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**MINUTES**

**THURSDAY 16 APRIL 2009**

**9.23 – 9.24AM**

**2.53 – 3.03PM**

**Council Chamber  
First Floor, Town Hall  
Wakefield Street  
Wellington**

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**PRESENT:**

Mayor Prendergast  
Councillor Ahipene-Mercer  
Councillor Best  
Councillor Gill  
Councillor McKinnon  
Councillor Morrison  
Councillor Pannett  
Councillor Pepperell  
Councillor Ritchie  
Councillor Wade-Brown  
Councillor Wain

**APOLOGIES:**

Councillor Cook  
Councillor Coughlan  
Councillor Foster  
Councillor Goulden

(The meeting convened at 9.23am Mayor Prendergast, Councillors Ahipene-Mercer, Best, Gill, McKinnon, Morrison, Pannett, Pepperell, Ritchie, Wade-Brown and Wain were present.)

034/09C **ADJOURNMENT OF MEETING**  
(1215/11/IM)

**Moved Mayor Prendergast, seconded Ahipene-Mercer the motion that the Council meeting adjourn to reconvene at the conclusion of the Strategy and Policy Committee meeting.**

**The motion was put and declared CARRIED on voices.**

**RESOLVED:**

*THAT Council:*

1. *Adjourn until the conclusion of the Strategy and Policy Committee meeting.*

(The meeting adjourned at 9.24am.)

(The meeting reconvened at 2.53pm. Mayor Prendergast, Councillors Ahipene-Mercer, Best, Gill, McKinnon, Morrison, Pannett, Pepperell, Ritchie, Wade-Brown and Wain were present when the meeting reconvened.)

035/09C **APOLOGIES**  
(1215/11/IM)

**Moved Mayor Prendergast, seconded Councillor McKinnon the motion that apologies for absence be accepted from Councillors Cook, Coughlan, Foster and Goulden.**

**The motion was put and declared CARRIED on voices.**

**RESOLVED:**

*THAT Council:*

1. *Accept apologies for absence from Councillors Cook, Coughlan, Foster and Goulden.*

036/09C **PUBLIC PARTICIPATION**  
(1215/11/IM)

**NOTED:**

There was no public participation.

037/09C **ANNOUNCEMENTS BY THE MAYOR**  
(1215/11/IM)

**NOTED:**

1. There were no announcements from the Mayor.

038/09C **PETITIONS**  
(1215/11/IM)

**NOTED:**

There were no petitions.

039/09C **CONFLICT OF INTEREST DECLARATIONS**  
(1215/11/IM)

**NOTED:**

1. Councillor McKinnon declared a conflict of interest in relation to Report 2 Report of the Strategy and Policy Committee - Meeting of Thursday 16 April 2009, Extension of the Council Commitment to the New Zealand School of Music. He advised that he would not take part in discussion or debate on the matter.

## **Reports from Committees – Part A**

### **Committee Decisions requiring Council approval.**

040/09C **REPORT OF THE STRATEGY AND POLICY COMMITTEE**  
**Meeting of Thursday 9 April 2009**  
(1215/11/IM) (REPORT 1)

1. **ITEM 064/09P ANNUAL REPORT ON DOG CONTROL IN WELLINGTON CITY FOR THE YEAR 1 JULY 2007 TO 30 JUNE 2008**  
(1215/52/IM) (REPORT 4)

**Moved Councillor Pannett, seconded Councillor Best the substantive motion.**

**The substantive motion was put.**

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Gill, McKinnon, Morrison, Pannett, Pepperell, Ritchie, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 11:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Agree to the report on the Council's policy and practices in relation to the control of dogs for the year 1 July 2007 to 30 June 2008 attached as appendix 1 to the report of the Committee.*

(Councillor McKinnon withdrew from the table due to a conflict of interest.)

041/09C **REPORT OF THE STRATEGY AND POLICY COMMITTEE**  
**Meeting of Thursday 16 April 2009**  
(1215/11/IM) (REPORT 2)

1. **ITEM 070/09P EXTENSION TO THE COUNCIL COMMITMENT TO THE NEW ZEALAND SCHOOL OF MUSIC PROPOSAL**  
(1215/52/IM) (REPORT 1)

**The substantive motion recommendations 4 and 7 were put.**

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Gill, Morrison, Pannett, Wade-Brown and Wain.

Voting against: Councillors Pepperell and Ritchie.

Majority Vote: 8:2

**The substantive motion recommendations 4 and 7 were declared CARRIED.**

**The substantive motion recommendations 1, 2, 3, 5 and 6 were put.**

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Gill, Morrison, Pannett, Ritchie, Wade-Brown and Wain.

Voting against: Councillor Pepperell.

Majority Vote: 9:1

**The substantive motion recommendations 1, 2, 3, 5 and 6 were declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Receive the information.*
2. *Note that on 23 September 2004 the Council agreed to the proposal to locate a national school of music on the Circa/Ilott site, and offered the site to the universities for 99 years at a peppercorn rent, subject to a number of specific conditions. The Council also delegated authority to the Chief Executive to negotiate an agreement with Massey and Victoria universities, and monitor compliance with and progress against this agreement.*
3. *Note that on 27 March 2008, Council agreed to extend its offer of the Circa/Ilott site for a further 12 months and requested the partnering agreement be amended to contain a number of new terms and conditions. The partnering agreement remains in draft awaiting the results of stage 2 due diligence.*
4. *Note that significant progress has been made since March 2008 including the development of the Strategic Brief, Business Case, appointment of the architects, acoustician, theatre planner and engineers and initiation of Stage 2 of the project (Concept Design).*
5. *Agree to establish a design review panel to provide a recommendation to the Chief Executive for decisions about the School of Music Concept Design and Final designs, according to the terms of reference attached in Appendix 1 of the officers report.*
6. *Note that the Chief Executive will present the preferred concept design to the Strategy and Policy Committee for its information.*
7. *Agree to extend its commitment to the proposal through to 31 March 2011, subject to a project review after 12 months whereby Council's Chief Executive is delegated with the authority to extend the offer for*

*the further 12 month period if the Chief Executive is satisfied with progress.*

042/09C **QUESTIONS**  
(1215/11/IM)

**NOTED:**

There were no questions.

043/09C **RESOLUTION TO EXCLUDE THE PUBLIC**  
(1215/11/IM)

**Moved Mayor Prendergast, seconded Councillor McKinnon the motion to exclude the public.**

**The motion was put.**

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Gill, McKinnon, Morrison, Pannett, Ritchie, Wade-Brown and Wain.

Voting against: Councillor Pepperell.

Majority Vote: 10:1

**The motion was declared CARRIED.**

**RESOLVED:**

*THAT 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:*

*Report 3 – Report of Strategy and Policy Committee Meeting of Thursday 16 April 2009*

*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)(a) to protect the privacy of natural persons*

*Section 7.2(b)(ii) to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or is the subject of the information*

2. *Permit James Ogden to remain at this meeting, after the public has been excluded because of his knowledge of Report 3 – Report of the Strategy and Policy Committee Meeting of Thursday 16 April 2009 as this knowledge, may be of assistance in relation to the matter being discussed.*

The meeting went into public excluded session at 2.58pm.

For item 043/09C, please see the public excluded minutes.

The meeting concluded at 3.03pm.

Confirmed: \_\_\_\_\_  
Chair  
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