



Report 19.62

26/02/2019

File: CCAB-8-2134

Confirmed public minutes of the Council meeting held on Tuesday, 26 February 2019 in the Council Chamber, Greater Wellington Regional Council, Level 2, 15 Walter Street, Te Aro, Wellington at 9:30am

Present

Councillors Laidlaw (Chair), Blakeley, Brash, Donaldson, Gaylor, Kedgley (from 9:42am), Laban, Lamason, McKinnon, Ponter, Staples (from 9:36am), and Swain.

Public Business

1 **Apologies**

Moved

(Cr Laidlaw/ Cr Donaldson)

That the Council accepts the apology for lateness from Councillors Kedgley and Staples, and the apology for absence from Councillor Ogden.

The motion was **CARRIED**.

2 **Declarations of conflict of interest**

Cr Swain declared a conflict of interest with regard to item 8 – *Property disposal – Wairarapa*.

3 **Public participation**

There was no public participation.

4 **Confirmation of the Public minutes of 13 December 2018**

Moved

(Cr Blakeley/ Cr McKinnon)

That the Council confirms the Public minutes of 13 December 2018 - Report 18.608.

The motion was **CARRIED**.

Governance

5 Wellington Water Proposed Governance Changes

Samantha Gain, General Manager, Corporate Services, spoke to the report.

Report 19.48

File: CCAB-8-2099

Moved

(Cr Brash/ Cr Staples)

That the Council:

- 1. Receives the report.*
- 2. Notes the content of the report.*
- 3. Adopts the changes to the Shareholders' Agreement, attached as Attachment 1 to the report.*
- 4. Adopts the changes to the Terms of Reference of the Wellington Water Committee, attached as Attachment 2 to the report.*
- 5. Adopts the changes to the Constitution, attached as Attachment 3 to the report.*
- 6. Notes that the changes to each document must be adopted by each shareholding council before they become effective.*

Moved as a procedural motion:

Moved

(Cr Kedgley/ Cr Ponter)

That the item of business being discussed does lie on the table, and not be further discussed at this meeting.

The procedural motion was **CARRIED**.

Noted: Councillor Staples arrived at the meeting at 9:36am and Councillor Kedgley arrived at the meeting at 9:42am, during discussion on item 5.

6 2019 triennial elections

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

Report 19.11

File: CCAB-8-2083

Moved

(Cr McKinnon/ Cr Blakeley)

That the Council:

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

3. *Agrees that the names of the Wellington Regional Council candidates at the 2019 local authority elections are to be arranged on the voting paper in random order.*
4. *Agrees to advise territorial authorities in the Wellington Region that postal voting is the preferred method of voting under the options currently available.*

The motion was **CARRIED**.

Noted: Councillor Swain requested that his vote against the motion be recorded.

7 **Additional delegation to the proposed Natural Resources Plan Hearing Panel**

Report 19.24

File: CCAB-8-2085

Moved

(Cr Donaldson/ Cr Blakeley)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Delegates to the Proposed Natural Resources Plan Hearing Panel the authority to make minor amendments to the proposed Natural Resources Plan pursuant to Clause 16(2) of Schedule 1 of the Resource Management Act 1991.*

The motion was **CARRIED**.

Corporate

8 **Summary report for the second quarter 2018/19**

Greg Campbell, Chief Executive, spoke to the report.

Report 19.54

File: CCAB-8-2110

Moved

(Cr Donaldson/ Cr McKinnon)

That the Council:

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

The motion was **CARRIED**.

Noted: The Council requested officers provide an update on infrastructure resilience at the next Council workshop.

9 **Health, Safety and Wellness update**

Nigel Corry, General Manager, People and Customer (Acting), spoke to the report.

Report 19.56

File: CCAB-8-2106

Moved

(Cr Laidlaw/ Cr Lamason)

That the Council:

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

Moved as an amendment:

Moved

(Cr McKinnon/ Cr Donaldson)

That a new recommendation 3 be included:

- 3. Commends officers for their focus on health and safety initiatives.*

The amendment was **CARRIED**.

The substantive motion was put:

Moved

(Cr Laidlaw/ Cr Lamason)

That the Council:

- 1. Receives the report.*
- 2. Notes the content of the report.*
- 3. Commends officers for their focus on health and safety initiatives.*

The substantive motion was **CARRIED**.

Noted: The Council requested officers report on the breakdown of events with a comparison to previous periods.

10 **Exclusion of the public**

Report 19.47

File: CCAB-8-2098

Moved

(Cr Laidlaw/ 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 minutes of 13 December 2018*
- 2. Appointments to subcommittee and advisory body*
- 3. Property disposal - Wairarapa*
- 4. Strategic Land Purchase - Lower Hutt*
- 5. Confirmation of the Restricted public excluded minutes of 13 December 2018*
- 6. Chief Executive 2018/19 interim performance review*
- 7. Statutory performance review of the Chief Executive.*

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 (the Act) 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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Confirmation of the Public excluded minutes of 13 December 2018

The information contained in these minutes relates to GWRC's Long Term Office Accommodation Preferred Option. The information contained in these minutes relates to a commercial lease which is still under negotiation. Having this part of the meeting open to the public would disadvantage the 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)(b)(ii) of the Local Government Official Information and Meetings Act 1987 (the Act) (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).

The information contained in these minutes also relates to an application for a rates remission. Release of this information would be likely unreasonably to prejudice the applicant's commercial position by disclosing the fact that they are requesting a rates remission for their property. 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 applicant 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)(b)(ii) of the Local Government Official Information and Meetings Act 1987 (the Act) (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).

Appointments to subcommittee and

The information contained in this report relates appointments to the Te Kāuru Upper Ruamahanga

That the public conduct of the whole or the relevant part of the proceedings of the meeting

advisory body

River Floodplain Management Plan Subcommittee. Release of this information would prejudice the proposed members' privacy by disclosing the fact that they have expressed interest in, and are being considered for, appointment to GWRC bodies. 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 individuals concerned.

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).

*3. Property Disposal -
Wairarapa*

The information contained in this report relates to the proposed disposal of property owned by GWRC. The report outlines terms of the proposed disposal and includes details of the anticipated disposal values of the surplus land. Having this part of the meeting open to the public would disadvantage GWRC if the property is placed on the open market for sale via a contestable sale process as it would reveal GWRC's price expectations. 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 carry out negotiations without prejudice).

*4. Strategic Land
Purchase - Lower
Hutt*

The information contained in this report relates to a proposed land purchase and lease-back agreement upon terms and conditions that are yet to be negotiated and agreed. Having this part of the meeting open to the public would disadvantage GWRC in its negotiations as it would reveal GWRC's negotiation strategy. GWRC has not been able to identify a public interest favouring disclosure of this information in public proceedings of the meeting that would override

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 carry out negotiations without prejudice).

this prejudice.

5. *Confirmation of the Restricted Public Excluded minutes 13 December 2018*
- The information in these minutes relates to the interim performance review of the Chief Executive. Release of this information would prejudice the privacy of the Chief Executive by disclosing matters relating to the statutory review of his performance. 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 Chief Executive's privacy.*
- The information in these minutes also relates to procurement matters, some of which are likely to have commercial implications for suppliers and potential suppliers, GWRC, other local government bodies and NZTA. Release of this information would likely prejudice a proposed competitive procurement process by exposing proposed commercial terms. GWRC has not been able to identify a public interest favouring disclosure of this particular information that would outweigh that likely 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 sections 7(2)(a) of the Act (i.e. to protect the privacy of natural persons).*
- 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 unreasonably to prejudice the commercial position of the person who supplied or is the subject of the information), section 7(2)(h) of the Act (i.e. to enable any local authority holding the information to carry out, without prejudice or disadvantage, to commercial activities), section 7(2)(i) of the Act (i.e. to carry out negotiations without prejudice), and section 7(2)(j) (i.e. to prevent the disclosure or use of official information for improper gain or improper advantage).*
6. *Chief Executive 2018/19 interim performance review*
- The information contained in this report relates to the interim performance review of the Chief Executive. Release of this information would prejudice the privacy of the Chief Executive 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*

disclosing matters relating to the interim review of his performance. 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 Chief Executive's privacy. withholding would exist under section 7(2)(a) of the Act (i.e. to protect the privacy of natural persons).

7. *Statutory performance review of the Chief Executive*

The information contained in this report relates to the statutory performance review of the Chief Executive. Release of this information would prejudice the privacy of the Chief Executive by disclosing matters relating to the statutory review of his performance. 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 Chief Executive'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 Act (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 11:09am.

Cr C Laidlaw
(Chair)

Date: