
MINUTES

THURSDAY 19 NOVEMBER 2009

**9.17AM – 9.18AM
12.53PM – 12.55PM**

**Committee Room 1
Council Offices, Ground Floor
101 Wakefield St
Wellington**

PRESENT:

Mayor Prendergast (9.17am – 9.18am, 12.53pm – 12.55pm)
Councillor Ahipene-Mercer (9.17am – 9.18am)
Councillor Best (12.53pm – 12.55pm)
Councillor Cook (12.53pm – 12.55pm)
Councillor Coughlan (12.53pm – 12.55pm)
Councillor Foster (9.17am – 9.18am, 12.53pm – 12.55pm)
Councillor Gill (9.17am – 9.18am, 12.53pm – 12.55pm)
Councillor Goulden (9.17am – 9.18am, 12.53pm – 12.55pm)
Councillor McKinnon (9.17am – 9.18am, 12.53pm – 12.55pm)
Councillor Morrison (9.17am – 9.18am, 12.53pm – 12.55pm)
Councillor Pannett (12.53pm – 12.55pm)
Councillor Pepperell (9.17am – 9.18am, 12.53pm – 12.55pm)
Councillor Ritchie (9.17am – 9.18am, 12.53pm – 12.55pm)
Councillor Wade-Brown (9.17am – 9.18am, 12.53pm – 12.55pm)
Councillor Wain (9.17am – 9.18am, 12.53pm – 12.55pm)

140/09C **ADJOURNMENT OF MEETING**
(1215/11/IM)

Moved Mayor Prendergast, seconded Councillor Morrison, the motion that the Council meeting adjourn until the conclusion of the Strategy and Policy Committee meeting and the Regulatory Processes 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 and the Regulatory Processes Committee meeting.*

(The meeting adjourned at 9.18am.)

(The meeting reconvened at 12.53pm.)

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

141/09C **APOLOGIES**
(1215/11/IM)

NOTED:

There were no apologies.

142/09C **PUBLIC PARTICIPATION**
(1215/11/IM)

NOTED:

There was no public participation.

143/09C **ANNOUNCEMENTS BY THE MAYOR**
(1215/11/IM)

NOTED:

There were no announcements.

144/09C **CONFLICT OF INTEREST DECLARATIONS**
(1215/11/IM)

NOTED:

There were no conflicts of interest declared.

Reports from Committees – Part A – Committee Decisions requiring Council approval.

145/09C **REPORT OF THE STRATEGY AND POLICY COMMITTEE**
Meeting of Tuesday 17 November 2009
(1215/11/IM) (REPORT 1)

1. **ITEM 226/09P MARANUI SURF CLUB BUILDING AND LYALL
BAY BEACH BUILDINGS**
(1215/52/IM) (REPORT 2)

**Moved Councillor Morrison, seconded Councillor McKinnon the
substantive motion.**

The substantive motion was put.

Voting for: Mayor Prendergast, Councillors Best, Cook, Coughlan,
Foster, Gill, Goulden, McKinnon, Morrison, Pepperell,
Ritchie, Wade-Brown and Wain.

Voting against: Councillor Pannett.

Majority vote: 13:1

The substantive motion was declared CARRIED.

RESOLVED:

THAT Council:

1. *See Part B.*
2. *Agree to transfer the ownership of the Maranui Surf Lifesaving Club building (currently owned by Council) to the Maranui Surf Lifesaving Club or, with the approval of the Chief Executive of Wellington City Council, its nominee (such as a charitable trust set up by the Maranui Surf Lifesaving Club).*

3. *Agree that the transfer under recommendation 2 is subject to the following conditions:*
 - (a) *the Maranui Surf Lifesaving Club (or nominee) is responsible for the reinstatement of the building including for obtaining (and meeting the costs of) all regulatory consents;*
 - (b) *the building must be restored to a compliant and operating standard within 18 months of the building transfer date;*
 - (c) *the \$350,000 (excl GST) contributed for the purpose of building restoration is the Council's full and final contribution to the reinstatement of the building and includes any costs incurred by the Maranui Surf Lifesaving Club (or nominee) for earthquake strengthening and accessibility;*
 - (d) *the Maranui Surf Lifesaving Club (or nominee) cannot sell or otherwise transfer the building to any party other than the Council;*
 - (e) *the Maranui Surf Lifesaving Club will continue to be based within the building and offer surf lifesaving services for the benefit of Wellington City;*
 - (f) *the Maranui Surf Lifesaving Club (or nominee) is responsible for all building maintenance and asset management;*
 - (g) *the Maranui Surf Lifesaving Club and Council mutually agree that the current premises lease dated 21 October 2008 will terminate;*
 - (h) *a ground lease is granted to the Maranui Surf Lifesaving Club (or nominee) for the area of the building footprint on terms and conditions satisfactory to the Council;*
 - (i) *the Council and the Maranui Surf Lifesaving Club will meet their respective legal costs.*
4. *Agree to delegate the negotiation and documentation of the terms and conditions of the transfer in accordance with the conditions in recommendations 2 and 3 to the Chief Executive.*
5. *Note that the decision to grant a ground lease to the Maranui Surf Lifesaving Club for the area of the building footprint will be considered and determined by the Regulatory Processes Committee.*
6. *Note that the Chief Executive Officer will exercise his delegation to fund \$350,000 (excl GST) from the Self Insurance Fund towards the reinstatement of the Maranui Surf Lifesaving*

Club to be used in accordance with the terms and conditions in recommendation 3.

7. *Agree that, subject to the completion of a new Lyall Bay Surf Lifesaving Club being built which incorporates new public toilets, the Council-owned Lyall Bay number two building be removed.*
8. *See Part B.*
9. *See Part B.*
10. *See Part B.*

146/09C **REPORT OF THE REGULATORY PROCESSES COMMITTEE**
Extraordinary Meeting of Thursday 19 November 2009
(1215/11/IM) (REPORT 2)

NOTED:

There was no business from the Regulatory Processes Committee requiring Council approval.

Reports from Committee - Part B – Committee decisions for Council to note.

147/09C **RECEIPT OF INFORMATION FOR NOTING FROM COMMITTEES**
(1215/11/IM)

Moved Mayor Prendergast, seconded Councillor Wain, the motion that Council receive the information for noting from Report 3 - Strategy and Policy Committee Meeting of Tuesday 17 November 2009 and Report 4 - Regulatory Processes Committee Extraordinary Meeting of Thursday 19 November 2009.

The motion was put:

Voting for: Mayor Prendergast, Councillors Best, Cook, Coughlan, Foster, Gill, Goulden, McKinnon, Morrison, Pannett, Pepperell, Ritchie, Wade-Brown and Wain.

Voting against: Nil.

Majority vote: 14:0

The motion was declared CARRIED.

RESOLVED:

THAT Council:

1. *Receive the information for noting from Report 3 - Strategy and Policy Committee Meeting of Tuesday 17 November 2009 and Report 4 - Regulatory Processes Committee Extraordinary Meeting of Thursday 19 November 2009.*

REPORT OF THE STRATEGY AND POLICY COMMITTEE

Meeting of Tuesday 17 November 2009

(1215/11/IM)

(REPORT 3)

ITEM 226/09P MARANUI SURF CLUB BUILDING AND LYALL BAY BEACH BUILDINGS

(1215/52/IM) (REPORT 2)

THAT the Strategy and Policy:

1. *Receive the information.*
2. *See Part A.*
3. *See Part A.*
4. *See Part A.*
5. *See Part A.*
6. *See Part A.*
7. *See Part A.*
8. *Agree that, subject to the Lyall Bay Surf Lifesaving Club gaining capital funding and regulatory consents, officers continue to work with the Lyall Bay Surf Lifesaving Club regarding its proposal to build a new surf club building and to incorporate new public toilets into the building.*
9. *Note that if public toilets are incorporated into the new Lyall Bay Surf Lifesaving Club building there will be a capital cost to the Council of approximately \$250,000 - \$300,000 and this will be ~~included in~~ considered in addition to any New Initiative presented by the Lyall Bay Surf Lifesaving Club as part of the draft 2010/11 Annual Plan.*
10. *Note the proposed Lyall Bay Surf Club Building has an estimated construction cost of \$1.8million excluding public toilets.*

REPORT OF THE REGULATORY PROCESSES COMMITTEE
Extraordinary Meeting of Thursday 19 November 2009
(1215/11/IM)

(REPORT 4)

**ITEM 072/09RP MARANUI SURF CLUB BUILDING AND LYALL
BAY BEACH BUILDINGS – PROPOSAL TO CONSIDER A LEASE TO
THE MARANUI SURF LIFE SAVING CLUB INCORPORATED**
(1215/53/IM) (REPORT 1)

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Agree that any approval to grant a new ground lease is conditional on Council approval of the transfer of ownership of the Maranui building to the Maranui Surf Life Saving Club (or Council approved nominee), and the conditions of transfer being documented to the Chief Executives satisfaction.*
3. *Approve, subject to the terms and conditions noted below, the granting of a new ground lease to Maranui Surf Life Saving Club, or with the approval of the Chief Executive its nominee in accordance with the Local Government Act 2002.*
4. *Note that the terms of the lease are:*
 - Location: Lyall Bay Parade*
 - Leased Area: Footprint of the Maranui Surf Life Saving Club building*
 - Term: Ten years and one right of renewal for ten years*
 - Annual rent: \$2,600 per annum plus GST*
 - Sub lease: Limited to the first floor of the building to Maranui Café Limited.*

148/09C **QUESTIONS**
(1215/11/IM)

NOTED:

There were no questions.

The meeting concluded at 12.55pm.

Confirmed: _____
Chair
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