTES

THURSDAY 3 MAY 2012

**9.18AM – 10.31AM
10.48AM – 12.15PM
12.52PM – 2.58PM
1.29PM - 2.58PM (PUBLIC EXCLUDED)**

**Committee Room One
Ground Floor, Council Offices
101 Wakefield St
Wellington**

PRESENT:

Mayor Wade-Brown	(9.24am – 10.31am, 10.48am – 11.41am, 1.39pm – 2.58pm.)
Councillor Ahipene-Mercer	(9.18am – 10.18am, 10.20am – 10.31am, 10.51am – 12.07pm, 12.09pm – 12.15pm, 12.52pm – 1.40pm, 1.54pm – 2.58pm.)
Councillor Best (Deputy Chair)	(9.18am – 10.31am, 10.48am – 12.15pm, 12.52pm – 2.58pm.)
Councillor Cook	(9.42am – 10.31am, 10.48am – 12.15pm, 12.52pm – 1.54pm, 1.55pm – 2.43pm, 2.44pm – 2.45pm.)
Councillor Eagle	(9.18am – 10.31am, 10.51am – 12.15pm, 1.13pm – 2.32pm, 2.52pm – 2.58pm.)
Councillor Foster (Chair)	(9.18am – 10.31am, 10.48am – 12.15pm, 12.52pm – 2.58pm.)
Councillor Gill	(9.18am – 10.31am, 10.48am – 11.58am, 12.02pm – 12.15pm, 12.52pm – 2.58pm.)
Councillor Lester	(9.18am – 10.31am, 10.48am – 12.15pm, 12.52pm – 2.11pm.)
Councillor McKinnon	(9.18am – 10.31am, 10.48am – 12.15pm, 12.53pm – 1.53pm.)
Councillor Marsh	(9.18am – 10.31am, 10.51am – 12.15pm.)
Councillor Morrison	(9.18am – 10.31am, 10.51am – 11.58am, 1.07pm – 2.58pm)
Councillor Pannett	(9.18am – 10.31am, 10.48am – 12.15pm, 12.52pm – 2.58pm)
Councillor Pepperell	(9.18am – 9.57am, 10.12am – 10.31am, 10.48am – 11.41am, 11.43am – 11.58am, 11.59am - 12.15pm, 12.52pm – 2.58pm)
Councillor Ritchie	(9.18am – 9.55am, 9.56am – 10.31am, 10.48am – 12.15pm, 12.52pm – 2.54pm.)

APOLOGIES:

Councillor Coughlan (absent)
Mayor Wade-Brown (lateness)

DEMOCRATIC SERVICES OFFICER IN ATTENDANCE:

Luka Dujmovic – Committee Advisor
Antoinette Bliss – Committee Advisor

110/12P **APOLOGIES**
(1215/52/IM)

Moved Councillor Foster, seconded Councillor Ahipene-Mercer, the motion that the Strategy and Policy Committee receive apologies for absence from Councillors Coughlan and apologies for lateness from Mayor Wade-Brown.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive apologies for absence from Councillors Coughlan.*
2. *Receive apologies for lateness from Mayor Wade-Brown.*

111/12P **CONFLICT OF INTEREST DECLARATIONS**
(1215/52/IM)

NOTED:

There were no conflicts of interest declared.

(Mayor Wade-Brown joined the meeting at 9.24am.)
(Councillor Cook joined the meeting at 9.24am.)

112/12P **PUBLIC PARTICIPATION**
(1215/52/IM)

NOTED:

1. Eyal Aharoni addressed the meeting regarding Report 5 - High Court Decision: 55-85 Curtis Street, Karori. Stated Council did not receive any submissions from resident's opposing the rezoning when council went out for consultation. Large business development crucial for suburb, small businesses closing no longer sustainable as unable to compete with large businesses in other suburbs.
2. Wayne Newman addressed the meeting regarding Report 5 - High Court Decision: 55-85 Curtis Street, Karori. Ordinary people do extraordinary things, taking this to high court is because we do care about what happens in our community. Did not ignore consultation process but wished to be engaged. Considered the paper should be dealt with in public excluded.

3. Michael Gibson was scheduled to speak to Report 5 - High Court Decision: 55-85 Curtis Street, Karori but did not attend.

113/12P **REPORT OF THE COUNCIL CONTROLLED (9.51AM – 11.40AM)
ORGANISATION PERFORMANCE SUBCOMMITTEE
MEETING OF MONDAY 12 MARCH 2012**
Report of Alan Isaac, Chair, Council Controlled Organisations Performance Subcommittee.
(1215/52/IM) (REPORT 1)

Moved Councillor McKinnon, seconded Mayor Wade-Brown, the substantive motion.

(Councillor Ritchie left the meeting at 9.55am.)
(Councillor Ritchie returned to the meeting at 9.56am.)
(Councillor Pepperell left the meeting at 9.57am.)
(Councillor Pepperell returned to the meeting at 10.12am.)
(Councillor Ahipene-Mercer left the meeting at 10.18am.)
(Councillor Ahipene-Mercer returned to the meeting at 10.20am.)

(The meeting adjourned for morning tea at 10.31am and reconvened at 10.48am.)

(Mayor Wade-Brown, Councillors Best, Cook, Foster, Gill, Lester, McKinnon, Pannett, Pepperell and Ritchie were present when the meeting reconvened.)

(Councillor Eagle returned to the meeting at 10.51am.)
(Councillor Ahipene-Mercer returned to the meeting at 10.51am.)
(Councillor Morrison returned to the meeting at 10.51am.)
(Councillor Marsh returned to the meeting at 10.51am.)

The substantive motion was put and declared CARRIED.

RESOLVED:

1. ***ITEM 006/12FM REVIEW OF PERFORMANCE OF ALL COUNCIL CONTROLLED ORGANISATIONS FOR THE QUARTER ENDED 31 DECEMBER 2011***
(1215/52/02/IM) (REPORT 2)

THAT Strategy and Policy Committee:

1. *Note the following matters with regard to the second quarter 2011/12 performance of Council Controlled Organisations:*

- (a) *The Basin Reserve has been engaged in a busy period of maintenance and activity in preparation for the cricket season. The Trust has continued to advance its programme of deferred maintenance work, with attention focussing this quarter on replacing parts of the roof of the R.A. Vance stand. The Trust has extended the night time closure of the Basin Reserve through to June 2012.*
- (b) *Capacity is continuing the Messines Road Reservoir upgrade, with tank 2 commissioned in December. Construction work on the Tacy St stormwater pump station is complete and commissioning of the pumps will now occur in March.*
- (c) *Positively Wellington Tourism reports that the calendar year 2011 has been a strong year for tourism numbers and businesses in Wellington. There was significant growth in arrivals from Australia to Wellington, well ahead of the national trend.*
- (d) *Much of the focus for the second quarter of trading as Positively Wellington Venues was focused on setting up the business structures and operational mechanisms. Venue utilisation tracked well for the quarter with performances accounting for 35% of utilisation and convention/events business taking 65%. Forward bookings for 2012/13 are tracking at 60% of budget, but Positively Wellington Venues reports a loss to date of \$700k of business as a result of hires pulling out in response to seismic issues and concerns. As a result of transition and one-off costs, the year-to-date result is (\$556k), \$408k behind the projected deficit of (\$148k).*
- (e) *Following a strong November and December, Wellington Cable Car passenger numbers for the second quarter were 289,417, which was in line with budget and 12% above the same period last year. Year to date passenger numbers are 5% below budget, but 5% above last year.*
- (f) *Overall, visitor numbers for the Museums Trust in the second quarter (including Carter) were 169,163, 9.6% below the budget of 175,760. Oceania at the City Gallery did not achieve the projected audience numbers. Carter Observatory celebrated the 70th anniversary of the opening of the observatory on 20 December.*
- (g) *Final preparations were made ahead of construction beginning on the Overseas Passenger Terminal redevelopment, with tenants successfully relocated to temporary site. Work continued on development and design options for Site 10, with a*

development agreement signed with Newcrest Group conditional on the approval of the Wellington City Council in quarter three. As at 31 December, the loan advance was \$13 million, but should commercial proceeds from the sale of the Shed 5 lease not be realised then Wellington Waterfront Limited will exceed their \$15 million loan financing by year end.

- (h) Year to date visitation of 104,481 for the Zoo was ahead of target by 13,734 (or 15%) and ahead of last year by 7,215 (or 7%). Management continue to attribute this to favourable word of mouth and press, particularly related to the strategic Zoo Capital Plan improvements.*
- (i) The New Zealand Local Government Funding Agency was incorporated on 1 December 2011 with paid up capital of \$25m, including a \$5m ordinary shareholding by the New Zealand Government. Wellington City Council is an establishment shareholder with 8% of the paid up capital (\$2 million).*
- (j) The outstanding event for the half for the Wellington Regional Stadium Trust was the Rugby World Cup. The Stadium hosted 8 games, including 2 quarter finals, and received very positive feedback from both patrons and organisers. It is on track to deliver an above budget full year result.*
- (k) Visitors for Zealandia for the second quarter were 25,829, 8.5% below the budget of 28,238. However, revenue for the quarter was only 4% below budget reflecting higher trading revenue per visitor.*

2. ITEM 007/12FM REVIEW OF DRAFT STATEMENTS OF INTENT FOR COUNCIL CONTROLLED ORGANISATIONS FOR THE YEAR 2012/13 (1215/52/02/IM) (REPORT 3)

THAT Strategy and Policy Committee:

1. Note that:

- (a) The Chair will write to each organisation, on the basis of the officer assessment provided in this cover report and as detailed below, requesting changes for final 2012/13 Statements of Intent for presentation to this Subcommittee at its meeting of 8 June 2012:*

Capacity Infrastructure Services Limited

- *Recognising that Capacity manages contractors on behalf of Wellington City Council, confirm that Capacity has an active process for considering health and safety obligations for contractor management at each stage of: pre-qualification of contractors, engagement of contractors, induction and monitoring of contractors, and an annual or post project review of the contractor's performance;*
- *Include any update on the proposed new model with Upper Hutt City and Porirua City as additional shareholders;*
- *Add commentary on Capacity's four principal strategies for example progress made to date, how future progress will occur and how it will be measured;*
- *Set out a clearer explanation of the alignment between the business objectives and the Company's activities;*
- *Have a greater emphasis on resilience, including discussion on the progress of emergency water availability work and the seven activities in the Water Conservation and Efficiency Plan;*
- *Provide additional detail on the plans and timing of the analysis to investigate and validate work on renewals forecasts;*
- *Include three years worth of performance targets;*
- *Include wording equivalent to "any performance measures where targets are not being achieved (or as requested by shareholders) will be included and commented upon in Capacity's reports" in the KPI section;*
- *Include an outline of all of the Councils' Long Term Plan measures as a schedule;*
- *Discuss the progress of benchmarking and comparative analysis work;*
- *Reflect the agreed Long Term Plan funding at that point in time and make comment on any financial and resourcing implications of the final work programme level;*
- *Add a revised column with an estimate to 30 June 2012 as a comparison point for the forecast figures; and*
- *Include a sentence confirming the Company's commitment to its relationship with its Council shareholders and a "no surprises" policy of open and transparent communication and accountable reporting.*

Positively Wellington Tourism

- *KPIs need to be reviewed as to whether "at 2011/12 levels" is appropriate in order to give actual performance*

targets and include commentary on why a number of KPIs are at static levels;

- *Quarterly KPI targets should be phased where appropriate;*
- *Include three years of performance targets across the KPIs;*
- *Confirm that Positively Wellington Tourism has appropriate health and safety policies in place to meet its responsibilities covering, as applicable, hazard identification and management, emergency planning, accident reporting and investigation management, contractor management and safe work procedures; and*
- *The Letter of Expectation discussed communication and access to information and the Trust's Statement of Intent needs, therefore, to reference the "no surprises" basis for operations and decision making and have a statement confirming the principles governing the relationship between the Council and the Trust.*

Wellington Museums Trust

- *Make links to other relevant Council strategies, e.g. recently adopted Arts and Culture Strategy;*
- *Include commentary on why visitor forecasts are static for Capital E, City Gallery and Museum of Wellington;*
- *Include more information on the specific strategies to address visitor numbers at the City Gallery;*
- *Outline plans to address the 2014/15 deficit;*
- *Provide updated plans regarding the Capital E redevelopment and the Plimmer's Ark project; and*
- *Confirm that the Trust has appropriate health and safety policies in place to meet its responsibilities covering, as applicable, hazard identification and management, emergency planning, accident reporting and investigation management, contractor management and safe work procedures.*

Wellington Zoo Trust

- *Add discussion on the Asia Precinct and Meet the Locals projects and what they will add to the current Zoo experience;*
- *Reflect the agreed Long Term Plan funding at that point in time and make comment on any potential impact on service provision and options to address this situation;*
- *Confirm that the Trust has appropriate health and safety policies in place to meet its responsibilities covering, as*

applicable, hazard identification and management, emergency planning, accident reporting and investigation management, and safe work procedures;

- *Recognising that the Trust manages contractors on behalf of Wellington City Council, confirm that it has an active process for considering health and safety issues at each stage of: pre-qualification of contractors, engagement of contractors, induction and monitoring of contractors, and a post project review of the contractor's performance;*
- *Include three years worth of performance targets; and*
- *Reinstate a performance measure around accessibility to Wellingtonians and one around income per visitor or Trust generated spend per visitor.*

- (b) *The draft Statements of Intent for the remaining Council Controlled Organisations will be presented to the Council Controlled Organisation Performance Subcommittee at its meeting on 23 April 2012.*

114/12P **REPORT OF THE COUNCIL CONTROLLED (10.40AM – 11.41AM)
ORGANISATION PERFORMANCE SUBCOMMITTEE
MEETING OF MONDAY 23 APRIL 2012**

Report of Alan Isaac, Chair, Council Controlled Organisations Performance Subcommittee

(1215/52/IM)

(REPORT 2)

1. **ITEM 016/12FM REVIEW OF DRAFT STATEMENTS OF
INTENT FOR COUNCIL CONTROLLED ORGANISATIONS
FOR THE YEAR 2012/13**

(1215/52/02/IM) REPORT 2)

Moved Councillor McKinnon, seconded Mayor Wade-Brown, the substantive motion.

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT Strategy and Policy Committee:

1. *Note that:*

- (a) *The Chair will write to each organisation, on the basis of the officer assessment provided in this cover report and as detailed below, requesting changes for final 2012/13 Statements of Intent for presentation to this Subcommittee at its meeting of 8 June 2012:*

Basin Reserve Trust

- *Discuss in depth the implications of having to operate within the current grant level of \$180k, along with details on the Trust's management duties that will not proceed as a result of pressure on the budget;*
- *Investigate having a relationship with Positively Wellington Venues in order to consider new opportunities to market the Basin Reserve further as an events space (without sacrificing its role as a first-class cricket venue);*
- *Outline the reasons for the increase in the annual management fee with Cricket Wellington and note the mechanism in place for negotiating and approving any changes;*
- *Confirm that the Trust has appropriate health and safety policies in place to meet its responsibilities covering, as applicable, hazard identification and management, emergency planning, accident reporting and investigation management, contractor management and safe work procedures;*
- *Recognising that the Trust manages contractors with funding provided by Wellington City Council, confirm that it has an active process for considering health and safety issues at each stage of: pre-qualification of contractors, engagement of contractors, induction and monitoring of contractors, and a post project review of the contractor's performance;*
- *Address the timing of work programmes required to complete the maintenance and renewal work identified in the Shand Shelton report, along with a detailed cost profile;*
- *If agreed, outline a procedure and time frame to work with officers on passing the deferred maintenance project to the Council's Project Management Office to manage the outstanding work programme and budgets in-house;*
- *Provide more detail on the development and implementation of an Asset Management Plan that the Statement of Intent notes is a 'matter of urgency', including a timeline for completion by the end of 2012/13; and*
- *Note preparations for the Cricket World Cup and other major events anticipated for 2013/14 and 2014/15, with high-level details on the nature of these opportunities and what work needs to be done in order to secure these events.*
- *Include in the final Statement of Intent a summary of the night time ground closure trial, including the process*

followed and evidence of the success of the trial, along with an appropriate recommendation.

Positively Wellington Venues Limited

- *Include a commitment to provide regular financial and progress updates on the development of temporary accommodation facilities ahead of the closure of the Town Hall in May 2013 to ensure that the project is running on time and within budget;*
- *Provide baseline measures for relevant Key Performance Indicators from which officers can assess progress;*
- *Include a mechanism or Key Performance Indicator for reporting the financial level of their community support and access;*
- *Reference a commitment to having a Council representative or officer as part of the decision-making and oversight process for the Sponsorship Portfolio and the new Performing Arts Foundation, together with details of the Performing Arts Foundation's Trust Deed, structure and accountabilities; and*
- *Include a reference to the relationship with Council as operating on a "no surprises" basis.*

Wellington Cable Car Limited

- *Include three years worth of performance targets;*
- *Include the matters required in order to meet LGA requirements (e.g. ratio of shareholders funds to assets, company accounting policies);*
- *Confirm that WCCL has appropriate health and safety policies in place to meet its responsibilities covering, as applicable, hazard identification and management, emergency planning, accident reporting and investigation management, contractor management and safe work procedures; and*
- *Add a timeline for the business continuity planning and documentation.*
- *It is noted that the draft business plan will be provided to the Council in May and has not been commented on in this report.*
- *Outline the Board's specific strategic vision for the Kelburn terminal development, including: how WCCL will benefit, how the community will benefit, and how broader strategic cooperation with the entities in the area has been factored into the proposed design.*

Wellington Waterfront Limited

- *Re-forecast the budget from the perspective of no increase to the current management fee to bring the budget in line with the \$1.075 million allocation that is in the draft Long Term Plan. Given the request for additional resourcing, the Statement of Intent needs to articulate more clearly how Wellington Waterfront Limited's work programme and budgeted expenditure could be prioritised to work within the current funding arrangements, and the impact both financial and non-financial of projects that do not come to fruition;*
- *Explain the impact, both financial and non financial, of the current proposed development for Site 10 not going ahead within the planned timeframe, or not going ahead at all;*
- *Provide relevant milestone dates where necessary for 2012/13 projects presented as Key Performance Indicators;*
- *Provide more specific detail on how the Company intends to maximise or increase commercial revenues on the waterfront over the next 10 years;*
- *Give more consideration and detail to the idea of managing events in the work programme, including an assessment of the risk management, resourcing requirements and whether or not such a focus is desirable and/or achievable for Wellington Waterfront Limited; and*
- *Confirm that Wellington Waterfront Limited has appropriate health and safety policies in place to meet its legal responsibilities covering, as applicable, hazard identification and management, emergency planning, accident reporting and investigation management, contractor management and safe work procedures.*

Wellington Regional Stadium Trust

- *Confirm that hazard management is included in the Stadium's Health and Safety policies.*
- *It is noted that the draft business plan will be provided to the Council in May and has not been commented on in this report.*

(b) The draft Statements of Intent for the other Council Controlled Organisations were considered by the Council

Controlled Organisation Performance Subcommittee at its meeting on 12 March 2012.

115/12P **LOCAL GOVERNMENT NEW ZEALAND** (11.41AM – 11.58AM)
CONFERENCE AND ANNUAL GENERAL MEETING, QUEENSTOWN, 15 – 17 JULY 2012
 Report of Luka Dujmovic, Committee Advisor
 (1215/52/IM) (REPORT 3)

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

(Mayor Wade-Brown left the meeting at 11.41am.)
 (Councillor Pepperell left the meeting at 11.41am.)
 (Councillor Pepperell returned to the meeting at 11.43am.)

Moved Councillor Gill, seconded Councillor Morrison, the following amendment.

THAT the Strategy and Policy Committee:

2. Approve the attendance of the Deputy Mayor and up to ~~three~~ **four** additional elected members at the Local Government New Zealand Conference to be held in Queenstown from 15 – 17 July 2012 and that the costs associated with attending the conference be met from the Elected Members' budget (GVEM01).

The amendment was put and declared CARRIED.

The substantive motion as amended was put and declared CARRIED.

Councillor McKinnon advised the meeting that he had received expression of interest from Councillors Ahipene-Mercer, Coughlan, Eagle and Foster to attend the Local Government New Zealand Conference.

Moved Councillor McKinnon, seconded Councillor Best, the motion that Councillors Ahipene-Mercer, Coughlan, Eagle and Foster attend the Local Government New Zealand Conference.

The motion was put and declared CARRIED.

Moved Councillor McKinnon, seconded Councillor Best, the motion that Councillor Foster be the alternate presiding delegate (in the event that the Deputy Mayor is absent from the floor of the meeting at any time).

The motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Approve the attendance of the Deputy Mayor and **Councillors Ahipene-Mercer, Coughlan, Eagle and Foster** as elected members at the Local Government New Zealand Conference to be held in Queenstown from 15 – 17 July 2012 and that the costs associated with attending the conference be met from the Elected Members' budget (GVEM01).*
3. *Note that Wellington City Council can appoint up to four delegates to attend the Local Government New Zealand Annual General Meeting on Sunday 15 July 2012.*
4. *Appoint the following delegates to attend the Local Government New Zealand Annual General Meeting to be held on Sunday 15 July 2012:*
 - (a) *Deputy Mayor McKinnon as its presiding delegate, with authority to exercise Wellington City Council's six votes;*
 - (b) ***Councillor Foster** as the alternate presiding delegate (in the event that the Deputy Mayor is absent from the floor of the meeting at any time), who shall be a Councillor; and*
 - (c) *two other delegates, who shall be Councillors*
5. *Note that a report back on the conference will be presented to the Strategy and Policy Committee in accordance with Council policy.*

The Resolution differs from the officer's recommendations as follows:

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

(Councillor Morrison left the meeting at 11.58am.)

(Councillor Gill left to the meeting at 11.58am.)

(Councillor Pepperell left the meeting at 11.58am.)

116/12P **SPICER FOREST – JOINT MANAGEMENT (11.58AM – 12.06PM)**
AGREEMENT WITH PORIRUA CITY COUNCIL
AND GREATER WELLINGTON REGIONAL COUNCIL
 Report of Mike Oates, Manager Open Space and Recreation Planning
 (1215/52/IM) (REPORT 4)

Moved Councillor Ritchie, seconded Councillor Best, the substantive motion.

The substantive motion recommendations 1, 2 and 4 were declared CARRIED.

The substantive motion recommendation 3 was declared LOST.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Recommend to the Council that it approve the recommendations of the Wastewater Treatment Plant and Landfill Joint Committee of the 11 April 2012 that:*
 - a. *The Councils agree to exit the joint management agreement for forestry with Greater Wellington Regional Council as of 30th June 2012 through a Deed of dissolution.*
 - b. *Compensation of \$393,689 be paid to Greater Wellington as full and final settlement for their loss of logging rights under the joint management agreement.*
 - c. *The compensation payment be paid by the Councils is based on their respective land areas covered by the joint management agreement: Wellington City Council pay \$220,336 and Porirua City Council \$173,353.*
 - d. *Any income received from logging as part of the Meridian Access Road be used to investigate and develop recreational activities and facilities within Spicer Forest.*
- ~~3. *Note that the compensation will be funded from the dividend the Council receives from the Joint Venture.*~~
4. *Note that the future management of and responsibility for Spicer Forest will be considered during the deliberations on the formation of a Council Controlled Trading Organisation (CCTO) to jointly manage solid waste services between Wellington City Council and Porirua City Council.*

NOTED:

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

The Committee did not approve recommendation 3.
(Councillor Pepperell returned to the meeting at 11.59am.)
(Councillor Gill returned to the meeting at 12.02pm.)
(Councillor Ahipene-Mercer left the meeting at 12.07pm.)
(Councillor Ahipene-Mercer returned to the meeting at 12.09pm.)

(The meeting adjourned for lunch at 12.15pm and reconvened at 12.52pm.)

(Councillors Ahipene-Mercer, Best, Cook, Foster, Gill, Lester, Pannett, Pepperell and Ritchie were present when the meeting reconvened.)

117/12P **RESOLUTION TO EXCLUDE THE PUBLIC**
(1215/52/IM)

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

(Councillor McKinnon returned to the meeting at 12.53pm.)

Moved Councillor Pannett, seconded Councillor Cook, the following amendment.

Resolution to Exclude the Public – Report 5

THAT the Strategy and Policy Committee:

Agree to debate and decide Report 5 in open and make Report 5 publicly available subject to withholding the specific parts of the report that contain legal advice in order to maintain legal professional privilege under section 7 (2) (g).

(Councillor Morrison returned to the meeting at 1.07pm.)

(Councillor Eagle returned to the meeting at 1.13pm.)

The amendment was put and a DIVISION called:

Voting for: Councillors Cook, Eagle, Lester, McKinnon, Morrison and Pannett.

Voting against: Councillors Ahipene-Mercer, Best, Foster, Gill, Pepperell and Ritchie

Vote: 6:6

The amendment was declared **LOST** on the Chair's **CASTING VOTE**.

The substantive motion was put and a **DIVISION** called:

Voting for: Councillors Ahipene-Mercer, Best, Foster, Gill,
Pepperell and Ritchie

Voting against: Councillors Cook, Eagle, Lester, McKinnon, Morrison
and Pannett.

Vote: 6:6

The substantive was declared **CARRIED** on the Chair's **CASTING VOTE**.

RESOLVED:

THAT the Strategy and Policy Committee:

- 1. Pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, resolve that the public be excluded from the following part of the proceedings of this meeting namely:*

Report 5 - High Court Decision: 55-85 Curtis Street, Karori

Grounds: Section 48(1) (a) that public conduct of the whole or the relevant part of the proceedings of the meeting 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)(g) maintain legal professional privilege

The meeting went into public excluded session at 1.29pm.

For item 118/12P please see the public excluded minutes.

The meeting concluded at 2.58pm.

Confirmed: _____
Chair
/ /