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**MINUTES**

**WEDNESDAY 17 DECEMBER 2008**

**5.32PM**

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

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**PRESENT:**

Mayor Prendergast  
Councillor Ahipene-Mercer  
Councillor Best  
Councillor Cook (5.34 – 7.19pm)  
Councillor Coughlan (5.32 – 6.40pm)  
Councillor Foster  
Councillor Gill  
Councillor Goulden  
Councillor McKinnon  
Councillor Morrison  
Councillor Pannett  
Councillor Pepperell  
Councillor Ritchie  
Councillor Wade-Brown  
Councillor Wain

**APOLOGIES:**

Councillor Coughlan (for an early departure)

162/08C **APOLOGIES**  
(1215/11/IM)

**Moved Mayor Prendergast, seconded Councillor Foster, the motion that Council accept apologies for an early departure from Councillor Coughlan.**

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

**RESOLVED:**

*THAT Council:*

1. *Accept apologies for an early departure from Councillor Coughlan.*

163/08C **CONFIRMATION OF MINUTES**  
(1215/11/IM)

**Moved Mayor Prendergast, seconded Councillor Ahipene-Mercer the motion that the Council approve the minutes of the ordinary meetings held on Wednesday 29 October 2008, Thursday 6 November 2008 and Wednesday 26 November 2008 having been circulated, be taken as read and confirmed as an accurate record of those meetings.**

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

**RESOLVED:**

*THAT Council:*

1. *Approve the minutes of the ordinary meetings held on Wednesday 29 October 2008, Thursday 6 November 2008 and Wednesday 26 November 2008 having been circulated, be taken as read and confirmed as an accurate record of those meetings.*

164/08C **PUBLIC PARTICIPATION**  
(1215/11/IM)

**NOTED:**

1. Richard Burrell addressed the meeting in relation to Report 1 – Funding and Activity Review Working Party Membership. He urged Council about no new projects for the next 12 months freezing city debt and reducing all council salaries by 10%.

(Councillor Cook joined the meeting at 5.34pm.)

2. Sam Wadham addressed the meeting regarding his e-petition into stopping the Erotica Expo being held in Wellington.

**Moved Mayor Prendergast, seconded Councillor Cook the motion that Council receive the petition and note that no future bookings are held for the Erotica Expo.**

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

**RESOLVED:**

*THAT Council:*

1. *Receive the petition.*
2. *Note that no future bookings are held for the Erotica Expo.*
3. Margaret Davis a resident of Island Bay addressed the meeting regarding her petition (paper petition) in relation to cleaning up the seaweed on the beach at Island Bay.

**Moved Mayor Prendergast, seconded Councillor Wade-Brown the motion that Council receive the petition and refer it to officers.**

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

**RESOLVED:**

*THAT Council:*

1. *Receive the Petition and refer it to officers.*

165/08C **PETITIONS**  
(1215/11/IM)

**NOTED:**

1. Councillor Ritchie presented an e-petition on behalf of Ed Abdool who has petitioned requesting Council NOT to proceed with the pigeon cull.

**Moved Mayor Prendergast, seconded Councillor Foster the motion that Council receive the petition and formally advise the petitioner that the Wellington City Council will be undertaking no pigeon control in Wellington City.**

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

**RESOLVED:***THAT Council:*

1. *Receive the petition.*
2. *Formally advise the petitioner that the Council will be undertaking no pigeon control in Wellington City.*

166/08C **ANNOUNCEMENTS BY THE MAYOR**  
(1215/11/IM)

**NOTED:**

There were no announcements from the Mayor.

167/08C **CONFLICT OF INTEREST DECLARATIONS**  
(1215/11/IM)

**NOTED:**

1. Councillor Ahipene-Mercer declared that he had a conflict of interest in relation to Report 3 – Strategy and Policy Committee, Meeting of Thursday 11 December 2008, Clause 1, Item 345/08P Options for Waterfront Project and to Report 7 Appointments to Council Controlled Organisations recommendation 5. He advised that he would not debate or take part in the items.
2. Councillor McKinnon declared that he had a conflict of interest in relation to Report 3 – Strategy and Policy Committee, Meeting of Thursday 11 December 2008, Clause 2, Item 347/08P Charles Plimmer Bequest Forward Programme. He advised that he would not debate or take part in the items.

## **General Business**

168/08C **FUNDING AND ACTIVITY REVIEW WORKING PARTY  
MEMBERSHIP**

Report of Baz Kaufman – Senior Advisor Planning, Planning Performance and Research.

(1215/11/IM)

(REPORT 1)

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

**The substantive motion was put.**

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

Voting against: Nil.

Majority Vote: 15:0

**The substantive motion was declared CARRIED.**

**Nominations were called for a Councillor to be a member of the Working Party.**

**Councillor Pannett indicated that she would like to be a member of the Working Party.**

**Moved Councillor McKinnon, seconded Mayor Prendergast that Councillor Pannett be nominated as a member of the Funding and Activity Review Working Party.**

**The motion that Councillor Pannett be nominated as a member of the Funding and Activity Review Working Party was put.**

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

Voting against: Nil.

Majority Vote: 15:0

**The motion that Councillor Pannett be nominated as a member of the Funding and Activity Review Working Party was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Receive the information.*
2. *Agree to the updated terms of reference for the Funding and Activity Review Working Party attached as appendix one of the minutes.*
3. *Appoint Councillor Pannett to the Funding and Activity Review Working Party to fill the existing vacancy.*

## Reports from Committees – Part A

### Committee Decisions requiring Council approval

169/08C **STRATEGY AND POLICY COMMITTEE**  
**Meeting of Thursday 4 December 2008**  
 (1215/11/IM) (REPORT 2)

1. **ITEM 329/08P PUBLIC CONSULTATION ON PROPOSED PART 9 - WASTE MANAGEMENT FOR INCLUSION IN THE WELLINGTON CITY CONSOLIDATED BYLAW 2008 AND PROPOSED TERMS AND CONDITIONS FOR RESOLUTION**  
 (1215/52/IM) (REPORT 2)

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

Councillor Wade-Brown in her introduction advised the meeting of a small typographical error in the terms and conditions made under the Wellington City Consolidated Bylaw 2008 Part 9 – Waste Management. Clause 2.6(c) should read “(c) out at time consistent with 2.10 (a) or (b).

**The substantive motion was put.**

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

Voting against: Nil.

Majority Vote: 15:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. (a) *Note that the Strategy and Policy Committee considered the submissions received in response to the Statement of Proposal for the amendment of the Wellington City Consolidated Bylaw 2008 to include the new part, Part 9 – Waste Management.*
- (b) *Agree to amend the Wellington City Consolidated Bylaw 2008 to include the new part Part 9 – Waste Management, attached in Appendix two of the minutes.*
- (c) *Agree that NZ Bill of Rights Act 1990 implications have been*

Council – Meeting of Wednesday 17 December 2008

*considered for the amendment of the Wellington City Consolidated Bylaw 2008 to include the new part, Part 9 – Waste Management, and that the Bylaw is appropriate in accordance with section 155 of the Local Government Act 2002.*

- (d) *Agree that the commencement date for the Bylaw is Thursday 18 December 2008. Note that an information campaign is being planned for the first six months after that date.*
- (e) *Adopt the terms and conditions made under the Wellington City Consolidated Bylaw 2008 Part 9 – Waste Management, attached in Appendix three of the minutes.*
- (f) *Agree that clause 21.1 of Wellington City Consolidated Bylaw 2008 Part 5 - Public Places be revoked, as provided for under section 156(2) of the Local Government Act 2002, effective from 18 December 2008.*

2. **ITEM 332/08P DISPOSAL OF LAND AT 67 UPLAND ROAD, KELBURN**  
(1215/52/IM) (REPORT 5)

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

**The substantive motion was put.**

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

Voting against: Councillors Cook, McKinnon, Pannett and Pepperell.

Majority Vote: 11:4

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Pursuant to Section 40 of the Public Works Act 1981:*

- (a) *Agree that the following Council owned land is not required for a public work and is surplus to requirements:*
  - *Vacant land situated at 67 Upland Road, Kelburn, (Lot 1, DP 21432, Computerised Freehold Register WN885/74, approximately 407m<sup>2</sup>).*

- (b) *Authorise Council officers to commission a Section 40 report from a suitably qualified consultant to identify whether the land must be offered back to the former owner or their successor in title, or whether an exemption from offer back applies.*
2. *Authorise the Chief Executive Officer to carry out all further steps required to enable the disposal of the land either by way of offer back or sale on the open market, including negotiating and completing the final terms of sale.*

170/08C **STRATEGY AND POLICY COMMITTEE**  
**Meeting of Thursday 11 December 2008**

(1215/11/IM)

(REPORT 3)

(Councillor Ahipene-Mercer withdrew from the table due to a conflict of interest.)

1. **ITEM 345/08P OPTIONS FOR WATERFRONT PROJECT**  
 (1215/52/IM) (REPORT 4)

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

**Councillor Ritchie requested that recommendations 1(a), (b), (c) and (e) be taken separately.**

**The substantive motion recommendations 1(d), (f), (g) and (h) were 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 substantive motion recommendations 1(d), (f), (g) and (h) were declared CARRIED.**

**The substantive motion recommendation 1(a) was put.**

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

Voting against: Councillors Pannett, Pepperell and Ritchie.

Majority Vote: 11:3

**The substantive motion recommendation 1(a) was declared CARRIED.**

**The substantive motion recommendation 1(b) was put.**

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

Voting against: Councillors Pannett, Pepperell and Ritchie.

Majority Vote: 11:3

**The substantive motion recommendation 1(b) was declared CARRIED.**

**The substantive motion recommendation 1(c) was put.**

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

Voting against: Councillors Pannett, Pepperell and Ritchie.

Majority Vote: 11:3

**The substantive motion recommendation 1(c) was declared CARRIED.**

**The substantive motion recommendation 1(e) was put.**

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

Voting against: Councillors Pepperell and Ritchie.

Majority Vote: 12:2

**The substantive motion recommendation 1(e) was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. (a) *Agree to a reduced management fee of \$1.2 million per annum to be paid to Wellington Waterfront Limited, by the end of the 2008/09 financial year.*
- (b) *Note the initiative from Wellington Waterfront Limited to reduce the number of directors, on the board of Wellington Waterfront Limited from the current eight to five effective from January 2009.*
- (c) *Note that these changes will be reflected in the upcoming Council Controlled Organisation Boards appointment paper to Council on 17 December 2008.*
- (d) *Agree that implementation of the Waterfront Project be transferred to and undertaken by the Council from 1 July 2010.*
- (e) *Note that prior to transferring functions the Council will review whether the market conditions warrant reconsideration of the preferred implementation option.*
- (f) *Agree to consult on this proposal separately prior to be being considered under the Long Term Council Community Plan deliberations in 2009.*
- (g) *Note that officers will report back to the Strategy and Policy Committee on submissions in March 2009.*
- (h) *Agree to review the accountability documents relating to Wellington Waterfront Limited.*

(Councillor Ahipene-Mercer returned to the table.)

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

2. **ITEM 347/08P CHARLES PLIMMER BEQUEST FORWARD PROGRAMME**  
(1215/52/IM) (REPORT 3)

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

**The substantive motion was put.**

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

Voting against: Councillor Coughlan.

Majority Vote: 13:1

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Agree up to \$350,000 be spent on the Te Raekaihau Point Restoration in 2009/10.*

(Councillor McKinnon returned to the table.)

3. **ITEM 348/08P PASSPORT TO LEISURE**  
(1215/52/IM) (REPORT 6)

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

**Moved Mayor Prendergast, seconded Councillor McKinnon the following amendment to recommendation 1**

“THAT Council:

1. Agree that:
  - (a) Eligibility to the Passport to Leisure Scheme be extended to include:
    - ~~Superannuitants~~
    - Green Prescription (GRx) referrals
    - Mental health consumers
    - People with physical disabilities
    - Refugees and asylum seekers
  - (b) **Officers monitor usage of recreation facilities by Superannuitants from 1 February to 30 April 2009 to determine the impact of extending further the eligibility of the Passport to Leisure scheme to this group.**

- (c) **Officers report back to the Strategy and Policy Committee by the end of May 2009.”**

(Councillor Coughlan left the meeting at 6.40pm.)

**The amendment was put:**

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Foster, McKinnon, Morrison, Wade-Brown and Wain.

Voting against: Councillors Best, Cook, Gill, Goulden, Pannett, Pepperell and Ritchie.

Majority Vote: 7:7

**The amendment was declared CARRIED by the CASTING VOTE.**

**The substantive motion as amended was put.**

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

Voting against: Nil.

Majority Vote: 14:0

**The substantive motion as amended was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

*1. Agree that:*

- (a) *Eligibility to the Passport to Leisure Scheme be extended to include:*
- *Green Prescription (GRx) referrals*
  - *Mental health consumers*
  - *People with physical disabilities*
  - *Refugees and asylum seekers*
- (b) *Officers monitor usage of recreation facilities by Superannuitants from 1 February to 30 April 2009 to determine the impact of extending further the eligibility of the Passport to Leisure scheme to this group.*
- (c) *Officers report back to the Strategy and Policy Committee by the end of May 2009.*

2. *Note that officers will report back on the implications of Passport to Leisure in 12 months time.*

4. **ITEM 350/08P TRANSFER OF COUNCIL OWNED LAND TO VECTOR WELLINGTON ELECTRICITY NETWORK LIMITED PURSUANT TO THE ENERGY COMPANIES ACT 1992 (1215/52/IM) (REPORT 8)**

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

**The substantive motion was put.**

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

Voting against: Nil.

Majority Vote: 14:0

**The substantive motion was declared CARRIED.**

**RESOLVED:**

*THAT Council:*

1. *Agrees, pursuant to Section 56 of the Energy Companies Act 1992:*
  - (a) *That the following Council owned land be transferred to Vector Wellington Electricity Network Limited:*
    - *Part of the land situated at 4B Taurima Street Hataitai, Part Lot 67 DP 168, Comprised Freehold Register WN433/103, approximately 28m<sup>2</sup>.*
2. *Authorises the Chief Executive Officer to carry out all further steps required to enable the transfer to Vector Wellington Electricity Network Limited.*

## Reports from Committee - Part B

### Committee decisions for Council to note.

171/08C **RECEIPT OF INFORMATION FOR NOTING FROM COMMITTEES**  
(1215/11/IM)

**Moved Mayor Prendergast, seconded Councillor McKinnon, the motion that Council receive the information for noting from the Strategy and Policy Committee meetings of Thursday 4 December 2008 and Thursday 11 December 2008 and the Regulatory Processes Committee meeting Wednesday 10 December 2008.**

**The motion was put.**

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Cook, 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 the Strategy and Policy Committee meetings of Thursday 4 December 2008 and Thursday 11 December 2008 and the Regulatory Processes Committee meeting Wednesday 10 December 2008.*

**STRATEGY AND POLICY COMMITTEE**  
**Meeting of Thursday 4 December 2008**  
(1215/11/IM)

(REPORT 4)

1. **ITEM 328/08P PROPOSED DISTRICT PLAN VARIATION 11 – AMENDMENTS TO PROPOSED DISTRICT PLAN CHANGE 48 (CENTRAL AREA REVIEW) - WELLINGTON WATERFRONT**  
(1215/52/IM) (REPORT 1)

*THAT the Strategy and Policy Committee:*

1. *Receive the information.*

2. *Agree to publicly notify Proposed Variation 11 as set out in Appendix 1 as amended (of the officer's report) in accordance with the procedures in Schedule 1 of the Resource Management Act 1991.*
3. *Agree to adopt the section 32 report for Proposed Variation 11 as included in Appendix 2 of the officer's report).*
4. *Agree to delegate to the Portfolio Leader for Urban Development and Transport the authority to approve minor editorial changes to the documentation of Proposed Variation 11 as may be required before public notification.*
5. *Agree to allow two months for public consultation on Variation 11.*

2. ***ITEM 331/08P APPROVAL OF NAMES FOR NEW ROADS OFF MARK AVENUE***  
*(1215/52/IM) (REPORT 4)*

*THAT the Strategy and Policy Committee:*

1. *Receive the information.*
2. *Agree to give approval for the names St Kitts Place, St Vincent Terrace and St Lucia Place to be allocated to the new roads built as a result of the extension of Mark Avenue in Grenada Village, as shown on Plan F 3034 (Appendix A of the officer's report).*

3. ***ITEM 333/08P REPORT OF THE COUNCIL CONTROLLED ORGANISATIONS SUBCOMMITTEE MEETING OF TUESDAY 28 OCTOBER 2008***  
*(1215/52/IM) (REPORT 6)*

*THAT the Strategy and Policy:*

1. *Receive the information for noting from the Council Controlled Organisation Performance Subcommittee meeting of Tuesday 28 October 2008.*

1. ***ITEM 029/08FM REVIEW OF THE PERFORMANCE OF ALL COUNCIL CONTROLLED ORGANISATIONS FOR THE QUARTER ENDED 30 JUNE 2008***  
*(1215/52/02IM) (REPORT 2)*

*THAT the Council Controlled Organisation Performance Subcommittee:*

1. *Raise the following issues that the Subcommittee consider should be brought to the attention of the Strategy and Policy Committee:*

- (a) *That the Strategy and Policy Committee note the concern from the Council Controlled Organisation Performance Subcommittee regarding the time it has taken for a savings model to be finalised for Capacity, and that this has not yet been achieved.*
- (b) *That there needs to be a final decision on the savings model for Capacity, agreed on and reported back to the Council Controlled Organisation Performance Subcommittee by the 8 December 2008 meeting, and subsequently the Strategy and Policy Committee. Note that this may require external mediation.*
- (c) *That when the Service Level Agreement for Capacity is reviewed by June 2009, the responsibility for strategic asset planning be clarified. Note that the Council Controlled Organisation Performance Subcommittee would be surprised if the responsibility did not lie with the asset holder.*

- 2. *Agree that the St James Theatre Charitable Trust should continue to develop an Asset Management Plan and that the Trust should approach the Council annually for any major programmed maintenance in the following year that it is unable to fund itself.*
- 3. *Note that this approach is in lieu of requiring the Trust to fund depreciation in its annual financial statements.*

4. ***ITEM 334/08P NEW ZEALAND RECREATION ASSOCIATION  
CONGRESS 2008 REPORT BACK  
(1215/52/IM) (REPORT 7)***

*THAT the Strategy and Policy Committee:*

- 1. *Receive the information.*

5. ***ITEM 336/08P CITY GATEWAY SCULPTURE PROJECT  
(1215/52/IM) (REPORT 8)***

*THAT the Strategy and Policy Committee:*

- 1. *Receive the information.*
- 2. *Note that the Gateway Improvements Project (CX 415) allocated \$500,000 for the commission of a landmark sculpture or series of sculptures along State Highway 1 north of Wellington.*

3. *Note that the Wellington Sculpture Trust was commissioned by the Council to manage the selection process. The selected work was estimated to cost up to \$1 million.*
4. *Note that the funding shortfall has been addressed and affected parties have given their approval.*
5. *Agree that the project can go now ahead subject to confirmation of contributions from donors.*
6. *Note that no new funds from Council are required for the construction of this sculpture.*

**STRATEGY AND POLICY COMMITTEE**

**Meeting of Thursday 11 December 2008**

(1215/11/IM)

(REPORT 5)

1. **ITEM 343/08P ENVIRONMENTAL REFERENCE GROUP REPORT  
BACK**  
(1215/52/IM)(REPORT 2)

*THAT the Strategy and Policy Committee:*

1. *Receive the information.*
2. *Note that there were six resignations during the second half of the year and that vacancies will be advertised publicly in December for the appointment of new members to the Environmental Reference Group.*

2. **ITEM 344/08P COURTENAY PLACE PRECINCT FLEXIBLE  
STREETSCAPE PROJECT**  
(1215/52/IM) (REPORT 4)

*THAT the Strategy and Policy Committee:*

1. *Receives the information.*
2. *Notes that a pilot project is being undertaken to control traffic movements in Courtenay Place which will be funded from within existing budgets.*
3. *Agrees that officers will report back on the results of the pilot scheme in May 2009.*
4. *Agrees that a comprehensive plan for the Courtenay Place precinct be presented to the Strategy and Policy Committee in May 2009 along with a range of funding priorities.*

3. **ITEM 346/08P INFLOW AND INFILTRATION INTO PRIVATE WASTEWATER LATERALS**  
(1215/52/IM) (REPORT 1)

*THAT the Strategy and Policy Committee:*

1. *Receive the information;*
2. *Note that wastewater overflows during heavy rain events are caused by excessive inflow and infiltration, and that it is estimated that between 40 to 60% of inflow and infiltration is derived from defects in private laterals.*
3. *Note that under the Council's current Lateral Policy (2005) property owners are responsible for the ownership, maintenance and renewal of their private lateral from the building to the Council owned main.*
4. *Note that Council is currently committed to the following:*
  - a. *Funding of overflow mitigation works at wastewater treatment plants to comply with resource consent conditions (\$18.2 million).*
  - b. *A further investment of \$7.7million per annum for renewal of public wastewater drains -including works specifically to target Inflow and Infiltration.*
  - c. *Works to mitigate the effects of overflows from constructed overflows; these works are estimated to cost in the order of \$70 million over the next 20 years.*
5. *Note that some of the options can have a significant financial implication for both Council and private home owners.*
6. *Agree that officers develop a detailed policy and implementation plan that incorporates:*
  - a. *A cost-benefit analysis of the available options for Wellington City.*
  - b. *An analysis of approaches and works undertaken by other Councils.*
  - c. *Consideration of amendments to the 2005 Laterals Policy that may be desirable.*
  - d. *The timing for the introduction of any implementation.*
7. *Note that the policy will be reported back to the Strategy and Policy Committee in March 2009.*
8. *Agree that the term "private sewerage drains" be used instead of "laterals".*

4. **ITEM 349/08P SUBMISSION ON THE PROPOSED NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT (1215/52/IM) (REPORT 7)**

*THAT the Strategy and Policy Committee:*

1. *Receive the information.*
2. *Agree that the submission attached as Appendix 1 of the officer's report be forwarded to the Minister for the Environment's Board of Inquiry on the NPS for its consideration.*
3. *Delegate to the Chief Executive Officer and the Environment Portfolio Leader the authority to sign off minor changes to the submission, resulting from any amendments agreed by the Committee.*

5. **ITEM 351/08P STRATEGY AND POLICY FORWARD PROGRAMME (1215/52/IM) (REPORT 9)**

*THAT the Strategy and Policy Committee:*

1. *Receive the information.*
2. *Agree to the Forward Programme for the Strategy and Policy Committee, attached as Appendix 1 of the officers report.*

**REGULATORY PROCESSES COMMITTEE**

**Meeting of Wednesday 10 December 2008**

(1215/11/IM)

(REPORT 6)

1. **ITEM 093/08RP GRANTING OF A FRESH LEASE TO KARORI PARK SPORTS CLUB INCORPORATED (1215/12/IM) (REPORT 1)**

*THAT the Regulatory Processes Committee:*

1. *Receive the information.*
2. *Approve subject to the conditions below, the granting of a fresh lease to the Karori Park Sports Club Incorporated under the Reserves Act 1977:*

<b>Location</b>	<b>Term</b>	<b>Annual Rental</b>
Karori Park, 400 Karori Road, Karori	10 years and one renewal of 10 years	\$233 + GST per annum, reviewable every 3 years

*Any approval to grant a fresh lease is conditional upon:*

- (a) *Appropriate consultation with iwi;*

- (b) *The Lease being publicly notified in accordance with sections 119 and 120 of the Reserves Act 1977 (the Act) and any approved Management Plan;*
- (c) *There being no objections or sustained objections resulting from the abovementioned consultation or notification.*
- (d) *The lessee covering the cost of preparing the fresh lease.*
- (e) *The Minister of Conservation granting approval for the lease.*

2. **ITEM 094/08RP GRANTING OF TWO LEASES TO WELLINGTON MARINE EDUCATION TRUST BOARD**  
(1215/12/IM) (REPORT 2)

*THAT the Regulatory Processes Committee:*

- 1. *Receive the information.*
- 2. *Approve subject to the conditions below, the granting of a new premises lease to the Wellington Marine Conservation Trust Board under the Reserves Act 1977:*

<b>Location</b>	<b>Term</b>	<b>Annual Rental</b>
<i>Island Bay beach</i>	<i>5 years and one renewal of 5 years</i>	<i>\$247 + GST per annum</i>

<b>Location</b>	<b>Term</b>	<b>Annual Rental</b>
<i>Bait House</i>	<i>5 years and one renewal of 5 years</i>	<i>\$124 + GST per annum</i>

*Any approval to grant a new lease is conditional upon:*

- (a) *Appropriate consultation with iwi;*
- (b) *The lease being publicly notified in accordance with sections 119 and 120 of the Reserves Act 1977 (the Act) and any approved Management Plan;*
- (c) *There being no objections or sustained objections resulting from the abovementioned consultation or notification.*
- (d) *The lessee pays for the legal and advertising costs associated with preparing the leases.*

3. **ITEM 095/08RP GRANTING OF A NEW LEASE TO HARBOUR CITY GYM SPORTS INCORPORATED ON TOWN BELT LAND**  
(1215/12/IM) (REPORT 3)

*THAT the Regulatory Processes Committee:*

- 1. *Receive the information.*

2. Approve, subject to the conditions below, the granting of a new ground lease to Harbour City GymSports Incorporated under the Reserves Act 1977 (the Act):

<i>Location</i>	<i>Term</i>	<i>Annual Rental</i>
<i>Hataitai Park</i>	<i>10 years</i>	<i>\$434 + GST per annum</i>

3. Note contingent on the granting of a lease to Harbour City GymSports, the building will be purchased by New World Eastern Suburbs Sports Trust.
4. Approve a sub-lease from Harbour City GymSports Incorporated to New World Eastern Suburbs Sports Trust.
5. Approve a sub-sub-lease from New World Eastern Suburbs Sports Trust to Harbour City GymSports Incorporated and note that any approval to grant a new lease is conditional upon:
- (a) Appropriate consultation with iwi and Friends of the Town Belt;
  - (b) The Lease being publicly notified in accordance with sections 119 and 120 of the Act and any approved Management Plan;
  - (c) There being no objections or sustained objections resulting from the abovementioned consultation or notification.
  - (d) The lessee pays for the legal and advertising costs associated with preparing the leases.

*Note: this new ground lease does not require approval of the Minister of Conservation as approval is delegated to Wellington City Council as the Local Authority.*

172/08C **QUESTIONS**  
(1215/11/IM)

**NOTED:**

There were no questions.

173/08C **RESOLUTION TO EXCLUDE THE PUBLIC**  
(1215/11/IM)

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

**The substantive motion was put.**

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

Voting against: Nil.

Majority Vote: 14:0

**The substantive 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 7 – Appointments to Council Controlled Organisations***

*Grounds: Section 48(1)(a) That public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7*

*Reasons: Section 7(2)(a) To protect the privacy of natural persons*

2. *Permit Craig Stevens and Sally Dossor of DLA Phillips Fox to remain at this meeting, after the public has been excluded because of their knowledge of Report 7 – Appointments to Council Controlled Organisations as this knowledge, may be of assistance in relation to the matter being discussed.*

The meeting went into public excluded session at 7.09pm.

For item 174/08C, please see the public excluded minutes.

The meeting concluded at 7.19pm.

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

Chair

/ /