



Please note that these minutes remain unconfirmed until the meeting of Council on 9 June 2009.

Report 09.285

19 May 2009

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, Regional Council Centre, 142 Wakefield Street, Wellington on Tuesday, 19 May 2009 at 9.33 am

Present

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

Public Business

354 **Apologies**

There were no apologies.

355 **Declarations of conflict of interest**

There were no declarations of conflict of interest.

356 **Public participation**

No members of the public participated in the meeting.

357 **Confirmation of the minutes of previous meetings**

Resolved

(Cr Lamason/Cr Greig)

That the Council confirms the minutes of the meeting of 2 April 2009: Reports 09.186 and PE 09.187.

Resolved

(Cr Aitken/Cr Greig)

That the Council confirms the minutes of the meeting of 13 May 2009, Report 09.278.

358 **Wellington Regional Stadium Trust – Draft Statement of Intent and Strategic Plan for the year ending 30 June 2010**

Report 09.219

File: CFO/27/12/09

Resolved

(Cr Laidlaw/Cr Wilson)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Requests that any comments arising from the Council are sent to the Stadium Trust.*

359 **Biodiversity six-month report to 31 December 2008**

Report 09.223

File: ENV/12/07/08

Resolved

(Cr Wilde/Cr Glensor)

That the Council:

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

360 **Revision of the Navigation and Safety Bylaws Infringement Notice Regulations**

Report 09.268

File: J/02/01/07

Resolved

(Cr Baber/Cr Lamason)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Approves a request being made to the Department of Internal Affairs to make regulations to define new and existing infringement notice offences and penalties in accordance with Attachment 1 of this report.*

361 **Remit to Local Government New Zealand Annual General Meeting 2009**

Report 09.283

File: E/07/07/03

Resolved

(Cr Wilde/Cr Glensor)

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Approves the remit to the Annual General Meeting of Local Government New Zealand.*

362 **2009 Local Government New Zealand National Conference and Annual General Meeting**

Report 09.259

File: E/07/07/03

Resolved

(Cr Baber/Cr Burke)

That the Council:

1. *Approves the attendance of Councillors Glensor and Wilde at the 2009 LGNZ National Conference and Annual General Meeting.*
2. *Nominates Councillor Wilde as the Presiding Delegate for voting on behalf of the Council at the 2009 LGNZ Annual General Meeting.*
3. *Nominates Councillor Glensor and David Benham, Chief Executive, as Alternate Delegates for voting on behalf of the Council at the 2009 LGNZ Annual General Meeting if Councillor Wilde is absent from the AGM.*

363 **Financial report for the nine months ended 31 March 2009****Report 09.246**

File: CFO/13/02/01

*Resolved**(Cr Aitken/Cr Donaldson)**That the Council:*

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

364 **Review of the constitutions for the WRCH Group of companies****Report 09.260**

File: M/01/01/01

*Resolved**(Cr Wilde/Cr Glensor)**That the Council:*

1. *Receives the report.*
2. *Notes the content.*
3. *Resolves by way of the written resolutions included within Attachment 2 to adopt the constitution of WRC Holdings Limited.*
4. *Authorises the Divisional Manager – Corporate and Strategy to affix the Council’s Common Seal to the resolutions of the sole shareholder (Attachment 2).*
5. *Consents to WRC Holdings Limited, being the sole shareholder of Pringle House Limited (PHL), Port Investments Limited (PIL) Greater Wellington Infrastructure Limited (GWIL), Greater Wellington Rail Limited (GWRL), and Greater Wellington Transport Limited (GWTL) amending the respective constitutions of PHL, PIL, GWIL, GWRL and GWTL by:*
 - (a) *Removing the requirement for the Board to obtain shareholder approval before authorising a distribution such as a dividend.*
 - (b) *Replacing the current quorum requirements so that a quorum is changed to three directors, two of whom must be ‘Shareholder Representatives’.*
 - (c) *Removing the ability of the Chair to have a casting vote.*
 - (d) *Removing the ability for the Company to make loans to Directors.*
 - (e) *Making any such minor amendments deemed necessary to update references to legislation and/or provide clarity to the constitutions.*

6. *Requests that the Council Chair confirms this consent in writing to WRC Holdings Limited.*
7. *Notes that the amendments to the constitutions of WRC Holdings Limited, PHL, PIL, GWIL, GWRL AND GWTL will be registered with the Companies Office.*

365 **Report on the Regional Transport Committee meeting held on 8 April 2009**

Report 09.210

File: TP/01/02/02

Resolved

(Cr Wilde/Cr Glensor)

That the Council:

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

366 **Report on the Regional Sustainability Committee meeting (Hearing on draft Battle Hill Farm Forest Park Management Plan) held on 16 April 2009**

Report 09.282

File: E/06/32/02

Resolved

(Cr Laidlaw/Cr Baber)

That the Council:

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

367 **Report on the Catchment Management Committee meeting held on 28 April 2009**

Report 09.240

File: WS/08/16/01

Resolved

(Cr Buchanan/Cr Wilson)

That the Council:

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

368 **Report on the Regulatory Committee meeting held on 6 May 2009****Report 09.265**

File: E/06/31/03

*Resolved**(Cr Baber/Cr Lamason)**That the Council:*

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

369 **Report on the Transport and Access Committee meeting held on 6 May 2009****Report 09.273**

File: E/06/29/03

*Resolved**(Cr Glensor/Cr Greig)**That the Council:*

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

370 **Report on the Finance, Audit and Risk Committee meeting held on 8 May 2009****Report 09.217**

File: CFO/13/02/01

*Resolved**(Cr Aitken/Cr Donaldson)**That the Council:*

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

371 **Report on the Regional Sustainability Committee meeting held on 12 May 2009****Report 09.281**

File: E/06/32/03

*Resolved**(Cr Laidlaw/Cr Baber)**That the Council:*

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

372 **Ara Tahi – 8 April 2009****Report 09.275**

File: E/06/21/02

*Resolved**(Cr Wilde/Cr Baber)**That the Council:*

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

373 **Exclusion of the public****Report 09.280**

File: E/06/01/04

*Resolved**(Cr Lamason/Cr Greig)**That Council*

1. *Excludes the public from the following part of the proceedings of this meeting namely:*
 1. *Minutes of the Extraordinary Council meeting on Wednesday 13 May*
 2. *Appointments to the Wellington Regional Stadium Trust*
 3. *Review of rent and variation of lease conditions – Shandon Golf Club*

The general subject of each matter to be considered while the public is excluded, the reasons for passing these resolutions 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 these resolutions are as follows:

<i>General subject of each matter to be considered:</i>	<i>Reason for passing these resolutions in relation to each matter</i>	<i>Ground under section 48(1) for the passing of these resolutions</i>
<i>1. Minutes from the Extraordinary Council meeting on Wednesday 13 May - Purchase of property</i>	<i>The information contained in this report relates to Greater Wellington entering into a land purchase agreement for a piece of land. The agreement has not yet been entered into. The report outlines terms of the proposed purchase 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. The</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</i>

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.

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

2. Appointments to the Wellington Regional Stadium Trust

The information contained in this report relates to the appointment of Trustees to the Wellington Regional Stadium Trust. Release of this information would prejudice their privacy by disclosing the fact that they are being considered, and have expressed interest, in becoming trustees of the Wellington Regional Stadium Trust. If this information were disclosed it may discourage potential members from expressing an interest in being appointed as trustees. 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 sections 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (i.e. to protect the privacy of natural persons).

3. Review of rent and variation of lease conditions – Shandon Golf Club

The information relates to the review of the Shandon Golf Club rent and lease conditions. Release of this information would disadvantage the Council in its negotiations with the Shandon Golf Club as it would reveal the Council's bottom price it would be willing to accept for rent. 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 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 Greater Wellington to carry on without prejudice or disadvantage negotiations).

- 2 *Permits Peter O'Brien to remain at this meeting, while the Council considers Report 09.274 entitled "Review of rent and variation of lease conditions – Shandon Golf Club", after the public has been excluded, because of his knowledge of the report. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because it relates directly to the subjects of the reports.*

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 10.18 am.

Cr FH WILDE
Chair

Date