



Confirmed public minutes of the Council meeting on Thursday 27 February 2020

Kadima Lounge 2, Fraser Park Sportville
237 Taita Drive, Avalon, Lower Hutt, at 9.34am.

Members Present

Councillor Ponter (Chair) (from 9.56am)
Councillor Staples (Deputy Chair) (presiding member until 9.55am).
Councillor Blakeley
Councillor Brash
Councillor Connelly
Councillor Gaylor (from 9.43am)
Councillor Hughes (from 9.56am)
Councillor Lamason
Councillor Lee (from 9.48am)
Councillor Nash
Councillor van Lier

Councillor Staples (Deputy Council Chair) presided at the meeting in the absence of the Council Chair until 9.55am.

Public Business

1 Apologies

Moved: Cr Blakeley / Cr Connelly

That the Council accepts the apologies for absence from Councillors Kirk-Burrnand and Laban, and the apologies for lateness from Councillors Gaylor, Hughes, Lee, and Ponter.

The motion was **carried**.

2 Declarations of conflicts of interest

There were no declarations of conflict of interest.

3 Public participation

There was no public participation.

4 Confirmation of the Public minutes of 12 December 2019 – Report 19.538

Moved: Cr Blakeley / Cr Lamason

That the Council confirms the Public minutes of 12 December 2019 – Report 19.538.

The motion was **carried**.

5 Confirmation of the Public minutes of 4 February 2020 – Report 20.23

Moved: Cr Brash / Cr van Lier

That the Council confirms the Public minutes of 4 February 2020 – Report 20.23.

The motion was **carried**.

Council accorded priority to agenda item 8 – *Proposed variation to the Wellington Regional Land Transport Plan Programme 2018-21* and item 9 – *Triennial Agreement 2019-2022*.

6 Proposed variation to the Wellington Regional Land Transport Plan Programme 2018-21 – Report 20.30

Moved: Cr Brash / Cr van Lier

That the Council:

- 1 Adopts the variation to the Wellington Regional Land Transport Plan Programme 2018-21, as set out in Attachment 1, to include the Porirua City Council Transport Activity Management Plan.
- 2 Agrees to the variation to the Regional Land Transport Plan Programme being forwarded to Waka Kotahi NZ Transport Agency, requesting the variation is included in the National Land Transport Programme.

The motion was **carried**.

7 Triennial Agreement 2019-22 – Report 20.57

Moved: Cr Brash / Cr Lamason

That the Council:

- 1 Approves the Wellington Regional Triennial Agreement 2019-2022 (Attachment 1).
- 2 Authorises the Chief Executive and the Council Chair to make any minor amendments to the Triennial Agreement 2019-2022 required as a result of

- changes requested by other local authorities in the region as part of the adoption process

The motion was **carried**.

Noted: Cr Gaylor arrived at 9.43am at the conclusion of the above item of business.

Council accorded priority to agenda item 13 – *Councillor appointments – February 2020*, item 14 – *Report of the Regional Transport Committee meeting 18 February 2020*, and item 15 – *Report of the Wellington Regional Strategy Committee meeting 18 February 2020*.

8 Councillor appointments – February 2020 – Report 20.61

Moved: Cr Nash / Cr Lamason

That the Council:

Transport Committee

- 1 Removes Councillor Ponter as the designated spokesperson for the Transport Committee.
- 2 Notes that Councillor Blakeley, as part of this role as Chair of the Transport Committee, then assumes the role of spokesperson.

Wellington Region Waste Management and Minimisation Plan Joint Committee

- 3 Removes Councillor Connelly as Council’s member on the Wellington Region Waste Management and Minimisation Plan Joint Committee.
- 4 Appoints Councillor Lee as Council’s member on the Wellington Region Waste Management and Minimisation Plan Joint Committee.

The motion was **carried**.

Noted: Cr Lee arrived at the meeting at 9.48am during the consideration of the above item.

9 Report of the Regional Transport Committee meeting 18 February 2020 – Report [for information]

10 Report of the Wellington Regional Strategy Committee meeting – 18 February 2020 – Report [for information]

11 Submission on proposed National Policy Statement for Indigenous Biodiversity – Report 20.70

Jamie Steer, Senior Biodiversity Advisor, spoke to the report.

Moved: Cr Gaylor / Cr Nash

That the Council:

- 1 Adopts the submission, subject to any minor editorial amendments to be approved by the Council Chair.

- 2 Approves the proposal to write an accompanying letter to the Minister for the Environment.

The motion was **carried**.

Noted: Cr Hughes and Ponter arrived at the meeting at 9.56am, during the vote on the above item.

Cr Ponter assumed the chair once consideration of the above item had concluded.

12 Submission on Taumata Arowai – the Water Services Regulator Bill – Report 20.75

Seán Mahoney, Company Portfolio Manager, spoke to the report.

An updated Attachment 1 was tabled.

Moved: Cr Staples / Cr Blakeley

That the Council adopts the submission to the Health Select Committee on Taumata Arowai – the Water Services Regulator Bill, subject to any minor editorial amendments to be approved by the Council Chair.

The motion was **carried**.

13 Policy on the appointment and remuneration of directors of council organisations – Report 20.66

Seán Mahoney, Company Portfolio Manager, spoke to the report.

Moved: Cr Lamason / Cr Nash

That the Council:

- 1 Adopts the updated “Policy on the Appointment and Remuneration of Directors of Council Organisations” (Attachment 1).
- 2 Authorises the Chief Executive to approve any minor amendments and edits to the Policy to address any typographical or presentational issues.

The motion was **carried**.

14 WRC Holdings – fee increases – Report 20.56

Seán Mahoney, Company Portfolio Manager, spoke to the report.

Moved: Cr Lamason / Cr Staples

That the Council:

- 1 Approves Option One – Increase the external director’s fee for WRC Holdings from \$20,000 to \$25,000 per annum (paragraph 12).
- 2 Approves an increase in the fee for any independent Chair of WRC Holdings to \$45,000 per annum.

The motion was **carried**.

Noted: The Council requested that officers undertake a review of fees payable to external members of all GW bodies to ensure appropriate relativity with other public bodies.

15 Greater Wellington's quarterly performance reports – as at 31 December 2019 – Report 20.60 [for information]

Nigel Corry, Deputy Chief Executive, spoke to the report.

Moved: Cr Brash / Cr Lee

That the Council accepts Greater Wellington's performance report as at 31 December 2019 (the end of the second quarter of the 2019/20 financial year) (Attachment 1).

The motion was **carried**.

Council agreed to take item 10 – *Establishment of Public Transport Advisory Group* last in the public part of the meeting.

16 Establishment of Public Transport Advisor Group – Report 20.55

Greg Pollock, General Manager Public Transport, spoke to the report.

Moved: Cr Lee / Cr Blakeley

That the Council:

- 1 Establishes the Public Transport Advisory Group.
- 2 Adopts the Public Transport Advisory Group's proposed Terms of Reference as set out in Attachment 1.
- 3 Agrees that the estimated cost to fund meeting fees for the remainder of 2019/20 only will be funded from Greater Wellington's reserves.

The motion was **carried**.

Resolution to exclude the public

17 Resolution to exclude the public – Report 20.28

Moved: Cr Staples / Cr Brash

That the Council excludes the public from the following parts of the proceedings of this meeting, namely:

Confirmation of the Public Excluded minutes of 12 December 2019 – Report PE19.539

Forestry Cutting Rights (consent to change of ownership) – Report PE20.27

Project Next – structural arrangements – Report PE20.51

Wellington Regional Economic Development Agency – appointment of director – Report PE20.67

Wellington Regional Stadium Trust – appointment of trustee – Report PE20.40

Appointment of non-elected member to the Climate Committee – Report PE20.8

Non-councillor appointments to committees and advisory bodies – Report PE20.10

Confirmation of the Restricted Public Excluded minutes of 12 December 2019 – Report RPE19.540

Transit integrated development proposal – Johnsonville – Report RPE19.502

Interim review of the Chief Executive’s performance for 2019/20 – Report RPE20.18

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 ground/s under section 48(1) of the Local Government Official Information and Meetings Act 1987 (the Act) for the passing of this resolution are as follows:

Confirmation of the public excluded minutes of the Council meeting 12 December 2019	
<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<p>The information contained in these minutes relates to a proposed contractual arrangement regarding land owned by Greater Wellington. The report outlines the terms of a proposed agreement, including details of the commercial terms. Having this part of the meeting open to the public would disadvantage Greater Wellington in that it would reveal Greater Wellington's expectations as to the final terms and conditions that would be acceptable to Greater Wellington. Council 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.</p>	<p>The public conduct of this part of the meeting is excluded as per section 7(2)(i) of the Act (to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)).</p>
Forestry cutting rights (consent to change of ownership)	
<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<p>The information contained in this report relates to due diligence information obtained in relation to the holder of the Forestry Rights, RMS FGI New Zealand Limited and the proposed new shareholder in RMS FGI New Zealand. The disclosure of this information would likely to unreasonably prejudice the commercial positions of the persons supplying or the subject of the information. It may also prejudice or disadvantage Council in the negotiation of the proposed Deed of Covenant and the Ancillary Deed that Council is seeking to secure as a condition of Council consenting to the Proposed Transaction. Good reason also exists for withholding the legally</p>	<p>The public conduct of this part of the meeting is excluded as per section 7(2)(b)(ii) of the Act (to protect information where making available of the information would be likely to unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information) and 7(2)(i) of the Act (to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)) and section 7(2)(g) of the Act (to maintain legal professional privilege).</p>

<p>privileged advice summarised within the report and annexed to the report in the legal due diligence report. Council has not been able to identify a public interest favouring disclosure of this information in public proceedings of the meeting that would override the need to withhold the information.</p>	
<p>Project Next – structural arrangements</p>	
<p><i>Reason for passing this resolution in relation to each matter</i></p>	<p><i>Ground(s) under section 48(1) for the passing of this resolution</i></p>
<p>The information contained in this report relates to negotiations with the New Zealand Transport Agency and other public transport authorities in New Zealand. Release of this information would be likely to prejudice or disadvantage the ability of Council to carry on negotiations with the New Zealand Transport Agency and public transport authorities. In addition, information in the report relates to procurement processes for a ticketing solution provider and associated financial service providers that are underway. Release of this information would be likely to prejudice or disadvantage the ability of the New Zealand Transport Agency and public transport authorities (including Council) to carry on negotiations with parties participating in the procurement process. Council has not been able to identify a public interest favouring disclosure of this information in public proceedings of the meeting that would override the need to withhold the information.</p>	<p>The public conduct of this part of the meeting is excluded as per section 7(2)(i) of the Act (to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)).</p>
<p>Wellington Regional Economic Development Agency – appointment of director</p>	
<p><i>Reason for passing this resolution in</i></p>	<p><i>Ground(s) under section 48(1) for the</i></p>

<i>relation to each matter</i>	<i>passing of this resolution</i>
The information contained in this report includes personal and identifying information about the proposed candidate. Withholding the information prior to Council's decision is necessary to protect the privacy of that natural person, as releasing this information would disclose their consideration as a director of the Wellington Regional Economic Development Agency. Council 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.	The public conduct of this part of the meeting is excluded as per section 7(2)(a) of the Act (to protect the privacy of natural persons, including that of deceased natural persons).
Wellington Regional Stadium Trust trustee appointment	
<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
The information contained in this report includes personal and identifying information about the proposed candidate. Withholding this information prior to Council's decision is necessary to protect the privacy of that natural person, as releasing this information would disclose their consideration as a Trustee of the Wellington Regional Stadium Trust. Council 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.	The public conduct of this part of the meeting is excluded as per section 7(2)(a) of the Act (to protect the privacy of natural persons, including that of deceased natural persons).
Appointment of non-elected member to the Climate Committee	
<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
The information contained in this	The public conduct of this part of the

<p>report includes personal and identifying information about the preferred candidate. Withholding this information prior to Council's decision is necessary to protect the privacy of that natural person, as releasing this information would disclose their consideration as an appointed member to the Climate Committee. Council 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.</p>	<p>meeting is excluded as per section 7(2)(a) of the Act (to protect the privacy of natural persons, including that of deceased natural persons).</p>
<p>Non-councillor appointments to committees and advisory bodies</p>	
<p><i>Reason for passing this resolution in relation to each matter</i></p>	<p><i>Ground(s) under section 48(1) for the passing of this resolution</i></p>
<p>Information contained in this report includes personal and identifying information about proposed candidates for appointment. Withholding this information prior to Council's decision is necessary to protect the privacy of those natural persons, as releasing the information would disclose their consideration for appointment as members of Te Upoko Taiao – Natural Resources Plan Committee and the Farming Reference Group. Council 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.</p>	<p>The public conduct of this part of the meeting is excluded as per section 7(2)(a) of the Act (to protect the privacy of natural persons, including that of deceased natural persons).</p>
<p>Confirmation of the restricted public excluded minutes of the Council meeting 12 December 2019</p>	
<p><i>Reason for passing this resolution in relation to each matter</i></p>	<p><i>Ground(s) under section 48(1) for the passing of this resolution</i></p>

<p>Information contained in these minutes relates to negotiations with NZ Bus and Tranzurban. Release of this information would be likely to prejudice or disadvantage the ability of Greater Wellington to carry on negotiations with NZ Bus and Tranzurban. Council 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.</p>	<p>The public conduct of this part of the meeting is excluded as per section 7(2)(i) of the Act (to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations).</p>
<p>Transit integrated development proposal – Johnsonville</p>	
<p><i>Reason for passing this resolution in relation to each matter</i></p>	<p><i>Ground(s) under section 48(1) for the passing of this resolution</i></p>
<p>Information contained in this report relates to negotiations with Stride and Wellington City Council. Release of this information would be likely to prejudice or disadvantage the ability of Greater Wellington to carry on negotiations with Stride and Wellington City Council. Council 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.</p>	<p>The public conduct of this part of the meeting is excluded as per section 7(2)(i) of the Act (to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)).</p>
<p>Chief Executive’s interim performance review</p>	
<p><i>Reason for passing this resolution in relation to each matter</i></p>	<p><i>Ground(s) under section 48(1) for the passing of this resolution</i></p>
<p>The information in this report contains information relating to the Chief Executive’s interim performance review for the year 2019/20. Release of this information would prejudice Greg Campbell’s privacy by disclosing details of his interim performance review for</p>	<p>The public conduct of this part of the meeting is excluded as per section 7(2)(a) of the Act (to protect the privacy of natural persons, including that of deceased natural persons).</p>

2019/20. Council 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.	
---	--

This resolution is made in reliance on section 48(1)(a) 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 or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.

Council also moves that Nick Crang, Partner, Duncan Cotterill, be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of matters related to consent of ownership for forestry cutting rights. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because it is the subject of the report on forestry cutting rights (consent to change of ownership).

The motion was **carried**.

The public part of the meeting closed at 10.29am.



Councillor D Ponter
Chair

Date: 25/06/2020