



Please note that these minutes remain unconfirmed until the meeting of the Council on 25 September 2013

Report 13.776

21/08/2013

File: E/11/01/03

Minutes of the Council meeting held in the Pipitea Marae, 55-59 Thorndon Quay, Wellington, on Wednesday, 21 August 2013 at 9.30am

Present

Councillors Wilde (Chair), Aitken, Bruce, Glensor, Laidlaw, Lamason, McPhee, Ponter and Wilson.

Public Business

1 Apologies

Moved

(Cr Wilde/ Cr Lamason)

That the council accept the apologies for absence from Councillors Brash, Donaldson, Greig and Swain.

The motion was **CARRIED**.

2 Conflict of Interest declarations

There were no declarations of conflict of interest.

3 Public Participation

Peter Newman and Mike Mellor both spoke to agenda item 6 - Greater Wellington Regional Council submission to the Environmental Protection Authority in relation to the Basin Bridge proposal.

Robert Linterman from the Energy Efficiency and Conservation Authority spoke to agenda item 5 - Proposed continuation of the Warm Greater Wellington Insulation scheme.

4 **Confirmation of Minutes**

Moved

(Cr Lamason/ Cr Aitken)

That the Council confirms the minutes of the meeting of 26 June 2013, Report 13.697.

The motion was **CARRIED**.

Strategy/Policy/Major Issues

5 **Proposed continuation of the Warm Greater Wellington Insulation scheme**

Chris Gray, Manager, Finance, spoke to the report.

Report 13.744

File: CFO/13/02/01

Moved

(Cr Aitken/ Cr Wilson)

That the Council:

- 1. Receives the report.*
- 2. Notes the contents of the report.*
- 3. Agrees that the Warm Greater Wellington Scheme is consistent with the purpose of local government.*
- 4. Approves the continuation of the Warm Greater Wellington Scheme to 30 June 2016 subject to EECA continuing to support the programme as outlined in paragraph 4.*
- 5. Approves an increase of the amount of assistance available to \$3,900 per eligible rateable property.*
- 6. Authorises the Chief Executive or Chief Financial Officer to enter into a memorandum of understanding with EECA, setting out the respective responsibilities of EECA and GWRC in relation to the Warm Greater Wellington Scheme.*
- 7. Authorises the Chief Financial Officer or Manager, Finance to enter into contracts with the list of Recognised Service Providers approved by EECA on 1 July 2013.*

The motion was **CARRIED**.

The Council agreed to consider agenda items 6 - Greater Wellington Regional Council submission to the Environmental Protection Authority in relation to the Basin Bridge proposal, 7 - Rail Safety Brief and 8 - Public transport services provided by bus - responsibility for licensing and safe operation, after the consideration of the remaining items of public business.

Corporate

6 Provisional Financial Report 30 June

David Benham, Chief Executive, spoke to the report.

Report 13.743

File: CFO/13/02/01

Moved

(Cr Aitken/ Cr Wilson)

That the Council:

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

The motion was **CARRIED**.

7 Wellington Regional Stadium Trust – Statement of Trustees Intent 2013/14, Strategic Plan and Business Plan

Report 13.709

File: CFO/27/12/2

Moved

(Cr Lamason/ Cr Glensor)

That the Council:

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

The motion was **CARRIED**.

8 Local Government Funding Agency (LGFA) Statement of Intent and June quarter update

Mike Timmer, Treasurer, spoke to the report.

Report 13.711

File: CFO/06/03/01

Moved

(Cr Aitken/ Cr Glensor)

That the Council:

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Notes the Statement of Intent from the Local Government Funding Agency for 2013/14 and the next two years.*
4. *Notes the Local Government Funding Agency Quarterly Report for the period ended 30 June 2013.*

The motion was **CARRIED**.

9 **Issue of unpaid share capital to fund GWRL capital expenditure for 2013/14 year**

Mike Timmer, Treasurer, Chris Gray, Manager, Finance and Wayne Hastie, General Manager, Public Transport all spoke to the report.

Report 13.701

File: T/22/14/04

Moved

(Cr Lamason/ Cr Glensor)

That the Council:

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

LGA decision making

3. *Agrees that the matters for decision in the report have a low degree of significance.*
4. *Having regard to both the significance of the matters for decision in this report and the matters in section 79(2) of the Local Government Act 2002:*
 - a. *Agrees that the extent to which different options have been identified and assessed is appropriate*
 - b. *Agrees that the degree to which benefits and costs have been quantified is appropriate*
 - c. *Agrees that the extent and detail of the information before the Council is appropriate.*
5. *Agrees that the Council has sufficient knowledge of the views and preferences of persons likely to be affected by, or have an interest in, the matters for decision in this report.*

Background

6. *Notes that the amount of \$11.25 million is required by GWRL to fund GWRL's budgeted 2013/14 year capital expenditure.*
7. *Notes that the budgeted 2013/14 year capital expenditure of \$11.25 million is in addition to the amount approved to cover the Project Costs for the acquisition of retrofit improvements to the Matangi One Units and 35 additional improved Matangi Two Units.*
8. *Notes that NZTA funding paid to Council (at the applicable FAR) will provide a share of the budgeted 2013/14 capital expenditure..*
9. *Notes that GWRL's budgeted 2013/14 capital expenditure will be funded by:*
 - *The issue of 11.25 million unpaid ordinary \$1 shares by GWRL to WRCHL, and*
 - *The issue of 11.25 million unpaid ordinary \$1 shares by WRCHL to Council.*

Approval of issue of unpaid shares

10. *Approves the issue of 11.25 million unpaid ordinary \$1 shares in WRCHL to Council.*
11. *Approves the issue of 11.25 million unpaid ordinary \$1 shares in GWRL to WRCHL.*
12. *Authorises Chair Wilde and Councillor Glensor to sign the required Entitled Persons Agreement approving the issue of shares on behalf of Council.*
13. *Authorises Chair Wilde to sign the agreement for the issue of shares approving the basis upon which the respective WRCHL and GWRL boards may make calls for payment of the shares.*
14. *Requests that the Chair Wilde confirms the consent and approvals referred to in this report, in writing to WRCHL.*

The motion was **CARRIED**.

Governance

10 Ruamāhanga Whaitua Committee establishment and terms of reference

Shelly Martin, Project Coordinator, Jonathan Streat, Manager, Environmental Policy and Nigel Corry, General Manager, Environment Management, spoke to the report.

Report 13.767

File: ENV/35/01/02-v1

Moved

(Cr Laidlaw/ Cr McPhee)

That the Council:

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Approves the establishment of, the Terms of Reference and the application process for, the Ruamāhanga Whaitua Committee.*

The motion was **CARRIED.**

11 **Changes to the Land Transport Management Act 2003**

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

Report 13.723

File: E/11/01/04

Moved

(Cr Glensor/ Cr Aitken)

That the Council:

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Notes the changes to the powers, functions and duties previously held by the Council under the Land Transport Management Act 2003, brought about by the Land Transport Management Amendment Act 2013.*
4. *Confirms that, subject to any subsequent delegation made by the Council, the Council retains the sole right to exercise all those powers, functions and duties under the Land Transport Management Act 2003 described in Attachment 2 to this report.*
5. *Delegates to David Benham, Chief Executive, all the powers, functions and duties under the Land Transport Management Act 2003 not retained by the Council, as outlined in Attachment 3.*
6. *Delegates to David Benham, Chief Executive, the authority to incorporate in the Regional Public Transport Plan previous Council decisions and current policy, and the authority to make formatting and structural changes to the Regional Public Transport Plan, provided that such changes continue to accurately reflect and will not result in any material change to any Council decision or policy.*
7. *Notes the changes to the functions and membership of regional transport committees under the LTMA and amends the Terms of Reference of the Regional Transport Committee as set out in Attachment 4.*

The motion was **CARRIED.**

12 **Impact of the Local Electoral Amendment Act 2013 on powers retained by Council**

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

Report 13.751

File: E/11/01/04

Moved

(Cr Aitken/ Cr Glensor)

That the Council:

- 1. Receives the report.*
- 2. Notes the contents of the report.*
- 3. Notes powers previously retained in relation to processing of votes provided for in section 79 of the Local Electoral Act 2001 have been repealed.*
- 4. Agrees to retain powers in relation to constituency boundaries provided for in section 19JB of the Local Electoral Act 2001.*
- 5. Agrees to retain powers in relation to Māori constituencies provided for in section 19Z(2) of the Local Electoral Act 2001.*

The motion was **CARRIED**.

13 **Policy on elected Members' allowances and expenses**

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

Report 13.763

File: E/05/02/03

Moved

(Cr Wilde/ Cr Wilson)

That the Council:

- 1. Receives the report.*
- 2. Notes the contents of the report.*
- 3. Adopts the Policy on Elected Members' Allowances and Expenses 2013.*
- 4. Notes that the policy is subject to approval by the Remuneration Authority.*

The motion was **CARRIED**.

The Council adjourned for morning tea at 10.42am and reconvened at 10.55am.

Committees/Meetings

14 Report on the Regional Transport Committee 19 June 2013

Report 13.682

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 Report on the Environmental Wellbeing Committee 6 August 2013

Report 13.745

File: E/11/01/04

Moved

(Cr Glensor/ Cr Aitken)

That the Council:

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

The motion was **CARRIED**.

16 Report on the Social and Cultural Wellbeing Committee 6 August 2013

Report 13.746

File: E/11/01/04

Moved

(Cr Wilson/ Cr Lamason)

That the Council:

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

The motion was **CARRIED**.

17 **Report on the Economic Wellbeing Committee 6 August 2013**

Report 13.747

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**.

18 **Greater Wellington Regional Council submission to the Environmental Protection Authority in relation to the Basin Bridge proposal**

Report 13.754

File: EPA/12/0003/03

Moved

(Cr Glensor/ Cr Lamason)

That the Council:

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Agrees that GWRC's position will be to support the application through its submission.*
4. *Agrees to include the key submission areas set out in section 4.6 of this report in the GWRC submission.*
5. *Authorises the Chair of GWRC to agree the final wording and sign the submission on the Council's behalf.*

The motion was **CARRIED**.

Councillors Bruce and Ponter requested that their votes against the motion be recorded.

19 **Rail Safety Brief**

Ian Gordon, Team Leader, Rail Assets and Wayne Hastie, General Manager, Public Transport, spoke to the report.

Report 13.687

File: T/22/09/01

Moved

(Cr Glensor/ Cr Lamason)

That the Council:

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Agrees that officers will report back to the next Council meeting on the outcome of their discussions with KiwiRail on the reporting and auditing of rail safety issues.*
4. *Agrees that the Chief Executive provide quarterly reports to the Council on rail safety issues.*
5. *Notes that rail safety issues will also be reported to the Board of Greater Wellington Rail Limited.*

The motion was **CARRIED**.

20 **Public transport services provided by bus - responsibility for licensing and safe operation**

Report 13.731

File: T/09/12/01

Moved

(Cr Glensor/ Cr Lamason)

That the Council:

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

The motion was **CARRIED**.

21 **Exclusion of the public**

Moved

(Cr Wilde/ Cr Lamason)

That the Council:

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

1. *Confirmation of public excluded minutes of Council 26 June 2013*
2. *Regional Transport Committee appointments*
3. *Sale of property at 44 Oxford Street, Lower Hutt*
4. *Pringle House Support*

5. *Review of Chief Executive's Remuneration for 2012/13*

6. *Chief Executive Performance Objectives for 2013/14*

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. Confirmation of public excluded minutes of Council 26 June 2013</i>	<i>These minutes contain information provided by insurance providers relating to pricing for the renewal of Greater Wellington Regional Council's insurance. Release of this information would be likely to prejudice the providers' commercial position as it would reveal their pricing. In the circumstances, this is considered unreasonable given the environment insurance providers operate in. Greater Wellington Regional 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 to their commercial position.</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 unreasonably to prejudice the commercial position of the person who supplied or is the subject of the information).</i>
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<i>2. Regional Transport Committee appointments</i>	<i>The information contained in this report relates to the appointment of non-local government advisors to the Regional Transport Committee. Release of this information would prejudice their privacy by disclosing the fact that they are being considered, and have expressed interest, in becoming an advisor to the Regional Transport Committee. Greater Wellington Regional Council has not been able to identify a public interest</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)(a) of the Local Government Official Information and Meetings Act 1987 (i.e to protect the privacy of natural persons).</i>
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favouring disclosure of this particular information in public proceedings of the meeting that would override their privacy.

3. Sale of property at 44 Oxford Street, Lower Hutt

The information contained in this report relates to a property disposal and contains details of a Registered Valuer's assessment of the current market value of the property for purposes of sale. It is proposed to dispose of the property on the open market and this part of the meeting being open to the public would disadvantage the Greater Wellington Regional Council in respect to revealing the Council's expectations in respect of the sale price. The Greater Wellington Regional 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 GWRC to carry out, without prejudice or disadvantage, negotiations).

4. Pringle House Support

The report contains information relating to Greater Wellington Regional Council's investment in Pringle House Limited. Release of this information would be likely to prejudice Pringle House Limited's commercial position. 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 their commercial position.

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).

5. Review of Chief Executive's

The information contained in this report relates to the Chief

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

Remuneration for 2012/13 *Executive's remuneration for 2012/13. Release of this information would prejudice David Benham's privacy by disclosing details of his employment agreement with the Council. Greater Wellington Regional 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 his privacy.* *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 Local Government Official Information and Meetings Act 1987 (i.e to protect the privacy of natural persons).*

6. Chief Executive Performance Objectives for 2013/14 *This report contains information on the proposed performance objectives of the Chief Executive. Release of this information would prejudice their privacy by disclosing information pertaining to the employment relationship between the Chief Executive and the Council. Greater Wellington has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override his 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 Local Government Official Information and Meetings Act 1987 (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 11.42am.

FH Wilde
(Chair)

Date: