
MINUTES

THURSDAY 22 MAY 2008

9.15AM

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

PRESENT:

Mayor Prendergast (Chair)
Councillor Ahipene-Mercer
Councillor Best (9.18am – 2.07pm)
Councillor Cook (9.15am – 12.30pm, 1.03 – 2.07pm)
Councillor Coughlan
Councillor Foster (9.40am – 2.07pm)
Councillor Gill (9.15 – 10.32am, 10.47am – 1.57pm)
Councillor Goulden (9.15 – 10.32am, 10.47 – 1.40pm, 1.50 – 2.07pm)
Councillor McKinnon
Councillor Morrison
Councillor Pannett
Councillor Pepperell (9.15 – 10.26am, 10.45am – 1.56pm, 2.04 -2.07pm)
Councillor Ritchie (9.15 – 11.22am, 12.24 – 12.28pm)
Councillor Wade-Brown (9.35am – 2.07pm)
Councillor Wain (9.18am -2.07pm)

APOLOGIES:

Councillor Gill (early departure)

143/08P **APOLOGIES**
(1215/52/IM)

RESOLVED:

THAT the Strategy and Policy Committee:

- 1. Accept apologies for an early departure from Councillor Gill.*

144/08P **CONFLICT OF INTEREST DECLARATIONS**
(1215/52/IM)

NOTED:

There were no conflicts of interest declared.

145/08P **PUBLIC PARTICIPATION**
(1215/52/IM)

NOTED:

There was no public participation.

146/08P **OPEN SPACES BYLAW: HEARING OF ORAL HEARINGS**
(1215/52/IM) (REPORT 1)

(Councillors Best and Wain joined the meeting at 9.18am.)

NOTED:

1. Jessica Closson addressed the Committee and noted that the impacts of the brothel at 103 Pirie Street were not properly considered when consent was granted. She feels that section 15 of the Prostitution Reform Act was not considered by officers and asked for an immediate review.

(Councillor Wade-Brown joined the meeting at 9.35am.)

2. Kay Jones addressed the Committee and expressed concern at the anonymous campaign against the brothel at 103 Pirie Street. She feels the proposed bylaw is too restrictive and it is not the Council's place to dictate morals in an area.

(Councillor Foster joined the meeting at 9.40am.)

3. Rachael Hampton addressed the Committee and advised that she is a nanny and works in Mount Victoria. She noted she does not feel comfortable walking the children she looks after to and from school past the brothel on 103 Pirie Street.
4. David Lee addressed the Committee and asked that the proposed bylaw be amended to exclude sex premises from all residential areas. He feels the brothel on 103 Pirie Street has affected property values in the area and the consent process has failed the residents of Mount Victoria.

5. Patrick McCombs on behalf of the Mt Victoria Residents Association addressed the Committee. He noted the Association would like to see evidence that when consent was granted for the brothel at 103 Pirie Street, the Prostitution Reform Act was considered. The Association would like to see a bylaw similar to the one approved in Hamilton in Wellington.
6. Kent Duston addressed the Committee and noted the brothel at 103 Pirie Street has had a direct negative impact on him and his wife. He questioned how the Council monitors residential commercial brothels to ensure they are rated correctly. Mr Duston requested a review of the consent and a moratorium on further residential brothels.

(Councillor Pepperell left the meeting at 10.26am.)

(The Committee adjourned at 10.32am for morning tea. When the meeting reconvened at 10.45am Councillors Gill and Goulden were not present.)

(Councillors Gill and Goulden returned to the meeting at 10.47am.)

7. Catherine Healy speaking on behalf of the New Zealand Prostitutes Collective addressed the Committee. She congratulated Wellington for the fair treatment of brothels in the city and noted it is important that sex workers have freedom to work. Ms Healy noted that the issues in Mount Victoria do not need a bylaw to fix.
8. Kristen Foley speaking on behalf of Regional Public Health addressed the Committee. He asked that the proposed bylaw expand public smoke free spaces. Mr Foley suggested Council support and promote smoke free events and a broader smoke free policy. He noted there are a number of covered lanes in Wellington and Regional Public Health would like these to be smoke free also.

147/08P

**STATEMENT OF PROPOSED LIQUOR CONTROL BYLAW:
HEARING OF ORAL HEARINGS**

(1215/52/IM)

(REPORT 2)

NOTED:

1. Patricia Norton addressed the Committee and noted police need guidelines so they can appropriately enforce the bylaw. Ms Norton feels that the consumption of alcohol in public should be controlled but not the possession of alcohol.

148/08P **ADVISORY GROUPS – REVISED TERMS OF REFERENCE**
 Report of Adele Gibson, Senior Policy Advisor.
 (1215/52/IM) (REPORT 6)

Moved Councillor McKinnon, seconded Councillor Cook, the substantive motion with amendments as follows to the Pacific Advisory Group Terms of Reference.

“Meetings

Frequency

The full PAG shall meet **up to 12 times a year.”**

(Councillor Ritchie left the meeting at 11.22am.)

The substantive motion was put and declared CARRIED.

RESOLVED AND RECOMMENDED TO COUNCIL:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Recommend that Council agree to the amendments to the Environmental Reference Group’s Terms of Reference (attached as Appendix 1 (as amended) to the report).*
3. *Recommend that Council agree to the amendments to the Pacific Advisory Group’s Terms of Reference (attached as Appendix 2 (as amended) to the report).*
4. *Note that further work is underway to review the Road Safety Reference Group.*

NOTED:

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

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

149/08P **2008 SISTER CITIES CONFERENCE – REPORT BACK**
 Report of Councillor Wain.
 (1215/52/IM) (REPORT 7)

Moved Councillor Wain, seconded Councillor Pannett, the substantive motion.

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*

150/08P **COMMUNITIES FOR CLIMATE FORUM REPORT BACK**
Report of Mayor Prendergast, Councillor Ahipene-Mercer and Councillor Wade-Brown.
(1215/52/IM) (REPORT 8)

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

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*

151/08P **STATEMENT OF PROPOSED LIQUOR CONTROL BYLAW:
HEARING OF ORAL HEARINGS (CONTINUED)**
(1215/52/IM) (REPORT 2)

NOTED:

1. Murray King addressed the Committee and expressed concern that the scope of the proposed bylaw is too wide and makes normal behaviour illegal. Mr King noted he would like to see the bylaw cover public drinking and open containers but exclude unopened containers.
2. Daphne Carvalho addressed the Committee and noted that as a resident of Aro Valley, she regularly sees people drinking in Aro Park walking to and from work. She noted her support for the proposed bylaw and would like Aro Valley included in the bylaw. Ms Carvalho expressed concern that people drinking in Aro Park will move to an area not controlled by the bylaw.
3. Paul O'Neil addressed the Committee and noted his general support for the proposed bylaw but feels it is a blunt instrument. Mr O'Neil expressed concern that the problem had not been properly defined. He also expressed concern that the police will not be able to enforce the bylaw and there could also be an issue of displacement.

4. Vorry Mahal addressed the Committee and expressed concern that the proposed bylaw will force people to drink in uncontrolled areas. Ms Mahal noted she would rather find ways to help the people who are drinking in Aro Park rather than force them to move to different areas.
5. Warren Charlton speaking on behalf of the Oriental Bay Residents Association addressed the Committee. He noted the Association's support for the proposed bylaw but requested that the system and signage remain simple. The Association would prefer an evening liquor ban to a 24/7 ban so people can still enjoy a quiet drink at Oriental Bay.
6. Colin Carr addressed the Committee and noted his strong support for the proposed bylaw. Mr Carr requested that the ban be extended to the feeder streets of Mount Victoria. He noted a number of people drink at home then walk these streets to go to Courtenay Place in the weekend. Mr Carr felt it is important to keep the ban simple and 24/7 is the best way to do this.
7. Karen Smyth addressed the Committee and noted she does not want the boxes in her submission ticked. Ms Smyth noted she would like to see some responsibility from bars in Courtenay Place for part of the problem. She noted she would like to see a city wide ban. She would also like to see evidence how the current ban is working as she feels a liquor control is a simplistic tool.
8. Phaedra Brice addressed the Committee and noted with the people drinking in Aro Park, she does not feel safe walking through. She feels the park is no longer safe for young children to play in. Ms Brice expressed her support for the proposed bylaw.

152/08P **ANNUAL REPORT ON DOG CONTROL IN WELLINGTON CITY FOR THE YEAR 1 JULY 2006 – 30 JUNE 2007**
 Report of Alison Box – Manager Public Health – Risk, Contents & Licensing.
 (1215/52/IM) (REPORT 3)

(Councillor Ritchie returned to the meeting at 12.24pm.)

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

(Councillor Ritchie left the meeting at 12.28pm.)

The substantive motion was put and declared CARRIED.

RESOLVED AND RECOMMENDED TO COUNCIL:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Agree to refer the attached report on the Council's policy and practices in relation to the control of dogs for the year 1 July 2006 to 30 June 2007 to Council for adoption.*
3. *Note that the report is required under Section 10A of the Dog Control Act 1996 and that Section 10A requires that the report be publicly notified and a copy provided to the Department of Internal Affairs.*
4. *Recommend to Council that it:*
 - a) *Agree to adopt the report on the Council's policy and practices in relation to the control of dogs for the year 1 July 2006 to 30 June 2007.*
 - b) *Note that the report is required under Section 10A of the Dog Control Act 1996 and that Section 10A requires that the report be publicly notified and a copy provided to the Department of Internal Affairs.*

(The Committee adjourned at 12.30pm for lunch. When the Committee and reconvened at 1.00pm Councillors Cook and Ritchie were not present.)

153/08P

**STATEMENT OF PROPOSED LIQUOR CONTROL BYLAW:
HEARING OF ORAL HEARINGS (CONTINUED)**

(1215/52/IM)

(REPORT 2)

NOTED:

1. Michael Taylor addressed the Committee and noted not all public drinking is a problem. Mr Taylor noted he would like to see a comparative study before the bylaw is passed. He would like to see possession dropped from the bylaw and change this to possession with the intent to consume.

(Councillor Cook returned to the meeting at 1.03pm.)

2. Robin Cohen addressed the Committee and noted she lives across the street from Aro Park and there is always a group drinking in the park. Ms Cohen feels this group attracts fringe groups which often results in anti-social behaviour. Ms Cohen expressed her support for a 24/7 bylaw and feels this will help the problem in Aro Park.
3. Dennis Welch addressed the Committee and expressed his concern for a 24/7 liquor ban. He notes there are always people drinking in Aro Park and the only people who use the park now are only walking through. Mr Welch noted he would like to see some discretion over the enforcement of the bylaw.

4. Stephanie McIntyre speaking on behalf of the Downtown Community Ministry addressed the Committee. She noted that the issues of public drinking are complex and it is important to get to the bottom of the problem. Ms McIntyre questioned what other strategies will be used to stop people drinking in the streets. She suggested exploring a 'wet garden' option.

(Councillor Goulden left the meeting at 1.40pm.)

154/08P **APPROVAL FOR A RETAINING WALL ON TOWN BELT AT WILKINSON STREET, ORIENTAL PARADE**
 Report of Lucy Ross, Acting Team Leader Community Purpose Property.
 (1215/52/IM) (REPORT 5)

Moved Councillor Wade-Brown, seconded Councillor Morrison, the substantive motion.

(Councillor Goulden returned to the meeting at 1.50pm.)

The substantive motion was put and declared CARRIED.

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Approve the granting of the easements (as identified in the plan attached as Appendix A to the officers report) for a retaining wall over part of the Wellington Town Belt in favour of the property at 9 Wilkinson Street, Oriental Parade, pursuant to the Town Belt Management Plan 1995 and Section 48 of the Reserves Act 1977.*
3. *Note that:*
 - a) *Minister of Conservation consent is not required as the granting of easements over Town Belt land is provided for in the Town Belt Management Plan;*
 - b) *The requirement for public advertising under Section 48(2) of the Reserves Act 1977 can be waived in accordance with Section 48(3) of the Reserves Act 1977, as the Town Belt is not likely to be materially altered or permanently damaged and the rights of the public will not be affected by the granting of the easement;*
 - c) *The legal and survey costs associated with the preparation and registering of this easement will be borne by the Council.*

155/08P **SUBMISSION ON REGIONAL WALKING PLAN**
 Report of Greg Campbell – Principal Transport Planner and Paul Barker,
 Programme Manager, TDM and Safety.
 (1215/52/IM) (REPORT 4)

(Councillor Pepperell left the meeting at 1.56pm.)

(Councillor Gill left the meeting at 1.57pm.)

Moved Councillor Foster, seconded Councillor Wade-Brown, the substantive motion with amendments as follows to the submission.

“New section:

3.4 Contribution of Territorial Authorities to Walking to School Programmes

The table of actions in the draft Plan includes the following:

Encourage Walking to School

Promote and encourage walking to school with an on-going emphasis on development of walking habits through:

1. School Travel Plans and communications that promote the benefits of walking to school
2. Infrastructure improvements including enhanced pedestrian provision, and parking and speed restrictions around schools
3. Road safety skills for children
4. Walking school buddies and buses

The Council would like to point out that TAs contribute to all of these actions, not just item 2 as set out in the current draft. The ‘Responsibility’ column of this table should therefore be amended accordingly.

Include comment about the importance of compact well planned urban form in promoting walkability.”

The substantive motion as amended was put and declared CARRIED.

(Councillor Pepperell returned to the meeting at 2.04pm.)

RESOLVED:

THAT the Strategy and Policy Committee:

1. *Receive the information.*

2. *Approve the submission as **amended** (attached as appendix one of the officers report) on the draft Regional Walking Plan.*

NOTED:

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

1. The Committee added the text in **bold**.
2. Councillor Pannett requested her dissenting vote be recorded.

The meeting concluded at 2.07pm.

Confirmed: _____
Chair
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