



greater WELLINGTON
THE REGIONAL COUNCIL

Report 02.792
10 December 2002
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Minutes of the Meeting of the Wellington Regional Council held in the Wellington Regional Council Chamber, The Regional Council Centre, 142-146 Wakefield Street, Wellington on Tuesday, 10 December 2002 at 11.45am

Present

Councillors Shields (Chairperson), Aitken, Barr, Buchanan, Evans, Kirton, Laidlaw, McDavitt, Thomas, Turver, Werry and Yardley

Officers Present

Messrs Allard, Darroch, Forlong, Benham, Schollum, Stone, Watson, Wright and Drs Bradbury, Hastie and Watson

Public Business

Procedural Items

167 **Apologies**

Resolved

(Chairperson/Cr McDavitt)

That the apology from Councillor Long be confirmed.

168 **Public Participation**

There were no members of the public who wished to participate in the meeting.

169 **Confirmation of Minutes**

Resolved

(Cr Kirton/Cr Barr)

- (1) *That the public and public excluded minutes of the Ordinary Council meeting, Report 02.671 and Report PE 02.672 of 31 October 2002, and the public and public excluded record of the Special Policy, Finance and Strategy Committee meeting, Report 02.669 and Report PE 02.670 of 31 October 2002 be confirmed, the public excluded business to remain confidential.*
- (2) *That the public minutes of the Special Council meeting, Report 02.754 of 21 November 2002, and the public record of the Special Policy, Finance and Strategy Committee meeting, Report 02.753 of 21 November 2002 be confirmed.*

170 **Chairperson's Report**

Report 02.770

File: E/6/1/5

Resolved

(Chairperson/Cr Laidlaw)

That the Report be received.

Reports of Committees

171 **Policy, Finance and Strategy – 10 December 2002**

Report 02.780

File: E/6/3/2

Councillor McDavitt requested the Suburban Rail Passenger Transport Services be taken separately.

Scenarios and Contingencies – Suburban Rail Passenger Transport Services

Report 02.757

File: CFO/43/1/1

Moved

(Cr Buchanan/Cr McDavitt)

That Council confirms that the conditions placed upon the Tranz Metro Wellington sale process by Tranz Rail (as detailed in the letter from Michael Beard, dated 3 December 2002) are unacceptable to the Regional Council.

CARRIED

Council then passed a composite resolution as follows:

Resolved

(Cr Buchanan/Cr McDavitt)

That Council:

- (1) Receives the report and notes its contents.*
- (2) Confirms that the conditions placed upon the Tranz Metro Wellington sale process by Tranz Rail (as detailed in the letter from Michael Beard, dated 3 December 2002) are unacceptable to the Regional Council.*
- (3) Confirms that the Council will be seeking a new non-assignable contract with Tranz Rail (or an alternate provider, should such a provider be in a position to respond to the Council's tender for passenger rail services), including the following key features:*
 - Requirement for the rail operator to be prepared to invest its own capital into the passenger rail business;*
 - Requirement for long-term asset management planning beyond the term of the ten-year contract;*
 - Requirement for tough sanctions in the event of failure to deliver agreed services;*
 - Requirement for the rate of return on the operator's equity to be capped;*
 - Requirement for vastly improved transparency and information disclosure.*
- (4) Requests Tranz Rail to clarify whether it wishes to remain in the business of supplying passenger rail services for the Wellington Region in the long term.*
- (5) Requests officers to update their earlier preliminary investigations on how the current Wellington rail based passenger transport services might be replaced partially or wholly, with bus services and/or other alternatives.*
- (6) Seeks, concurrently with the above resolutions and in conjunction with the Mayors of the Region, the views of the Government on the desirability of regulating urban passenger rail services, given the monopoly nature of the market.*

Other Resolutions

Resolved

(Cr Turver/Cr Evans)

That the recommendations of the Policy, Finance and Strategy Committee meeting held on 10 December 2002 be adopted, the public excluded part to remain public excluded.

172 **Rural Services and Wairarapa – 12 November 2002**

Report 02.735

File: E/6/12/1

It was agreed that the Whaka Drain Subcommittee item be taken separately.

Resolved

(Cr Long/Cr Evans)

That the Report of the Rural Services and Wairarapa Committee held on 12 November 2002, Items RSW 120 to RSW 137 inclusive, be adopted.

Whaka Drain Subcommittee

Resolved

(Cr Buchanan/Cr Werry)

- (1) That a Whaka Drain Subcommittee consisting of Councillor Ian Buchanan, Councillor Tony Draper and the Divisional Manager, Wairarapa be established with power to act to resolve current issues, including rating, relating to the Whakawiriwiri Drain.*
- (2) That the Whaka Drain Subcommittee also include Councillor Long and have authority to resolve current resource consent charging issues relating to Mr John Barton and the Lower Valley Scheme Stopbanking.*

173 **Regional Land Transport – 14 November 2002**

Report 02.732

File: E/6/11/2

RLT S3 Hutt Corridor Plan

Councillor Evans said Councillor Shaw had withdrawn from the Hutt Corridor Plan Subcommittee and Porirua City Council will appoint a new member.

Councillor McDavitt said submissions on the Land Transport Management Bill close in January so Councillors will be busy during the latter half of January.

Resolved

(Cr McDavitt/Cr Turver)

That the Report of the Regional Land Transport Committee held on 14 November 2002, Items RLT 49 to RLT 62 inclusive, be adopted.

174 **Passenger Transport – 18 November 2002**

Report 02.749

File: E/6/19/2

Resolved

(Cr Turver/Cr Aitken)

That the Report of the Passenger Transport Committee held on 18 November 2002, Items PT 74 to PT 82 inclusive, be adopted.

175 **Landcare – 19 November 2002**

Report 02.750

File: E/6/16/2

Resolved

(Cr Barr/Cr Werry)

That the Report of the Landcare Committee held on 19 November 2002, Items LC 78 to LC 89 inclusive, be adopted.

176 **Utility Services – 26 November 2002**

Report 02.766

File: E/6/17/2

Resolved

(Cr Werry/Cr Aitken)

That the Report of the Utility Services Committee held on 26 November 2002, Items US 61 to US 69 inclusive, be adopted.

177 **Environment – 28 November 2002**

Report 02.768

File: E/6/18/1

Resolved

(Cr Buchanan/Cr Yardley)

That the Report of the Environment Committee held on 28 November 2002, Items E 140 to E 160 inclusive, be adopted.

178 **Chief Executive Recruitment Subcommittee – 15 November 2002**

Report 02.741

File: E/6/22/1

Resolved

(Chairperson/Cr McDavitt)

That the Report of the Chief Executive Recruitment Subcommittee held on 15 November 2002, Items CERS 03 to CERS 04 inclusive, be received.

Matters for Consideration

179 Ara Tahī – 27 November 2002

Report 02.789

File: E/6/21/3

Resolved

(Cr Buchanan/Chairperson)

That the Report be received and the contents noted.

180 WRC Holdings Group – 28 November 2002

Report 02.785

File: M/30/3/3

Resolved

(Cr Kirton/Cr Buchanan)

(1) That the Report be received and the contents noted.

(2) That Council, as the sole shareholder of WRC Holdings Limited, confirms and signs the attached written resolutions in lieu of the WRC Holdings Limited Annual General Meeting.

(3) That Council authorises the Council Secretary to affix the Council's Common Seal to the resolutions of the Company (Attachment 1).

181 Year 2003 Meeting Programme

Report 02.769

File: E/6/2/2

Resolved

(Cr Yardley/Cr Werry)

(1) That the Report be received and the contents noted.

(2) That the proposed programme of meetings for Council and Committees for the Year 2003 be adopted.

182 Emergency Committee Over Christmas/New Year Holiday Period

Report 02.772

File: E/6/1/4

Resolved

(Chairperson/Cr Thomas)

(1) That a subcommittee be established consisting of the Council Chairperson, Deputy Chairperson and General Manager (or his nominee) to act as an Emergency Committee over the Christmas/New Year holiday period 2002/03 with power to act.

- (2) *That Councillors Laidlaw and Werry be appointed, either one of whom to deputise in the absence of the Chairperson or the Deputy Chairperson.*
- (3) *That the General Manager be authorised to nominate other persons to deputise for him.*
- (4) *That any decisions taken by the subcommittee over the period concerned be reported to the first meeting of the Wellington Regional Council in 2003.*

183 Use of Official Seal

Report 02.771

File: E/4/2/2

Resolved

(Cr Barr/Cr McDavitt)

That the Report be received.

184 Question Time

There were no questions.

185 General

There were no matters of general business.

186 Exclusion of the Public

Report 02.781

Resolved

(Cr Kirton/Cr Laidlaw)

That the public be excluded from the following part of the proceedings of this meeting namely:

- (1) *Report of the public excluded part of the Meeting of the Rural Services & Wairarapa Committee held on 12 November 2002*
 - (a) *Lower Wairarapa Valley development scheme Classification Review – Puruatanga Farm Ltd – (J McDougall and others)*
 - (b) *Reserve Forests Review for the Year to 30 June 2002*
- (2) *Report of the public excluded part of the Meeting of the Utility Services Committee held on 26 November 2002*
 - Lease at Gear Island*
- (3) *Report of the public excluded part of the Meeting of the Chief Executive Recruitment Subcommittee held on 15 November 2002*
 - Confirmation of Selection Process*

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>
<i>(1)(a) Lower Wairarapa Valley development scheme Classification Review – Puruatanga Farm Ltd – (J McDougall and others)</i>	<i>Because of the need to carry on commercial negotiations</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, ie (commercial negotiations).</i>
<i>(1)(b) Reserve Forests Review for the Year to 30 June 2002</i>	<i>Because of the need to carry on commercial negotiations</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, ie (commercial negotiations).</i>
<i>(2) Lease at Gear Island</i>	<i>Because of the need to carry on commercial negotiations</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, ie (commercial negotiations).</i>
<i>(3) Confirmation of Selection Process</i>	<i>Because of the need to carry on commercial negotiations</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, ie (commercial negotiations).</i>

This resolution is made in reliance on section 48(1) (a) 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 of section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

Wellington Regional Council (1)(a) and (b), (2) and (3)

The open part of the meeting closed at 12.20pm.

Cr M K SHIELDS
Chairperson

Date