

Please note that these minutes remain unconfirmed until the meeting of Council on 8 December 2008.

Report 08.842

3 November 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, Upper Hutt City Council, 838 Fergusson Drive, Upper Hutt on Monday, 3 November 2008 at 9.30 am

Present

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

Officers Present

Benham, Bognar, Bradbury, Corry, Davis, Dick, Hastie, R Hewitt, Kennedy, Reay, Sangster, and Turfrey.

Business

247 **Apologies**

Resolved

(Cr Wilde/Cr Laidlaw)

That Council

Accepts the apology for absence from Councillor Burke.

248 **Declarations of conflict of interest**

There were no declarations of conflict of interest.

249 **Public participation**

Diane Strugnell, Ken McAdam, and Mark Phillips spoke on the draft Battle Hill Forest Park Management Plan.

Harry Memelink and Sharon Isaac spoke on the Rimutaka Summit toilet block and tearooms.

250 **Confirmation of Minutes**

Resolved

(Cr Greig/Cr Glensor)

That the Committee confirms the public and public excluded minutes of the meeting of 29 September 2008, Reports 08.716 and Report PE 07.717.

251 **Confirmation of Minutes**

Resolved

(Cr Baber/Cr Greig)

That the Committee confirms the minutes of the meeting of 16 October 2008, Report 08.773.

252 **Biodiversity full year review to 30 June 2008**

Report 08.787

File: ENV/12/07/12

Resolved

(Cr Aitken/Cr Laidlaw)

That the Committee:

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

Noted

Councillors commended staff and volunteers for the quality of work.

253 **Draft Battle Hill Farm Forest Park Management Plan**

Report 08.759

File: PK/10/02/01

Resolved

(Cr Kirton/Cr Baber)

That the Committee:

1. *Receives and notes the contents of the report.*
2. *Approves the release of the revised draft Battle Hill Farm Forest Park Management Plan for public consultation, subject to any minor technical amendments that may be authorised by the Council Chair and the Parks, Forests and Utilities Committee Chairperson.*
3. *Delegates to the Parks, Forests, and Utilities Committee the authority to hear and consider any submissions made to the Council on the draft Battle Hill Farm Forest Park Management Plan, and to report and make recommendations to the Council for the Council's further consideration and action.*

Noted

Officers were asked to arrange for submissions to close on February 28, 2009.

254 **Afforestation Grant Scheme Funding Agreement**

Report 08.817

File: WO/03/40/10

Resolved

(Cr Buchanan/Cr Laidlaw)

That the Committee:

1. *Receives the report.*
2. *Agrees to participate in the Afforestation Grants Scheme, and authorises the Chief Executive to execute the Afforestation Grant Scheme Funding Agreement and the Memorandum of Understanding documents attached to this report.*

255 **Final adoption of Parks and Forests Concessions Policy 2008**

Report 08.823

File: PK/01/09/01

Resolved

(Cr Kirton/Cr Greig)

That the Committee:

1. *Revokes the Policy for Recreation and Tourism adopted in July 2001.*
2. *Adopts the Greater Wellington Regional Council Parks and Forests Concessions Guidelines 2008, subject to any minor technical or editorial amendments.*
3. *Notes that it is intended to conduct a comprehensive review of the parks' network and that the terms of any concessions granted up to the end of that period may change.*

256 **Park and ride (commuter parking) guidelines and programme**

Report 08.830

File: TD/04/06/01

Resolved

(Cr Glensor/Cr Greig)

That the Committee:

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

The meeting was adjourned between 10.41 am 0.48 am for morning tea.

257 **Bylaw for the Greater Wellington Regional Council forests, parks and reserves****Report 08.824**

File: PK/01/09/01

*Resolved**(Cr Kirton/Cr Baber)**That the Committee:*

1. *Agrees that the proposed Greater Wellington Regional Council Parks, Forests and Reserves Draft Bylaw (2008):*
 - (a) *Is the most appropriate way for the Council to regulate and control behaviour and activities within the parks, forests and reserves.*
 - (b) *Is the most appropriate form of bylaw.*
 - (c) *Does not contravene the New Zealand Bill of Right Act 1990.*
2. *Approves the provisions of the new Greater Wellington Regional Council Parks, Forests and Reserves Draft Bylaw (2008).*
3. *Agrees to the Statement of Proposal and Summary of Information included as attachments 2 and 3 of this report.*
4. *Agrees to a process of consultation with iwi, special interest groups and the public, as per the special consultative procedure in section 83 of the Local Government Act 2002.*
5. *Delegates to the Parks, Forests and Utilities 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.*

Noted

Officers were asked to arrange for submissions to close on February 28, 2009.

258 **Greater Wellington Regional Council's role in providing regional parks**

Report 08.825

File: PK/03/01/04

Resolved

(Cr Kirton/Cr Greig)

That the Committee:

1. *Approves the development of a Regional Parks Network Strategy.*
2. *Agrees to the process as outlined above.*

Councillors Aitken and Donaldson asked that their negative votes on resolution 2 be recorded.

Noted

Officers were asked to report back to the Parks, Forests and Utilities Committee with a project plan and timetable for the regional Parks Network Strategy.

259 **Masterton Accommodation**

Report 08.828

File: WS/03/01/07

Resolved

(Cr Lamason/Cr Buchanan)

That the Committee:

1. *Receives the report.*
2. *Notes the contents.*
3. *Agrees that the appropriate location for a new building in Masterton (taking into account the financial implications, transport links, zoning, and staff considerations) is on Council's existing site at 24 -34 Chapel Street, Masterton (Option 1).*
4. *Agrees that concept design for the new two storey building at Chapel Street be undertaken.*
5. *Notes that the cost of the construction of the new building will be included in the 2009-19 Long Term Council Community Plan.*

260 **WRC Holdings Limited – Shareholder Resolutions in Lieu of Annual General Meeting**

Report 08.715

File: M/30/09/01

Resolved

(Cr Wilde/Cr Greig)

That the Committee:

1. *Receives the report.*
2. *Notes the contents.*
3. *Resolves by way of the written resolutions contained within Attachment 1:*
 - (a) *To appoint Audit New Zealand (as required by section 70 of the Local Government Act 2002) as the auditor of the Company to:*
 - (i) *Hold office from the date of this resolution until the conclusion of the company's next annual meeting.*
 - (ii) *Audit the company's financial statements and the group financial statements for the accounting period after the date of this resolution.*
 - (b) *That the auditor's fees and expenses are to be determined by the directors of the company (or their appointed officers) in consultation with the auditor.*
 - (c) *Not to hold an Annual General Meeting.*
4. *Authorises the Divisional Manager – Corporate and Strategy to affix the Council's Common Seal to the resolutions of the sole shareholder (Attachment 1).*

261 **Report on the Regulatory Committee meeting held on 14 October 2008**

Report 08.812

File: E/06/31/03

Resolved

(Cr Baber/Cr Lamason)

That the Committee:

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

262 **Report on the Regional Sustainability Committee meeting held on 15 October 2008**

Report 08.783

File: E/06/32/03

Resolved

(Cr Laidlaw/Cr Bruce)

That the Committee:

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

263 **Report on the Catchment Management Committee meeting held on 16 October 2008**

Report 08.788

File: WS/08/16/01

Resolved

(Cr Buchanan/Cr Wilson)

That the Committee:

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

264 **Report on the Finance, Evaluation and Risk Committee meeting held on 21 October 2008**

Report 08.811

File: CFO/13/02/01

Resolved

(Cr Aitken/Cr Glensor)

That the Committee:

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

265 **Report on the transport and Access Committee meeting held on 22 October 2008**

Report 08.829

File: E/06/29/03

Resolved

(Cr Glensor /Cr Greig)

That the Committee:

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

266 **Report on the Wellington Regional Strategy Committee meeting held on 22 October 2008**

Report 08.818

File: WRS/09/01/01

Resolved

(Cr Wilde/Cr Glensor)

That the Committee:

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

267 **Report on the Parks, Forests and Utilities Committee meeting held on 23 October 2008**

Report 08.821

File: O/02/01/01

Resolved

(Cr Kirton/Cr Greig)

That the Committee:

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

268 **Report on the Regional Transport Committee meeting held on 28 October 2008**

Report 08.831

File: TP/01/02/02

Resolved

(Cr Wilde/Cr Glensor)

That the Committee:

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

269 **Report on the Ara Tahi meeting held on 15 October 2008**

Report 08.819

File: E/06/21/03

Resolved

(Cr Wilde/Cr Glensor)

That the Committee:

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

270 **Exclusion of the public****Report 08.813**

File: E/06/01/4

*Resolved**(Cr Kirton/Cr Baber)**That the Council**Exclude the public from the following part of the proceedings of this meeting namely:*

1. *Rimutaka Summit toilet block and tearooms*
2. *East Harbour Regional Park – Proposal to exchange land*
3. *Matangi Electric Multiple Units*
4. *Restricted Public Excluded Minutes of Council 29 September 2008*
5. *Restricted Public Excluded Minutes of Council 16 October 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:

| <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> |
|--|--|---|
| 1. <i>Rimutaka Summit toilet block and tearooms</i> | <i>The information contained in this report contains information relating to the licensee's financial position. 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.</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 sections 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (i.e. to protect the privacy of natural persons).</i> |
| 2. <i>East Harbour Regional Park – Proposal to exchange land</i> | <i>The information contained in this report relates to Greater Wellington entering into a land exchange. The contract has not yet been entered into. The Council has not been able to identify a public interest favouring disclosure of this</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</i> |

particular information in public proceedings of the meeting that would override this prejudice.

Government Official Information and Meetings Act 1987 (i.e. to enable Greater Wellington to carry on without prejudice or disadvantage negotiations).

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|----|--|--|---|
| 3. | <i>Matangi Electric Multiple Units</i> | <i>Release of price information in this report would be likely to prejudice Rotem Mitsui's commercial position as it would reveal their pricing strategy. In the circumstances, this is considered unreasonable given the competitive environment they operate in. Their competitors could use this information to undercut them. 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 their commercial position.</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 sections 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> |
| 4. | <i>Restricted Public Excluded Minutes of Council 29 September 2008</i> | <i>The information contained in these minutes 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. The information contained in these minutes contains relates 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</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 sections 7(2)(a), 7(2)(g) and 7(2)(i) of the Local Government Official Information and Meetings Act 1987 (i.e. to protect the privacy of natural persons, to maintain legal professional privilege and enable the Council to carry on, without prejudice of disadvantage, commercial negotiations).</i> |

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.

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.

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|----|--|--|---|
| 5. | <i>Restricted Public Excluded Minutes of Council 16 October 2008</i> | <i>The information contained in these minutes 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.</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 sections 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 public part of the meeting closed at 11.28 am.

Cr FH WILDE
Chair
Date