

**ORDINARY MEETING**

**OF**

**ENVIRONMENT COMMITTEE**

**MINUTES**

Time: 09:15 am  
Date: Thursday, 17 March 2016  
Venue: Committee Room 1  
Ground Floor, Council Offices  
101 Wakefield Street  
Wellington

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**PRESENT**

Councillor Ahipene-Mercer  
Councillor Coughlan  
Councillor Eagle  
Councillor Foster  
Councillor Free  
Councillor Lee  
Councillor Lester  
Councillor Marsh  
Councillor Pannett (Chair)  
Councillor Peck  
Councillor Ritchie  
Councillor Sparrow  
Councillor Woolf  
Councillor Young



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## 1 Meeting Conduct

### 1.1 Apologies

#### Apology

**Moved Councillor Pannett, seconded Councillor Marsh**

#### Resolved

1. Receive and accept the apologies received from Mayor Wade Brown for absence from the meeting due to Council business.
2. Receive and accept the apologies from Councillor Peck and Councillor Free to leave the meeting early.

**Carried**

### 1.2 Conflict of Interest Declarations

There were no conflict of interests declared.

(Councillor Foster entered the meeting at 09:17 am.)

### 1.3 Confirmation of Minutes

**Moved Councillor Pannett, seconded Councillor Free**

#### Resolved

That the Environment Committee:

Approve the minutes of the Environment Committee Meeting held on 11 February 2016, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting.

**Carried**

(Councillor Ritchie left the meeting at 09:19 am.)

(Councillor Eagle left the meeting at 09:19 am.)

(Councillor Lester left the meeting at 09:19 am.)

(Councillor Ritchie returned to the meeting at 09:19 am.)

### 1.4 Public Participation

#### 1.4.1 Gordon Copeland, ICPE (St Gerard's Monastery).

Gordon Copeland spoke to the Environment Committee on the proposed Reserve Revocation. He tabled attachment 1.

#### Attachments

- 1 Minutes Attachment 1 St Gerards Monastery Land Exchange

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**1.4.2 Sean Johnson, Jack Marshall and Melissa Gibson, Wellington City Council's Youth Council.**

Sean Johnson, Jack Marshall and Melissa Gibson spoke to the Environment Committee on the Animal Bylaw.

(Councillor Eagle returned to the meeting at 09:30 am.)

(Councillor Lester returned to the meeting at 09:30 am.)

(Councillor Free left the meeting at 09:35 am.)

(Councillor Ritchie left the meeting at 09:39 am.)

**1.4.3 Paul Stanley-Ward, Polhill Restoration Group**

Paul Stanley-Ward spoke to the Environment Committee on the animal bylaw.

(Councillor Ritchie returned to the meeting at 09:40 am.)

(Councillor Free returned to the meeting at 09:47 am.)

(Councillor Foster left the meeting at 09:50 am.)

**1.5 Items not on the Agenda**

There are no items not on the agenda.

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**2. Petitions**

**2.1 Officers Response - Full Time Off-Leash Dog Friendly Section for Island Bay Beach**

**Moved Councillor Pannett, seconded Councillor Free**

**Resolved**

That the Environment Committee:

1. Receive the information.
2. Note that the proposal will be consulted on as part of the Dog Policy review, in order to gauge wider public opinion.

**Carried**

**Attachments**

- 1 Minutes Attachment 2 e-Petition Full Time Off-Leash Dog Friendly Section for Island Bay Beach

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### 3. Policy

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#### 3.1 Dog Policy

**Moved Councillor Pannett, seconded Councillor Coughlan moved officers amended recommendations.**

#### **Resolved**

That the Environment Committee:

1. Receive the information.
2. Agree to consult on the following recommended changes to the Dog Policy, see Attachment 1.
3. Agree to adopt the Statement of Proposal attached (see Attachment 1) and to initiate the special consultative procedure under section 83 of the Local Government Act 2002.
4. Agree the consultation period will run from 1 April 2016 to 2 May 2016.
5. Note that additional expenditure has been included in the 2016/2017 Annual Plan and additional operational expenditure to improve exercise areas would need to be agreed in future Annual Plan processes. If requested by the Committee, officers can report back to Committee with the potential costs of any additional operational expenditure.
6. Agree to delegate to the Chief Executive and the Chair of the Environment Committee, the authority to amend the proposed Statement of Proposal and associated consultation document, to include any amendments agreed by the Committee and any associated minor consequential edits.

(Councillor Peck left the meeting at 09:30 am.)

(Councillor Foster returned to the meeting at 09:52 am.)

**Moved Councillor Pannett, seconded Councillor Sparrow, the following amendment by substitution of recommendation 2 and 4:**

That the Environment Committee:

#### **New 2**

2. Agree to consult on the following recommended changes to the Dog Policy, see Attachment 1, with the following changes:
  - (a) Strengthen the section 4.2 on Responsibilities of Dog Owners to be clear that there is a public expectation that dog owners will not cause a public nuisance through their ownership of a dog and that they will ensure that they will immediately pick up their dog's faeces in a public place
  - (b) That Council will actively encourage dog owners to become Responsible Dog Owners with the goal of having 50% of owners as responsible dog owners registered within the next three years
  - (c) Whether the public would support a dog agility area(s) and whether dog owners would be prepared to pay for it
  - (d) Clarify section 5.3.3 to make it clear that dogs will be able to stop in public places including the CBD with their owners as long as they are not left unattended

- (e) Agree to include in the consultation document questions about whether there should be off leash access to Island Bay Beach and where.

**New 4**

4. Agree the consultation period will run from 1 April 2016 to 2 May 2016 and will include consultation with residents associations, business, conservation and animal welfare groups.

Adjourned for morning tea at 10.30 am

Meeting reconvened at 10.45 am with a presentation from Wellington Zoo and Zealandia.

Councillors present at the meeting were: Councillor Ahipene-Mercer, Councillor Coughlan, Councillor Eagle, Councillor Foster, Councillor Free, Councillor Lee, Councillor Lester, Councillor Pannett, Councillor Ritchie, Councillor Sparrow, Councillor Woolf and Councillor Young.

(Councillor Marsh returned to the meeting at 11:00 am.)  
(Councillor Ritchie left the meeting at 11:10 am.)  
(Councillor Ritchie returned to the meeting at 11:11 am.)  
(Councillor Ritchie left the meeting at 11:14 am.)  
(Councillor Ritchie returned to the meeting at 11:17 am.)  
(Councillor Free left the meeting at 11:31 am.)  
(Councillor Eagle left the meeting at 11:31 am.)  
(Councillor Lester left the meeting at 11:31 am.)  
(Councillor Lester returned to the meeting at 11:32 am.)  
(Councillor Lester left the meeting at 11:35 am.)  
(Councillor Ritchie left the meeting at 11:37 am.)

**Moved Councillor Marsh, seconded Councillor Ahipene-Mercer, the following amendment:**

That the Environment Committee:

**New 2f – 2k**

- 2f) Agree to include Seatoun Beach (before 10 am and after 7 pm between 1 December and 1 March only) from the boat ramp at the NW end to the start of Churchill Park at Inglis St (Churchill Park could be on leash) in attachment A as an off leash beach for consultation.

**Carried**

- 2g) Agree to include Balaena Beach (before 10 am and after 7 pm between 1 December and 1 March only) in attachment A as an off leash beach for consultation.

A division was called for, voting on which was as follows:

**For:**

Councillor Ahipene-Mercer  
Councillor Coughlan  
Councillor Lee  
Councillor Marsh

**Against:**

Councillor Foster  
Councillor Ritchie



Councillor Pannett (Chair)  
Councillor Sparrow  
Councillor Woolf  
Councillor Young

Majority Vote: 8:2

**Carried**

2h) Agree to include Scorching Bay Beach (from 1 March to 30 November only) in attachment A as an off leash beach for consultation

A division was called for, voting on which was as follows:

**For:**

Councillor Ahipene-Mercer  
Councillor Coughlan  
Councillor Foster  
Councillor Lee  
Councillor Marsh  
Councillor Pannett (Chair)  
Councillor Sparrow  
Councillor Woolf  
Councillor Young

**Against:**

Councillor Ritchie

Majority Vote: 9:1

**Carried**

2i) Agree to include Oriental Bay Beach not including Freyberg Beach (from 1 March to 30 November only) in attachment A as an off leash beach for consultation.

A division was called for, voting on which was as follows:

**For:**

Councillor Ahipene-Mercer  
Councillor Coughlan  
Councillor Lee  
Councillor Marsh  
Councillor Pannett (Chair)  
Councillor Sparrow  
Councillor Woolf  
Councillor Young

**Against:**

Councillor Foster  
Councillor Ritchie

Majority Vote: 8:2

**Carried**

2j) Agree to include in attachment A Waitangi Park as a dog on leash area (from 1 March to 30 November only)

A division was called for, voting on which was as follows:

**For:**

Councillor Ahipene-Mercer  
Councillor Coughlan

**Against:**

Councillor Foster  
Councillor Lee

Councillor Marsh  
Councillor Pannett (Chair)  
Councillor Sparrow  
Councillor Woolf  
Councillor Young

Councillor Ritchie

Majority Vote: 7:3

Carried

2k) Include in attachment A *promote with signage and publicity the need for dog owners to pick up and dispose of their dogs faeces.*

Carried

**Moved Councillor Coughlan, seconded Councillor Woolf**, the following amendment by substitution of recommendation 9:

That the Environment Committee:

**New 8**

8. That officers investigate the development of a dog walking smart phone application with IT start-up and school communities.

Carried

**Moved Councillor Foster, seconded Councillor Lee**, the following amendment by substitution of recommendation 2l, 6 & 8:

That the Environment Committee:

**New 2l**

2l) Include in the Draft Policy information on dog related revenue and expenditure.

**New 6**

6. Note in the Draft Policy that there are a small number of proposed Dog Exercise Areas that may be considered over time for other uses, and if this is the case there would be further consultation at the time, including the issue of whether compensatory space should be provided.

**New 7**

7. Make prospective submitters aware that council expects submissions on the status of Cummings Park.

Carried

**Moved Councillor Pannett, seconded Councillor Coughlan the following substantive motion:**

That the Environment Committee:

1. Receive the information.
2. Agree to consult on the following recommended changes to the Dog Policy, see Attachment 1, with the following changes:
  - (a) Strengthen the section 4.2 on Responsibilities of Dog Owners to be clear that there is a public expectation that dog owners will not cause a public nuisance through their

- ownership of a dog and that they will ensure that they will immediately pick up their dog's faeces in a public place.
- (b) That Council will actively encourage dog owners to become Responsible Dog Owners with the goal of having 50% of owners as responsible dog owners registered within the next three years.
  - (c) Whether the public would support a dog agility area(s) and whether dog owners would be prepared to pay for it.
  - (d) Clarify section 5.3.3 to make it clear that dogs will be able to stop in public places including the CBD with their owners as long as they are not left unattended.
  - (e) Agree to include in the consultation document questions about whether there should be off leash access to Island Bay Beach and where.
  - (f) Agree to include Seatoun Beach (before 10 am and after 7 pm between 1 December and 1 March only) from the boat ramp at the NW end to the start of Churchill Park at Inglis St (Churchill Park could be on leash) in attachment A as an off leash beach for consultation.
  - (g) Agree to include Balaena Beach (before 10 am and after 7 pm between 1 December and 1 March only) in attachment A as an off leash beach for consultation.
  - (h) Agree to include Scorching Bay Beach (from 1 March to 30 November only) in attachment A as an off leash beach for consultation.
  - (i) Agree to include Oriental Bay Beach not including Freyberg Beach (From 1 March to 30 November only) in attachment A as an off leash beach for consultation.
  - (j) Agree to include in attachment A Waitangi Park as a dog on leash area (from 1 March to 30 November only)
  - (k) Include in attachment A promote with signage and publicity the need for dog owners to pick up and dispose of their dog's faeces.
  - (l) Include in the Draft Policy information on dog related revenue and expenditure.
3. Agree to adopt the Statement of Proposal attached (see Attachment 1) and to initiate the special consultative procedure under section 83 of the Local Government Act 2002.
  4. Agree the consultation period will run from 1 April 2016 to 2 May 2016 and will include consultation with residents associations, business, conservation and animal welfare groups.
  5. Note that additional expenditure has been included in the 2016/2017 Annual Plan and additional operational expenditure to improve exercise areas would need to be agreed in future Annual Plan processes. If requested by the Committee, officers can report back to Committee with the potential costs of any additional operational expenditure.
  6. Note in the Draft Policy that there are a small number of proposed Dog Exercise Areas that may be considered over time for other uses, and if this is the case there would be further consultation at the time, including the issue of whether compensatory space should be provided.
  7. Make prospective submitters aware that council expects submissions on the status of Cummings Park.
  8. That officers investigate the development of a dog walking smart phone application with IT start-up and school communities.
  9. Agree to delegate to the Chief Executive and the Chair of the Environment Committee, the authority to amend the proposed Statement of Proposal and associated

consultation document, to include any amendments agreed by the Committee and any associated minor consequential edits.

Carried

Councillor Pannett announced, with leave of the meeting that item 5.2 will be discussed prior to item 3.2.

(Councillor Ritchie returned to the meeting at 11:48 am.)

## 5.2 Social Housing Access Easements - Nairn Street Park and Newtown Park

**Moved Councillor Pannett, seconded Councillor Ritchie**

### Resolved

That the Environment Committee:

1. Receives the information.
2. Approves a right of way easement in perpetuity over part of Wellington Town Belt at Nairn Street Park (**part of** Lot 3 DP 10508 CFR WN12D/1438) pursuant to the Wellington Town Belt Management Plan 2013 and Section 48 of the Reserves Act 1977 (in favour of 46 Nairn Street (Berkeley Dallard Apartments, being Lot 1 DP 48297 CFR WN24D/942).
3. Approves a right of way easement in perpetuity over part of Wellington Town Belt at Newtown Park (**part of** Part Lot 1 DP 8754 CFR WN47B/502)) pursuant to the Wellington Town Belt Management Plan 2013 and Section 48 of the Reserves Act 1977 (in favour of 320 Mansfield Street (Newtown Park Apartments)) CFRs WNE3/776 and WN21D/17).
4. Waives the requirement for public notification under Section 48(2) of the Reserves Act 1977 in accordance with Section 48(3) of the Reserves Act 1977, as the Wellington Town Belt is not likely to be materially affected and the rights of the public are not likely to be permanently affected by the granting of the easements.
5. Delegates to the Chief Executive Officer all powers necessary to conclude this matter.

Carried

(Councillor Lester returned to the meeting at 11:55 am.)

## 3.2 Wellington Consolidated Bylaw 2008: Part 2 - Animals

(Councillor Young left the meeting at 12:05 pm.)

(Councillor Young returned to the meeting at 12:10 pm.)

**Moved Councillor Pannett, seconded Councillor Ahipene-Mercer officers amended recommendations.**

### Resolved

That the Environment Committee:

1. Receive the information.

2. Agree that Part 2: Animals of the Wellington Consolidated Bylaw 2008 (the Animals Bylaw) remains the most appropriate way of addressing these animal management issues, and that the proposed Animals Bylaw is the most appropriate form of bylaw under the Local Government Act 2002 and the Dog Control Act 1996.
3. Agree to consult on the proposed amendments to the Animals Bylaw, included in Attachment 1.
4. Agree to consult on clause 4.1 of the proposed Bylaw that states “All domestic cats must be easily identifiable as owned and in a way that lets the owner be traced easily”. Note that officers will provide further advice following consultation on this clause and that any final decision will be made following consultation.
5. Agree to consult on the need to identify cats and to ask permission from Council to keep more than 3 cats. Note that any final decisions can be made following consultation and that any other issues that may be raised by submitters may influence the development of an “Animals Policy”. Agree also to define what easily identified means.
6. Agree to adopt the Statement of Proposal (Attachment 1) and to initiate the special consultative procedure under Section 83 of the Local Government Act 2002.
7. Agree to direct officers to develop an “Animals Policy” covering the management of cats and other animals.
8. Agree to advocate for National guidance for the need for a model bylaw for managing gazetted reserves and for a national policy or strategy on cats.
9. Agree that the proposed Animals Bylaw is consistent with the New Zealand Bill of Rights Act 1990.
10. Agree the consultation period will run from 1 April to 02 May 2016.
11. Agree to delegate to the Chief Executive and the Chair of the Environment Committee, the authority to amend the proposed Statement of Proposal and associated consultation document, to include any amendments agreed by the Committee and any associated minor consequential edits.

**Moved Councillor Woolf, seconded Councillor Coughlan**, the following amendment: the following amendment by substitution of recommendation 3a:

That the Environment Committee:

**New 4**

- 4). Agree to consult on the proposal that all domestic cats must be microchipped and registered with a recognised microchip registry.

A division was called for, voting on which was as follows:

**For:**

Councillor Ahipene-Mercer  
Councillor Coughlan  
Councillor Foster  
Councillor Lee  
Councillor Lester  
Councillor Pannett (Chair)  
Councillor Ritchie  
Councillor Sparrow

**Against:**

Councillor Woolf  
Councillor Young

Majority Vote: 10:0

**Carried**

The meeting adjourned to reconvene following the Regulatory Processes Committee on 17 March 2016.

The meeting reconvened at 1:21 pm.

Councillors present at the meeting were: Councillor Ahipene-Mercer, Councillor Coughlan, Councillor Foster, Councillor Lee, Councillor Lester, Councillor Marsh, Councillor Pannett, Councillor Ritchie, Councillor Sparrow, Councillor Woolf and Councillor Young.

(Councillor Peck returned to the meeting at 01:21 pm.)  
(Councillor Young left the meeting at 01:34 pm.)  
(Councillor Eagle returned to the meeting at 01:37 pm.)  
(Councillor Free returned to the meeting at 01:38 pm.)

**Moved Councillor Foster, seconded Councillor Lee**, the following amendment by new 3c:

**New 7**

That the Environment Committee:

7). Agree to consult about whether it would be appropriate to have a lower number of cats permitted in wildlife sensitive areas.

A division was called for, voting on which was as follows:

**For:**

Councillor Ahipene-Mercer  
Councillor Coughlan  
Councillor Eagle  
Councillor Foster  
Councillor Free  
Councillor Lee  
Councillor Lester  
Councillor Marsh  
Councillor Peck  
Councillor Ritchie  
Councillor Sparrow  
Councillor Woolf

**Against:**

Councillor Pannett (Chair)

Majority Vote: 12:1

**Carried**

**Moved Councillor Lester, seconded Councillor Sparrow**, the following amendment: the following amendment by substitution of recommendation 10:

That the Environment Committee:

**New 10**

10. Agree to direct officers to work with Wellington SPCA to improve rates of desexing of animals in Wellington and improve education and awareness of responsible pet ownership.

A division was called for, voting on which was as follows:

**For:**

Councillor Ahipene-Mercer  
Councillor Coughlan  
Councillor Eagle  
Councillor Foster  
Councillor Free  
Councillor Lee  
Councillor Lester  
Councillor Marsh  
Councillor Pannett (Chair)  
Councillor Peck  
Councillor Ritchie  
Councillor Sparrow  
Councillor Woolf

**Against:**

Majority Vote: 13:0

**Carried**

(Councillor Young returned to the meeting at 01:46 pm.)

**Moved Councillor Pannett, seconded Councillor Ahipene-Mercer the following substantive motion:**

**Resolved**

That the Environment Committee:

1. Receive the information.
2. Agree that Part 2: Animals of the Wellington Consolidated Bylaw 2008 (the Animals Bylaw) remains the most appropriate way of addressing these animal management issues, and that the proposed Animals Bylaw is the most appropriate form of bylaw under the Local Government Act 2002 and the Dog Control Act 1996.
3. Agree to consult on the proposed amendments to the Animals Bylaw (as in Attachment 1)
4. Agree to consult on the proposal that all domestic cats must be microchipped and registered with a recognised microchip registry.
5. Agree to consult on clause 4.1 of the proposed Bylaw that states "All domestic cats must be easily identifiable as owned and in a way that lets the owner be traced easily". Note that officers will provide further advice following consultation on this clause and that any final decision will be made following consultation.
6. Agree to consult on the need to identify cats and to ask permission from Council to keep more than 3 cats. Note that any final decisions can be made following consultation and that any other issues that may be raised by submitters may influence the development of an "Animals Policy". Agree also to define what easily identified means.



7. Agree to consult about whether it would be appropriate to have a lower number of cats permitted in wildlife sensitive areas.
8. Agree to adopt the amended Statement of Proposal (Attachment 1) and to initiate the special consultative procedure under Section 83 of the Local Government Act 2002.
9. Agree to direct officers to develop an "Animals Policy" covering the management of cats and other animals.
10. Agree to direct officers to work with Wellington SPCA to improve rates of desexing of animals in Wellington and improve education and awareness of responsible pet ownership.
11. Agree to advocate for National guidance for the need for a model bylaw for managing gazetted reserves and for a national policy or strategy on cats.
12. Agree that the proposed Animals Bylaw is consistent with the New Zealand Bill of Rights Act 1990.
13. Agree the consultation period will run from 1 April to 02 May 2016.
14. Agree to delegate to the Chief Executive and the Chair of the Environment Committee, the authority to amend the proposed Statement of Proposal and associated consultation document, to include any amendments agreed by the Committee and any associated minor consequential edits.

Carried

## **4. Monitoring**

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### **4.1 Reports from Council Controlled Organisations for the Quarter Ending 31 December 2015**

**Moved Councillor Pannett, seconded Councillor Coughlan**

#### **Resolved**

That the Environment Committee:

1. Receive the information.
2. Note any issues for the Chair to raise with the Council Controlled Organisations covered in this report.

Carried

## **5. Operational**

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### **5.1 Proposed Reserve Revocation: Oriental Terrace - Response to Submissions**

(Councillor Free left the meeting at 01:52 pm.)

**Moved Councillor Ritchie, seconded Councillor Coughlan**



## Resolved

That the Environment Committee:

1. Receives the information.
2. Having considered and taken into account the submissions received on the proposed exchange of reserve land, agrees to recommend that Council proceed with the land exchange, however the decision remains subject to:
  - (a) The required District Plan Change being completed; and
  - (b) The terms of a Land Exchange Agreement being negotiated and agreed between the Council and ICPE.
3. Note the delegations resolved at the 30 September 2015 meeting of Council and the agreement to initiate a proposed amendment to the District Plan
4. Instructs the Chief Executive to give effect to the exchange in the event that the pre-requisite conditions (a commercial Land Exchange Agreement and an amendment to the District Plan) are fulfilled.

**Moved Councillor Ritchie, seconded Councillor Eagle**, the following amendment by new 5:

That the Environment Committee:

## New 5

5. Agree to the proposed reserve exchange, provided that the pathway remains a functional pathway in Council Ownership in open space B.

A division was called for, voting on which was as follows:

**For:**

Councillor Ahipene-Mercer  
Councillor Coughlan  
Councillor Eagle  
Councillor Foster  
Councillor Lee  
Councillor Lester  
Councillor Marsh  
Councillor Peck  
Councillor Ritchie  
Councillor Sparrow  
Councillor Woolf

**Against:**

Councillor Pannett (Chair)

Majority Vote: 11:1

Carried

**Moved Councillor Ritchie, seconded Councillor Coughlan, the following substantive motion:**

That the Environment Committee:

1. Receives the information.

2. Having considered and taken into account the submissions received on the proposed exchange of reserve land, agrees to recommend that Council proceed with the land exchange, however the decision remains subject to:
  - (a) The required District Plan Change being completed; and
  - (b) The terms of a Land Exchange Agreement being negotiated and agreed between the Council and ICPE.
3. Note the delegations resolved at the 30 September 2015 meeting of Council and the agreement to initiate a proposed amendment to the District Plan
4. Instructs the Chief Executive to give effect to the exchange in the event that the pre-requisite conditions (a commercial Land Exchange Agreement and an amendment to the District Plan) are fulfilled.
5. Agree to the proposed reserve exchange, provided that the pathway remains a functional pathway in Council Ownership in open space B.

A division was called for, voting on which was as follows:

**For:**

Councillor Ahipene-Mercer  
Councillor Coughlan  
Councillor Eagle  
Councillor Foster  
Councillor Lee  
Councillor Lester  
Councillor Marsh  
Councillor Peck  
Councillor Ritchie  
Councillor Sparrow  
Councillor Woolf

**Against:**

Councillor Pannett (Chair)

Majority Vote: 11:1

**Carried**

The meeting concluded at 2:16 pm.

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