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**MINUTES**

**WEDNESDAY 10 OCTOBER 2007**

**5.32pm**

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

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**PRESENT:**

Mayor Prendergast  
Councillor Ahipene-Mercer  
Councillor Cook  
Councillor Foster  
Councillor Gill  
Councillor Goulden  
Councillor McKinnon  
Councillor Morrison  
Councillor Pepperell  
Councillor Ritchie  
Councillor Ruben  
Councillor Shaw (5.32 – 6.34pm, 6.35 – 6.58pm)  
Councillor Wade-Brown  
Councillor Wain

**APOLOGIES:**

Councillor Armstrong

163/07C **APOLOGIES**  
(1215/11/IM)

**Moved Mayor Prendergast, seconded Councillor Foster, the motion that Council accept apologies for absence from Councillor Armstrong.**

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

**RESOLVED:**

*THAT Council:*

- 1. Accept apologies for absence from Councillor Armstrong.*

164/07C **CONFIRMATION OF MINUTES**  
(1215/11/IM)

**Moved Mayor Prendergast, seconded Councillor Morrison the motion that Council approve the minutes of the meetings held on Wednesday 26 September 2007 having been circulated, be taken as read and confirmed as an accurate record of that meeting.**

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

**RESOLVED:**

*THAT Council*

- 1. Approve the minutes of the meeting held on Wednesday 26 September 2007 having been circulated, be taken as read and confirmed as an accurate record of those meetings.*

165/07C **PUBLIC PARTICIPATION**  
(1215/11/IM)

**NOTED:**

There was no public participation

166/07C **ANNOUNCEMENTS BY THE MAYOR**  
(1215/11/IM)

**NOTED:**

There were no announcements from the Mayor.

167/07C **PETITIONS**  
(1215/11/IM)

**NOTED:**

There were no petitions.

168/07C **CONFLICT OF INTEREST DECLARATIONS**  
(1215/11/IM)

**NOTED:**

1. Councillor Gill advised that she had a conflict of interest over Report 5 “Decision on District Plan Change 53: Proposed Additions and Deletions to Heritage Buildings, Objects and Areas” and advised that she would not take part in debate or voting on the matter.
2. Councillor Morrison advised that he had a conflict of interest over Report 5 “Decision on District Plan Change 53: Proposed Additions and Deletions to Heritage Buildings, Objects and Areas” and advised that he would not take part in debate or voting on the matter.
3. Councillor Ritchie advised that she had a conflict of interest over Report 4 “Decision on District Plan Change 48: Central Area Review” and advised that she would not take part in debate or voting on the matter.

## **General Business**

- 169/07C **GRANTING OF NEW LEASE TO THE NEW ZEALAND AFFORDABLE ART TRUST INCORPORATED OCCUPYING WELLINGTON OPEN SPACE LAND**  
Report of Glenn McGovern – Recreation Projects Manager, City Services and Events and David Shaw – Property Adviser, Community Purpose Property.  
(1215/11/IM) (REPORT 1)

**Moved Councillor Gill, seconded Councillor Wade-Brown, the substantive motion.**

**The substantive motion was put.**

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Cook, Foster, Gill, Goulden, McKinnon, Morrison, Pepperell, Ritchie, Ruben, Shaw, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 14:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Receive the information.*
2. *Approve, subject to the conditions noted below, the granting of a new lease to the following group under the Local Government Act 2002:*

<i>Group</i>	<i>Type of Lease</i>	<i>Location</i>	<i>Term (years)</i>	<i>Annual Rent (GST exclusive)</i>
<i>The New Zealand Affordable Art Trust Inc</i>	<i>Premises</i>	<i>Lyall Bay Parade</i>	<i>3 + 2</i>	<i>\$67 Maintenance Fee</i>

*Note that any approval to grant a new lease will be conditional on:*

- (a) appropriate consultation with Iwi being completed;*
- (b) The proposed lease on fee simple and Open Space land being publicly notified in accordance with any conditions set out in the South Coast Management Plan;*
- (c) The Group reimbursing Council for any costs incurred in advertising;*
- (d) There being no objections or sustained objections resulting from the required consultation or notification.*

170/07C **DECISION ON DISTRICT PLAN CHANGE 43: HERITAGE PROVISIONS**  
Report of Alick Shaw, Chair of the District Plan Hearing Committee - Plan Change 43 – Heritage Provisions.  
(1215/11/IM) (REPORT 2)

**Moved Councillor Shaw, seconded Councillor Wade-Brown, the substantive motion.**

**The substantive motion was put.**

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Cook, Foster, Gill, Goulden, McKinnon, Morrison, Pepperell, Ritchie, Ruben, Shaw, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 14:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Receive the information.*
2. *Approve the recommendations of the District Plan Hearing Committee in respect of District Plan Change 43 – Heritage Provisions as set out in Appendix One of the Hearing Committee Report.*

171/07C **DECISION ON PRIVATE DISTRICT PLAN CHANGE 47: TAKAPU ISLAND SUBURBAN CENTRE AND DISTRICT PLAN CHANGE 52 – SUBURBAN CENTRE RULE AMENDMENTS**  
Report of Councillor Andy Foster, Chairperson of the District Plan Hearing Committee for Private District Plan Change 47 - Takapu Island Suburban Centre and District Plan Change 52 - Suburban Centre Rule Amendments.  
(1215/11/IM) (REPORT 3)

**Moved Councillor Foster, seconded Councillor Pepperell, the substantive motion.**

**The substantive motion was put.**

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Cook, Foster, Gill, Goulden, McKinnon, Morrison, Pepperell, Ritchie, Ruben, Shaw, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 14:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Receive the information.*
2. *Approve the recommendations of the District Plan Hearing Committee concerning Private District Plan Change 47 – Takapu Island Suburban Centre as set out in Appendix One of the Hearing Committee report.*
3. *Approve the recommendations of the District Plan Hearing Committee concerning District Plan Change 52 Suburban Centre Rule Amendments as set out in Appendix Two of the Hearing Committee Report.*

172/07C **DECISION ON DISTRICT PLAN CHANGE 48: CENTRAL AREA REVIEW**

Report of Alick Shaw - Chair of the District Plan Hearings Committee on District Plan Change 48 – Central Area Review.

(1215/11/IM)

(REPORT 4)

(Councillor Ritchie left the table due to a conflict of interest.)

**Moved Councillor Shaw, seconded Councillor Wade-Brown, the substantive motion.**

**The substantive motion was put.**

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Cook, Foster, Gill, Goulden, McKinnon, Morrison, Pepperell, Ruben, Shaw, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 13:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Receive the information.*
2. *Approve the recommendations of the District Plan Hearing Committee in respect of District Plan Change 48 – Central Area Review as set out in Appendices One and Two of the Hearing Committee Report of the Hearing Committee Report.*

(Councillor Ritchie returned to the table at 6.34pm.)

(Councillors Gill and Morrison left the table at 6.34pm due to a conflict of interest.)

(Councillor Shaw left the meeting at 6.34pm.)

173/07C

**DECISION ON DISTRICT PLAN CHANGE 53: PROPOSED ADDITIONS AND DELETIONS TO HERITAGE BUILDINGS, OBJECTS AND AREAS**

Report of Sally Baber, Independent Commissioner, Chair, Hearing Committee - District Plan Change 53 Proposed Additions and Deletions to Listed Heritage Buildings, Objects and Areas.

(1215/11/IM)

(REPORT 5)

**Moved Mayor Prendergast, seconded Councillor Cook, the substantive motion.**

**The substantive motion was put.**

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Cook, Foster, Goulden, McKinnon, Pepperell, Ruben, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 10:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Receive the information.*
2. *Approve the recommendations of the District Plan Hearing Committee in respect of District Plan Change 53 as set out in Appendix One to this report.*

(Councillors Gill and Morrison returned to the table at 6.35pm.)

(Councillor Shaw returned to the meeting at 6.35pm.)

174/07C

**TRAFINZ CONFERENCE REPORT BACK**

Report of Councillor Foster.

(1215/11/IM)

(REPORT 6)

**Moved Councillor Foster, seconded Mayor Prendergast, the substantive motion.**

**The substantive motion was put.**

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Cook, Foster, Gill, Goulden, McKinnon, Morrison, Pepperell, Ritchie, Ruben, Shaw, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 14:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Receive the information.*

175/07C

**END OF TRIENNIUM MATTERS**

Report of Michael Webster – City Secretary.  
(1215/11/IM)

(REPORT 7)

**Moved Mayor Prendergast, seconded Councillor Morrison, the substantive motion.**

**The substantive motion was put.**

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Cook, Foster, Gill, Goulden, McKinnon, Morrison, Pepperell, Ritchie, Ruben, Shaw, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 14:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Receive the information.*
2. *Agree that, from the day following the Electoral Officer's declaration until the new Council is sworn in, the Chief Executive be authorised to make decisions over and above his normal delegations in respect of urgent matters, in consultation with the Mayor-elect.*
3. *Note that any decisions made under this delegation will be reported to the first ordinary meeting of the Council.*
4. *Note that should any urgent decisions arise during this period, requiring significant political input, or at law must be made by Council, then an extraordinary Council meeting will be called.*
5. *Agree that pursuant to Clause 30(7) of Schedule 7 of the Local Government Act 2002, the Wellington Civil Defence Emergency Management Group and any subcommittee constituted by that Group*

*shall not be deemed to be discharged on the coming into office of the members of the Council elected at a triennial election of members.*

6. *Agree that pursuant to Clause 30(7) of Schedule 7 of the Local Government Act 2002, the Wastewater Treatment Plant and Landfill Joint Committee shall not be deemed to be discharged on the coming into office of the members of the Council elected at a triennial election of members.*
7. *Delegate to the Mayor-elect, in consultation with the Chief Executive, the ability to nominate and/or second Wellington City and other council elected members for the following positions:*
  - a. *metropolitan sector representative positions on the National Council of Local Government New Zealand*
  - b. *Chair of Zone 4 of Local Government New Zealand*
  - c. *Zone 4 representative on the National Council of Local Government New Zealand.*
8. *Agree to include the following names on the Council's approved list of independent hearings commissioners for the period required to enable them to continue as commissioners on the District Plan hearing panels they are currently appointed to:*
  - a. *Ray Ahipene-Mercer*
  - b. *Andy Foster*
  - c. *Alick Shaw*
  - d. *Celia Wade-Brown*
  - e. *Hayley Wain.*

176/07C **MAYOR PRENDERGAST END OF TRIENNIUM COMMENTS**  
(1215/11/IM)

**NOTED:**

Mayor Prendergast thanked the Councillors for their contributions to the City over the last three years. She also thanked the Chief Executive Officer and Management Board for the work that they and their teams had done for the City over the same period of time.

177/07C **QUESTIONS**  
(1215/11/IM)

**NOTED:**

There were no questions.

