

Please note that these minutes remain unconfirmed until the meeting of Council on 3 November 2008.

**Report 08.716**

30 September 2008

File: E/06/01/04

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**Minutes of the meeting of the Wellington Regional Council held in the Council Chamber, Regional Council Centre, 142 Wakefield Street, Wellington on Monday, 29 September 2008 at 9.30 am**

**Present**

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

**In Attendance**

Andy Burns and Karen Young (Audit New Zealand) for Item 7.

**Officers Present**

Benham, Bradbury, Corry, Davis, Dick, Gray, Hastie, Kennedy, Nalder, Pryce, Reay, Ryan, Sangster, Shaw, and Turfrey.

**Public Business**

218 **Apologies**

*Resolved*

*(Cr Donaldson/Cr Lamason)*

*That Council:*

*Accepts the apologies for absence from Councillors Baber, Kirton, and Greig.*

219 **Declarations of conflict of interest**

Councilor Wilde declared a possible conflict of interest in Item 11 - Waitangirua Farm Reserve Classification (under the Reserves Act 1977) – and took no part in the discussion and voting on that item.

220 **Public participation**

Ken McAdam and Nicky Chapman spoke on Puketiro commercial issues.

Mike Oates presented the Council with a New Zealand Plant Conservation Network award.

221 **Council minutes**

*Resolved*

*(Cr Wilson /Cr Lamason)*

*That Council:*

*Confirms the minutes of its meeting on 11 August 2008, Report 08.585.*

222 **Regional Land Transport Committee minutes**

*Resolved*

*(Cr Burke/Cr Wilson)*

*That Council:*

*Confirms the minutes of the Regional Land Transport Committee meeting on 13 August 2008, Report 08.587.*

223 **Ngauranga to Airport Corridor Plan Hearing Subcommittee minutes**

*Resolved*

*(Cr Glensor/Cr Wilde)*

*That Council:*

*Confirms the minutes of the Ngauranga to Airport Corridor Plan Hearing Subcommittee meeting on 16 and 18 August 2008, Report 08.690.*

224 **Annual Report and Summary Annual Report for the year ended 30 June 2008**

**Report 08.688**

File: CFO/02/01/14

*Resolved*

*(Cr Wilde/Cr Aitken)*

*That the Council:*

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

3. Approves the following net amounts, in addition to those budgeted, being added to or deducted from the respective reserves

(a)	Transport Rate Reserve	755,032
(b)	Transport Policy Reserve	302,339
(c)	Wai Bovine TB Rate - Bov TB	52,646
(d)	Wai Rating Schemes-Catchment Awhea	(2,496)
(e)	Wai Rating Schemes-Catchment Whareama	(5,360)
(f)	Wai Rating Schemes-Catchment Homewood	472
(g)	Wai Rating Schemes-Catchment Mataikona	496
(h)	Wai Rating Schemes-Catchment Maungaraki	(477)
(i)	Wai Rating Schemes-Catchment Kaiwhata	(1,451)
(j)	Wai Rating Schemes-Drainage	(30,229)
(k)	Wai Shingle Royalty	79,000
(l)	Wai Rating Schemes-River LWVD	53,550
(m)	Wai Rating Schemes-River Waiohine	(14,284)
(n)	Wai Rating Schemes - Gladstone	4,892
(o)	Wai Rating Schemes-River Waipoua	2,071
(p)	Wai Rating Schemes-River Waingawa	(18,832)
(q)	Wai Rating Schemes-River Lower Tauera	935
(r)	Wai Rating Schemes-River Lower Whangaehu	741
(s)	Wai Rating Schemes- Te Ore Ore	14,638
(t)	Wai Rating Schemes - Mt Bruce	(6,110)
(u)	Kopuranga Scheme Reserve	1,675
(v)	Akura Nursery Reserve	(22,600)
(w)	Wairarapa Wetlands	50,000
(x)	River Rate Reserve-Hutt City	14,864
(y)	River Rate Reserve-Kapiti Coast	64,177
(z)	River Rate Reserve-Porirua City	(5,701)
(aa)	River Rate Reserve-Upper Hutt City	32,369
(bb)	River Rate Reserve-Wellington City	(16,150)
(cc)	Election Reserve	70,000
(dd)	Finance System (SAP) Reserve	564,977
(ee)	IT Operations Capex Reserve	(151,193)
(ff)	Wgtn Regional Strategy - Grow Wellington	261,233
(gg)	Rebudget to 07/08-Whiteria Park Ranger Service	118,170
(hh)	Rebudget to 08/09 - Contacts Database Management	59,000
(ii)	Rebudget to 08-QE2 private land protection	92,000
(jj)	Rebudget 08 - Clean up Waiwhetu	75,000
(kk)	Rebudget 08 - Pauatahanui	28,000
(ll)	Rebudget 08 - Bio Plants Admin	20,000
(mm)	Rebudget 08 - Animal Control Hutt	165,000
(nn)	Rebudget 08 - Animal Control Kai	26,000
(oo)	Rebudget 08 - Animal Control Aka	21,000

(pp)	<i>Rebudget 08 - Corridor Studies - CBD</i>	43,500
(qq)	<i>Rebudget 08 - RLTS</i>	52,500
(rr)	<i>Rebudget 08 - Beacon Hill Capex</i>	45,788
(ss)	<i>Rebudget 08 - Ava Railway Stopbank Improvements</i>	5,597
(tt)	<i>Rebudget 08 - Whirinaki Crescent Stopbank</i>	3,561
(uu)	<i>Rebudget 08 - South Waitohu Stopbank</i>	22,691
(vv)	<i>Rebudget 08 - Crystals Extended Stopbank</i>	19,930
(ww)	<i>Rebudget08 - Waikanae Environmental strategy implementation</i>	2,035
(xx)	<i>Rebudget 08 - Waiwhetu Flood Improvements</i>	10,175
(yy)	<i>Rebudget 08 - Emergency PS Whitehead Road</i>	10,531
(zz)	<i>Rebudget 08 - Terminal Reservoir for Wainui System (CBD reservoir)</i>	4,418
(aaa)	<i>Rebudget 08 - Replace AVS Kaitoke-Karori main</i>	4,418
(bbb)	<i>Rebudget 08 - Wairarapa Accommodation Project Capex</i>	90,926
(ccc)	<i>Rebudget 08 - Kapiti Rail Station Concept Design</i>	25,000
(ddd)	<i>Rebudget 2008 - Capex-Metlink Signage</i>	225,000
(eee)	<i>Rebudget 08 - Bus &amp; Ferry Procurement Review</i>	17,500

4. *Adopts the Annual Report and Summary Annual Report for the year ended 30 June 2008.*

### **Noted**

The auditors gave their unqualified assent to the annual report.

## 225 **Establishment of the Regional Transport Committee**

### **Report 08.673**

File: E/06/11/06

*Resolved*

*(Cr Burke /Cr Wilson)*

*That the Council:*

- 1. Receives the report.*
- 2. Notes its contents.*
- 3. Resolves to establish the Regional Transport Committee.*
- 4. Resolves to appoint the following to the committee as territorial authority representatives:*

<i><b>Territorial Authority</b></i>	<i><b>Appointee</b></i>	<i><b>Alternate</b></i>
<i>Kapiti Coast District Council</i>	<i>Mayor Jenny Rowan</i>	<i>Cr Lyndy McIntyre</i>
<i>Porirua City Council</i>	<i>Mayor Jenny Brash</i>	<i>Cr Tim Sheppard</i>
<i>Wellington City Council</i>	<i>Mayor Kerry Prendergast</i>	<i>Cr Andy Foster</i>
<i>Hutt City Council</i>	<i>Mayor David Ogden</i>	<i>Cr Joy Baird</i>
<i>Upper Hutt City Council</i>	<i>Mayor Wayne Guppy</i>	<i>Cr Peter McCardle</i>
<i>South Wairarapa District Council</i>	<i>Mayor Adrienne Staples</i>	<i>Cr Viv Napier</i>

5. *Resolves to appoint Ian Hunter to represent the New Zealand Transport Agency to the committee until Deborah Hume assumes her role as Regional Director, Wellington and Nelson/Marlborough.*
6. *Resolves to appoint Councillors Wilde and Glensor to the committee as Greater Wellington Regional Council representatives.*
7. *Resolves to appoint Councillor Wilde as Chair of the Committee.*
8. *Resolves to appoint Councillor Glensor as Deputy Chair of the Committee.*
9. *Approves the terms of reference for the committee as specified in Attachment 1 to Report 08.673.*
10. *Notes that the Chair will not have a casting vote on this committee.*

226 **Review of the Wellington Regional Navigation and Safety Bylaws 2003**

**Report 08.684**

File: J/01/02/01

*Resolved*

*(Cr Lamason /Cr Laidlaw)*

*That the Council:*

1. *Receives the report.*
2. *Notes its contents.*
3. *Agrees that the proposed amendments to the Wellington Regional Navigational and Safety Bylaws 2003:*

- (i) *are the most appropriate way for the Council to regulate and control navigation and safety in relation to waters within its region.*
  - (ii) *are the most appropriate form of bylaws.*
  - (iii) *do not contravene the New Zealand Bill of Rights Act 1990.*
4. *Agrees to the Statement of Proposal to amend Wellington Regional Navigational and Safety Bylaws 2003 and the Summary of Information, included as attachments 1 and 2 respectively to this report.*
  5. *Agrees to initiate the special consultative procedure outlined in section 83 of the Local Government Act 2002.*
  6. *Notes the timetable outlined in this report.*
  7. *Delegates to the Regulatory Committee the authority to consider any submissions made to the Council as a consequence of the consultative procedure and to report and make recommendations to the Council for the Council's further consideration and action.*

227 **Approval of Plan Change 3 to the Regional Freshwater Plan – water allocation provisions**

**Report 08.665**

File: X/32/01/06

*Resolved*

*(Cr Lamason/Cr Buchanan)*

*That Council:*

1. *Approves Plan Change 3 to the Regional Freshwater Plan.*
2. *Makes Plan Change 3 to the Regional Freshwater Plan operative on 18 October 2008.*
3. *Publicly notifies the operative date for Plan Change 3 to the Regional Freshwater Plan on 11 October 2008.*

228 **Waitangirua Farm Reserve Classification (under the Reserves Act 1977)**

**Report 08.686**

File: PK/11/02/03

*Resolved*

*(Cr Laidlaw/Cr Burke)*

*That Council:*

1. *Receives the report.*

2. *Notes the content of the report.*
3. *Classifies Waitangirua Farm as Recreation Reserve and approves the retention of the conservation covenants, as detailed in Option 5.*

**Noted**

Councillor Glensor took the chair for this item, as Councillor Wilde had declared a potential conflict of interest.

229 **Belmont Regional Park: Wind energy investigations**

**Report 08.622**

File: RE/01/01/01

*Resolved as a procedural motion*

*(Cr Wilde/Cr Laidlaw)*

*That the report lie on the table.*

The meeting was adjourned between 10.42 am and 11.04 am for morning tea.

230 **Financial Review for the two months ending 31 August 2008**

**Report 08.689**

File: CFO/13/02/01

*Resolved*

*(Cr Laidlaw/Cr Burke)*

*That Council:*

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

231 **WRC Holdings Limited – 2008 Financial Statements**

**Report 08.697**

File: CFO/09/02/02

*Resolved*

*(Cr Wilde/Cr Glensor)*

*That Council:*

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

3. *Receives the 2007/08 financial statements of Pringle House Ltd, Port Investments Ltd, Greater Wellington Rail Ltd, Greater Wellington Transport Ltd, Greater Wellington Infrastructure Ltd and WRC Holdings Ltd.*
4. *Approves, as sole shareholder, the 2007/08 financial statements of WRC Holdings Ltd.*

232 **Report on the Wellington Regional Strategy Committee – 13 August 2008**

**Report 08.614**

File: WRS/09/01/01

*Resolved*

*(Cr Wilde/Cr Glensor)*

*That Council:*

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

233 **Report on the Regional Land Transport Committee – 13 August 2008**

**Report 08.613**

File: TP/01/02/02

*Resolved*

*(Cr Wilde/Cr Glensor)*

*That Council:*

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

234 **Report on the Regulatory Committee – 2 September 2008**

**Report 08.694**

File: E/06/31/03

*Resolved*

*(Cr Lamason/Cr Donaldson)*

*That Council:*

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



235 **Report on the Regional Sustainability Committee – 3 September 2008**

**Report 08.651**

File: E/06/32/03

*Resolved*

*(Cr Laidlaw/Cr Bruce)*

*That Council:*

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

236 **Report on the Catchment Management Committee – 4 September 2008**

**Report 08.678**

File: WS/08/16/01

*Resolved*

*(Cr Buchanan/Cr Wilson)*

*That Council:*

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

237 **Report on the Transport and Access Committee – 10 September 2008**

**Report 08.691**

File: E/06/29/03

*Resolved*

*(Cr Glensor/Cr Wilson)*

*That Council:*

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

238 **Report on the Parks, Forests and Utilities Committee – 11 September 2008**

**Report 08.682**

File: O/02/01/01

*Resolved*

*(Cr Burke/Cr Wilson)*

*That Council:*

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

239 **Report on the Finance, Evaluation and Risk Committee – 16 September 2008**

**Report 08.687**

File: CFO/13/02/01

*Resolved*

*(Cr Aitken/Cr Donaldson)*

*That Council:*

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

240 **Report on the Regional Land Transport Committee's Ngauranga-Airport Hearing Subcommittee meetings – 18-20 August and 16 and 18 September 2008**

**Report 08.695**

File: TP/01/02/02

*Resolved*

*(Cr Wilde/Cr Glensor)*

*That Council:*

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

241 **Ara Tahi Meeting – 12 August 2008**

**Report 08.681**

File: E/06/21/03

*Resolved*

*(Cr Wilde/Cr Glensor)*

*That Council:*

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

**Noted**

Officers were asked to arrange for Gail Tipa of Ngai Tahu to address the Regulatory Committee on Cultural Health Indicators.

242 **Exclusion of the Public****Report 08.680**

File: E/06/01/04

*Resolved**(Cr Wilde /Cr Lamason)**That Council:*1. *Excludes the public from the following part of the proceedings of this meeting namely:*

1. *Public excluded minutes of Council, 11 August 2008*
2. *Appointments to the Regional Transport Committee*
3. *Puketiro commercial issues*
4. *Restricted Public Excluded Minutes from Finance Evaluation and Risk Committee 16 September 2008*

*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</i></b>	<b><i>Ground under section 48(1) for the passing of this resolution</i></b>
1. <i>Public Excluded Minutes of Council 11 August 2008</i>	<p><i>These minutes contain information relating to Bioworks. Release of the information contained in this report on the PE session of the meeting would prejudice the privacy of employees of Greater Wellington by disclosing details relating to their employment.</i></p> <p><i>These minutes also contain information that 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.</i></p> <p><i>Greater Wellington has not been able to identify a public interest favouring disclosure of this</i></p>	<p><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></p>

*particular information in public proceedings of the meeting that would override these prejudices.*

2. *Appointment of the interest and objective members to the Regional Transport Committee*

*The information contained in this report relates to the appointment of non-local government members 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 members of the Regional Transport Committee. 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.*

*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).*
  
3. *Puketiro Commercial Issues*

*The information contained in this report relates to commercial issues associated with the proposed Puketiro windfarm developments. Release of this information would prejudice the Council's ability to carry on with commercial negotiations and prejudice the maintenance of legal professional privilege.*

*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*

*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)(g) and 7(2)(i) of the Local Government Official Information and Meetings Act 1987 (i.e to maintain legal professional privilege and enable the Council to carry on, without prejudice of disadvantage, commercial negotiations)*

4. *Chief Executive Officer performance review.*      *The information contained in this report contains information relating to the Chief Executive's performance agreement. Release of this information would prejudice David Benham's privacy by disclosing details of his performance agreement with 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 sections 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (i.e to protect the privacy of natural persons).*
2. *Permit to remain at this meeting, after the public has been excluded, representatives of DLA Phillips Fox because of their legal knowledge relating to Puketiro Commercial Issues. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because it is the subject of the report*

*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 11.45 am.

Cr FH WILDE  
Chair

Date