



**Report 09.782**

15 December 2009

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 Tuesday, 15 December 2009 at 9.34 am**

**Present**

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

465 **Apologies**

*Moved*

*(Cr Burke/Cr Baber)*

*That the Council accepts the apology for absence from Councillor Laidlaw.*

The motion was **CARRIED**.

466 **Conflict of Interest Declarations**

No Councillors declared conflict of interest.

467 **Public Participation**

Councillor Ray Wallace, Hutt City Council, thanked the Council for quickly and effectively dealing with the recent dumping of contaminated spoil at Wainuiomata.

468 **Confirmation of Minutes**

*Moved*

*(Cr Aitken/Cr Baber)*

*That the Council:*

*Confirms the minutes of the Council meeting:*

*(i) 11 November 2009, Report 09.704.*

*(ii) 25 November 2009, Report 09.751*

The motion was **CARRIED**.

469 **Terms of reference for review of Wellington governance issues****Report 09.765**

File: E/07/03/26

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

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Approves the terms of reference for the review of Wellington governance issues, as included in Attachment 1 to this report.*
4. *Welcomes the commitment of the Council Chair, where practicable, to bring matters to Council prior to them being discussed by the Mayoral Forum.*
5. *Notes that the references to “governance” and “chief decision making body” in the terms of reference relate only to oversight of the review itself, and that decisions and funding allocations will continue to be made by individual councils.*

**Noted**

Resolutions 4 and 5 were added by the Council at the meeting during consideration of the item.

The motion was **CARRIED**.

470 **Funding regional amenities****Report 09.779**

File: E/07/03/26

*Moved**Cr Wilson/Cr Baber)**That the Council:*

1. *Receives the report.*
2. *Notes that feedback from each council on the proposal for the funding of regional amenities will be considered at the Mayoral Forum in February 2010.*
3. *Agrees to a review of regional amenities funding on the basis of the report endorsed by the Mayoral Forum.*

4. *Agrees that, subject to the outcome of the consideration of this report by the region's councils, the Wellington Mayoral Forum will be the governance body for the review and that the Chief Executives' Forum will deliver an agreed programme of work and advice to the Wellington Mayoral Forum.*

The motion was **CARRIED**.

471 **Hutt River – proposed changes to the 2009/10 works programme**

**Report 09.776**

File: N/03/13/25

*Moved*

*(Cr Greig/Cr Lamason)*

*That the Council:*

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Approves bringing forward of \$140,000 from 2013/14 to 2009/10 to complete urgent works at Maoribank bend.*
4. *Approves the budget for the upgrade of the Whirinaki Crescent stopbank be increased from \$917,000 to \$955,000.*
5. *Approves the deferral of \$685,000 of proposed expenditure on the Ebdentown edge protection works until the 2010/11 financial year.*
6. *Notes that recommendations 3, 4 and 5 above will reduce the Hutt River 2009/10 capital works budget by \$237,000 but increase the total 10 year capital expenditure by \$88,000.*

The motion was **CARRIED**.

472 **Financial report for the four months ended 31 October 2009**

**Report 09.728**

File: CFO/13/02/01

*Moved*

*(Cr Donaldson/Cr Burke)*

*That the Council:*

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

The motion was **CARRIED**.

473 **Power of attorney to sign Deeds****Report 09.767**

File: E/01/01/09

*Moved**(Cr Greig/Cr Lamason)**That the Council:*

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Grants a Power of Attorney to Barry Turfrey, Chief Financial Officer, to sign deeds on behalf of the Council.*
4. *Authorises two Councillors to sign the Power of Attorney document as a deed.*
5. *Revokes the Power of Attorney granted to Jane Bradbury, Divisional Manager.*

The motion was **CARRIED**.474 **Delegation for use of the common seal****Report 09.777**

File: E/01/06/03

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

1. *Delegates authority to each of the Chief Executive and the Chief Financial Officer to affix the common seal of the Council when it is required to be fixed by law, including:*
  - a. *When issuing a warrant under seal to any officer authorised to enter private land on behalf of the Council in accordance with section 174(1) of the Local Government Act 2002*
  - b. *When issuing a permit pursuant to section 417(1)(b) of the Resource Management Act 1991 (RMA)*
  - c. *When effecting any policy statement or plan (other than a regional coastal plan) under clause 17(3) of the first schedule to the RMA*
  - d. *When effecting the adoption of any regional coastal plan under clause 18(2) of the first schedule to the RMA*

- e. *When executing any Memorandum of Transfer pursuant to section 80 of the Local Government (Rating) Act 2002*
  - f. *When adopting a regional pest management strategy under section 79(f) of the Biosecurity Act 1973,*
- and when it is prudent and in the interests of good local government to affix the seal to a document.*
- 2. *Revokes all previous delegations relating to the affixing of the common seal of the Council.*

The motion was **CARRIED**.

475 **Grow Wellington Limited – shareholder resolutions in lieu of Annual General Meeting**

**Report 09.760**

File: M/30/09/01

*Moved*

*(Cr Glensor/Cr Buchanan)*

*That the Council:*

- 1. *Receives the report.*
- 2. *Notes the contents.*
- 3. *Resolves by way of the written resolutions contained within Attachment 2:*
  - (a) *That the audited financial statements of the Company for the accounting period ended 30 June 2009 and the Annual Report be approved and adopted.*
  - (b) *To appoint Audit New Zealand (as required by section 70 of the Local Government Act 2002) as the auditor of the Company to:*
    - (i) *hold office from the date of this resolution until the conclusion of the Company's next annual meeting; and*
    - (ii) *audit the Company's financial statements and the group financial statements for the accounting period after the date of this resolution.*
  - (c) *That the auditor's fees and expenses are to be determined by the directors of the company (or their appointed officers) in consultation with the auditor.*

(d) *Not to hold an Annual General Meeting.*

4. *Authorises the Chief Financial Officer to affix the Council's Common Seal to the resolutions of the sole shareholder (Attachment 2).*

The motion was **CARRIED**.

## **Committees/Meetings**

### 476 **Report on the Finance, Audit and Risk Committee meeting held on 24 November 2009**

**Report 09.727**

File: CFO/13/02/01

*Moved*

*(Cr Aitken/Cr Donaldson)*

*That the Council:*

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

The motion was **CARRIED**.

### 477 **Report on the Catchment Management Committee meeting held on 24 November 2009**

**Report 09.768**

File: WS/08/16/01

*Moved*

*(Cr Buchanan/Cr Wilson)*

*That the Council:*

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

The motion was **CARRIED**.

478 **Report on the Transport and Access Committee meeting held on 25 November 2009**

**Report 09.769**

File: E/06/29/03

*Moved*

*(Cr Glensor/Cr Lamason)*

*That the Council:*

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

The motion was **CARRIED**.

479 **Report on the Regulatory Committee meeting held on 1 December 2009**

**Report 09.770**

File: E/06/31/03

*Moved*

*(Cr Baber/Cr Lamason)*

*That the Council:*

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

The motion was **CARRIED**.

480 **Report on the Regional Transport Committee meeting held on 2 December 2009**

**Report 09.773**

File: TP/01/02/02

*Moved*

*(Cr Wilde/Cr Glensor)*

*That the Council:*

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

The motion was **CARRIED**.

481 **Report on the Regional Sustainability Committee meeting held on 2 December 2009**

**Report 09.771**

File: E/06/32/03

*Moved*

*(Cr Bruce/Cr Donaldson)*

*That the Council:*

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

The motion was **CARRIED**.

482 **Report on the Wellington Regional Strategy Committee meeting held on 3 December 2009**

**Report 09.772**

File: WRS/09/01/01

*Moved*

*(Cr Wilde/Cr Glensor)*

*That the Council:*

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

The motion was **CARRIED**.

483 **Ara Tahī meeting held on 1 December 2009**

**Report 09.778**

File: E/06/21/02

*Moved*

*(Cr Wilde/Cr Baber)*

*That the Council:*

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

The motion was **CARRIED**.



484 **Exclusion of the Public****Report 09.780**

File: E/06/01/04

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

1. *Minutes from the public excluded part of the Council meeting on 11 November 2009*
2. *Minutes from the public excluded part of the Council meeting on 25 November 2009*
3. *Proposal to dispose of land for road - SH2 River Road, Upper Hutt*

*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>
1. <i>Minutes - Pakuratahi Forest – Proposal to dispose of land for road</i>	<i>The information contained in this report relates to Greater Wellington entering into an agreement with the New Zealand Transport Authority for the disposal of Council land for the purpose of legal road. 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. The Council has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that</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 and Meetings Act 1987 (i.e to enable Greater Wellington to carry out, without prejudice or disadvantage, negotiations).</i>

would override this prejudice.

2. *Minutes - Proposed variation of the procurement strategy for bus and ferry services*

*The information contained in this report relates to Greater Wellington proposing to vary its Bus and Ferry Procurement Strategy. The report outlines contract pricing arrangements and reveals potential contracting terms and conditions. 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)(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).*
  
3. *Proposal to dispose of land for road - SH2 River Road, Upper Hutt*

*The information contained in this report relates to Greater Wellington entering into an agreement with the New Zealand Transport Authority for the disposal of Council land for the purpose of legal road. 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. 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).*

*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 public part of the meeting closed at 10.53 am.

Cr FH WILDE  
Chair

Date