



Please note that these minutes remain unconfirmed until the meeting of the Council on 30 September 2014

**Report 14.443**

27/08/2014

File: E/12/01/03

**Minutes of the Council meeting held in the Council Chamber,  
Greater Wellington Regional Council, Shed 39, 2 Fryatt Quay,  
Pipitea, Wellington, on Wednesday, 27 August 2014 at 9.35am**

**Present**

Councillors Wilde (Chair), Aitken, Brash, Bruce, Donaldson, Greig, Kedgley, Laban, Laidlaw, Lamason, McPhee, Swain and Wilson.

**Public Business**

**1 Apologies**

There were no apologies.

**2 Conflict of Interest declarations**

There were no declarations of conflict of interest.

**3 Public Participation**

Graham Bathgate from the Raumati Station Action Group gave a presentation on the results of the Raumati Railway Station resident survey, conducted by Kris Faafoi, MP.

**4 Confirmation of minutes**

*Moved*

*(Cr Swain/ Cr Wilson)*

*That the Council confirms the public minutes of 26 June 2014, Report 14.349 and 23 July 2014, Report 14.383 and the Restricted Public Excluded minutes of 26 June 2014, Report RPE 14.351.*

The motion was **CARRIED**.

## **Strategy/Policy/Major Issues**

### **5 Land exchange - Belmont Regional Park**

**Report 14.420**

File: PK/03/14/01

*Moved*

*(Cr Greig/ Cr Donaldson)*

*That the Council:*

- 1. Receives the report.*
- 2. Notes the content of the report.*
- 3. Approves the proposed exchange of land within Belmont Regional Park between Wellington Regional Council and Hutt City Council on the terms and conditions outlined in this report.*
- 4. Delegates to the Chief Executive the power to sign a formal agreement to exchange land with HCC.*

The motion was **CARRIED**.

## **Governance**

### **6 Impact of the Local Government Act 2002 Amendment Act (No 3) 2014 on powers retained by Council**

Francis Ryan, Manager, Democratic Services, spoke to the report.

**Report 14.396**

File: E/12/01/04

*Moved*

*(Cr Aitken/ Cr Laban)*

*That the Council:*

- 1. Receives the report.*
- 2. Notes the content of the report.*
- 3. Notes that powers previously retained in relation to:*
  - a. determining the form to be taken by a summary of information contained in a statement of proposal (s89(b))*

- b. determining the manner in which a summary of information contained in a statement of proposal is to be distributed (s89(c)); and*
- c. adopting a policy on significance (s90(1))*  
*have been repealed by the Local Government Act 2002 Amendment Act (No 3) 2014.*
- 4. Notes the changes to powers currently retained by Council as a result of the Local Government Act 2002 Amendment Act (No 3) 2014 as set out in Attachment 1.*
- 5. Agrees to retain the new and amended powers provided for in the Local Government Act 2002 as set out in Attachment 1.*

The motion was **CARRIED**.

**Noted:** The Council noted that the provision for local boards is made more widely available, as an option that can be considered by the Local Government Commission during any reorganisation of local government.

**7      Delegation to Chief Executive**

**Report 14.394**

File: E/12/01/04

*Moved*

*(Cr Aitken/ Cr Wilson)*

*That the Council:*

- 1. Receives the report.*
- 2. Notes the content of the report.*
- 3. Delegates the powers in Attachment 1 to this report to the Chief Executive of Greater Wellington Regional Council, to take effect from 20 September 2014.*

The motion was **CARRIED**.

**8      Te Awarua o Porirua Whaitua Committee establishment and terms of reference**

Nigel Corry, General Manager, Environment Management, spoke to the report.

**Report 14.404**

File: ENV/35/03/02

*Moved*

*(Cr Donaldson/ Cr Brash)*

*That the Council:*

- 1. Receives the report.*
- 2. Notes the content of the report.*

3. *Approves the establishment of Te Awarua o Porirua Whaitua Committee.*
4. *Approves the Terms of Reference for Te Awarua o Porirua Whaitua Committee as set out in Attachment 1.*
5. *Approves the application process for Te Awarua o Porirua Whaitua Committee as set out in section 2.4 of this report.*

The motion was **CARRIED**.

## **Corporate**

### 9 **WRC Holdings Statement of Intent covering the years ended 30 June 2015, 2016, 2017**

Mike Timmer, Acting Chief Financial Officer and David Benham, Chief Executive, spoke to the report.

#### **Report 14.367**

File: M/30/03/01

*Moved*

*(Cr Lamason/ Cr Donaldson)*

*That the Council:*

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Approves the Statement of Intent as a final document.*

The motion was **CARRIED**.

### 10 **Issue of unpaid share capital to fund GWRL capital expenditure for 2014/15 year**

Mike Timmer, Acting Chief Financial Officer, spoke to the report.

#### **Report 14.391**

File: T/22/14/04

*Moved*

*(Cr Lamason/ Cr Donaldson)*

*That the Council:*

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Notes that the amount of \$6.7 million is required by GWRL to fund GWRL's budgeted 2014/15 year capital expenditure.*

4. *Notes that the budgeted 2014/15 year capital expenditure of \$6.7 million is in addition to the amount approved to cover the Project Costs for the acquisition of retrofit improvements to the Matangi One Units and 35 additional improved Matangi Two Units.*
5. *Notes that GWRL's budgeted 2014/15 capital expenditure will be funded by:*
  - *The issue of 6.7 million unpaid ordinary \$1 shares by GWRL to WRCHL, and*
  - *The issue of 6.7 million unpaid ordinary \$1 shares by WRCHL to Council.*
6. *Approves the issue of 6.7 million unpaid ordinary \$1 shares in WRCHL to Council.*
7. *Approves the issue of 6.7 million unpaid ordinary \$1 shares in GWRL to WRCHL.*
8. *Authorises the Council Chair and Deputy Chair to sign the required Entitled Persons Agreement approving the issue of shares on behalf of Council.*
9. *Authorises the Council Chair to sign the agreement for the issue of shares approving the basis upon which the respective WRCHL and GWRL boards may make calls for payment of the shares.*
10. *Requests that the Council Chair confirms the consent and approvals referred to in this report, in writing to WRCHL.*

The motion was **CARRIED**.

## **Committees/ meetings**

### **11 Report on Te Upoko Taiao – Natural Resource Management Committee meeting 13 August 2014**

Nigel Corry, General Manager, Environment Management, spoke to the report.

#### **Report 14.407**

File: E/12/01/04

*Moved*

*(Cr Laidlaw/ Cr Bruce)*

*That the Council:*

1. *Receives the report.*
2. *Notes the content of the report.*

The motion was **CARRIED**.

As this was David Benham's last Council meeting before retiring from his position as Chief Executive, councillors took the opportunity to thank him for his work and wished him well for the future.

The Council adjourned for morning tea at 10.57am and reconvened at 11.17am.

## 8 Exclusion of the public

**Report 14.422**

File: E/12/01/04

*Moved*

*(Cr Wilde/ Cr Donaldson)*

*That the Council:*

*Excludes the public from the following part of the proceedings of this meeting namely:*

- 1. Confirmation of the Public Excluded Council minutes of 26 June 2014*
- 2. Appointment of a non-local government Advisor to the Regional Transport Committee*
- 3. Transfer of Land - Porirua*
- 4. Greater Wellington Regional Council property review*
- 5. Pringle House Limited Support*
- 6. Disposal of property*
- 7. Confirmation of the Restricted Public Excluded Council minutes of 23 July 2014*

*The general subject of each matter to be considered while the public is excluded, the reasons for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:*

<b><i>General subject of each matter to be considered:</i></b>	<b><i>Reason for passing this resolution in relation to each matter</i></b>	<b><i>Ground under section 48(1) for the passing of this resolution</i></b>
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<i>1. Confirmation of the Public Excluded Council minutes of 26 June 2014</i>	<i>The information contained in these minutes relates to the tendering of future rail service contracting in the Wellington region which is yet to be negotiated. Release of this information would be likely to disadvantage Greater Wellington Regional Council (GWRC) as it would reveal GWRC's negotiation</i>	<i>That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7(2)(i) of the Local Government Official Information</i>
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*strategy. GWRC has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override the need to withhold the information.*

*2. Appointment of a non-local government Advisor to the Regional Transport Committee*

*The information contained in this report relates to the appointment of a non-local government advisor to the Regional Transport Committee. Release of this information would prejudice their privacy by disclosing the fact that they are being considered, and have expressed interest, in becoming an advisor to the Regional Transport Committee. GWRC has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override the individual's privacy.*

*That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (i.e. to protect the privacy of natural persons).*

*3. Transfer of Land - Porirua*

*The information contained in this report relates to Greater Wellington Regional Council (GWRC) considering whether to acquire property. The report sets out matters which would impact on negotiations in the event that a decision is made to enter into negotiations to purchase property. Release of this information would disadvantage GWRC in the negotiations as it would reveal information on GWRC's negotiation strategy. GWRC has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override this prejudice.*

*That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7(2)(i) of the Local Government Official Information and Meetings Act 1987 (i.e. to enable GWRC to carry out, without prejudice or disadvantage, negotiations).*

*4. Greater Wellington Regional Council property review*

*The information contained in this report sets out valuation data relating to Council owned property. Release of this information would be likely to prejudice GWRC's commercial position in the event that the property is made available for sale. GWRC has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override this prejudice.*

*That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7(2)(b)(ii) of the Local Government Official Information and Meetings Act 1987 (i.e. to protect information where the making available of that information would be likely unreasonably to prejudice the commercial position of the person who supplied or is the subject of the information).*

*5. Pringle House Limited Support*

*The information in this report relates to GWRC's investment in Pringle House Limited. Release of this information would be likely to prejudice Pringle House Limited's commercial position. GWRC has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override this prejudice to their commercial position.*

*That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7(2)(b)(ii) of the Local Government Official Information and Meetings Act 1987 (i.e. to protect information where the making available of that information would be likely unreasonably to prejudice the commercial position of the person who supplied or is the subject of the information).*

*6. Disposal of property*

*The information contained in this report relates to the sale and purchase of property. The report outlines terms of the proposed sale and purchase which is not unconditional. Having this part of the meeting open to the public would disadvantage GWRC if the agreement is not confirmed as it would reveal GWRC's position on*

*That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7(2)(i) of the Local Government Official Information and Meetings Act 1987 (i.e. to*



*the value of the property. GWRC enable GWRC to carry out, has not been able to identify a without prejudice or public interest favouring disclosure of this particular information in public proceedings of the meeting that would override this prejudice. disadvantage, negotiations).*

*7. Confirmation of the Restricted Public Excluded Council minutes of 23 July 2014*

*The information contained in these minutes relates to the appointment of the Chief Executive. Release of this information would prejudice the Chief Executive's privacy. GWRC has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override the privacy of the individual concerned.*

*That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (i.e. to protect the privacy of natural persons).*

*This resolution is made in reliance on section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as specified above.*

The motion was **CARRIED**.

The public part of the meeting closed at 11.17am.

FH Wilde  
(Chair)

Date: