

Absolutely Positively
Wellington City Council

Me Heke Ki Pōneke

Ordinary meeting of Te Kaunihera o Pōneke

Council minutes

Thursday, 15 December 2022,

9:30am

Ngake (16.09)

Level 16 Tahiwī, 113 The Terrace

Wellington



PRESENT

Mayor Whanau (Chair)
Deputy Mayor Foon (Deputy Chair)
Councillor Abdurahman
Councillor Apanowicz
Councillor Brown
Councillor Calvert
Councillor Chung
Councillor Free
Councillor Matthews
Councillor McNulty
Councillor O'Neill
Councillor Pannett
Councillor Paul
Councillor Randle
Councillor Wi Neera
Councillor Young

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1 Meeting Conduct

1.1 Karakia

The Chairperson opened the meeting at 9:30am with the following karakia.

Whakataka te hau ki te uru,	Cease oh winds of the west
Whakataka te hau ki te tonga.	and of the south
Kia mākinakina ki uta,	Let the bracing breezes flow,
Kia mātaratara ki tai.	over the land and the sea.
E hī ake ana te atākura.	Let the red-tipped dawn come
He tio, he huka, he hauhū.	with a sharpened edge, a touch of frost,
Tihei Mauri Ora!	a promise of a glorious day

1.2 Apologies

Moved Mayor Whanau, seconded Councillor Young, the following motion

Resolved

That the Te Kaunihera o Pōneke | Council:

1. Accept the apologies received from Deputy Mayor Foon for early departure.

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Brown, Councillor Calvert, Councillor Chung, Deputy Mayor Foon, Councillor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Absent:

Councillor McNulty

Majority Vote: 15:0

Carried

1.3 Announcements by the Mayor

The Mayor made no announcements.

1.4 Conflict of Interest Declarations

Councillor Brown declared a conflict of interest in public excluded item 4.2 Progressing the Sludge Minimisation Facility, regarding clauses 32 and 33, and agreed not to take part in debate or vote on those clauses.

(Councillor McNulty joined the meeting at 9:33am.)

1. 5 Confirmation of Minutes

Moved Mayor Whanau, seconded Deputy Mayor Foon, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

1. Approve the minutes of the Ordinary Te Kaunihera o Pōneke | Council Meeting held on 16 November 2022, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting.

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Brown, Councillor Calvert, Councillor Chung, Deputy Mayor Foon, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Majority Vote: 16:0

Carried

1. 6 Items not on the Agenda

There are no items not on the agenda.

1. 7 Public Participation

1.7.1 Wellington Housing Action Coalition

On behalf of Wellington Housing Action Coalition, Warwick Taylor and Ariana Pareteutanginui-Tamati addressed the Council regarding item 2.2 CHP Transition: Trust Deed Approval.

1.7.2 IRRS4All

On behalf of IRRS4All, Brett Rawnsley addressed the Council regarding item 2.2 CHP Transition: Trust Deed Approval.

1.7.3 Peter Hooper

Peter Hooper addressed the Council regarding item 2.2 CHP Transition: Trust Deed Approval.

Secretarial note: In accordance with standing order 19.1, the chairperson accorded precedence to some items of business and announced that the agenda would be considered in the following order:

- 2.2 CHP Transition: Trust Deed Approval
- 4.2 Progressing the Sludge Minimisation Facility
- 4.1 City Car Parking Capacity and Revenue
- 4.4 Land Acquisition - Aotea Quay
- 4.3 Frank Kitts Park Playground Update
- 4.5 CCO Board Appointments
- 2.1 Te Matapihi Design Scope and Funding

-
- 2.3 Statements of Expectation to Council-Controlled Organisations
 - 2.4 Wellington Regional Triennial Agreement 2022-2025
 - 2.5 Request to seek expressions of interest for additional District Licensing Committee members and to reappoint an existing member
 - 2.6 New Ground Lease - Wellington Tennis Club Incorporated
 - 2.7 Actions Tracking
 - 2.8 Forward Programme
 - 3.1 Report of Te Kaunihera o Pōneke | Council Meeting of 29 September 2022: 2021/22 Annual Report and Audit Process
 - 3.2 Report of the Kōrau Tūāpapa | Environment and Infrastructure Committee Meeting of 8 December 2022: 2021/22 Capital Carry-Forward and Capital Programme Rescheduling
 - 3.3.1 Report of the Koata Hātepe | Regulatory Processes Committee Meeting of 14 December 2022: New Ground Lease for Victoria Bowling Club
 - 3.3.2 Report of the Koata Hātepe | Regulatory Processes Committee Meeting of 14 December 2022: Proposed Road Stopping – Land Adjoining 76 Adjoining 76 Orangi Kaupapa Road, Northland

2. General Business

2.2 CHP Transition: Trust Deed Approval

Moved Councillor Paul, seconded Councillor Matthews, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

- 1) Receive the information
- 2) Approve the attached Trust Deed, noting the names of the final mana whenua appointed Trustees will be included when these appointments are confirmed
- 3) Delegate to the Mayor and the Deputy Mayor the authority to sign the Trust Deed on behalf of the Council (as the Settlor) and settle the Trust jointly with the six Initial Trustees (once the final mana whenua appointed Trustees have been confirmed)
- 4) Note all six Initial Trustees are expected to be appointed by mid-December (with such appointments beginning on the date on which the Trust is settled) and the Trust will be settled as soon as practicable after that (i.e., before Christmas) to enable the transition to continue to progress on agreed timeframes
- 5) Note the Trust will be settled with a temporary working name and officers will report back to Council with a recommendation for a permanent name
- 6) Agree that \$0.5m of establishment funds will be gifted to the Trust following settlement to meet early transition costs (with further settlement funds to be gifted when the full Board is in place)
- 7) Note the next update on the CHP transition will be reported to the Social, Cultural and Economic Committee on 2 March 2023 and will include:
 - a. Further advice on the lease and funding agreements between the CHP and Council, including recommendations of City Housing sites for the property component of the capitalisation
 - b. Further advice on the relationship and oversight framework between the CHP and Council
 - c. Further advice requested in relation to the August 2022 resolutions on rent setting, the Mayor's Taskforce recommendation 6d, and allocation of places to tenants not on the public housing register, following advice from the regulatory authority
 - d. Any other updates or issues relevant to the progression of the transition plan.

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Brown, Councillor Calvert, Councillor Chung, Deputy Mayor Foon, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Against:

Councillor Pannett

Majority Vote: 15:1

Carried

4. Public Excluded

Moved Deputy Mayor Foon, seconded Mayor Whanau, the following motion

Resolved

That the Te Kaunihera o Pōneke | Council:

1. Pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, exclude the public from the following part of the proceedings of this meeting namely:

General subject of the matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
4.1 City Car Parking Capacity and Revenue	7(2)(i) The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.
4.2 Progressing the Sludge Minimisation Facility	7(2)(h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. 7(2)(i) The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.
4.3 Frank Kitts Park Playground Update	7(2)(b)(ii) The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. 7(2)(h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.
4.4 Land Acquisition - Aotea Quay	7(2)(i) The withholding of the information is necessary to enable the local authority to carry on, without	s48(1)(a) That the public conduct of this item would be likely to

	prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	result in the disclosure of information for which good reason for withholding would exist under Section 7.
	7(2)(j) The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage.	
4.5 CCO Board Appointments	7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.
2. Note the recommended public release of information for each item:		
4.6 City Car Parking Capacity and Revenue	Note that officers will review this report to determine whether it should be released to the public after the negotiations have concluded and the agreement is unconditional.	
4.7 Progressing the Sludge Minimisation Facility	Agree to publicly release this paper as soon as practicable after the Council meeting provided that the parts relating to consultation, contingency management and land acquisition are redacted.	
4.8 Frank Kitts Park Playground Update	Agree to delegate to the Chief Executive to review the public release of the decisions and report by 31 December 2023.	
4.9 Land Acquisition - Aotea Quay	Note that the acquisition report can be released to the public upon conclusion of the acquisition of the Land.	
4.10 CCO Board Appointments	CCOs will manage the public release of information individually.	

Carried

Secretarial note: The motion was moved with amendments, supported by officers, as marked in red. The motion was decided part by part, divisions for which were as follows:

Clauses 1 and 2, item 4.1:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Deputy Mayor Foon, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Paul, Councillor Wi Neera, Councillor Young

Against:

Councillor Brown, Councillor Calvert, Councillor Chung, Councillor Pannett, Councillor Randle

Majority Vote: 11:5

Carried

Clauses 1 and 2, item 4.2:

For:

Mayor Whanau, Councillor Abdurahman, Deputy Mayor Foon, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Paul, Councillor Young

Against:

Councillor Apanowicz, Councillor Brown, Councillor Calvert, Councillor Chung, Councillor Pannett, Councillor Randle, Councillor Wi Neera

Majority Vote: 9:7

Carried

Clauses 1 and 2, item 4.3:

For:

Mayor Whanau, Councillor Abdurahman, Deputy Mayor Foon, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Paul, Councillor Wi Neera

Against:

Councillor Apanowicz, Councillor Brown, Councillor Calvert, Councillor Chung, Councillor Free, Councillor Pannett, Councillor Randle, Councillor Young

Majority Vote: 8:8

Equal

The vote being tied, the chairperson applied their casting vote **in favour** of the motion.

The clause was **carried** by 9 to 8 votes.

Clauses 1 and 2, item 4.4:

For:

Mayor Whanau, Councillor Abdurahman, Deputy Mayor Foon, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Paul, Councillor Wi Neera, Councillor Young

Against:

Councillor Apanowicz, Councillor Brown, Councillor Calvert, Councillor Chung, Councillor Free, Councillor Pannett, Councillor Randle

Majority Vote: 9:7

Carried

Clauses 1 and 2, item 4.5:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Brown, Councillor Calvert, Councillor Chung, Deputy Mayor Foon, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Majority Vote: 16:0

Carried

The meeting went into public-excluded session at 10:25am. The meeting returned from public-excluded session at 1:33pm.

2. General Business

2.1 Te Matapihi Design Scope and Funding

Moved Councillor O'Neill, seconded Mayor Whanau, the following motion

That Te Kaunihera o Pōneke | Council:

- 1) Receive the information.
- 2) Note that, for the Council meeting on 21 July 2020, a Statement of Proposal for the Future of the Central Library was prepared. The preferred option for consultation was Option C 'High Level Remediation i.e. a highly resilient and strengthened central library. The cost estimate range for the preferred option "Option C – High Level Remediation" was between \$174.4 million and \$199.8 million.
- 3) Note that in April 2021 it was agreed to extend the design scope and provide additional funding of \$10.4 million in the 2021-31 LTP to extend the floor plate of each of levels three and four, and to progress sustainability initiatives to achieve a 5 Green Star design rating.
- 4) Note that \$178.7 million for "Option C – High Level Remediation" and the additional \$10.4 million noted in Recommendation 3 were agreed to in June 2021 with the adoption of the 2021-31 Long Term Plan.
- 5) Note that new guiding design principles were established in April 2021, directing the Te Matapihi project to design a future focused visitor experience that represents Pōneke's unique cultural identity and integrates specific services including City Archive, Customer Service and Experience Wellington's Capital E.
- 6) Note that no budgetary adjustments have been made to enable the implementation of the April 2021 guiding design principles (Recommendation 5).
- 7) Note that the budget requests articulated in this report are informed by the 100% Developed Design Estimate which is a combination of design and real construction costs.
- 8) Note that the Te Matapihi project is on plan for practical completion in August 2025 and opening in quarter one calendar year 2026.
- 9) Note that while the building is undergoing significant construction activity, the project will address renewal requirements including roof and façade remediation, compliance and futureproofing works. Scheduling of these works will be addressed via the 2023/24 Annual Plan process.
- 10) Note that the Te Matapihi project is required to comply with new building code legislation introduced in November 2022 and that there is a need for additional budget as a result.
- 11) Agree to increase the Te Matapihi budget by \$505,000 to ensure the building is compliant with new legislative building code requirements.
- 12) Agree to increase the Te Matapihi project budget by \$6.5 million to design, build and install a range of cultural elements and enhancements that reflect Pōneke's diverse cultural identity (Strategy and Policy Committee 15 April 2021 meeting resolution applies).
- 13) Agree to increase the Te Matapihi project budget by \$5 million to deliver specialist creative spaces and facilities required to deliver the integrated service model, including Capital E (Strategy and Policy Committee 15 April 2021 meeting resolution applies).
- 14) Note that the above increases will be required in the following years:
 - FY 2023/24 \$9,005,000
 - FY 2024/25 \$3,000,000

- 15) Note that the above budget increases will be debt funded, the corresponding depreciation and interest costs will be updated via the annual plan process.

(Deputy Mayor Foon left the meeting at 1:47pm and returned to the meeting to 1:56pm.)
(Deputy Mayor Foon left the meeting at 2:04pm.)

Moved Councillor Calvert, seconded Councillor Young, the following amendment

Resolved

- 16) Request officers to value engineer design to existing budget of \$189 million (including future contingency) to accommodate the Library, Capital E & other Council functions (e.g. Archives, customer service etc) and accommodate the remedial work to the building outlined in the paper.

Lost

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Councillor Apanowicz, Councillor Calvert, Councillor Chung, Councillor Randle, Councillor Young

Against:

Mayor Whanau, Councillor Abdurahman, Councillor Brown, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Wi Neera

Absent:

Deputy Mayor Foon

Majority Vote: 5:11

Lost

(Deputy Mayor Foon returned to the meeting to 1:56pm.)

Moved Councillor O'Neill, seconded Mayor Whanau, the following substantive motion

Resolved

That Te Kaunihera o Pōneke | Council:

- 1) Receive the information.
- 2) Note that, for the Council meeting on 21 July 2020, a Statement of Proposal for the Future of the Central Library was prepared. The preferred option for consultation was Option C 'High Level Remediation i.e. a highly resilient and strengthened central library. The cost estimate range for the preferred option "Option C – High Level Remediation" was between \$174.4 million and \$199.8 million.
- 3) Note that in April 2021 it was agreed to extend the design scope and provide additional funding of \$10.4 million in the 2021-31 LTP to extend the floor plate of each of levels three and four, and to progress sustainability initiatives to achieve a 5 Green Star design rating.
- 4) Note that \$178.7 million for "Option C – High Level Remediation" and the additional \$10.4 million noted in Recommendation 3 were agreed to in June 2021 with the adoption of the 2021-31 Long Term Plan.
- 5) Note that new guiding design principles were established in April 2021, directing the Te Matapihi project to design a future focused visitor experience that represents Pōneke's unique cultural identity and integrates specific services including City Archive, Customer Service and Experience Wellington's Capital E.
- 6) Note that no budgetary adjustments have been made to enable the implementation of the April 2021 guiding design principles (Recommendation 5).
- 7) Note that the budget requests articulated in this report are informed by the 100% Developed Design Estimate which is a combination of design and real construction costs.
- 8) Note that the Te Matapihi project is on plan for practical completion in August 2025 and opening in quarter one calendar year 2026.
- 9) Note that while the building is undergoing significant construction activity, the project will address renewal requirements including roof and façade remediation, compliance and futureproofing works. Scheduling of these works will be addressed via the 2023/24 Annual Plan process.
- 10) Note that the Te Matapihi project is required to comply with new building code legislation introduced in November 2022 and that there is a need for additional budget as a result.
- 11) Agree to increase the Te Matapihi budget by \$505,000 to ensure the building is compliant with new legislative building code requirements.
- 12) Agree to increase the Te Matapihi project budget by \$6.5 million to design, build and install a range of cultural elements and enhancements that reflect Pōneke's diverse cultural identity (Strategy and Policy Committee 15 April 2021 meeting resolution applies).
- 13) Agree to increase the Te Matapihi project budget by \$5 million to deliver specialist creative spaces and facilities required to deliver the integrated service model, including Capital E (Strategy and Policy Committee 15 April 2021 meeting resolution applies).
- 14) Note that the above increases will be required in the following years:
 - FY 2023/24 \$9,005,000
 - FY 2024/25 \$3,000,000
- 15) Note that the above budget increases will be debt funded, the corresponding

depreciation and interest costs will be updated via the annual plan process.

Carried

Secretarial note: The motion was decided part by part, divisions for which were as follows:

Clauses 11-13:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Brown, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Wi Neera

Against:

Councillor Calvert, Councillor Chung, Councillor Randle, Councillor Young

Absent:

Deputy Mayor Foon

Majority Vote: 11:4

Carried

All remaining clauses:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Brown, Councillor Calvert, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Against:

Councillor Chung

Absent:

Deputy Mayor Foon

Majority Vote: 14:1

Carried

(Councillor Brown left the meeting at 2:13pm.)

(Councillor McNulty left the meeting at 2:14pm.)

3. Committee Reports

3.1 Report of **Te Kaunihera o Pōneke** | Council Meeting of 29 September 2022: 2021/22 ANNUAL REPORT AND AUDIT PROCESS

Moved Councillor Matthews, seconded Mayor Whanau, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

1. Adopt the Annual Report for Wellington City Council and Group for the year ended 30 June 2022 (Attachment 1 and 2).
2. **Agree the changes to the text of the Annual Report, per the attached document, tabled at the meeting.**

Carried

Secretarial note: The motion was moved with amendments, supported by officers, as marked in red. A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Calvert, Councillor Chung, Councillor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Absent:

Councillor Brown, Deputy Mayor Foon, Councillor McNulty

Majority Vote: 13:0

Carried

Attachments

- 1 Audit changes for Adoption

(Councillor McNulty returned to the meeting at 2:27pm.)
(Councillor Free left the meeting at 2:28pm.)

2. General Business

2.3 Statements of Expectation to Council-Controlled Organisations

Moved Mayor Whanau, seconded Councillor McNulty, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

- 1) **Receive** the information
- 2) **Agree** that the Statement of Expectations in terms of section 64B of the Local Government Act 2002 will outline Council's strategic direction and its enduring expectations of Council-controlled Organisations.
- 3) **Agree** the individual messages in the Statements of Expectation to the following organisations:
 - a. Basin Reserve Trust, **including the following addition:**
"The Basin Reserve Trust continues to recognise and support the use of the Reserve as green public space and a vital connection in the walking and cycling network for the city."
 - b. Karori Sanctuary Trust
 - c. Wellington Cable Car Limited
 - d. Wellington Museums Trust, **including the following revision:**
"To help enable the Trust to return to financial viability after a challenging COVID period, Council will work with the Trust to review its operating and funding model. The review will ensure that it is fit for purpose and enable the Trust to deliver on Council expectations and provide the best possible outcome for Wellington. Any major changes to the funding of our CCOs will need to be considered as part of the next LTP"
 - e. Wellington Regional Economic Development Agency Ltd, **including the following revision:**
"The Council expects WellingtonNZ to work in partnership with the Council on the achievement of the Economic Wellbeing Strategy, with particular focus on the following goals: Goal 1 (Sustainable business and career pathways), Goal 2 (Transitioning to a zero carbon circular economy), Goal 4 (Centre of Creativity & Digital Innovation) and Goal 6 (Dynamic City)."
And the following addition:
The Council expects WellingtonNZ to partner with Council, the Stadium and Basin Reserve to design a strategic venues investment framework that will enable Council to make more informed decisions around the investment options for the city's entertainment / performance venues with consideration to market opportunity, the needs of our diverse audiences, sector development and sustainability, economic return and cultural wellbeing, in conjunction with considering the need to maintain and enhance our suite of entertainment venues. This includes scoping out potential new partnerships and identifying gaps in our offering (in particular a mid-sized music venue) and recommendations and timeframes for what decisions and investment should be prioritised.

- f. Wellington Regional Stadium Trust
- g. Wellington Zoo Trust

4) **Agree** that officers will prepare Statements of Expectation incorporating the directions of Te Kaunihera o Pōneke | Council for signing by the Chair of the Kōrau Tōtōpū | Long-Term Plan, Finance & Performance Committee.

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Calvert, Councillor Chung, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Absent:

Councillor Brown, Councillor Free, Deputy Mayor Foon

Majority Vote: 13:0

Carried

2.4 Wellington Regional Triennial Agreement 2022-2025

Moved Mayor Whanau, seconded Councillor Matthews, the following motion

Resolved

Officers recommend the following motion

That Te Kaunihera o Pōneke | Council:

- 1) Receive the information.
- 2) Agree to the draft Triennial Agreement 2022-2025 in Attachment 1.
- 3) Delegate to the Mayor the authority to make any minor amendments required as a result of minor changes requested by other local authorities in the region as part of the adoption process.
- 4) Authorise the Mayor to sign the Agreement on behalf of the Council.

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Calvert, Councillor Chung, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Absent:

Councillor Brown, Councillor Free, Deputy Mayor Foon

Majority Vote: 13:0

Carried

2.5 Request to seek expressions of interest for additional District Licensing Committee members and to reappoint an existing member

Moved Mayor Whanau, seconded Councillor Wi Neera, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

- 1) Receive the information.
- 2) Agree to give permission to seek expressions of interest for additional members of the District Licensing Committee (DLC).
- 3) Agree to re-appoint Sandra Kirby as a list member.

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Calvert, Councillor Chung, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Absent:

Councillor Brown, Councillor Free, Deputy Mayor Foon

Majority Vote: 13:0

Carried

(Councillor Free returned to the meeting at 2:33pm.)

2.6 New Ground Lease - Wellington Tennis Club Incorporated

Moved Mayor Whanau, seconded Councillor Free, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

- 1) Receive the information.
- 2) Approve, pursuant to the Wellington Town Belt Act 2016 and the Leases Policy for Community and Recreation Groups, a new ten-year lease with one right of renewal for an additional ten years for the courts located at 182a Alexandra Road, Newtown, to Wellington Tennis Club Incorporated.
- 3) Approve, pursuant to the Reserves Act 1977 and the Leases Policy for Community and Recreation Groups, a new ten-year lease with one right of renewal for an additional ten years for the courts located at 21 Wesley Road, Kelburn, to Wellington Tennis Club Incorporated.
- 4) Agree that legal and advertising costs are met by the lessee (where applicable).

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Calvert, Councillor Chung, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Absent:

Councillor Brown, Deputy Mayor Foon

Majority Vote: 14:0

Carried

2.7 Actions Tracking

Moved Mayor Whanau, seconded Councillor Young, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

1. Receive the information.

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Calvert, Councillor Chung, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Absent:

Councillor Brown, Deputy Mayor Foon

Majority Vote: 14:0

Carried

2.8 Forward Programme

Moved Mayor Whanau, seconded Councillor Young, the following motion

Resolved

Officers recommend the following motion

That Te Kaunihera o Pōneke | Council:

1. Receive the information.

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Calvert, Councillor Chung, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Absent:

Councillor Brown, Deputy Mayor Foon

Majority Vote: 14:0

Carried

3. Committee Reports

3.2 **Report of the Kōrau Tūāpapa | Environment and Infrastructure**

Committee Meeting of 8 December 2022: 2021/22 CAPITAL CARRY-FORWARD AND CAPITAL PROGRAMME RESCHEDULING

Moved Councillor Paul, seconded Mayor Whanau, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

1. Agree budget changes as detailed in the “Budget Changes” ledger of appendix 1 – “Recommended Capital Plan”.

Carried

Secretarial note: Appendix 1 refers to Attachment 1 of item 2.5 of the Kōrau Tūāpapa | Environment and Infrastructure Committee meeting of 8 December 2022: 2021/22 Capital Carry-Forward and Capital Programme Rescheduling.

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Calvert, Councillor Chung, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O’Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Absent:

Councillor Brown, Deputy Mayor Foon

Majority Vote: 14:0

Carried

3.3.1 **Report of the Koata Hātepe | Regulatory Processes Committee Meeting** of 14 December 2022: NEW GROUND LEASE FOR VICTORIA BOWLING CLUB

Moved Councillor Free, seconded Councillor McNulty, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

1. Approve a new lease pursuant to the Wellington Town Belt Act 2016 for Victoria Bowling Club Incorporated for a 10-year term with a further renewal term of 10 years.

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Calvert, Councillor Chung, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Absent:

Councillor Brown, Deputy Mayor Foon

Majority Vote: 14:0

Carried

3.3.2 Report of the **Koata Hātepe | Regulatory Processes Committee Meeting** of 14 December 2022: PROPOSED ROAD STOPPING – LAND ADJOINING 76 ADJOINING 76 ORANGI KAUPAPA ROAD, NORTHLAND

Moved Councillor Free, seconded Councillor McNulty, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

- a. Declare the 239m² (subject to survey) of unformed legal road land in Orangi Kaupapa Road (the Land), adjoining 76 Orangi Kaupapa Road (Lot 9 DP 549446, held on ROT 946215), is not required for a public work and is surplus to Council's operational requirements.
- b. Agree to dispose of the Land subject to Council first approaching Taranaki Whānui ki te Upoko o te Ika, and then Ngati Toa, to gauge their interest in the land proposed for disposal.
- c. Delegate to the Chief Executive Officer the power to conclude all matters in relations to the road stopping and disposal of the Land, including all legislative matters, issuing relevant public notices, declaring the road stopped, negotiating the terms of the sale or exchange, imposing any reasonable covenants, and anything else necessary.

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Mayor Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Calvert, Councillor Chung, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Absent:

Councillor Brown, Deputy Mayor Foon

Majority Vote: 14:0

Carried

The meeting concluded at 2:37pm with the reading of the following karakia:

Unuhia, unuhia, unuhia ki te uru tapu nui	Draw on, draw on
Kia wātea, kia māmā, te ngākau, te tinana, te wairua	Draw on the supreme sacredness To clear, to free the heart, the body and the spirit of mankind
I te ara takatū	
Koia rā e Rongo, whakairia ake ki runga	Oh Rongo, above (symbol of peace)
Kia wātea, kia wātea	Let this all be done in unity
Āe rā, kua wātea!	

Authenticated: _____
Chair

ORDINARY MEETING
OF
WELLINGTON CITY COUNCIL
MINUTE ITEM ATTACHMENTS

Time: 9:30am
Date: Thursday, 15 December 2022
Venue: Ngake (16.09)
Level 16, Tahiwī
113 The Terrace
Wellington

Business

Page No.

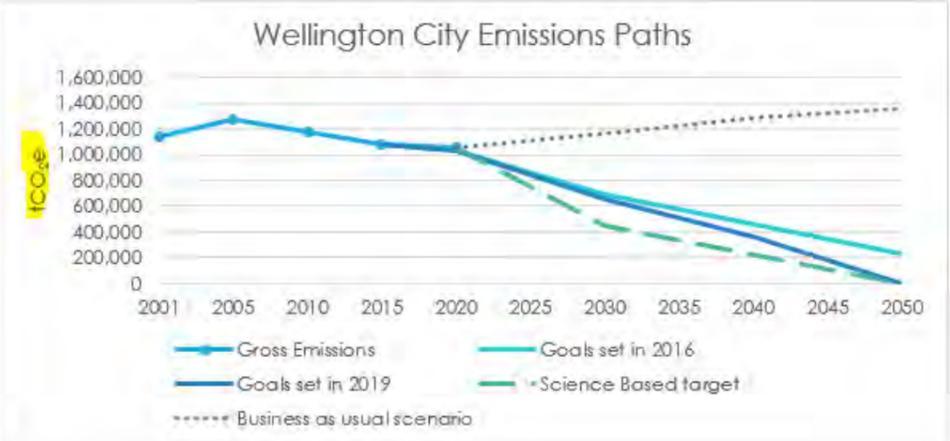
3.1 Report of the Unaunahi Māhirahira | Audit and Risk Committee Meeting of 14 September 2022

- | | |
|-------------------------------|---|
| 1. Audit changes for Adoption | 3 |
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Annual Report Volume 1 changes

The changes below were requested by Audit as part of the final checks and Opinion Review Committee

Page #	Area	Original text	Changes
55	Environment and infrastructure, Key Projects, Council carbon reduction programme	Scope 3 emissions encompass our broader value chain (purchased goods and services, external waste services, travel, and our investments) and includes emissions caused by others in undertaking services for us	Text added Scope 3 emissions encompass our broader value chain (purchased goods and services, external waste services, travel, and our investments) and includes emissions caused by others in undertaking services for us and from customers or service recipients using goods and services that we provide.
55		The result for this financial year is reported in the KPI tables at the end of this chapter, pg X. The emissions result for Scope 3 has received a qualified audit opinion this year. This is because quantifying Scope 3 emissions involves higher levels of estimation	Text added The result for this financial year is reported in the KPI tables at the end of this chapter, pg X. The emissions result for Scope 3 has received a qualified audit opinion this year. This is because quantifying Scope 3 emissions involves higher levels of estimation, and we are unable to provide evidence of the reasonableness of some of the assumptions used in our estimations.
62	GHG measure qualification wording	Qualified measure: A full carbon footprint accounts for emissions from Wellington City Council's complete value chain – the emissions caused by the full progress of any product or service from creation to completion. It is currently not practicable to measure all these emissions with the data and systems currently available in New Zealand and indeed globally. Therefore, there is a level of inherent uncertainty in reporting greenhouse gas emissions, due to the inherent scientific uncertainty in measuring emissions factors, as well as estimation uncertainty in the measurement of activity quantity data. For more detailed information on our Greenhouse Gas emissions measure see the Appendix on page 146. Proposed remedial action: The Council will continue to work to further refine our models and assumptions as the industry allows. As the science evolves in this area the ability to measure greenhouse gas emissions more accurately will become available.	Text deleted and text added Qualified measure: A full carbon footprint accounts for emissions from Wellington City Council's complete value chain – the emissions caused by the full progress of any product or service from creation to completion. For several material scope 3 emission sources, due to current limited data, we have relied on emission factors estimated based on 2007 data. We are unable to provide sufficient evidence that these factors remain appropriate in 2021/22. For more detailed information on our Greenhouse Gas emissions measure see the Appendix on page X. Proposed remedial action: The Council will continue to work to further refine our models and assumptions as the industry allows. As the science evolves in this area the ability to measure greenhouse gas emissions more accurately will become available. Inherent uncertainty: There is a level of inherent uncertainty in reporting greenhouse gas emissions, due to the inherent scientific uncertainty in measuring emissions factors, as well as estimation uncertainty in the measurement of activity quantity data. For more detailed information see the Appendix on page 146.
64	WWL KPIs on Median Response times for attendance and resolution in 2.3 drinking water	1.8 hours	Text replaced 2 hours
64		Commentary to come	Although WWL continues to fix leaks at a very high rate, it is battling ageing pipes that are prone to bursts and in need of repairs. The number of leaks is greater than its capacity, and coupled with a backlog of works carried over from previous years, the end of year result exceeds the target.
64	WWL KPI on drinking water loss from network	Leak detection and repairs remain an ongoing focus for Wellington Water going forward. There have been a record number of active leaks this year resulting in higher water losses, although the backlog has started to reduce in the last part of quarter 4	The methodology for measuring water loss changed in the 2021/22 financial year due to the installation of small area monitors (SMA) that enabled better monitoring of water loss by WWL. In 2020/21, WWL applied a DIA methodology for calculating water loss, but the confidence interval associated with this calculation was outside an acceptable range and for this reason the reported result was qualified. In 2021/22, in addition to the installation of the SMAs, WWL also changed the water loss calculation methodology to another option provided by DIA. Leak detection and repairs remain an ongoing focus for Wellington Water going forward. There have been a record number of active leaks this year resulting in higher water losses, although the backlog has started to reduce in the last part of quarter 4
65	WWL KPI on dry weather wastewater overflows	A target of zero overflows remains unattainable, especially given the poor condition of network assets. The full year result is well within the regional standard target of 20 overflows per 1000 connections each year and the network performance appears to be relatively stable.	Text deleted A target of zero overflows remains unattainable, especially given the poor condition of network assets. The full year result is well within the regional standard target of 20 overflows per 1000 connections each year and the network performance appears to be relatively stable.
149	WCC emissions exclusions table	Category 11 - Not considered a relevant emission source for the group	Removed rows that are not relevant as per Audit advice. Category 11 -

25	Climate Change Response	no unit of measurement in the WCC emissions paths graph																																	
62	WCC Group GHG KPI table	<p>WCC Group GHG greenhouse gas emissions (tCO₂-e)</p> <table border="1" data-bbox="988 625 1498 997"> <tr> <td>Scope 1</td> <td>New</td> <td>85,198</td> <td>87,747</td> </tr> <tr> <td>Scope 2</td> <td>New</td> <td>3,421</td> <td>3,060</td> </tr> <tr> <td>Scope 3</td> <td>New</td> <td>83,710</td> <td>89,083</td> </tr> <tr> <td>Total</td> <td>New</td> <td>172,329</td> <td>179,891</td> </tr> </table>	Scope 1	New	85,198	87,747	Scope 2	New	3,421	3,060	Scope 3	New	83,710	89,083	Total	New	172,329	179,891	<p>Text updated (numbers); "decreasing" added</p> <p>WCC Group GHG greenhouse gas emissions (tCO₂-e decreasing)</p> <table border="1" data-bbox="2190 661 2680 1012"> <tr> <td>Scope 1</td> <td>New</td> <td>85,246</td> <td>86,843</td> </tr> <tr> <td>Scope 2</td> <td>New</td> <td>4,726</td> <td>4,597</td> </tr> <tr> <td>Scope 3</td> <td>New</td> <td>83,834</td> <td>89,119</td> </tr> <tr> <td>Total</td> <td>New</td> <td>173,806</td> <td>180,559</td> </tr> </table>	Scope 1	New	85,246	86,843	Scope 2	New	4,726	4,597	Scope 3	New	83,834	89,119	Total	New	173,806	180,559
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Total	New	173,806	180,559																																

Annual Report Volume 2 changes

Text deleted and text added

	<p>Infrastructure assets</p> <p>The drainage, waste and water infrastructure and roading networks and the service concession assets were valued with effect from 30 June 2022 by John Vessey (MIPENZ), Partner of WSP New Zealand Limited.</p> <p>This revaluation would normally be performed in 2022/23 in line with the 3-year cycle. In late 2020 (during year one of the 3-year cycle) an initial assessment was performed and the predicted increase in fair values did not indicate the need to perform a full valuation for the 2020/21 year.</p> <p>In late 2021 (during year two) a similar exercise indicated a more material increase was expected and a full valuation was carried out in year two of the 3-year cycle.</p> <p>The results for roading network and the service concession assets were within expected levels.</p> <p>However, there was a substantial uplift of the 3 Waters infrastructure assets, of approximately 93%. The reasons for this abnormally high increase were due to various factors such as:</p>	<p>Infrastructure assets</p> <p>The drainage, waste and water infrastructure and roading networks and the service concession assets were valued with effect from 30 June 2022 by John Vessey (MIPENZ), Partner of WSP New Zealand Limited.</p> <p>This revaluation would normally be performed in 2022/23 in line with the 3-year cycle. In late 2020 (during year one of the 3-year cycle) an initial assessment was performed and the predicted increase in fair values did not indicate the need to perform a full valuation for the 2020/21 year.</p> <p>In late 2021 (during year two) a similar exercise indicated a more material increase was expected and a full valuation was carried out in year two of the 3-year cycle.</p> <p>The results for roading network and the service concession assets were within expected levels.</p> <p>However, there was a substantial uplift of the 3 Waters infrastructure assets, of approximately 93%. The reasons for this abnormally high increase were due to various factors such as:</p>
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53	Property, Plant and Equipment - Infrastructure Assets - Revaluations	<p>1. significant increases in Earthwork costs (particularly material disposal costs and import fill material costs) which comprise 66% of pipe unit rates</p> <p>2. up to 20% increases in Preliminary and General costs (P&G) (particularly due to Health and safety and traffic management costs). P&G costs constitute about 17% of the unit rate.</p> <p>3. Covid-19 related cost increases. The combination of strong demand and capacity constraints is driving a sharp increase in costs in the construction sector. Border restrictions are exacerbating labour shortages, with firms unable to hire overseas skilled labour to keep up with the demand. Firms are also finding it hard to source building materials given the continued Covid related supply chain disruptions.</p> <p>In hindsight, it would be fair to say that some of this uplift in valuations belonged to the 2020/21 year, but as it was not practical to correctly apportion the increase, no adjustment was made to the prior year valuation estimates.</p>	<p>1. significant increases in Earthwork costs (particularly material disposal costs and import fill material costs) which comprise 66% of pipe unit rates</p> <p>2. up to 20% increases in Preliminary and General costs (P&G) (particularly due to Health and safety and traffic management costs). P&G costs constitute about 17% of the unit rate.</p> <p>3. Covid-19 related cost increases. The combination of strong demand and capacity constraints is driving a sharp increase in costs in the construction sector. Border restrictions are exacerbating labour shortages, with firms unable to hire overseas skilled labour to keep up with the demand. Firms are also finding it hard to source building materials given the continued Covid related supply chain disruptions.</p> <p>In hindsight, it would be fair to say that some of this uplift in valuations belonged to the 2020/21 year, but as it was not practical to correctly apportion the increase, no adjustment was made to the prior year valuation estimates.</p> <p>Sustainable Market Conditions Based on cost issues (including labour, material supply, operating and shipping costs) in the construction sector and a high interest rate environment, it is very unlikely that there will be any reversal of current construction costs in the short to medium term. Hence the current cost rates reflect a sustainable market condition in the short to medium term.</p>
119	Three Waters Reform	<p>In July 2020, the Government launched the Three Waters Reform Programme – a three-year programme to reform local government three waters service delivery arrangements. Currently 67 different councils own and operate the majority of the drinking water, wastewater and stormwater services across New Zealand. The proposed reform programme is being progressed through a partnership-basis approach with the local government sector, alongside iwi/Māori as the Crown's Treaty Partner.</p> <p>During the financial year, further progress has been made towards transitioning three waters assets and delivery services from councils via the establishment of a National Transition Unit (NTU) and the establishment of the four new water entities. It has now been confirmed that Wellington City Council water delivery will be assumed by Entity C along with all eligible assets. The requisite legislation to enable the new water entities includes the Water Services Entity (WSE) Bill, the Water Services Entities Amendment Bill, and the Water Services Economic and Consumer Protection Bill. The WSE Bill is scheduled for enactment by mid-December 2022.</p> <p>At around the same time, the two further reform Bills will be introduced. The WSE Amendment Bill covers how the entities will operate, regarding funding, pricing, customer relations between entities and local authorities. The Water Services Economic and Consumer Protection Bill provides the Commerce Commission with the powers it needs to act as the regulator for the entities' pricing and funding decisions.</p> <p>There are several compensation packages being provided by the Crown to ensure Wellington City Council is not put in a worse off position post water reform and these are being worked on as more detail becomes available. Wellington City Council have been working alongside the NTU and other local councils to provide information to support establishment of the new three waters landscape and are providing staff, data and resources to enable the transition to occur on 1 July 2024.</p>	<p>Text deleted and text added</p> <p>In July 2020, the Government launched the Three Waters Reform Programme – a three-year programme to reform local government three waters service delivery arrangements. Currently 67 different councils own and operate the majority of the drinking water, wastewater and stormwater services across New Zealand. The proposed reform programme is being progressed through a partnership-basis approach with the local government sector, alongside iwi/Māori as the Crown's Treaty Partner.</p> <p>During the financial year, further progress has been made towards transitioning three waters assets and delivery services from councils via the establishment of a National Transition Unit (NTU) and the establishment of the four new water entities. It has now been confirmed that Wellington City Council water delivery will be assumed by Entity C along with all eligible assets. The requisite legislation to enable the new water entities includes the Water Services Entity (WSE) Bill, the Water Services Entities Amendment Bill, and the Water Services Economic and Consumer Protection Bill. The WSE Bill is scheduled for enactment by mid-December 2022. The WSE Bill is currently before Parliament and has been subject to its third reading. It has yet to receive its Royal Assent from the Governor-General.</p> <p>At around the same time, The two further reform Bills will be introduced. The two further reform Bills were introduced on 14 December 2022. The WSE Amendment Bill covers how the entities will operate, regarding funding, pricing, customer relations between entities and local authorities. The Water Services Economic and Consumer Protection Bill provides the Commerce Commission with the powers it needs to act as the regulator for the entities' pricing and funding decisions.</p> <p>There are several compensation packages being provided by the Crown to ensure Wellington City Council is not put in a worse off position post water reform and these are being worked on as more detail becomes available. Wellington City Council have been working alongside the NTU and other local councils to provide information to support establishment of the new three waters landscape and are providing staff, data and resources to enable the transition to occur on 1 July 2024.</p>