



Please note that these minutes remain unconfirmed until the meeting of Council on 10 February 2009.

Report 08.941

8 December 2008

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, Regional Council Centre, 142 Wakefield Street, Wellington on Monday, 8 December 2008 at 9.30 am

Present

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

Officers Present

Benham, Bradbury, Campbell, Corry, Davis, Gray, Hastie, Kennedy, Reay, Ryan, Sangster, Shaw, Timmer, Turfrey, and Waititi.

In Attendance

Sally Dossor, DLA Phillips Fox (legal advisor).

Business

271 **Apologies**

Resolved

(Cr Wilde/Cr Greig)

That Council:

Accepts the apology for absence from Councillor Glensor.

272 **Declarations of conflict of interest**

There were no declarations of conflict of interest.

273 **Public participation**

Resolved

(Cr Donaldson/Cr Burke)

That the Council suspends Standing Orders for the public participation section of this meeting.

Cheryll McDowall presented a petition requesting the construction of a railway station at Raumati South, and spoke to the petition. The Chair accepted the petition.

Peter Gernert, Nicky Chapman, Andy Cocroft, Ken McAdam, and Jennifer Hutson spoke on the additional infrastructure area proposed for the planned Puketiro wind farm.

274 **Confirmation of Minutes**

Resolved

(Cr Lamason/Cr Baber)

That the Council confirms minutes of the meeting of 3 November 2008, Report 08.842.

275 **Confirmation of Minutes**

Resolved

(Cr Lamason/Cr Baber)

That the Council confirms the restricted public excluded minutes of the meeting of 3 November 2008, Report RPE 08.937.

276 **Waiwhetu Stream Flood Improvements Works Funding**

Report 08.916

File: N/03/21/01

Resolved

(Cr Lamason/Cr Greig)

That the Council:

1. *Receives the report and notes its contents.*
2. *Notes that at the Waiwhetu Stream Advisory Subcommittee meeting on 10 November 2008 the Hutt City Council's representative, Mayor Ogden, confirmed that the Waiwhetu and Boulcott works were priorities for that city, but noted the importance of the City Centre stop bank.*
3. *Notes that the proposed timetable is consistent with the original timetable for the Hutt Floodplain Management Plan projects.*
4. *Notes that the Council's approval of the proposed timetable and the project will release the Government funding agreed for this project.*
5. *Approves a budget of \$7.062M for the flood improvement works in the Waiwhetu Stream from Bell Road to the mouth, with works being completed by June 2010.*
6. *Authorises the Chief Executive Officer to let a contract for the work within the approved budgets, from March 2009.*

277 **Greater Wellington Regional Council's role in providing parks – project plan and timetable**

Report 08.924

File: PK/03/01/04

Resolved

(Cr Kirton/Cr Greig)

That the Council:

Agrees to the project plan and timetable as outlined above being implemented in order to prepare the draft Regional Parks Network Strategy.

Noted

Councillors Wilde, Kirton, and Aitken agreed to meet informally to discuss Councillor Aitken's concerns about certain aspects of the content of the report.

278 **Water Supply Annual Report 2007/08****Report 08.923**

File: B/21/04/11

*Resolved**(Cr Lamason/Cr Wilson)**That the Council:*

Adopts the summary Water Supply Annual Report for Greater Wellington Water for the year ended 30 June 2008, including final minor editorial amendments.

Noted

Officers were thanked for the quality of the report, and congratulated on the high quality of water produced by the water treatment plants.

The meeting was adjourned between 10.22 am and 10.27 am for morning tea, and between 11.27 am and 11.30 am to take legal advice on agenda item 279.

279 **Puketiro Wind Farm: Additional infrastructure area**

Tony Shaw, Manager Development and Strategy, gave a *Powerpoint* presentation.

Report 08.900

File: RE/03/01/01

(Contained in supplementary order paper dated 8 December 2008)

*Resolved**(Cr Wilson/Cr Laidlaw)**That the Council:*

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Approves the inclusion of the area of land identified as ridge C on Attachment 2 within the Puketiro wind farm development contract. This approval is on the condition that the land only be utilised as part of the Puketiro wind farm, and upon the Council being satisfied that the performance of its functions, duties, and powers under Part II of the Wellington Regional Water Board Act 1972 will not be impeded.*

Moved as amendment 1:

(Cr Burke/Cr Donaldson)

3. That the Council consults with the public on the proposed ridge C development under special consultative procedure provisions of the Local Government Act 2002.

A division was called for. The results of voting were as follows:

Councillor	Vote	
Aitken	<i>For</i>	
Baber		<i>Against</i>
Bruce		<i>Against</i>
Buchanan		<i>Against</i>
Burke	<i>For</i>	
Donaldson	<i>For</i>	
Greig	<i>Abstained</i>	
Kirton		<i>Against</i>
Laidlaw		<i>Against</i>
Lamason	<i>For</i>	
Wilde		<i>Against</i>
Wilson		<i>Against</i>

The amendment was **LOST** 8:4.

Moved as amendment 2:

(Cr Kirton/Cr Aitken)

- Approves the inclusion of the land identified as ridge C on Attachment 2 within the Puketiro wind farm development contract. This approval is on the condition that the land only be utilised as part of the Puketiro wind farm, and upon the Council being satisfied that the performance of its functions, duties, and powers under Part II of the Wellington Regional Water Board act 1972 will not be impeded, and further considers the proximity of the proposed new turbine area to the Estments' building site.

A division was called for. The results of voting were as follows:

Councillor	Vote	
Aitken	<i>For</i>	
Baber		<i>Against</i>
Bruce	<i>Abstained</i>	
Buchanan		<i>Against</i>
Burke	<i>Abstained</i>	
Donaldson		<i>Against</i>
Greig	<i>Abstained</i>	
Kirton	<i>For</i>	
Laidlaw		<i>Against</i>
Lamason		<i>Against</i>
Wilde		<i>Against</i>
Wilson		<i>Against</i>

The amendment was **LOST** 7:2.

Moved as amendment 3:

(Cr Wilde/Cr Bruce)

4. Agrees that the approval of ridge C in resolution 3 above is subject to the condition that no wind turbines on ridge C are closer than 1.5 km to the building site on the Estments' property on Bulls Run Road.

A division was called for. The results of voting were as follows:

Councillor	Vote	
Aitken	<i>Abstained</i>	
Baber		<i>Against</i>
Bruce	<i>For</i>	
Buchanan		<i>Against</i>
Burke	<i>Abstained</i>	
Donaldson	<i>For</i>	
Greig		<i>Against</i>
Kirton	<i>For</i>	
Laidlaw		<i>Against</i>
Lamason		<i>Against</i>
Wilde	<i>For</i>	
Wilson		<i>Against</i>

The amendment was **LOST** 6:4.

Moved as amendment 4:

(Cr Wilde/Cr Baber)

4. Agrees that the matters for decision in Report 08.900 are not significant in terms of the Council's significance policy or S.76 (3)(b) of the Local Government Act 2002.

A division was called for. The results of voting were as follows:

Councillor	Vote	
Aitken		<i>Against</i>
Baber	<i>For</i>	
Bruce	<i>For</i>	
Buchanan	<i>For</i>	
Burke		<i>Against</i>
Donaldson		<i>Against</i>
Greig	<i>Abstained</i>	
Kirton	<i>For</i>	
Laidlaw	<i>For</i>	
Lamason		<i>Against</i>
Wilde	<i>For</i>	
Wilson	<i>For</i>	

The amendment was **PASSED** 7:4.

The amendment was incorporated into the substantive motion, which was then put.

A division was called for. The results of voting were as follows:

Councillor	Vote	
Aitken		<i>Against</i>
Baber	<i>For</i>	
Bruce	<i>For</i>	
Buchanan	<i>For</i>	
Burke		<i>Against</i>
Donaldson		<i>Against</i>
Greig	<i>Abstained</i>	
Kirton		<i>Against</i>
Laidlaw	<i>For</i>	
Lamason		<i>Against</i>
Wilde	<i>For</i>	
Wilson	<i>For</i>	

The substantive motion (as amended) was **PASSED** 6:5.

280 **Greater Wellington Real Time Information Project**

Report 08.925

File: TD/06/01/03

Resolved

(Cr Greig/Cr Wilson)

That the Council:

1. *Receives the report.*
2. *Notes the contents.*
3. *Agrees to issue the Request for Tender for a Real Time Information system.*
4. *Notes that the progress of the project, including the results of the tender, will be reported back to the Transport and Access Committee on a regular basis.*

281 **Submission on the Proposed National Policy Statement for Freshwater Management**

Report 08.921

File: ENV/05/01/15

Resolved

(Cr Baber/Cr Buchanan)

That the Council:

1. *Receives the report.*
2. *Approves the draft submission by Greater Wellington on the Proposed National Policy Statement for Freshwater Management.*
3. *Notes that amendments may be made to the draft submission to better align it with the submission from Local Government New Zealand when its submission is completed.*
4. *Delegates to the Council Chair, the power to approve, on behalf of the Council, changes that may be necessary to finalise the draft submission.*

282 **Future financing requirements**

Report 08.876

File: G/16/06/01

Resolved

(Cr Aitken/Cr Lamason)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Approves Greater Wellington issuing bonds to either institutional investors or to the public or both for a maximum amount of \$50 million and for a term not exceeding 5 years.*
4. *Notes that any issue to the public will require an investor statement to be prepared and approved by Council and signed off by two Councillors.*
5. *Authorises the Chief Financial Officer to enter into such documents and to do such acts, matters, or things as are necessary, appropriate, or desirable for the purpose of, or in connection with, or to give effect to, any document, act or acts, matters, or things in relation to the bonds issued by the Council.*

283 **Financial report for the three months ending 30 September 2008**

Report 08.901

File: G/13/02/01

Resolved

(Cr Aitken/Cr Donaldson)

That the Council:

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

Noted

The Council recommended that the over-budgeting on maintenance by the Transport Division be considered by the Transport and Access Committee.

284 **Financial Report for the four months ending 31 October 2008**

Report 08.902

File: CFO/13/02/01

Resolved

(Cr Aitken/Cr Donaldson)

That the Council:

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

285 **2009 meeting schedule**

Report 08.869

File: E/06/02/02

Resolved

(Cr Greig/Cr Kirton)

That the Council:

1. *Adopts the 2009 meeting schedule.*
2. *Agrees that the 2009 meeting schedule be circulated to key stakeholders.*
3. *Authorises the Divisional Manager Corporate and Strategy, to modify the schedule as and when required, in accordance with notification procedures specified in Standing Orders.*

286 **Public Transport Management Act 2008 – proposed delegations**

Report 08.940

File: E/01/06/19

(Contained in supplementary order paper dated 8 December 2008)

Resolved

(Cr Wilde/Cr Buchanan)

That the Council:

1. *Receives the report.*
2. *Notes the contents.*
3. *Notes that, in accordance with the Public Transport Management Act 2008, the Council must adopt, vary, or renew the Regional Public Transport Plan.*
4. *Delegates the Council's responsibility in the Public Transport Management Act 2008, to prepare the Regional Public Transport Plan, to the Transport and Access Committee.*
5. *Agrees that the Council's remaining responsibilities in the Public Transport Management Act 2008 should be exercised by the Chief Executive or his delegates.*

287 **Report on the Regulatory Committee meeting held on 18 November 2008**

Report 08.899

File: E/06/31/03

Resolved

(Cr Lamason/Cr Baber)

That the Council:

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

288 **Report on the Regional Sustainability Committee meeting held on 19 November 2008**

Report 08.903

File: E/06/32/03

Resolved

(Cr Laidlaw/Cr Aitken)

That the Council:

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

289 **Report on the Catchment Management Committee meeting held on 20 November 2008**

Report 08.915

File: E/06/31/03

Resolved

(Cr Buchanan/Cr Wilson)

That the Council:

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

290 **Report on the Finance, Evaluation and Risk Committee meeting held on 25 November 2008**

Report 08.898

File: CFO/13/02/01

Resolved

(Cr Donaldson/Cr Aitken)

That the Council:

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

291 **Report on the Transport and Access Committee meeting held on 26 November 2008**

Report 08.917

File: E/06/29/03

Resolved

(Cr Kirton/Cr Greig)

That the Council:

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

292 **Report on the Parks, Forests and Utilities Committee meeting held on 27 November 2008**

Report 08.919

File: O/02/01/01

Resolved

(Cr Kirton/Cr Greig)

That the Council:

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

293 **Exclusion of the public**

Report 08.926

File: E/06/01/4

Resolved

(Cr Burke/Cr Buchanan)

That the Council

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

1. *Public excluded minutes of Council 3 November 2008.*
2. *Request for a remission of rates.*

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</i>	<i>Ground under section 48(1) for the passing of this resolution</i>
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|----|---|---|--|
| 1. | <i>Public excluded minutes of Council 3 November 2008</i> | <i>The information contained in these minutes relates to Greater Wellington entering into a land exchange in the East Harbour Regional Park. The contract has not yet been entered into. 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 these prejudices.</i> | <i>That the public conduct of the whole or the relevant part of the proceedings of the meeting will be likely to result in the disclosure of information for which good reason would exist for withholding under section 7(2)(i) of the Local Government Official Information and Meetings Act 1987 (i.e to enable the Council to carry on, without prejudice of disadvantage, commercial negotiations).</i> |
| 2. | <i>Request for a remission of rates</i> | <i>The information contained in this report relates to an application for a rate remission. Release of this information would be likely to infringe the privacy of the applicant as it would disclose the fact that they are requesting a rate remission for their property. 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 their privacy.</i> | <i>That the public conduct of the whole or the relevant part of the proceedings of the meeting will be likely to result in the disclosure of information for which good reason would exist for withholding 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> |

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 open part of the meeting closed at 12.59 pm.

Cr FH WILDE
Chair

Date