



Please note that these minutes remain unconfirmed until the meeting of the Council on 12 June 2013

Report 13.186

09/05/2013

File: E/11/01/03

**Minutes of the Council meeting held in the Council Chamber,
Regional Council Centre, 142 Wakefield Street Wellington, on
Thursday, 9 May 2013 at 9.30am**

Present

Councillors Wilde (Chair), Brash, Bruce, Donaldson, Glensor, Greig, Laidlaw, Lamason, McPhee, Ponter and Swain.

Public Business

1 **Apologies**

Moved

(Cr Wilde / Cr Glensor)

That the Council accepts the apologies for absence from Councillors Aitken and Wilson.

The motion was **CARRIED**.

2 **Conflict of Interest declarations**

There were no declarations of conflict of interest.

3 **Public Participation**

There was no public participation.

4 **Confirmation of Minutes**

Moved

(Cr Lamason / Cr Brash)

That the Council confirms the minutes of the meeting of 20 March 2013, Report 13.110.

The motion was **CARRIED**.

Strategy/Policy/Major Issues

5 Submission on the NZTA's Financial Assistance Rates (FAR) Review Discussion Document

Report 13.157

File: TP/01/17/06

Moved

(Cr Wilde / Cr Ponter)

That the Council:

- 1. Receives the report.*
- 2. Notes the contents of the report.*
- 3. Approves the submission set out in Attachment1 to this report.*

The motion was **CARRIED**.

6 Recent amendments to the Local Government Act 2002

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

Report 13.123

File: E/11/01/04

Moved

(Cr Wilde / Cr Swain)

That the Council:

- 1. Receives the report.*
- 2. Notes the contents of the report.*
- 3. Notes that the Council's decision-making process and guidelines have been reviewed and updated to align with the December 2012 changes to the Local Government Act 2002.*
- 4. Agrees to retain its powers in relation to the reorganisation provisions of Schedule 3 of the Local Government Act 2002.*
- 5. Agrees to retain its powers under section 258Q of the Local Government Act 2002 in relation to the powers of the Minister to intervene.*

The motion was **CARRIED**.

Corporate

7 Finance report for the period ended 31 March 2013

David Benham, Chief Executive, and Wayne Hastie, General Manager, Public Transport, spoke to the report.

Report 13.174

File: CFO/13/02/01

Moved

(Cr Glensor / Cr Swain)

That the Council:

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

The motion was **CARRIED**.

Governance

8 Wellington Regional Council's Communication Policy for the 2013 pre-election period

Donna Baker, Manager, Communications and Francis Ryan, Manager, Democratic Services, spoke to the report.

Report 13.151

File: E/09/19/07

Moved

(Cr Donaldson / Cr Laidlaw)

That the Council:

- 1. Receives the report.*
- 2. Notes the contents of the report.*
- 3. Agrees to adopt the pre-election communication policy set out in this paper for the period 12 July to 12 October 2013.*

The motion was **CARRIED**.

Noted: Further advice from officers is to be provided in relation to technology use and Councillor-originated publications.

9 **2013 Local Government New Zealand national conference and Annual General Meeting**

Report 13.155

File: E/07/07/03

Moved

(Cr Donaldson / Cr Lamason)

That the Council:

- 1. Approves the attendance of Councillor Wilde and Councillors Aitken and Brash at the 2013 LGNZ national conference and Annual General Meeting.*
- 2. Nominates Councillor Wilde as the Presiding Delegate for voting on behalf of the Council at the 2013 LGNZ Annual General Meeting.*
- 3. Nominates Councillors Aitken and Brash, and David Benham, Chief Executive, as Alternate Delegates for voting on behalf of the Council at the 2013 LGNZ Annual General Meeting if Councillor Wilde is absent from the Annual General Meeting.*

The motion was **CARRIED**.

10 **Draft Stadium Trustees Statement of Trustees' Intent**

Report 13.129

File: CFO/09/02/02

Moved

(Cr Laidlaw / Cr Lamason)

That the Council:

- 1. Receives the report.*
- 2. Notes the contents of the report.*
- 3. Provides any comments on the Statement of Trustees' Intent which will be conveyed to the Wellington Regional Stadium Trust.*

The motion was **CARRIED**.

Committees/Meetings

11 **Report on the Environmental Wellbeing Committee meeting 16 Aril 2013**

Report 13.147

File: E/11/01/04

Moved

(Cr Donaldson / Cr Brash)

That the Council:

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

The motion was **CARRIED**.

12 **Report on the Social and Cultural Wellbeing Committee meeting 17 April 2013**

David Benham, Chief Executive, spoke to the report.

Report 13.143

File: E/11/01/04

Moved

(Cr Greig / Cr Lamason)

That the Council:

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

The motion was **CARRIED**.

13 **Report on the Economic Wellbeing Committee 18 April 2013**

Report 13.150

File: E/11/01/04

Moved

(Cr Glensor/ Cr Bruce)

That the Council:

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

The motion was **CARRIED**.

14 **Report on the Wellington Regional Strategy Committee meeting 24 April 2013**

Report 13.166

File: E/11/01/04

Moved

(Cr Wilde / Cr Glensor)

That the Council:

1. *Receives the report.*

2. *Notes the contents of the report.*

The motion was **CARRIED**.

15 **Exclusion of the public**

Moved

(Cr Wilde / Cr Glensor)

That the Council:

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

1. *Confirmation of the public excluded minutes of Council 20 March 2013*
2. *Disposal of Property*
3. *Purchase of Property*
4. *Appointment of a non-Councillor member to Te Upoko Taiao – Natural Resource Management Committee*
5. *Appointment to Wellington Regional Stadium Trust*
6. *Rolling Stock Capacity to meet Peak Period Demand by Acquisition of Additional Matangi Units*

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:

<i>General subject of each matter to be considered:</i>	<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground under section 48(1) for the passing of this resolution</i>
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|--|--|--|
| <i>1. Treasury matters contained within the public excluded minutes of Council 20 March 2013</i> | <i>Information contained in these minutes relates to the Greater Wellington Regional Council's (GWRC) banking facilities. The minutes outline the pricing of banking facilities. 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 the</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)(b)(ii) of the Act (i.e. to protect information where the making available of that information would be likely</i> |
|--|--|--|

banking provider's commercial position. unreasonably to prejudice the commercial position of the person who supplied or is the subject of the information).

- 2. Disposal of property*

The information contained in this report relates to GWRC entering into a sale and purchase agreement which is still to be negotiated. Release of this information would disadvantage GWRC in the negotiations as it would reveal information on the 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 Act (i.e. to enable GWRC to carry out, without prejudice or disadvantage, negotiations).
- 3. Purchase of Property*

The information contained in this report relates to a land purchase agreement. 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 GWRC if further negotiations were to take place as it would reveal 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 Act (i.e. to enable GWRC to carry out, without prejudice or disadvantage, negotiations).
- 4. Appointment of a non-Councillor member to Te Upoko Taiao – Natural Resource Management*

The information contained in this report relates to the proposed appointment of a non-Councillor member to Te Upoko Taiao – Natural Resource Management Committee. Release of this information would prejudice the proposed member's privacy by

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 Act (i.e. to

Committee disclosing the fact that they are being considered, and have expressed interest in, becoming a member of the Te Upoko Taiao – Natural Resource Management 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 privacy of the individual concerned. protect the privacy of natural persons).

5. Appointment to Wellington Regional Stadium Trust *The information contained in this report relates to the proposed appointment of a Trustee to the Wellington Regional Stadium Trust. Release of this information would prejudice the proposed appointee's privacy by disclosing the fact that they have been considered for appointment. 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 Act (i.e. to protect the privacy of natural persons).*

6. Rolling Stock Capacity to meet Peak Period Demand by Acquisition of Additional Matangi Units *Certain information contained in this report relates to potential future rolling stock procurement contracts. Release of this information would be likely to harm the negotiating position of GWRC as it sets out potential options, which if exposed to the market would adversely affect GWRC'S capacity to negotiate an outcome most advantageous for ratepayers. 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* *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 Act (i.e. to enable GWRC to carry out, without prejudice or disadvantage, negotiations).*

information.

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.

2. *Permit John Strahl, Special Counsel, DLA Phillips Fox, to remain at this meeting, after the public has been excluded because of his knowledge relating to the potential acquisition of additional Matangi Units. 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.*

The motion was **CARRIED**.

The meeting went into Public Excluded Business at 10.19am.

FH Wilde
(Chair)

Date: