

**Please note that these minutes remain unconfirmed until the Council meeting of 19 May 2008.**

**Report 08.284**

29 April 2008

File: E/06/01/04

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**Minutes of the Meeting of the Wellington Regional Council held at the Regional Council Centre, 142 Wakefield Street, Wellington on Tuesday, 29 April 2008 at 1.30 pm**

**Present**

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

**Officers Present**

Benham, Bradbury, Corry, Dick, Hammond (contractor), Kennedy, Reay, Ryan, Saywell, Shorten, and Turfrey.

**Public Business**

105 **Apologies**

*Resolved*

*(Cr Wilde/Cr Glensor)*

*That Council:*

*Confirms the apology for absence from Councillor Greig.*

106 **Conflict of Interest declarations**

There were no declarations of conflict of interest.

107 **Public participation**

No members of the public wished to participate in the meeting.

108 **Confirmation of Minutes**

*Resolved*

*(Cr Kirton/Cr Wilson)*

*That Council:*

*Confirms the minutes of the meeting on 7 April 2008, Report 08.214.*

## **Regional Strategies/Policies**

109 **Building Act 2004: transfer of powers**

**Report 08.204**

File: ENV/10/08/04

*Resolved*

*(Cr Baber/Cr Aitken)*

*That Council:*

1. *Receives the report.*
2. *Notes the contents.*
3. *Approves the proposal to transfer to selected functions, duties, and powers in Part 2 of the Building Act 2004 (excluding Subpart 7 – Safety of Dams), and any other functions, duties, and powers that are necessary, to Environment Waikato to act as a Building Consent Authority.*
4. *Delegates authority to the Chief Executive, Wellington Regional Council to sign the Deed of Transfer and the associated Memorandum of Understanding.*

110 **New Zealand Coastal Policy Statement - submission**

**Report 08.238**

File: ENV/13/02/02

*Resolved*

*(Cr Baber/Cr Aitken)*

*That Council:*

1. *Receives the report.*
2. *Notes the contents.*
3. *Approves the draft submission on the proposed NZCPS, subject to resolution 4.*

4. Approves the inclusion of any submission made by Ara Tahi as an appendix to the Council's submission on the proposed NZCPS.

## Committees

### 111 Wellington Regional Strategy– 9 April 2008

**Report 08.219**

File: E/06/26/02

*Resolved*

*(Cr Wilde./Cr Glensor)*

*That Council:*

*Adopts the report of the meeting of the Wellington Regional Strategy Committee held on 9 April 2008, items WRS 28 to WRS 34 inclusive.*

### 112 Regional Land Transport– 9 April 2008

**Report 08.218**

File: E/06/11/02

*Resolved*

*(Cr Wilde./Cr Glensor)*

*That Council:*

*Adopts the report of the meeting of the Regional Land Transport Committee held on 9 April 2008, items RLT 20 to RLT 29 inclusive.*

## Corporate

### 113 Resource Management Act Delegations

**Report 08.262**

File: E/06/02/04

*Resolved*

*(Cr Kirton/Cr Baber)*

*That Council:*

1. *Receives the report*
2. *Notes the content of the report.*
3. *Where a commissioner or a panel of commissioners is appointed by the Regulatory Committee or its chairperson to determine a particular matter, the Council delegates to that commissioner or panel of commissioners all those functions and powers provided to the Regulatory Committee under its Terms of Reference necessary to hear and decide on resource consent applications.*

4. *Revokes current delegations to the Chairperson of the Regulatory Committee.*
5. *Delegates to the Chairperson of the Regulatory Committee, Cr Sally Baber, the following powers, which are to be exercised in consultation with the Divisional Manager, Environment Management:*
  - *The authority to appoint appropriately qualified people to act as commissioners on behalf of the Council.*
  - *The power to establish a hearing panel.*
  - *The power to choose, on a case-by-case basis, whether to conduct a hearing through a single commissioner, or through a hearing panel.*
  - *The power to decide, on a case-by-case basis, the appropriate commissioner, or composition of each hearing panel.*

#### 114 **Establishment of Annual Plan Hearings Committee**

**Report 08.265**

File: E/06/02/04

*Resolved*

*(Cr Wilde/Cr Aitken)*

*That Council:*

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Resolves to establish the Annual Plan Hearings Committee to consider the submissions on the Proposed 2008/09 Annual Plan, and to report to Council with recommendations for amendments to the Proposed 2008/09 Annual Plan.*
4. *Appoints Councillors Aitken, Bruce, ~~Buchanan~~, Burke, ~~Donaldson~~, ~~Laidlaw~~, Lamason, Wilde, and Wilson as members of the committee, and appoints Councillor Donaldson as Chairperson.*
5. *Adopts the terms of reference for the committee as set out in Attachment 1 to this report.*

Deleted: Buchanan,

## **General**

#### 115 **General Business**

The Council expressed its condolences to Councillor Greig on the passing of her husband, and agreed to make a donation to Te Omanga Hospice.

116 **Exclusion of the Public****Report 08.271**

File E/06/02/02

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

1. *Minutes of the public excluded part of the meeting of Council -7 April 2008*
2. *Increase in Share Capital*
3. *Matangi Electrical Multiple Units*

*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>
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| <i>1. Minutes - Bioworks update</i>                               | <i>Release of information included in the report would prejudice the privacy of employees of Greater Wellington by disclosing details relating to their employment.</i>                        | <i>That the public conduct of the whole or relevant part of the proceedings of the meeting would likely result in the disclosure of information for which good reason for withholding would exist under sections 7(2)(a) (7)(2)(h) and 7(2)(i) of the Local Government Official Information and Meetings Act 1987 (i.e to protect the privacy of natural persons, . to enable Greater Wellington to carry out, without prejudice or disadvantage, commercial activities, . to enable Greater Wellington to carry on without prejudice or disadvantage negotiations).</i> |
| <i>Minutes - Kapiti railway stations implementation programme</i> | <i>The information contained in this report relates to the risks and opportunities associated with the development of Kapiti railway stations and outlines a proposed implementation plan.</i> | <i>Having this part of the meeting open to the public would disadvantage the Council's commercial activities as it would reveal the Council's rail development strategies in the Kapiti area.</i>  |

<i>Minutes -</i>	<i>The information contained in this</i>
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*Proposal for Council to assist Crown with Cultural Redress Settlement for Taranaki Whanui (Wellington) Port Nicholson Block Claim*

*report relates to Greater Wellington entering into an agreement with the Crown and Taranaki Whanui to assist in facilitating part of the cultural redress proposed for the Port Nicholson Block Treaty of Waitangi claim of Taranaki Whanui. The agreement has not yet been entered into.*

*The report outlines terms of the proposed agreement which may still be negotiated. Having this part of the meeting open to the public would disadvantage the Council if further negotiations were to take place as it would reveal the Council's negotiation strategy.*

*Greater Wellington has not been able to identify a public interest favouring disclosure of the particular information above in public proceedings of the meeting that would override the identified prejudice.*

*2. Increase in Share Capital*

*Release of the information contained in this report in public proceedings of the meeting would be likely to prejudice Greater Wellington's ability to ensure that the best price for the EMUs is maintained as it would reveal its total budget for the project. The 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 this prejudice.*

*That the public conduct of the whole or relevant part of the proceedings of the meeting would likely result in the disclosure of information for which good reason for withholding would exist under section 7(2)(h) of the Local Government Official Information and Meetings Act 1987 (i.e. to enable Greater Wellington to carry out, without prejudice or disadvantage, commercial activities).*

3. Matangi Electrical Multiple Units	<i>Release of the information contained in this report in public proceedings of the meeting would be likely to prejudice Greater Wellington's ability to ensure that the best price for the EMUs is maintained as it would reveal its total budget for the project. The 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 this prejudice.</i>	<i>That the public conduct of the whole or relevant part of the proceedings of the meeting would likely result in the disclosure of information for which good reason for withholding would exist under section 7(2)(h) of the Local Government Official Information and Meetings Act 1987 (i.e. to enable Greater Wellington to carry out, without prejudice or disadvantage, commercial activities).</i>
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*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 2.31 pm.

Cr FH WILDE  
(Chair)

Date