



**Report 10.20**

4 February 2010

File: E/06/01/04

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**Minutes of the public part of the meeting of the Wellington Regional Council held in the Council Chamber, The Regional Council Centre, 142 Wakefield Street, Wellington on Thursday, 4 February 2010 at 9.30 am**

**Present**

Councillors Wilde (Chair), Aitken, Baber, Bruce, Buchanan, Burke, Donaldson, Glensor, Greig, Kirton, Laidlaw, Lamason, and Wilson.

485 **Apologies**

There were no apologies.

486 **Items not on the agenda**

*Moved*

*(Cr Wilde/Cr Baber)*

*That under Standing Order 23.5, Reports 10.26 – Appointment of hearing panel to hear and determine objection to non-notified decision – and 10.32 – Expiry of Chief Executive’s employment agreement – be added to the agenda.*

**Reasons**

Report 10.26 is not on the agenda because an objection to a non-notified consent decision was received after the preparation of the order paper for this meeting.

Discussion on matters contained in report 10.26 cannot be delayed until the Council’s next meeting because the 20 working days for consideration of an objection specified in section 357C(3)(a) of the Resource Management Act 1991 will have lapsed by the next scheduled Council meeting.

Report 10.32 is not on the agenda as advice from officials was received after the preparation of the order paper.

Discussion on matters contained in report 10.32 cannot be delayed until the Council's next meeting, as the Council must complete the statutory review required under clause 35 of schedule 7 of the Local Government Act 2002 by 5 March 2010.

487 **Conflict of Interest Declarations**

No Councillors declared conflict of interest.

488 **Public Participation**

No members of the public participated in the meeting.

489 **Confirmation of Minutes**

*Moved*

*(Cr Greig/Cr Kirton)*

*That the Council confirms the public and public excluded minutes of the Council meeting of 15 December 2009, Report 09.782 and Report PE 09.783.*

The motion was **CARRIED**.

490 **Waiwhetu Stream Floodplain Management Plan – remediation and flood improvements request for additional funding**

David Benham, Chief Executive, introduced the report.

**Report 10.15**

File: N/03/21/01

*Moved*

*Cr Lamason/Cr Aitken)*

*That the Council:*

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Approves the additional capital expenditure of \$871,000 subject to receiving a recommendation from the Waiwhetu Stream Advisory Sub Committee requesting the additional budget and to Hutt City Council approving the necessary increases to fund the clean up portion of the project.*

The motion was **CARRIED**.

491 **Proposed Rates and Levies for 2010/11**

David Benham, Chief Executive, introduced the report.

**Report 09.775**

File: CFO/07/06/18

*Moved**(Cr Wilson/Cr Laidlaw)**That the Council:*

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Approves for inclusion in the Council's Proposed 2010/11 Annual Plan, the rates and levies included in Section 6 (as may be amended by the Council).*
4. *Agrees that a review of the transport rate formula be undertaken in the 2010/11 year, and that reference to this review be included in the Proposed Annual Plan 2010/11.*

The motion was **CARRIED**.

**Noted**

Resolution 4 was added by the Council at the meeting during consideration of the item.

492 **Appointment of hearing panel to hear and determine objection to non-notified consent decision****Report 10.26**

File: ENV/01/08/04

*Moved**(Cr Baber/Cr Kirton)**That the Council:*

1. *Receives the report.*
2. *Establishes a hearing panel to hear and determine an objection by AJ Barton on a non-notified consent application in accordance with section 357D of the Resource Management Act 1991.*
3. *Authorises the Chairman of the Regulatory Committee, in consultation with the General Manager, Environment Management, to determine the composition of the hearing panel*

The motion was **CARRIED**.

493 **Expiry of Chief Executive's Employment Agreement****Report 10.32**

File: GM/02/01/04

*Moved**(Cr Wilde/Cr Baber)**That the Council:*

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Approves the establishment of the Chief Executive Statutory Performance Review Committee, with the following membership:*

*Cr Wilde (Chair)**Cr Buchanan**Cr Glensor.*

4. *Approves the terms of reference for the Chief Executive Statutory Performance Review Committee, as set out in Attachment 2 to this report*

The motion was **CARRIED**.494 **Exclusion of the Public****Report 10.22**

File: E/06/01/04

*Moved**(Cr Lamason/Cr Baber)**That the Council**Excludes the public from the following part of the proceedings of this meeting namely:*

1. *Proposal to lease land at Waikanae for commuter carpark purposes*
2. *Harvesting and Marketing Contract 2010-2014*

*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>General subject of each matter to be considered:</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground under section 48(1) for the passing of this resolution</b>
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1. *Proposal to lease land at Waikanae for commuter carpark purposes*      *The information contained in this report relates to Greater Wellington entering into a lease agreement with the Trustees of the Ruakohatu Urupa Reservation for two pieces of land. The agreement has not yet been entered into. The report outlines terms of the proposed purchase which may still be negotiated. Having this part of the meeting open to the public would disadvantage the Council if further negotiations were to take place as it would reveal the Council's negotiation strategy. The 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.*      *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 Greater Wellington to carry out, without prejudice or disadvantage, negotiations).*
2. *Harvesting and Marketing Contract 2010-2014*      *The information contained in this report relates to Greater Wellington entering into an agreement with external agencies for forestry marketing contracts. The agreement has not yet been entered into. The report outlines terms of the proposed agreement which may still be negotiated. Having this part of the meeting open to the public would disadvantage the Council if further negotiations were to take place, as it could reveal the Council's negotiation strategy. Greater Wellington has not been able to identify a public interest favouring disclosure of the particular information above in public proceedings of the meeting that would override the identified 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 Greater Wellington to carry out, without prejudice or disadvantage, negotiations).*

*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 10.16 am.

Cr FH WILDE  
Chair

Date