



Please note that these minutes remain unconfirmed until the Council meeting on 11 May 2016.

Report 16.141

06/04/2016

File: CCAB-8-509

Public minutes of the Council meeting held in the Council Chamber, Greater Wellington Regional Council, Shed 39, 2 Fryatt Quay, Pipitea, Wellington, on Wednesday, 6 April 2016 at 9.32am

Present

Councillors Laidlaw (Chair), Aitken, Bruce, Donaldson, Greig, Kedgley, McPhee, Laban, Swain, and Wilson.

Public Business

1 Apologies

Moved

(Cr Laidlaw/ Cr Donaldson)

That Council accepts the apologies for absence for Councillors Brash and Lamason.

The motion was **CARRIED**.

2 Conflict of Interest

There were no declarations of conflict of interest.

3 Public Participation

There was no public participation.

4 Confirmation of the Public minutes of the meetings of 24 February 2016 and 29 February 2016, and Restricted Public Excluded minutes of the meeting 24 February 2016

Moved

(Cr Greig/ Cr Aitken)

That the Council confirms the public minutes of 24 February 2016, Report 16.63, and 29 February 2016, Report 16.73, and the restricted public excluded minutes of 24 February 2016, Report 16.65.

The motion was **CARRIED**.

Strategy/Policy/Major Issues

5 Variation to the Regional Land Transport Plan 2015: SH2 Carterton to Masterton Safety Improvements

Report 16.81

File: CCAB-8-468

Moved

(Cr McPhee/ Cr Swain)

That the Council:

- 1. Receives the report.*
- 2. Notes the content of the report.*
- 3. Agrees to adopt the variation to the Wellington Regional Land Transport Plan 2015 as set out in Attachment 1.*
- 4. Agrees to forward the variation to the Regional Land Transport Plan 2015 to the NZ Transport Agency, requesting it be included in the National Land Transport Programme.*

The motion was **CARRIED**.

6 Review of Greater Wellington Parks, Forests and Reserves Bylaws 2009

Fiona Colquhoun, Parks Planner, spoke to the report.

Report 16.135

File: PKPL-1-121

Moved

(Cr Wilson/ Cr Aitken)

That the Council:

- 1. Receives the report and information.*
- 2. Notes the content of the report and attachments and the review of the bylaw.*
- 3. Agrees that as a consequence of the review, the changes to the bylaw should be limited to the proposed changes to the two definitions.*
- 4. Determines that the special consultative procedure is not required under section 156(1)(a) of the LGA and that the consultation proposed (public notice) will give effect to the section 82 LGA requirements.*
- 5. Agrees that the proposed amendments to the bylaw:*

- a. *are the most appropriate way for the Council to regulate and control behaviour and activities within the parks, forests and reserves*
 - b. *are the most appropriate form of bylaw*
 - c. *do not contravene the New Zealand Bill of Right Act 1990.*
6. *Agrees to officers preparing the public notification and information to be put on the Council's website.*
 7. *Delegates to the Environment Committee the authority to consider any submissions made to the Council as a consequence of the consultation and to report and make recommendations to the Council for the Council's further consideration and action.*

The motion was **CARRIED**.

7 **Minor amendments to retain currency of the Parks Network Plan**

Report 16.131

File: CCAB-8-462

Moved

(Cr Wilson/ Cr Donaldson)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Approves the proposed amendments to the Parks Network Plan for public consultation.*
4. *Approves a two month consultation period for the proposed minor amendments to the Parks Network Plan 2011.*

The motion was **CARRIED**.

8 **GWRC submissions on “Next steps for freshwater” consultation document**

Lucy Harper, Team Leader, Policy Implementation, and Mike Grace, Senior Policy Advisor, Mana Whenua, spoke to the report.

Report 16.120

File: CCAB-8-467

Moved

(Cr Laidlaw/ Cr Donaldson)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Approves the submission on Next steps for freshwater.*

4. *Delegates to the Chair the ability to make editorial amendments to the submission.*

The motion was **CARRIED**.

Governance

9 Extraordinary vacancy

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

Report 16.114

File: CCAB-8-462

Moved

(Cr Aitken/ Cr Donaldson)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Notes that an extraordinary vacancy has been created through the resignation of Councillor Fran Wilde, which was notified on 5 March 2016.*
4. *Resolves that the extraordinary vacancy should be left unfilled for the remainder of the 2013-2016 triennium.*
5. *Notes that the decision of the Council will be publicly notified in accordance with the requirements of the Local Electoral Act 2001.*

Motions 1-3 and 5 were **CARRIED**.

Motion 4 was **LOST**.

A new motion 4 was foreshadowed.

Moved as motion 4

(Cr Kedgley/ Cr Wilson)

4. *Resolves that the vacancy be filled by the appointment of Daran Ponter, and the process and criteria by which Daran Ponter was selected for appointment are that he has three years' previous experience as a regional councillor representing the Wellington Constituency.*

The motion was **CARRIED**.

Noted: Judith Aitken requested that her abstention from voting on the new motion 4 be recorded.

The meeting adjourned for morning tea at 10.26am and reconvened at 10.47am.

10 **Appointment of directors to WRC Holdings Ltd**

Report 16.112

File: CCAB-8-460

Moved

(Cr Laidlaw/ Cr Donaldson)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *As sole shareholder of WRC Holdings Limited resolves as a special resolution by way of the written resolutions contained within Attachment 1 to appoint Chris Laidlaw as director of WRC Holdings Limited with effect from and including 6 April 2016.*
4. *As sole shareholder of WRC Holdings Limited resolves as a special resolution by way of the written resolutions contained within Attachment 1 to appoint Prue Lamason as Chairperson of WRC Holdings Limited with effect from and including 6 April 2016 and set their remuneration for this role at \$15,425 per annum.*
5. *Consents to WRC Holdings Limited, as the sole shareholder of Port Investments Limited, Pringle House Limited, Greater Wellington Rail Limited passing its shareholder resolutions to appoint Chris Laidlaw as director as set out in Attachment 1 with effect from and including 3 May 2016.*
6. *Consents to WRC Holdings Limited, as the sole shareholder of Port Investments Limited, Pringle House Limited, Greater Wellington Rail Limited passing its shareholder resolutions to appoint Prue Lamason as Chairperson as set out in Attachment 1 with effect from and including 3 May 2016.*
7. *Authorises the Council Chair to sign the resolution and consent of the sole shareholder and agreement of entitled person of WRC Holdings Limited (Attachment 1).*
8. *Appoints Samantha Sharif as Deputy Chairperson of WRC Holdings Limited.*

Moved as an amendment to motions 3 and 5

(Cr Wilson/ Cr Greig)

3. *As sole shareholder of WRC Holdings Limited resolves as a special resolution by way of the written resolutions contained within Attachment 1 to appoint Chris Laidlaw and Nigel Wilson as directors of WRC Holdings Limited with effect from and including 6 April 2016.*
5. *Consents to WRC Holdings Limited, as the sole shareholder of Port Investments Limited, Pringle House Limited, Greater Wellington Rail Limited passing its shareholder resolutions to appoint Chris Laidlaw and Nigel Wilson as directors as set out in Attachment 1 with effect from and including 3 May 2016.*

The amendment was **CARRIED** and became part of the substantive motion.

The substantive motion was then put and was **CARRIED**.

11 **Policy on the appointment of non-elected members to committees, subcommittees and advisory groups**

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

Report 16.96

File: CCAB-8-454

Moved

(Cr Wilson/ Cr Greig)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Revokes the Policy on the appointment of non-elected members to committees and subcommittees and the Policy on the appointment of non-elected members to independent advisory groups, adopted on 13 November 2007.*
4. *Adopts the Policy on appointment of non-elected members to committees, subcommittees and advisory groups as in Attachment 3.*

The motion was **CARRIED**.

12 **Whaitua Committees – Review of Remuneration**

Alastair Smaill, Project Manager, Whaitua, spoke to the report.

Report 16.121

File: CCAB-8-479

Moved

(Cr Aitken/ Cr Bruce)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Approves an increase in remuneration for Ruamāhanga Whaitua Committee members from \$5,000 to \$7,500 per annum for appointed members and from \$8,000 to \$12,000 per annum for the chairperson, effective 6 April 2016.*
4. *Approves an increase in remuneration for Te Awarua-o-Porirua Whaitua Committee members from \$5,000 to \$7,500 per annum for appointed members and from \$8,000 to \$12,000 per annum for the chairperson, effective 6 April 2016.*

5. *Approves an update to the terms of reference for each whitua committee to reflect the changes in remuneration.*

The motion was **CARRIED**.

13 **2016 Local Government New Zealand national conference and Annual General Meeting**

Report 16.95

File: CCAB-8-451

Moved

(Cr Laidlaw/ Cr Donaldson)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Approves the attendance of Councillors Laidlaw, Donaldson and Aitken, and Greg Campbell, Chief Executive, at the 2016 LGNZ national conference and Annual General Meeting.*
4. *Nominates Councillor Laidlaw as the Presiding Delegate for voting on behalf of the Council at the 2016 LGNZ Annual General Meeting.*
5. *Nominates Councillors Donaldson and Aitken, and Greg Campbell, Chief Executive, as Alternate Delegates for voting on behalf of the Council at the 2016 LGNZ Annual General Meeting if Councillor Laidlaw is absent from the Annual General Meeting.*

The motion was **CARRIED**.

Corporate

14 **WRC Holdings Group 2016/17 draft Statement of Intent**

Mike Timmer, Treasurer, spoke to the report.

Report 16.83

File: CCAB-8-440

Moved

(Cr Laidlaw/ Cr Aitken)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Receives the draft Statement of Intent of WRC Holdings Group for 2016/17 and makes the following comments to the directors of WRC Holdings Ltd for their consideration:*

- Page 142, paragraph d) – remove the word ‘ensure’ from the beginning of the three bullet points in this paragraph.
- Page 142, paragraph f) – remove the word ‘exhibit’ and replace with a better synonym.
- Page 142, paragraph f) – remove the phrase ‘when possible’ from the end of the paragraph
- Page 152, information was requested about whether the Health and Safety targets are consistent with those of the Greater Wellington Regional Council.
- Page 153, information was requested about specific targets for release of methyl bromide into the atmosphere.

The motion was **CARRIED**.

15 **Local Government Funding Agency’s (LGFA) Draft Statement of Intent 2016/17**

Mike Timmer, Treasurer, spoke to the report.

Report 16.84

File: CCAB-8-444

Moved

(Cr Aitken/ Cr Donaldson)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Receives the draft Statement of Intent of the Local Government Funding Agency and forwards any comments or recommendations to the CFO for communication to the LGFA via the Shareholders’ Council.*

The motion was **CARRIED**.

Committees and Meetings

16 **Report on the Finance, Risk and Assurance Committee meeting, 10 March 2016**

Report 16.89

File: CCAB-8-450

Moved

(Cr Aitken/ Cr Wilson)

That the Council:

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

The motion was **CARRIED**.

17 **Report on the Regional Transport Committee meeting, 22 March 2016**

Cr Paul Swain introduced the report.

Report 16.117

File: CCAB-8-464

Moved

(Cr Swain/ Cr Kedgley)

That the Council:

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

The motion was **CARRIED**.

18 **Report to the Council on the Wellington Regional Strategy meeting, 22 March 2016**

Report 16.118

File: CCAB-8-465

Moved

(Cr Donaldson/ Cr Aitken)

That the Council:

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

The motion was **CARRIED**.

19 **Report on the Environment Committee meeting, 30 March 2016**

Report 16.137

File: CCAB-8-472

Moved

(Cr Donaldson/ Cr Bruce)

That the Council:

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

The motion was **CARRIED**.

20 **Report on the Sustainable Transport Committee meeting 31 March 2016**

Report 16.125

File: CCAB-8-471

Moved

(Cr Swain/ Cr Wilde)

That the Council:

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

The motion was **CARRIED**.

21 **Exclusion of the public**

Report 16.138

Moved

(Cr Laidlaw/ Cr Greig)

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 24 February 2016*
- 2. Property Transactions - Otaki*
- 3. Appointment to the Environment Committee*
- 4. Confirmation of the restricted public excluded minutes of 29 February 2016*

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 the public excluded minutes of 24 February 2016</i> | <i>The information contained in these minutes relates to:</i> <ul style="list-style-type: none"><i>• IFT fares and products transition strategy. This matter requires engagement and negotiation with operators. Having this part of the meeting open to the public would disadvantage GWRC and operators, as it would reveal matters of commercial interest that could impact on negotiation strategies. GWRC has not been able to identify a public</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 GWRC to carry on, without prejudice or disadvantage, negotiations).</i> |
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interest favouring disclosure of this particular information in public proceedings of the meeting that would override this prejudice.

- *Negotiations on a redress proposal from the Office of Treaty Settlements in relation to Ngāti Kahungunu ki Wairarapa Tamaki Nui-ā-Rua and Rangitāne o Wairarapa. Having this part of the meeting open to the public would disadvantage GWRC if further negotiations were to take place as it would reveal the Council's stance. 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.*

2. *Property Transactions Otaki*

- *The information contained in this report relates to a proposed offer to acquire property interests. The report outlines terms of the proposed acquisition offer which is still subject to negotiation and acceptance. 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).

3. *Appointment Environment Committee*

to *The information contained in this report relates to the appointment of a non-Councillor member to 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

Environment Committee. disclosure of information for Release of this information which good reason for would prejudice the privacy of withholding would exist under the person proposed for section 7(2)(a) of the Local appointment by disclosing the Government Official Information and Meetings Act 1987 (i.e. to fact that they have expressed protect the privacy of natural interest in, and are being persons). considered for, appointment to the 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 individual's privacy.

4. *Confirmation of the restricted public excluded minutes of 29 February 2016* *Information contained in these minutes relates to future rail service contracting in the Wellington region. The contract, while signed, is not yet unconditional. 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).*

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 12.10pm.

Cr C Laidlaw
(Chair)

Date: