



**Report 14.461**

09/09/2014

File: E/12/01/03

**Confirmed Public minutes of the extraordinary Council meeting held in the Council Chamber, Greater Wellington Regional Council, Shed 39, 2 Fryatt Quay, Pipitea, Wellington, on Tuesday, 9 September 2014 at 9.32am**

**Present**

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

**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 Exclusion of the public**

Moved

(Cr Wilde/ Cr Swain)

*That the Council:*

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

1. *Contract between Greater Wellington Regional Council and Capacity Infrastructure Limited relating to bulk water supply services*

*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 matter</i></b>	<b><i>Ground under section 48(1) for the passing of this resolution</i></b>
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<i>1. Contract between Greater Wellington Regional Council and Capacity Infrastructure Services Limited relating to bulk water supply services</i>	<i>The information contained in this report relates to the proposed contract between Greater Wellington Regional Council (GWRC) and Capacity Infrastructure Services Limited (Capacity) for the provision of bulk water supply services. Release of this information would be likely to prejudice GWRC's negotiations with Capacity to achieve finalisation of the contract. 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 this prejudice.</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 protect information where the making available of that information would be likely unreasonably to prejudice or disadvantage the ability of GWRC to carry on negotiations).</i>
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2. *Permits Nicola Daly, Senior Associate, DLA Phillips Fox, to remain at the meeting after the public has been excluded because of her knowledge relating to the contract between GWRC and Capacity relating to bulk water supply services. This knowledge, which will be of assistance in relation to the matter 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 motion was **CARRIED**.

The public part of the meeting closed at 9.33am.

FH Wilde  
(Chair)

Date:



The matters referred to in these minutes were considered by the Council on 9 September 2014 under public exclusion. These minutes do not require confidentiality and were considered in the public part of the meeting.

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**Present**

Councillors Wilde (Chair), Aitken, Brash, Bruce, Donaldson, Greig, Kedgley, Laban (from 9.38am), Laidlaw, Lamason, McPhee, Swain and Wilson.

**Also present**

Nicola Daly, Senior Associate, DLA Phillips Fox.

**Public Excluded Business**

**1 Contract between Greater Wellington Regional Council and Capacity Infrastructure Services Limited**

David Benham, Chief Executive Officer, introduced the report. Leigh-Anne Buxton, General Manager, People and Capability; Nicola Daly, Senior Associate, DLA Phillips Fox; Chris Laidlow, General Manager, Water Supply and Francis Ryan, Manager, Democratic Services, all spoke to the report.

**Report 14.457**

E/12/01/04

Moved

(Cr Aitken/ Cr Brash)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Appoints the Chief Executive Officer of Capacity Infrastructure Services Limited as its officer to exercise the Council's powers under section 171, 173 and 181 of the Local Government Act 2002.*
4. *Directs the Council's Chief Executive to issue a warrant as evidence of the Council's powers delegated to the Chief Executive of Capacity Infrastructure Services Limited.*
5. *Authorises the Council's Chief Executive to delegate further powers to the appointed officer, except those powers retained by Council, as may be necessary to enable Capacity Infrastructure Services Limited to provide management services in accordance with its contract with Wellington Regional Council.*
6. *Authorises the Council's Chief Executive, when required under legislation, to appoint such other officers of Capacity Infrastructure Services Limited, as the Council's Chief Executive deems appropriate, as officers of the Council for specified purposes and delegate powers to the appointed officers, and to issue warrants to such officers, when required.*
7. *Notes that any officer appointed directly by the Council or its Chief Executive to assist with the provision of management services under the contract may sub-delegate their powers, but a person delegated powers by an officer may not sub-delegate their powers.*
8. *Delegates financial authority to the Board of Capacity Infrastructure Services Limited, as set out in section 4.1 of this report.*

The motion was **CARRIED**.

The meeting closed at 10.24am.

FH Wilde  
(Chair)

Date: