

## Public minutes of the Council meeting on Thursday 6 October 2022

Taumata Kōrero – Council Chamber, Greater Wellington Regional Council  
100 Cuba Street, Te Aro, Wellington, at 9.31am.

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### Members Present

Councillor Ponter (Chair)  
Councillor Staples (Deputy Chair)  
Councillor Blakeley  
Councillor Brash  
Councillor Connelly  
Councillor Gaylor  
Councillor Hughes  
Councillor Kirk-Burnnand  
Councillor Laban (from 9.32am until 10.14am, remotely, via Teams)  
Councillor Lamason  
Councillor Lee (from 9.59am)  
Councillor Nash  
Councillor van Lier

Councillor Laban participated at this meeting remotely, via Microsoft Teams, and counted for the purpose of quorum in accordance with clause 25B of Schedule 7 to the Local Government Act 2002.

### Karakia timatanga

The Committee Chair opened the meeting with a karakia timatanga.

### Public Business

#### 1 Apologies

Moved: Cr Lamason / Cr Staples

That the Council accepts the apologies for lateness from Councillors Laban and Lee.

The motion was **carried**.

That Council confirms the Public minutes of the Wairarapa Committee meeting on 23 August 2022 – Report 22.402.

The motion was **carried**.

**9 Confirmation of the Public minutes of the Council meeting on 25 August 2022 – Report 22.398**

Moved: Cr Blakeley / Cr Hughes

That Council confirms the Public minutes of the Council meeting on 25 August 2022 – Report 22.398.

The motion was **carried**.

**10 Confirmation of the Public minutes of the Council meeting on 15 September 2022 – Report 22.429**

Moved: Cr Brash / Cr Kirk-Burnnand

That Council confirms the Public minutes of the Council meeting on 15 September 2022 – Report 22.429.

The motion was **carried**.

**11 Confirmation of the Public minutes of the Regional Transport Committee meeting on 20 September 2022 – Report 22.441**

Moved: Cr Staples / Cr Gaylor

That Council confirms the Public minutes of the Regional Transport Committee meeting on 20 September 2022 – Report 22.441.

The motion was **carried**.

**12 Confirmation of the Public minutes of the Transport Committee meeting on 22 September 2022 – Report 22.448**

Moved: Cr Blakeley / Cr Hughes

That Council confirms the Public minutes of the Transport Committee meeting on 22 September 2022 – Report 22.448.

The motion was **carried**.

**13 Confirmation of the Public minutes of the Environment Committee meeting on 29 September 2022 – Report 22.451**

Moved: Cr Gaylor / Cr Nash

That Council confirms the Public minutes of the Environment Committee meeting on 29 September 2022 – Report 22.451.

The motion was **carried**.

## Strategy, policy or major issues

### 14 Register of Elected Members' Pecuniary Interests – Report 22.450

Will Ogier, Principal Advisor, Democratic Services, spoke to the report.

Moved: Cr Blakeley / Cr Brash

That Council:

- 1 Notes the provisions of the Local Government (Pecuniary Interests Register) Amendment Act 2022, which include new obligations in the Local Government Act 2002 relating to elected members' pecuniary interests effective from 20 November 2022.
- 2 Notes that Greater Wellington will:
  - a Develop related systems, processes, and guidance to implement these new obligations (alongside the current interest disclosure arrangements under the Local Authorities (Members' Interests) Act 1968 and administrative (common) law)
  - b Develop a return form to support Councillors to complete their annual returns under the 2022 Act, the first of which is due by 13 February 2023
  - c Draft a report to Council (in early 2023) proposing related amendments to the *Code of Conduct for Councillors* 2021.
- 3 Delegates to the Chief Executive, under clause 32 of Schedule 7 to the Local Government Act 2002, the power to appoint (under section 54G of that Act) a Registrar.

The motion was **carried**.

### 15 End of Triennium Matters – Report 22.345

Will Ogier, Principal Advisor, Democratic Services, spoke to the report.

Moved: Cr Staples / Cr Lamason

That Council:

- 1 Delegates to the Chief Executive the power to act on any emergency matters arising during the period between the discharge of the current Council and its committees until the members of the incoming Council make their declarations.
- 2 Instructs the Chief Executive to report to the incoming Council, as soon as practicable, on any exercise of this delegated power.
- 3 Discharges Te Awarua-o-Porirua Harbour and Catchment Joint Committee.
- 4 Notes that Council has resolved previously that the following Council committee and joint committees shall not be deemed to be discharged on the coming into office of the members elected at the 2022 triennial general election of the Council:

- a Te Upoko Taiao – Natural Resources Plan Committee (Report 19.504)
  - b Wellington Regional Leadership Committee (Reports 21.21 and 21.432)
  - c Wellington Water Committee (Reports 14.327 and 19.118).
- 5 Notes that, under section 12(2) of the Civil Defence Management Act 2002, the Wellington Civil Defence Emergency Management Group cannot be discharged following each triennial election.
- 6 Agrees that the following advisory bodies shall not be deemed to be discharged on the coming into office of the members elected at the 2022 triennial general election of the Council:
- a Ara Tahi
  - b Farming Reference Group
  - c Lower Ruamahanga Valley Floodplain Management Advisory Committee
  - d Upper Ruamahanga River Management Advisory Committee
  - e Waitua Kapiti Committee.
- 7 Notes that the Council’s committees and subcommittee, with the exception of Te Upoko Taiao – Natural Resources Plan Committee, are deemed to be discharged on the coming into office of the members elected at the 2022 triennial general election of the Council.
- 8 Notes that the following advisory bodies are deemed to be discharged on the coming into office of the members elected at the 2022 triennial general election of the Council:
- a Public Transport Advisory Group
  - b Ruamāhanga Waitua Committee
  - c Wellington Region Climate Change Forum.

The motion was **carried**.

**16 Te Kāuru Upper Ruamāhanga Floodplain Management Plan – Disestablishment of River Scheme Advisory Committees – Report 22.432**

Wayne O’Donnell, General Manager, Catchment Management, introduced the report. Madeleine Playford, Project Manager, Implementation, spoke to the report.

Moved: Cr Staples / Cr Gaylor

That Council:

- 1 Discharges the existing eight scheme advisory committees of the Upper Ruamāhanga River catchment (Waingawa, Waipoua, Upper Ruamāhanga – Mount Bruce, Te Ore Ore, Gladstone, Kopuaranga, Taueru, and Whangaehu Rivers) under section 72 of the Soil Conservation and Rivers Control Act 1941.
- 2 Revokes the ‘Policy relating to Scheme Advisory Committees’, setting out the constitution, procedures and terms of reference for these eight scheme advisory committees (Attachment 1).

- 3 Notes that the following nine river management groups (as outlined in the Te Kāuru Floodplain Management Plan and which will report to the Upper Ruamāhanga River Management Advisory Committee) will be established by Greater Wellington:
  - a Waingawa River Management Group
  - b Waipoua Rural River Management Group
  - c Waipoua Urban River Management Group
  - d Upper Ruamāhanga – Mount Bruce River Management Group
  - e Upper Ruamāhanga – Te Ore Ore River Management Group
  - f Upper Ruamāhanga – Gladstone River Management Group
  - g Kopuaranga River Management Group
  - h Taueru River Management Group
  - i Whangaehu River Management Group.

The motion was **carried**.

**Noted:** Council acknowledged Councillor Staples' contribution to the Scheme Advisory Committees.

**17 Issue of Unpaid Share Capital to Fund Greater Wellington Rail Limited Capital Expenditure for 2022/23 – Report 22.394**

Ashwin Pai, Financial Controller, spoke to the report.

Moved: Cr Lamason / Cr Kirk-Burnnand

That Council:

- 1 Notes that the amount of \$18.0 million is required by Greater Wellington Rail Limited to fund Greater Wellington Regional Rail's budgeted 2022/23 year capital expenditure.
- 2 Notes that Greater Wellington Rail Limited's budgeted 2022/23 capital expenditure will be funded by:
  - a The issue of 14.8 million unpaid ordinary \$1 shares by Greater Wellington Rail Limited to WRC Holdings Limited, and
  - b The issue of 14.8 million unpaid ordinary \$1 shares by WRC Holdings Limited to Council.
  - c The utilisation of 3.2 million unpaid ordinary \$1 shares issued by Greater Wellington Rail Limited to WRC Holdings Limited in prior periods but not yet called.
  - d The utilisation of 3.2 million unpaid ordinary \$1 shares issued by WRC Holdings Limited to Council in prior periods but not yet called.
- 3 Approves the issue of 14.8 million unpaid ordinary \$1 shares in WRC Holdings Limited to Council.

- 4 Endorses WRC Holdings Limited approving the issue of 14.8 million unpaid ordinary \$1 shares in Greater Wellington Rail Limited to WRCHL.
- 5 Authorises the Council Chair and Deputy Chair to sign the required Entitled Persons Agreement attached approving and consenting to the issue of shares on behalf of Council.
- 6 Authorises the Council Chair to sign the agreement attached for the issue of shares approving the basis upon which the respective WRC Holdings Limited and Greater Wellington Rail Limited boards may make calls for payment of the shares.
- 7 Requests that the Council Chair confirms the consent and approvals referred to in this report, in writing to WRC Holdings Limited.

The motion was **carried**.

Councillors Brash, Lamason and van Lier gave valedictory speeches, reflecting on their time serving on Council.

Councillor Lee arrived 9.59am during the valedictory speeches.

The meeting adjourned from 10.14am to 10.36am.

Councillor Laban departed the meeting at 10.14am and did not return

## **Resolution to exclude the public**

### **18 Resolution to exclude the public – Report 22.458**

Moved: Cr van Lier / Cr Blakeley

That Council excludes the public from the following parts of the proceedings of this meeting, namely:

Confirmation of the Public Excluded minutes of the Council meeting on 25 August 2022 – Report PE22.397

Confirmation of the Public Excluded minutes of the Council meeting on 15 September 2022 – Report PE22.430

Confirmation of the Public Excluded minutes of the Transport Committee meeting on 22 September 2022 – Report PE22.447

Property Purchase – Lower Hutt – Report PE22.407

CouncilMARK™ programme – Report PE22.452

Appointment of Trustee to the Wellington Regional Stadium Trust – Report PE22.459

Appointment of Directors to the Wellington Regional Economic Development Agency – Report PE22.437

Confirmation of the Restricted Public Excluded minutes of the Chief Executive Employment Review Committee meeting on 11 August 2022 – Report RPE22.396

Confirmation of the Restricted Public Excluded minutes of the Council meeting on 25 August 2022 – Report RPE22.404

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 ground/s 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:

<b>Confirmation of the Public Excluded minutes of the Council meeting on 25 August 2022 – Report PE22.397</b>	
<i>Reason/s for passing this resolution in relation to each matter</i>	<i>Ground/s under section 48(1) for the passing of this resolution</i>
<p>The matters referred to in these minutes relates to a lease opportunity in southern Wellington and the commercial position of CentrePort and Council and negotiations with Ports of Napier and Council. Release of this information would be likely to prejudice or disadvantage the ability of Greater Wellington Regional Council (Greater Wellington) to carry on negotiations. Release of the information relating to commercial position of CentrePort and Council and negotiations with Ports of Napier and Council would be likely unreasonably to prejudice the commercial position of CentrePort and Council (section 7(2)(b)(ii)) and would be likely to prejudice or disadvantage CentrePort and Council to carry on negotiations with Ports of Napier (section 7(2)(i)).</p> <p>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 the need to withhold the information.</p>	<p>The public conduct of this part of the meeting is excluded under section 7(2)(i) of the Act to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); and section 7(2)(b)(ii) of the Act as disclosing the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p>

<b>Confirmation of the Public Excluded minutes of the Council meeting on 15 September 2022 – Report PE22.430</b>	
<i>Reason/s for passing this resolution in relation to each matter</i>	<i>Ground/s under section 48(1) for the passing of this resolution</i>
<p>The matters referred to in these minutes relates to the renewal of insurance for the Sky Stadium. Release of this information would be likely to prejudice or disadvantage the ability of Wellington Regional Stadium Trust to carry on negotiations with the Stadium insurer.</p> <p>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 this prejudice to the Wellington Regional Stadium Trust's commercial position.</p>	<p>The public conduct of this part of the meeting is excluded under section 7(2)(i) of the Act to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>
<b>Confirmation of the Public Excluded minutes of the Transport Committee meeting on 22 September 2022 – Report PE22.447</b>	
<i>Reason/s for passing this resolution in relation to each matter</i>	<i>Ground/s under section 48(1) for the passing of this resolution</i>
<p>The matters referred to in these minutes contain information relating to negotiations with Waka Kotahi and other PTAs in New Zealand. Release of this information would be likely to prejudice or disadvantage the ability of Council to carry on negotiations with Waka Kotahi and the PTAs.</p> <p>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 the need to withhold the information.</p>	<p>The public conduct of this part of the meeting is excluded under section 7(2)(i) of the Act on enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>
<b>Property Purchase – Lower Hutt – Report PE22.407</b>	
<i>Reason/s for passing this resolution in relation to each matter</i>	<i>Ground/s under section 48(1) for the passing of this resolution</i>
<p>The information contained in this report relates to the proposed purchase of a private commercial property on terms that have not finally been agreed. Having</p>	<p>The public conduct of this part of the meeting is excluded under section 7(2)(i) of the Act on enable any local authority holding the information to</p>

<p>this part of the meeting open to the public could prejudice Greater Wellington's negotiating position in respect to finalising terms of acquisition of the subject property.</p> <p>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 the need to withhold the information.</p>	<p>carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>
<p><b>CouncilMARK™ programme – Report PE22.452</b></p>	
<p><i>Reason/s for passing this resolution in relation to each matter</i></p>	<p><i>Ground/s under section 48(1) for the passing of this resolution</i></p>
<p>Information contained in this report relates to the CouncilMARK™ Programme. Release of this information would prejudice or disadvantage Council's ability to carry on negotiations with LGNZ.</p> <p>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 the need to withhold the information.</p>	<p>The public conduct of this part of the meeting is excluded under section 7(2)(i) of the Act on enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>
<p><b>Appointment of Trustee to the Wellington Regional Stadium Trust – Report PE22.459</b></p>	
<p><i>Reason/s for passing this resolution in relation to each matter</i></p>	<p><i>Ground/s under section 48(1) for the passing of this resolution</i></p>
<p>The information contained in this report includes personal and identifying information about the proposed candidate for appointment. Withholding this information prior to Council's decision is necessary to protect the privacy of that natural person as releasing this information would disclose their consideration as a Trustee of the Wellington Regional Stadium Trust.</p> <p>Greater Wellington has not been able to identify a public interest favouring</p>	<p>The public conduct of this part of the meeting is excluded under section 7(2)(a) of the Act to protect the privacy of natural persons, including that of deceased natural persons.</p>

<p>disclosure of this particular information in public proceedings of the meeting that would override the need to withhold the information.</p>	
<p><b>Appointment of Directors to the Wellington Regional Economic Development Agency – Report PE22.437</b></p>	
<p><i>Reason/s for passing this resolution in relation to each matter</i></p>	<p><i>Ground/s under section 48(1) for the passing of this resolution</i></p>
<p>The information contained in this report includes personal and identifying information about the proposed candidates for appointment. Withholding this information prior to Council’s decision is necessary to protect the privacy of that natural person as releasing this information would disclose their consideration as a Director of the Wellington Regional Economic Development Agency.</p> <p>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 the need to withhold the information.</p>	<p>The public conduct of this part of the meeting is excluded under section 7(2)(a) of the Act to protect the privacy of natural persons, including that of deceased natural persons.</p>
<p><b>Confirmation of the Restricted Public Excluded minutes of the Chief Executive Employment Review Committee meeting on 11 August 2022 – Report RPE22.396</b></p>	
<p><i>Reason/s for passing this resolution in relation to each matter</i></p>	<p><i>Ground/s under section 48(1) for the passing of this resolution</i></p>
<p>The information contained in these minutes relates to the performance and remuneration reviews of the Chief Executive. Release of this information would prejudice the privacy of the Chief Executive by disclosing information pertaining to the employment relationship between the Chief Executive and Council.</p> <p>Greater Wellington has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that</p>	<p>The public conduct of this part of the meeting is excluded under section 7(2)(a) of the Act to protect the privacy of natural persons, including that of deceased natural persons.</p>

would override the need to withhold the information.	
<b>Confirmation of the Restricted Public Excluded minutes of the Council meeting on 25 August 2022 – Report RPE22.404</b>	
<i>Reason/s for passing this resolution in relation to each matter</i>	<i>Ground/s under section 48(1) for the passing of this resolution</i>
<p>The information contained in these minutes relates to the performance and remuneration reviews of the Chief Executive. Release of this information would prejudice the privacy of the Chief Executive by disclosing information pertaining to the employment relationship between the Chief Executive and Council.</p> <p>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 the need to withhold the information.</p>	<p>The public conduct of this part of the meeting is excluded under section 7(2)(a) of the Act to protect the privacy of natural persons, including that of deceased natural persons.</p>

This resolution is made in reliance on section 48(1)(a) of the Act and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.

The motion was **carried**.

The public part of the meeting closed at 10.37am.



Councillor D Ponter  
**Chair**



Nigel Corry  
**Chief Executive**

Date: 6 October 2022