



Please note that these minutes remain unconfirmed until the meeting of the Council on 9 April 2014

Report 14.89

25/02/2014

File: E/12/01/03

**Minutes of the Council meeting held in the Council Chamber,
Greater Wellington Regional Council, Harbour Quays, Wellington,
on Tuesday, 25 February 2014 at 9.32am**

Present

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

Public Business

1 **Apologies**

There were no apologies.

2 **Conflict of Interest declarations**

There were no declarations of conflict of interest.

3 **Public Participation**

There was no public participation.

4 **Confirmation of Minutes**

Moved

(Cr Donaldson/ Cr Aitken)

That the Council confirms the minutes of the meeting of 12 December 2013, Report 13.1045.

The motion was **CARRIED**.

Strategy/Policy/Major Issues

5 Proposed Rates and Levies for 2014/15

David Benham, Chief Executive, introduced the report.

Report 14.15

File: CFO/02/01/16

Moved

(Cr Wilde/ Cr Aitken)

That the Council:

- 1. Receives the report.*
- 2. Notes the content of the report.*
- 3. Approves for inclusion in the Council's Draft 2014/15 Annual Plan, the rates and levies increase included in Section 3 including the service level improvements included in the 2012-22 Long Term Plan for 2014/15 (as may be amended by the Council), subject to the following amendment:*

Moved as an amendment

(Cr Donaldson/ Cr Wilson)

That the rates requirement for the Regional Possum Predator Control Programme extension, as detailed in section 3 of the report, be increased from \$200,000 to \$393,000.

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

Moved as an amendment

(Cr Swain/ Cr Aitken)

That the rates requirement of \$200,000 for the reinstatement of the Flood Protection Reserve Contribution, as detailed in section 3 of the report, be declined.

The amendment was **LOST**.

The substantive motion was then put to the vote and was **CARRIED**.

6 Progress report on implementation of the National Policy Statement for Freshwater Management

Nigel Corry, General Manager, Environment Management, introduced the report.

Report 14.30

File: E/12/01/04

Moved

(Cr Laidlaw/ Cr Aitken)

- 1. Receives the report.*

2. *Notes the content of the report.*
3. *Notes that Attachment 1 of the report will be posted on the Greater Wellington Regional Council website to publicly report on progress to date of the programme for implementation of the National Policy Statement for Freshwater Management.*

The motion was **CARRIED**.

The Council agreed to consider item 9 on the agenda – Wellington Regional Rail Plan 2013 before it considered item 7 – Submission on the NZTA’s Funding Assistance Rates (FAR) review: Options discussion document.

7 **Wellington Regional Rail Plan 2013**

Angus Gabara, Manager, Rail Operations, spoke to the report.

Report 14.56

File: T/26/12/03

Moved

(Cr Swain/ Cr Brash)

That the Council:

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Notes that the refreshed Rail Scenario 1 (RS1) is the preferred next stage in the development of the Wellington Metropolitan rail system.*
4. *Endorses the 2013 revision of the Wellington Regional Rail Plan for the purposes of public consultation through the Regional Public Transport Plan process*

The motion was **CARRIED**.

The meeting adjourned at 11.20am.

The meeting resumed at 11.37am.

8 **Submission on the NZTA's Funding Assistance Rates (FAR) review: Options discussion document**

Jane Davis, General Manager, Strategy and Community Engagement, spoke to the report.

Report 14.43

File: TP/01/17/03

Moved

(Cr Wilde/ Cr Swain)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Approves the submission set out in Attachment 2 to this report.*

The motion was **CARRIED**.

9 **Application of Probity Principles to GWRC PTOM Implementation and Procurement Activities**

Report 14.69

File: T/35/04/02

Moved

(Cr Wilde/ Cr Lamason)

That the Council:

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Agrees that Councillors adopt the approach to managing probity outlined in section 5 of this report.*

The motion was **CARRIED**.

10 **Methyl bromide use**

Nigel Corry, General Manager, Environment Management, spoke to the report.

Report 14.49

File: E/12/01/04

Moved

(Cr Lamason/ Cr Donaldson)

That the Council:

1. *Receives the report.*

2. *Notes the contents of the report.*

Moved as an amendment (to be additional resolutions)

(Cr Kedgley/ Cr Bruce)

3. *Notes CentrePort's decision to require fumigation contractors to use recapture technology when fumigating containers on the Wellington port with methyl bromide.*
4. *Notes that there is as yet no requirement for contractors to use recapture technology when logs are fumigated with methyl bromide at the port.*
5. *Notes that methyl bromide is a highly toxic, ozone depleting and invisible gas that can travel substantial distances if recapture technology is not used, and it is released directly into the environment after fumigation.*
6. *Notes that CentrePort, and the Regional Council, have a responsibility under the Health and Safety in Employment Act to take all practical steps to ensure the safety of employees and others in the workplace, and a duty, under section 12 of the act, to ensure that employees are provided with information about all hazards they might be exposed to, and the steps they may take to minimise their exposure to hazards.*
7. *Requires CentrePort, through Port Investments Limited, to amend the environmental performance targets in its Statement of Corporate Intent, to ensure that port workers, Regional Council staff, people who work in buildings that are located on the wharves, and any other persons living or working in the vicinity of the port, are publically notified of any scheduled log fumigation taking place on the wharf, at least 24 hours prior to the event.*

The amendment was **LOST**.

The motion was **CARRIED**.

Governance

11 Triennial Agreement 2013-2016

Report 14.45

File: E/12/01/04

Moved

(Cr Donaldson/ Cr Wilson)

That the Council:

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Endorses the proposed Triennial Agreement for the 2013-2016 triennium.*

4. *Notes that the proposed agreement is subject to consideration by all councils in the Wellington region, and that this may result in changes being proposed which, if significant, will require the proposed agreement to come back to the Council for further consideration.*
5. *Authorises the Council Chair to sign the Triennial Agreement on behalf of the Council provided that no significant changes are made following consideration of the proposed agreement by other councils.*

The motion was **CARRIED**.

12 Establishment of the Te Kāuru Upper Ruamāhanga River Floodplain Management Plan Subcommittee

Report 14.16

File: WO/6/1/14

Moved

(Cr Donaldson/ Cr McPhee)

That the Council:

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Establishes the Te Kāuru Upper Ruamāhanga River Floodplain Management Plan Subcommittee.*
4. *Adopts the terms of reference for the Te Kāuru Upper Ruamāhanga River Floodplain Management Plan Subcommittee.*
5. *Appoints Cr McPhee (Wairarapa Constituency Councillor) and Cr Donaldson (Chair, Strategy and Policy Committee) to the Subcommittee.*

The motion was **CARRIED**.

13 Establishment of Wairarapa Water Use Project Governance Group

Report 14.02

File: ENV/05/01/57

Moved

(Cr Donaldson/ Cr Brash)

That the Council:

1. *Receives the report.*
2. *Notes the contents of the report.*
3. *Establishes the WWUP Governance Group.*

4. *Approves the Terms of Reference for the WWUP Governance Group, as amended to provide for an appointed member nominated by Wairarapa iwi.*
5. *Appoints Councillor Wilde as the Council's representative on the WWUP Governance Group.*

The motion was **CARRIED**.

14 **Establishment of the Parangarahu Lakes Parks Network Plan Hearing Subcommittee**

Report 14.44

File: E/12/01/04

Moved

(Cr Wilson/ Cr Aitken)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Resolves to establish the Parangarahu Lakes Parks Network Plan Hearing Subcommittee to hear and consider the submissions on the Draft Amendment to the Parks Network Plan and on the Draft Parangarahu Lakes Co-Management Plan.*
4. *Appoints as members of the Subcommittee:*
 - *Cr Donaldson*
 - *Cr Laban*
 - *Cr Wilson*
5. *Appoints Cr Donaldson as Chair.*
6. *Notes that the appointment of members to the Subcommittee representing the Port Nicholson Board Settlement Trust is the subject of a separate report.*
7. *Adopts the terms of reference for the Subcommittee as set out in Attachment 1 to this report.*

The motion was **CARRIED**.

Corporate

15 Finance report for the six month period ended 31 December 2013

Warren Tocker, Chief Financial Officer, spoke to the report.

Report 14.52

File: CFO/13/02/01

Moved

(Cr Aitken/ Cr Wilson)

That the Council:

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

The motion was **CARRIED**.

16 Exclusion of the public

Report 14.62

File: E/12/01/04

Moved

(Cr Greig/ Cr Wilde)

That the Council:

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

- 1. Confirmation of the Public Excluded Council minutes of 12 December 2013*
- 2. Hutt Valley Bus Services – New Contract*
- 3. Appointment to the Hutt Valley Flood Management Subcommittee*
- 4. Te Kāuru Upper Ruamāhanga River Floodplain Management Subcommittee membership*
- 5. Appointment of members to the Wairarapa Water Use Project Governance Group*
- 6. Appointment of members to the Farming Reference Group*
- 7. Appointment of members to the Parangarahu Lakes Network Plan Hearing Subcommittee*
- 8. Process for the appointment of the Chief Executive*

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:

General subject of each matter to be considered:	Reason for passing this resolution in relation to each matter	Ground under section 48(1) for the passing of this resolution
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<i>1. Confirmation of the Public Excluded Council minutes of 12 December 2013</i>	<i>The information contained in these minutes relates to potential future rail service contracting in the Wellington region. Release of this information would be likely to harm the commercial position of Greater Wellington Regional Council (GWRC) and also harm the commercial position of current providers as it sets out potential options which if adopted might expose current providers to commercial risks. 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 need to withhold the information.</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 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).</i>
<i>2. Hutt Valley Bus Services – New Contract</i>	<i>Certain information contained in this report relates to the future approach to bus service contracting in the Wellington region. Release of this information would be likely to harm the commercial position of GWRC and would prevent GWRC from carrying on negotiations without prejudice or disadvantage. 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 need to withhold the information.</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 out, without prejudice or disadvantage, negotiations).</i>

3. Appointment to the Hutt Valley Flood Management Subcommittee

The information contained in this report relates to the appointment of an external member to the Hutt Valley Flood Management Subcommittee. Release of this information would prejudice the privacy of the person proposed for appointment by disclosing the fact that they have expressed interest in, and are being considered for, appointment to the Subcommittee. 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 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 sections 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (i.e to protect the privacy of natural persons).

4. Te Kāuru Upper Ruamāhanga River Floodplain Management Subcommittee membership

The information contained in this report relates to the proposed appointment of members to the Te Kāuru Upper Ruamāhanga River Floodplain Management Plan Subcommittee. Release of this information would prejudice the proposed members' privacy by disclosing the fact that they are being considered, and have expressed interest, in becoming a member of the Te Kāuru Upper Ruamāhanga River Floodplain Management Plan Subcommittee. 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 the privacy of the individuals concerned.

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).

5. Appointment of members to the Wairarapa Water Use Project Governance Group

The information contained in this report relates to the appointment of members to the Wairarapa Water User Project Governance Group. Release of this information would prejudice the privacy of the persons proposed for appointment by disclosing the fact that they have expressed interest in, and are being considered for, appointment to the Group. 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 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 sections 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (i.e to protect the privacy of natural persons).

6. Appointment of members to the Farming Reference Group

The information contained in this report relates to the appointment of members to the Farming Reference Group. Release of this information would prejudice the privacy of the persons proposed for appointment by disclosing the fact that they have expressed interest in, and are being considered for, appointment to the Group. 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 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 sections 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (i.e to protect the privacy of natural persons).

7. Appointment of members to the Parangarahu Lakes Network Plan Hearing Subcommittee

The information contained in this report relates to the appointment of members to the Parangarahu Lakes Parks Network Plan Hearing Subcommittee. Release of this information would prejudice the privacy of the persons proposed for appointment by disclosing the fact that they have expressed interest in, and are being considered for,

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

appointment to the Subcommittee. 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 their privacy. protect the privacy of natural persons).

8. Process for the appointment of the Chief Executive

This report contains information on the proposed process for appointing the Chief Executive and information relating to the current Chief Executive's performance agreement. Release of this information would prejudice the privacy of David Benham, Chief Executive, by disclosing information pertaining to the employment relationship between the Chief Executive and 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.

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).

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 12.53pm.

FH Wilde
(Chair)

Date:

#1320993