
ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

MINUTES

Time: 9:30am
Date: Thursday, 30 September 2021
Venue: Virtual Meeting

PRESENT

Mayor Foster (Chair) (via audiovisual link)
Deputy Mayor Free (Deputy Chair) (via audiovisual link)
Councillor Calvert (via audiovisual link)
Councillor Condie (via audiovisual link)
Councillor Day (via audiovisual link)
Councillor Fitzsimons (via audiovisual link)
Councillor Foon (via audiovisual link)
Councillor Matthews (via audiovisual link)
Councillor O'Neill (via audiovisual link)
Councillor Pannett (via audiovisual link)
Councillor Paul (via audiovisual link)
Councillor Rush (via audiovisual link)
Councillor Sparrow (via audiovisual link)
Councillor Woolf (via audiovisual link)
Councillor Young (via audiovisual link)

TABLE OF CONTENTS
30 SEPTEMBER 2021

Business	Page No.
1. Meeting Conduct	5
1.1 Karakia	5
1.2 Apologies	5
1.3 Announcements by the Mayor	5
1.4 Conflict of Interest Declarations	5
1.5 Confirmation of Minutes	6
1.6 Items not on the Agenda	6
1.7 Public Participation	6

2. General Business	7
2.1 Government Reform: Three Waters	7
2.2 Waka Kotahi Revenue Update	29
2.4 Te Ngakau Civic Precinct Framework	32
2.5 Support Response to Covid Alert Level 3 & 4	32
2.6 Michael Fowler Centre Carpark Long Term Ground Lease	36
2.7 Forward Programme	37
2.8 Action Tracking	37
3. Committee Reports	38
3.1 Report of the Pūroro Hātepe Regulatory Processes Committee Meeting of 8 September 2021	38
3.2 Report of the Pūroro Tahua Finance and Performance Committee Meeting of 16 September 2021	40
4. Public Excluded	41
4.1 Mākara Cemetery - potential land acquisition	42
4.2 Appointments to Council Controlled Organisations	42
4.3 Attachment to 2.6 - Michael Fowler Centre Carpark Long Term Ground Lease - Attachment 1 Principal Terms and Conditions	42

1 Meeting Conduct

1.1 Karakia

The Chairperson opened the meeting at 9:31am 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

On behalf of the Wellington Interfaith Council, Dr Pushpa Wood blessed the meeting.

1.2 Apologies

Moved Mayor Foster, seconded Councillor Day, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

1. Accept the apologies for early departure received from Deputy Mayor Free, due to bereavement.

Carried

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

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 15:0

Carried

1.3 Announcements by the Mayor

There were no announcements.

1.4 Conflict of Interest Declarations

No conflicts of interest were declared.

1. 5 Confirmation of Minutes

Moved Mayor Foster, seconded Deputy Mayor Free, the following motion

Resolved

That the Te Kaunihera o Pōneke | Council:

1. Approves the minutes of the Ordinary Te Kaunihera o Pōneke | Council Meeting held on 26 August 2021 and the Extraordinary Te Kaunihera o Pōneke | Council Meeting held on 8 September 2021, 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 Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 15:0

Carried

1. 6 Items not on the Agenda

There are no items not on the agenda.

1. 7 Public Participation

1.7.1 Living Streets Aotearoa

Representing Living Streets Aotearoa, Ellen Blake spoke to item 2.2 Waka Kotahi Revenue Funding.

Attachments

- 1 Living Streets Aotearoa

The meeting adjourned at 9:58am and reconvened at 10:15am with all members present.

The meeting adjourned at 10:17am and reconvened at 10:35am with all members present.

2. General Business

2.1 Government Reform: Three Waters

Moved Mayor Foster, seconded Councillor Rush, the following motion

That Te Kaunihera o Pōneke | Council:

1. Receive the information.
2. Note the advice on the accuracy of the information provided to Council in June and July 2021 is broadly consistent with officers' view, with the exception on detailed calculations around debt which are the ongoing subject of discussion with the Department of Internal Affairs (DIA).
- 2A. Welcome the introduction of Taumata Arowai and the proposed economic water regulator.
3. Note that the Government proposal is aligned with the findings the recommendations of the Mayoral Taskforce: Three Waters, albeit on a larger, multi-regional scale. were accepted unanimously by the Council and in regard to the Water Reforms that the Council:
 - Commit to the concept of a publicly owned, not for profit, water management and asset owning entity that is governed and operates in accordance with a statement of intent from shareholding Councils (recommendation 30);
 - Actively participate in the Government's national Water Reform agenda, to ensure that it delivers the principles and goals agreed by the Taskforce (recommendation 31);
 - Work with other Councils to develop a plan to transfer three waters debt and assets ownership off Councils' [balance sheet] at the 2023/24 LTP, to either WWL or a new entity formed through the Government reforms (recommendation 33);
 - Ensure the entity has the ability to borrow against its assets, thereby smoothing water infrastructure investment over time (recommendation 34);
 - Engage Iwi, key stakeholders, and the wider community around the Government's reform proposals to develop governance mechanisms that enable direct democratic input while achieving the economies of scale offered by a large corporate entity (recommendation 41)
4. Note that the Government proposals are high level and partly align with many recommendations of the Mayoral Taskforce but not all, and in some cases barriers arise to the delivery of the principles and goals recommended by the Taskforce and accepted by the Council. In particular:
 - The MTF envisages the Entity being governed and operated in accordance with a statement of intent from shareholding Councils (recommendation 30);

- The importance of local community participation (recommendations 40 to 42) is not fully explained and this issue is significant for many Councils and more detail from the Government is needed on how the local voice will be heard;
- Several areas that are bespoke to the Wellington City context, and dependent on a strong local voice, were identified for priority treatment and it is unclear how they will be prioritised by a multi-regional entity (e.g recommendations 20 to 23 (wastewater), 24 to 27 (resilience), 44 to 47 (performance and transparency));
- Storm water management is inextricably linked to city planning and design (recommendations 5 to 14) and how they might integrate under the Government's proposal is not explained.

- 4A. Note that the Government intends to make further decisions about the three waters service delivery model after 30 September 2021.
5. Note that, in line with recommendation 41, the Council will, where practicable, engage Iwi, key stakeholders, and the wider community around the Government's reform proposals ~~it would be desirable to gain an understanding of the community's views once Council has further information from the Government on the next steps in the reform process.~~
6. Request the Mayor, with support from the Chief Executive Officer (CEO), to continue to work in collaboration with the entity 'C' representatives and Government to achieve the best outcome for the City in line with the MTF recommendations, and to seek guidance and give feedback on the following areas:
- Clarification of the decision-making process and pathway beyond 1st October, including ongoing sector engagement in the design and establishment of the Water Services Entity (WSE) and consultation with the public and Iwi / Māori.
 - A review of the governance structure, working with Councils and Iwi / Māori to develop a model that allows for strong local representation based around sub-WSE cluster areas, and with citizens at the centre of the model rather than on the periphery.
 - WSE planning and investment prioritisation processes need to be aligned with the community needs at a sub-WSE area.
 - The scope of the stormwater role that the WSEs will play, both in relation to growth and development planning, development control, asset management and maintenance particularly of green and water sensitive assets.
 - Clarification of the opportunities for local influence and planning integration, including:
 - o Prioritisation of investment based on sub-WSE areas.
 - o The statutory purpose or objectives of the WSE giving greater recognition to local outcomes and wellbeing.

- o Alignment of the WSE planning processes with local spatial planning.
 - o Integration of the first three years of LTP investment planning into WSE investment plans.
 - o The process to manage disputes, including potential broader role of the economic regulator or ombudsman.
 - The detailed methodology around debt and asset identification and transfer and associated due diligence.
 - Acknowledgement that three waters and broader reforms may mean a complete re shaping of Local Government which therefore must be coordinated to avoid significant disruptions and undue costs to communities.
- 6A. Note the Chair of the Infrastructure Committee, after discussion with other Council representatives in Entity 'C', has developed an alternative proposal for discussion that attempts to address gaps between the Government's proposals and the MTF recommendations.
- 6B. Direct the Mayor to communicate the Council's recommendations, along with the alternative proposal developed by the Chair of Infrastructure, as the Wellington City Council's official feedback to the Three Waters Reform programme by 30 September 2021.
- 6C. Request the Mayor to sign the joint letter being sent to the Minister from most Councils within the proposed Entity 'C' area.
7. Note that the CEO will report back once further information and guidance has been received from Government on what the next steps look like and how these should be managed.

Secretarial note: Mayor Foster moved the original motion with amendments as marked in red.

Attachments

- 1 Letter to Minister Mahuta

Moved Councillor Condie, seconded Councillor Matthews

Resolved

8. Agree that significant future costs for the renewal of existing water infrastructure, upgrades to water infrastructure needed to comply with new public health and environmental regulations, and additional water infrastructure needed to support population growth will not be affordable for Wellington City households, would likely require double digit rate increases over a number of years, and would significantly constrain Council's ability to invest in other community priorities.
9. Agree that significant efficiency gains could be achieved from the economies of scale delivered by a multi-regional WSE resulting in significantly lower future costs for households.
10. Agree to support the establishment of an economic regulator for water and the role of consumer groups to hold the WSE to account on service provision and pricing, and support the investigation of a water ombudsman in addition to these consumer protection arrangements.
- ~~11. Note that the size of WSE C is already close to the smallest size that can deliver the full value of potential efficiency gains based on DIA analysis and that any reduction in the size of entity C could result in increased future costs to households for their water services due to a reduction in efficiency gains.~~
- ~~12. Note that any increase in local control may prevent the WSE's ability to be separated from Council balance sheets which would mean they could not borrow any more than TAs currently can in order to meet the significant investment required in the coming decades.~~
13. Note that the current "no worse off" funding does not fully offset the effect of the reform on WCC's balance sheet and borrowing capacity.
14. Request that DIA explore:
 - including a commitment to climate action, circular economy and water sensitive design goals in the statutory service delivery arrangements for WSEs
 - providing more opportunities for greater local voice in the processes of the WSE while preserving the separation needed to enable greater borrowing
 - limiting the role of the Regional Representative Group solely to appointing the Independent Entity Board and developing an alternative process for issuing the strategic and performance expectations and the statement of intent for the WSE that would enable greater local voice, perhaps through local catchment management groups, consumer groups, and hapu
 - developing a process for the WSE to influence TA planning documents and for TAs to influence WSE investment plans
 - the need for a National Policy Statement or similar national level planning guidance on water sensitive land use decisions to ensure that TAs cannot externalise the water infrastructure costs of land use planning decisions to the WSEs where lower cost land use options are available.

Carried

The amendment moved by Councillor Condie and seconded by Councillor Matthews was decided part by part, divisions for which were as follows:

Clause 8:

For:

Councillor Condie, Councillor Day, Councillor Fitzsimons, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Paul, Councillor Rush

Against:

Mayor Foster, Councillor Calvert, Councillor Foon, Councillor Pannett, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 8:7

Carried

Clause 9:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Paul, Councillor Sparrow

Against:

Councillor Calvert, Deputy Mayor Free (Deputy Chair), Councillor Pannett, Councillor Rush, Councillor Woolf, Councillor Young

Majority Vote: 9:6

Carried

Clause 10:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Paul, Councillor Rush, Councillor Sparrow

Against:

Councillor Pannett, Councillor Woolf, Councillor Young

Majority Vote: 12:3

Carried

Clause 11:

For:

Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Paul

Against:

Mayor Foster, Councillor Calvert, Deputy Mayor Free (Deputy Chair), Councillor Pannett, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 7:8

Lost

Clause 12:

For:

Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Matthews, Councillor O'Neill, Councillor Paul

Against:

Mayor Foster, Councillor Calvert, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Pannett, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 6:9

Lost

Clause 13:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Woolf

Against:

Councillor Calvert, Councillor Sparrow, Councillor Young

Majority Vote: 12:3

Carried

Clause 14:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf

Against:

Councillor Calvert, Councillor Young

Majority Vote: 13:2

Carried

Moved Councillor Day, seconded Councillor Paul, the following amendment

Resolved

15. Note statements from Ngati Toa Rangatira and Taranaki Whanui o te Upoko during the Mayoral Taskforce that "as mana whenua, we are left in no doubt that the political nature of local politics and local politicians has had an important part to play in the poor infrastructure decision making over many decades."
16. Agree to support the statutory recognition of Te Tiriti o Waitangi and Te Mana o Te Wai in service delivery agreements for the new WSEs, support co-governance of the WSE with mana whenua, and support the role of iwi and hapu to provide statements of Te Mana o te Wai within their rohe to the WSE.

Carried

The amendment moved by Councillor Day and seconded by Councillor Paul was decided part by part, divisions for which were as follows:

Clause 15:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush

Against:

Councillor Calvert, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 11:4

Carried

Clause 16:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Paul, Councillor Sparrow

Against:

Councillor Calvert, Councillor Pannett, Councillor Rush, Councillor Woolf, Councillor Young

Majority Vote: 10:5

Carried

Moved Councillor Calvert, seconded Councillor Pannett, the following amendment

Resolved

17. Notes that Council will seek an understanding of the community's views (adhering to the Council's Significance and Engagement Policy) once Council has further information from the Government on the next steps in the reform process and once additional information requested by Council has been received.
18. Inform the government that Council will adhere to our Significance and Engagement Policy to consult with our community prior to any decision that proposes transferring the assets and responsibility of our three waters infrastructure

Lost

The amendment moved by Councillor Calvert and seconded by Councillor Pannett was decided part by part, divisions for which were as follows:

Clause 17:

For:

Councillor Calvert, Deputy Mayor Free (Deputy Chair), Councillor Pannett, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Paul

Majority Vote: 7:8

Lost

Clause 18:

For:

Councillor Calvert, Councillor Pannett, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Paul

Majority Vote: 6:9

Lost

Moved Councillor Foon, seconded Councillor O'Neill, the following amendment

Resolved

17. Notes the Council will seek an understanding of the community's views, **prior to the Council making a decision as to whether to opt out of the reform. This will occur once** the Council has further information from the Government on the next steps in the reform process, **including consultation opportunities**, and once additional information requested by Council has been received.
18. Inform the government that, **unless legislative reform occurs in relation to Council's consultation obligations**, this Council will adhere to our Significance and Engagement Policy to consult with our community prior to any decision that proposes transferring the assets and responsibility of our three waters infrastructure. **If legislative reform occurs in relation to our consultation obligations, Council will consult with the community in accordance with the legislative obligations**

Carried unanimously

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

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf
Councillor Young

Majority Vote: 15:0

Carried unanimously

The meeting adjourned at 12:55pm and reconvened at 1:00pm with all members present.

Moved Mayor Foster, seconded Councillor Rush

Resolved

1. Receive the information.
2. Note the advice on the accuracy of the information provided to Council in June and July 2021 is broadly consistent with officers' view, with the exception on detailed calculations around debt which are the ongoing subject of discussion with the Department of Internal Affairs (DIA).
- 2A. Welcome the introduction of Taumata Arowai and the proposed economic water regulator.
3. Note ~~that the Government proposal is aligned with the findings~~ the recommendations of the Mayoral Taskforce: Three Waters, ~~albeit on a larger, multi-regional scale.~~ were accepted unanimously by the Council and in regard to the Water Reforms that the Council:
 - Commit to the concept of a publicly owned, not for profit, water management and asset owning entity that is governed and operates in accordance with a statement of intent from shareholding Councils (recommendation 30);
 - Actively participate in the Government's national Water Reform agenda, to ensure that it delivers the principles and goals agreed by the Taskforce (recommendation 31);
 - Work with other Councils to develop a plan to transfer three waters debt and assets ownership off Councils' [balance sheet] at the 2023/24 LTP, to either WWL or a new entity formed through the Government reforms (recommendation 33);
 - Ensure the entity has the ability to borrow against its assets, thereby smoothing water infrastructure investment over time (recommendation 34);
 - Engage Iwi, key stakeholders, and the wider community around the Government's reform proposals to develop governance mechanisms that enable direct democratic input while achieving the economies of scale offered by a large corporate entity (recommendation 41)
4. Note that the Government proposals are high level and partly align with many recommendations of the Mayoral Taskforce but not all, and in some cases barriers arise to the delivery of the principles and goals recommended by the Taskforce and accepted by the Council. In particular:
 - The MTF envisages the Entity being governed and operated in accordance with a statement of intent from shareholding Councils (recommendation 30);
 - The importance of local community participation (recommendations 40 to 42) is not fully explained and this issue is significant for many Councils and more detail from the Government is needed on how the local voice will be heard;
 - Several areas that are bespoke to the Wellington City context, and dependent

on a strong local voice, were identified for priority treatment and it is unclear how they will be prioritised by a multi-regional entity (e.g recommendations 20 to 23 (wastewater), 24 to 27 (resilience), 44 to 47 (performance and transparency);

- Storm water management is inextricably linked to city planning and design (recommendations 5 to 14) and how they might integrate under the Government's proposal is not explained.

- 4A. Note that the Government intends to make further decisions about the three waters service delivery model after 30 September 2021.
5. Note that, in line with recommendation 41, the Council will, where practicable, engage Iwi, key stakeholders, and the wider community around the Government's reform proposals ~~it would be desirable to gain an understanding of the community's views once Council has further information from the Government on the next steps in the reform process.~~
6. Request the Mayor, with support from the Chief Executive Officer (CEO), to continue to work in collaboration with the entity 'C' representatives and Government to achieve the best outcome for the City in line with the MTF recommendations, and to seek guidance and give feedback on the following areas:
- Clarification of the decision-making process and pathway beyond 1st October, including ongoing sector engagement in the design and establishment of the Water Services Entity (WSE) and consultation with the public and Iwi / Māori.
 - A review of the governance structure, working with Councils and Iwi / Māori to develop a model that allows for strong local representation based around sub-WSE cluster areas, and with citizens at the centre of the model rather than on the periphery.
 - WSE planning and investment prioritisation processes need to be aligned with the community needs at a sub-WSE area.
 - The scope of the stormwater role that the WSEs will play, both in relation to growth and development planning, development control, asset management and maintenance particularly of green and water sensitive assets.
 - Clarification of the opportunities for local influence and planning integration, including:
 - o Prioritisation of investment based on sub-WSE areas.
 - o The statutory purpose or objectives of the WSE giving greater recognition to local outcomes and wellbeing.
 - o Alignment of the WSE planning processes with local spatial planning.
 - o Integration of the first three years of LTP investment planning into WSE

investment plans.

o The process to manage disputes, including potential broader role of the economic regulator or ombudsman.

- The detailed methodology around debt and asset identification and transfer and associated due diligence.
- Acknowledgement that three waters and broader reforms may mean a complete re shaping of Local Government which therefore must be coordinated to avoid significant disruptions and undue costs to communities.

- 6A. Note the Chair of the Infrastructure Committee, after discussion with other Council representatives in Entity 'C', has developed an alternative proposal for discussion that attempts to address gaps between the Government's proposals and the MTF recommendations.
- 6B. Direct the Mayor to communicate the Council's recommendations, along with the alternative proposal developed by the Chair of Infrastructure, as the Wellington City Council's official feedback to the Three Waters Reform programme by 30 September 2021.
- 6C. Request the Mayor to sign the joint letter being sent to the Minister from most Councils within the proposed Entity 'C' area.
7. Note that the CEO will report back once further information and guidance has been received from Government on what the next steps look like and how these should be managed.
- ~~8. Agree that significant future costs for the renewal of existing water infrastructure, upgrades to water infrastructure needed to comply with new public health and environmental regulations, and additional water infrastructure needed to support population growth will not be affordable for Wellington City households, would likely require double digit rate increases over a number of years, and would significantly constrain Council's ability to invest in other community priorities.~~
9. Agree that significant efficiency gains could be achieved from the economies of scale delivered by a multi-regional WSE resulting in significantly lower future costs for households.
10. Agree to support the establishment of an economic regulator for water and the role of consumer groups to hold the WSE to account on service provision and pricing, and support the investigation of a water ombudsman in addition to these consumer protection arrangements.
13. Note that the current "no worse off" funding does not fully offset the effect of the reform on WCC's balance sheet and borrowing capacity.
14. Request that DIA explore:
- including a commitment to climate action, circular economy and water sensitive

- design goals in the statutory service delivery arrangements for WSEs
 - providing more opportunities for greater local voice in the processes of the WSE while preserving the separation needed to enable greater borrowing.
 - limiting the role of the Regional Representative Group solely to appointing the Independent Entity Board and developing an alternative process for issuing the strategic and performance expectations and the statement of intent for the WSE that would enable greater local voice, perhaps through local catchment management groups, consumer groups, and hapu.
 - developing a process for the WSE to influence TA planning documents and for TAs to influence WSE investment plans.
 - the need for a National Policy Statement or similar national level planning guidance on water sensitive land use decisions to ensure that TAs cannot externalise the water infrastructure costs of land use planning decisions to the WSEs where lower cost land use options are available.
15. Note statements from Ngati Toa Rangatira and Taranaki Whanui o te Upoko during the Mayoral Taskforce that “as mana whenua, we are left in no doubt that the political nature of local politics and local politicians has had an important part to play in the poor infrastructure decision making over many decades.”
16. Agree to support the statutory recognition of Te Tiriti o Waitangi and Te Mana o Te Wai in service delivery agreements for the new WSEs, support co-governance of the WSE with mana whenua, and support the role of iwi and hapu to provide statements of Te Mana o te Wai within their rohe to the WSE.
17. Notes the Council will seek an understanding of the community’s views, **prior to the Council making a decision as to whether to opt out of the reform. This will occur once the Council has further information from the Government on the next steps in the reform process, including consultation opportunities,** and once additional information requested by Council has been received.
18. Inform the government that, **unless legislative reform occurs in relation to Council’s consultation obligations,** this Council will adhere to our Significance and Engagement Policy to consult with our community prior to any decision that proposes transferring the assets and responsibility of our three waters infrastructure. **If legislative reform occurs in relation to our consultation obligations, Council will consult with the community in accordance with the legislative obligations.**

Carried

The motion moved by Mayor Foster and seconded by Councillor Rush was decided part by part, divisions for which were as follows:

Clause 1:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O’Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 15:0

Carried unanimously

Clause 2:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 15:0

Carried unanimously

Clause 2A:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf

Against:

Councillor Pannett, Councillor Young

Majority Vote: 13:2

Carried

Clause 3:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 15:0

Carried unanimously

Clause 4:

For:

Mayor Foster, Councillor Calvert, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Pannett, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Matthews, Councillor O'Neill, Councillor Paul

Majority Vote: 9:6

Carried

Clause 4A:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 15:0

Carried unanimously

Clause 5:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 15:0

Carried unanimously

Clause 6:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 15:0

Carried unanimously

Clause 6A

For:

Mayor Foster, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Pannett, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Matthews, Councillor O'Neill, Councillor Paul

Majority Vote: 8:7

Carried

Clause 6B:

For:

Mayor Foster, Councillor Calvert, Deputy Mayor Free (Deputy Chair), Councillor Pannett, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Paul

Majority Vote: 8:7

Carried

Clause 6C:

For:

Mayor Foster, Councillor Calvert, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Pannett, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against:

Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Matthews, Councillor O'Neill, Councillor Paul

Majority Vote: 9:6

Carried

Clause 7:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 15:0

Carried unanimously

Clause 8:

For:

Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Matthews, Councillor O'Neill, Councillor Rush

Against:

Mayor Foster, Councillor Calvert, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Pannett, Councillor Paul, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 6:9

Lost

Clause 9:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Matthews, Councillor O'Neill, Councillor Paul, Councillor Sparrow

Against:

Councillor Calvert, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Pannett, Councillor Rush, Councillor Woolf, Councillor Young

Majority Vote: 8:7

Carried

Clause 10:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Against

Councillor Pannett

Majority Vote: 14:1

Carried

Clause 13:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow

Against

Councillor Calvert, Councillor Young, Councillor Woolf

Majority Vote: 12:3

Carried

Clause 14:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Sparrow

Against:

Councillor Calvert, Councillor Rush, Councillor Woolf, Councillor Young

Majority Vote: 11:4

Carried

Clause 15:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush

Against:

Councillor Calvert, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 11:4

Carried

Clause 16:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Paul, Councillor Sparrow

Against:

Councillor Calvert, Councillor Pannett, Councillor Rush, Councillor Woolf, Councillor Young

Majority Vote: 10:5

Carried

Clause 17:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 15:0

Carried unanimously

Clause 18:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Majority Vote: 15:0

Carried unanimously

Secretarial note: The motion that was carried is as follows:

1. Receive the information.
2. Note the advice on the accuracy of the information provided to Council in June and July 2021 is broadly consistent with officers' view, with the exception on detailed calculations around debt which are the ongoing subject of discussion with the Department of Internal Affairs (DIA).
- 2A. Welcome the introduction of Taumata Arowai and the proposed economic water regulator.
3. Note the recommendations of the Mayoral Taskforce: Three Waters were accepted unanimously by the Council and in regard to the Water Reforms that the Council:
 - Commit to the concept of a publicly owned, not for profit, water management and asset owning entity that is governed and operates in accordance with a statement of intent from shareholding Councils (recommendation 30);
 - Actively participate in the Government's national Water Reform agenda, to ensure that it delivers the principles and goals agreed by the Taskforce (recommendation 31);
 - Work with other Councils to develop a plan to transfer three waters debt and assets ownership off Councils' [balance sheet] at the 2023/24 LTP, to either WWL or a new entity formed through the Government reforms (recommendation 33);
 - Ensure the entity has the ability to borrow against its assets, thereby smoothing water infrastructure investment over time (recommendation 34);
 - Engage Iwi, key stakeholders, and the wider community around the Government's reform proposals to develop governance mechanisms that enable direct democratic input while achieving the economies of scale offered by a large corporate entity (recommendation 41)
4. Note that the Government proposals are high level and partly align with many recommendations of the Mayoral Taskforce but not all, and in some cases barriers arise to the delivery of the principles and goals recommended by the Taskforce and accepted by the Council. In particular:
 - The MTF envisages the Entity being governed and operated in accordance with a statement of intent from shareholding Councils (recommendation 30);
 - The importance of local community participation (recommendations 40 to 42) is not fully explained and this issue is significant for many Councils and more detail from the Government is needed on how the local voice will be heard;
 - Several areas that are bespoke to the Wellington City context, and dependent on a strong local voice, were identified for priority treatment and it is unclear how they will be prioritised by a multi-regional entity (e.g recommendations 20 to 23 (wastewater), 24 to 27 (resilience), 44 to 47 (performance and

transparency);

- Storm water management is inextricably linked to city planning and design (recommendations 5 to 14) and how they might integrate under the Government's proposal is not explained.

4A. Note that the Government intends to make further decisions about the three waters service delivery model after 30 September 2021.

5. Note that, in line with recommendation 41, the Council will, where practicable, engage Iwi, key stakeholders, and the wider community around the Government's reform proposals once Council has further information from the Government on the next steps in the reform process.

6. Request the Mayor, with support from the Chief Executive Officer (CEO), to continue to work in collaboration with the entity 'C' representatives and Government to achieve the best outcome for the City in line with the MTF recommendations, and to seek guidance and give feedback on the following areas:

- Clarification of the decision-making process and pathway beyond 1st October, including ongoing sector engagement in the design and establishment of the Water Services Entity (WSE) and consultation with the public and Iwi / Māori.
- A review of the governance structure, working with Councils and Iwi / Māori to develop a model that allows for strong local representation based around sub-WSE cluster areas, and with citizens at the centre of the model rather than on the periphery.
- WSE planning and investment prioritisation processes need to be aligned with the community needs at a sub-WSE area.
- The scope of the stormwater role that the WSEs will play, both in relation to growth and development planning, development control, asset management and maintenance particularly of green and water sensitive assets.
- Clarification of the opportunities for local influence and planning integration, including:
 - o Prioritisation of investment based on sub-WSE areas.
 - o The statutory purpose or objectives of the WSE giving greater recognition to local outcomes and wellbeing.
 - o Alignment of the WSE planning processes with local spatial planning.
 - o Integration of the first three years of LTP investment planning into WSE investment plans.
 - o The process to manage disputes, including potential broader role of the economic regulator or ombudsman.
- The detailed methodology around debt and asset identification and transfer and

associated due diligence.

- Acknowledgement that three waters and broader reforms may mean a complete re shaping of Local Government which therefore must be coordinated to avoid significant disruptions and undue costs to communities.

- 6A. Note the Chair of the Infrastructure Committee, after discussion with other Council representatives in Entity 'C', has developed an alternative proposal for discussion that attempts to address gaps between the Government's proposals and the MTF recommendations.
- 6B. Direct the Mayor to communicate the Council's recommendations, along with the alternative proposal developed by the Chair of Infrastructure, as the Wellington City Council's official feedback to the Three Waters Reform programme by 30 September 2021.
- 6C. Request the Mayor to sign the joint letter being sent to the Minister from most Councils within the proposed Entity 'C' area.
7. Note that the CEO will report back once further information and guidance has been received from Government on what the next steps look like and how these should be managed.
9. Agree that significant efficiency gains could be achieved from the economies of scale delivered by a multi-regional WSE resulting in significantly lower future costs for households.
10. Agree to support the establishment of an economic regulator for water and the role of consumer groups to hold the WSE to account on service provision and pricing, and support the investigation of a water ombudsman in addition to these consumer protection arrangements.
13. Note that the current "no worse off" funding does not fully offset the effect of the reform on WCC's balance sheet and borrowing capacity.
14. Request that DIA explore:
 - including a commitment to climate action, circular economy and water sensitive design goals in the statutory service delivery arrangements for WSEs
 - providing more opportunities for greater local voice in the processes of the WSE while preserving the separation needed to enable greater borrowing.
 - limiting the role of the Regional Representative Group solely to appointing the Independent Entity Board and developing an alternative process for issuing the strategic and performance expectations and the statement of intent for the WSE that would enable greater local voice, perhaps through local catchment management groups, consumer groups, and hapu.
 - developing a process for the WSE to influence TA planning documents and for TAs to influence WSE investment plans.
 - the need for a National Policy Statement or similar national level planning guidance on water sensitive land use decisions to ensure that TAs cannot externalise the

water infrastructure costs of land use planning decisions to the WSEs where lower cost land use options are available.

15. Note statements from Ngati Toa Rangatira and Taranaki Whanui o te Upoko during the Mayoral Taskforce that "as mana whenua, we are left in no doubt that the political nature of local politics and local politicians has had an important part to play in the poor infrastructure decision making over many decades."
16. Agree to support the statutory recognition of Te Tiriti o Waitangi and Te Mana o Te Wai in service delivery agreements for the new WSEs, support co-governance of the WSE with mana whenua, and support the role of iwi and hapu to provide statements of Te Mana o te Wai within their rohe to the WSE.
17. Notes the Council will seek an understanding of the community's views, prior to the Council making a decision as to whether to opt out of the reform. This will occur once the Council has further information from the Government on the next steps in the reform process, including consultation opportunities, and once additional information requested by Council has been received.
18. Inform the government that, unless legislative reform occurs in relation to Council's consultation obligations, this Council will adhere to our Significance and Engagement Policy to consult with our community prior to any decision that proposes transferring the assets and responsibility of our three waters infrastructure. If legislative reform occurs in relation to our consultation obligations, Council will consult with the community in accordance with the legislative obligations.

Carried

The meeting adjourned at 1:24pm and reconvened at 2:00pm with the following members present: Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Mayor Foster, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf and Councillor Young.

2.2 Waka Kotahi Revenue Update

Moved Mayor Foster, seconded Councillor Rush, the following motion

Recommendation/s

That Te Kaunihera o Pōneke | Council:

1. Receive the information.
2. Agree to reprioritise investment to match the Waka Kotahi funding levels (option 2), noting that it increases the debt to revenue ratio by around 2%.

Moved Councillor Fitzsimons, seconded Councillor Paul, the following amendment

Resolved

- 2a. ~~Agree to reprioritise investment to match the Waka Kotahi funding levels (option 2), noting that it increases the debt to revenue ratio by around 2%~~ fully debt fund to the full level as per the LTP for the following:
- ~~a. Resilience work~~
 - b. LED upgrade
 - ~~c. Laneway Upgrades,~~
 - d. Safe route to schools
 - e. walking improvements
 - f. bike network improvements (transformational programme) bike network minor issues improvements
 - g. Build Back Better

Carried

The amendment moved by Councillor Fitzsimons and seconded by Councillor Paul was decided part by part, division for which were as follows:

Clause 2a:

For:

Councillor Day, Councillor Fitzsimons, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Sparrow

Against:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Foon, Councillor Rush, Councillor Woolf, Councillor Young

Absent:

Deputy Mayor Free

Majority Vote: 7:7

Secretarial note: The vote being tied, the chairperson applied their casting vote **against** the amendment.

Lost

Clause 2c:

For:

Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul

Against:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Absent:

Deputy Mayor Free

Majority Vote: 7:7

Secretarial note: The vote being tied, the chairperson applied their casting vote **against** the amendment.

Lost

Clauses 2b, 2d-2g:

For:

Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Sparrow

Against:

Mayor Foster, Councillor Calvert, Councillor Rush, Councillor Woolf, Councillor Young

Absent:

Deputy Mayor Free

Majority Vote: 9:5

Carried

Moved Mayor Foster, seconded Councillor Rush, the following substantive motion:

Resolved

That Te Kaunihera o Pōneke | Council:

1. Receive the information.
2. Agree to fully debt fund to the full level as per the LTP for the following:
 - b. LED upgrade
 - d. Safe route to schools
 - e. walking improvements
 - f. bike network improvements (transformational programme) bike network minor issues improvements
 - g. Build Back Better

Carried

The motion moved by Mayor Foster and seconded by Councillor Rush was decided part by part, divisions for which were as follows:

Clause 1

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Absent:

Deputy Mayor Free

Majority Vote: 14:0

Carried

Clause 2:

For:

Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul

Against:

Mayor Foster, Councillor Calvert, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Absent:

Deputy Mayor Free

Majority Vote: 8:6

Carried

2.5 Support Response to Covid Alert Level 3 & 4

Moved Councillor Fitzsimons, seconded Mayor Foster, the following motion

Resolved

That the Te Kaunihera o Pōneke | Council:

1. Receive the information.
2. Note that the recent Covid-19 Alert level 3 and 4 restrictions have had a material impact on some businesses (that rent or lease property from Council) and Council has received a number of requests for financial support
3. Note that these restrictions have also had a material impact on Council's Finances and the forecast direct operating Financial impact to Council of \$7.1m was presented to the Finance and Performance Committee on the 16th August 2021
4. Note that no expenditure, or revenue loss, or financial support for 3rd parties has been budgeted for the recent Covid restrictions in the 2021/22 budget.
5. Note that the unspent \$2m of the \$5m 2020/21 CCO support package, was re-budgeted for 2021/22 in the Long-term Plan, in case it is required as a result of on-going impacts.
6. Agree the guidelines for support as proposed in clause 21. for Council's commercial leaseholders/tenants/licence holders that operate in the hospitality and retail sectors, sporting and community groups and arts organisations which is forecast to impact the operating result by approximately \$230k in total
7. Agree to delegate to the chief executive to process applications for support to refund or not charge applicable rents, lease payments or licences to occupy land, based on the guidelines in clause 21.
8. Note that no requests for supporting CCO's have been received, however there is some financial risk to some CCO's that may need to be addressed if or when it eventuates
9. Agree to debt fund the financial impacts of Covid-19 Alert level 3 & 4 in August and September 2021, which are expected to be approximately \$7.1m
10. Agree to debt fund the operating impacts of Covid-19 related financial support, where they are not mitigated by better than budget operational financial performance. If it is unmitigated, this impact is expected to be \$230k
11. Agree to include the repayment of any residual Covid-19 related debt in 9. above into the 2022/23 Annual plan to be repaid over 15 years. This is forecast (if unmitigated) at \$7.33m over 15 years equates to ~~\$2.1m~~ **\$0.5m** per annum, or an uplift of ~~0.5%~~ **0.12%** in the 2022/23 rates increase.

Carried

The motion moved by Councillor Fitzsimons and seconded by Mayor Foster was decided part by part, divisions for which were as follows:

Clauses 1-10:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Woolf, Councillor Young

Absent:

Deputy Mayor Free

Majority Vote: 14:0

Carried

Clause 11:

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Woolf, Councillor Young

Absent:

Deputy Mayor Free, Councillor Sparrow

Majority Vote: 13:0

Carried

(Councillor Sparrow left the meeting at 3:02pm.)

2.4 Te Ngākau Civic Precinct Framework

Moved Councillor Young, seconded Mayor Foster, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

1. Receive the information.
2. Agree to adopt the Te Ngākau Civic Precinct Framework as per Attachment 1.
3. Agree that officers will reflect the outcome of any decision on the Michael Fowler Centre carpark proposal before Council on 30 September 2021 in the final Te Ngākau Civic Precinct Framework.

Carried

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

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Woolf, Councillor Young

Absent:

Deputy Mayor Free, Councillor Sparrow

Majority Vote: 13:0

Carried

Meeting duration

Moved Mayor Foster, seconded Councillor Condie, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

1. Continue the meeting beyond the six hours limit as per standing order 11.7.

Carried

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

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Woolf, Councillor Young

Absent:

Deputy Mayor Free (Deputy Chair), Councillor Sparrow

Majority Vote: 13:0

Carried

2.6 Michael Fowler Centre Carpark Long Term Ground Lease

Moved Mayor Foster, seconded Councillor Pannett

Resolved

That the Te Kaunihera o Pōneke | Council:

1. Receive the information.
2. Agree to enter into a development agreement and a 175-year registered and pre-paid ground lease over part of the MFC Carpark site, with Willis Bond, noting that the principal terms and conditions proposed are summarised in a separate public excluded Attachment 1a.
3. Agree to delegate to the Chief Executive to conclude negotiations and agree terms which, when viewed as a whole, are no less favourable to Council than those detailed in Attachment 1a.
4. Note that the resource consent will lapse for the temporary building located on the MFC Carpark once the RNZB return to the St James Theatre and it will need to be removed which is the responsibility of Council. The site will revert to its previous use as a carpark until it is developed.

Carried

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

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Woolf, Councillor Young

Absent:

Deputy Mayor Free (Deputy Chair), Councillor Sparrow

Majority Vote: 13:0

Carried

The meeting adjourned at 3:29pm and reconvened at 3:40pm with the following members present: Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Mayor Foster, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Woolf and Councillor Young.

2.7 Forward Programme

Moved Councillor Fitzsimons, seconded Mayor Foster, 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 Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Woolf, Councillor Young

Absent:

Deputy Mayor Free (Deputy Chair), Councillor Sparrow

Majority Vote: 13:0

Carried

2.8 Action Tracking

Moved Mayor Foster, seconded Councillor Day, 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 Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Woolf, Councillor Young

Absent:

Deputy Mayor Free (Deputy Chair), Councillor Sparrow

Majority Vote: 13:0

Carried

3. Committee Reports

3.1.1 Report of the Pūroro Hātepe | Regulatory Processes Committee Meeting of 8 September 2021 PROPOSED ROAD STOPPING - KNIGGES AVENUE, TE ARO

Moved Councillor Woolf, seconded Councillor Matthews, the following motion

Resolved

That Te Kaunihera o Pōneke:

1. Declare that the approximately 204m² (subject to survey) of formed legal road land in Knigges Avenue (the Land), adjoining 2 Knigges Avenue (being Lot 3 DP 40129 and held on ROT WN11C/1357), is not required for a public work and is surplus to Council's operational requirements.
2. Agree to dispose of the Land.
3. Delegate to the Chief Executive Officer the power to conclude all matters in relation 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 Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Woolf, Councillor Young

Absent:

Deputy Mayor Free (Deputy Chair), Councillor Sparrow

Majority Vote: 13:0

Carried

**3.1.2 Report of the Pūroro Hātepe | Regulatory Processes Committee Meeting
of 8 September 2021**

**PROPOSED ROAD STOPPING – LAND ADJOINING 20 AMRITSAR STREET,
KHANDALLAH**

Moved Councillor Woolf, seconded Councillor Matthews, the following motion

Resolved

That Te Kaunihera o Pōneke:

1. Declare the approximately 60m² (subject to survey) of unformed legal road land in Amritsar Street (the Land), adjoining 20 Amritsar Street (being Lot 1 DP 12004 held on ROT WN484/223), is not required for a public work and is surplus to Council's operational requirements.
2. Agree to dispose of the Land.
3. 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 Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Woolf, Councillor Young

Absent:

Deputy Mayor Free (Deputy Chair), Councillor Sparrow

Majority Vote: 13:0

Carried

3.2 Report of the Pūroro Tahua | Finance and Performance Committee Meeting of 16 September 2021

2020/21 CAPITAL CARRY-FORWARD APPROVAL

Moved Councillor Calvert, seconded Councillor Foon, the following motion

Resolved

1. Agree a capital carry-forward from 2020/21 into future years of \$94.1m.
2. Agree to reinstate \$1.7m of *Parking Asset renewals* budget that was part of the Long-term Plan (LTP) until the final version was prepared.
3. Agree to increase the whole-of-life project budget for the Town Hall by \$12.3m through use of the previously resolved Town Hall contingency.

Carried

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

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Woolf, Councillor Young

Absent

Deputy Mayor Free (Deputy Chair), Councillor Sparrow

Majority Vote: 13:0

Carried

4. Public Excluded

Moved Mayor Foster, seconded Councillor Pannett

Resolved

That 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 Mākara Cemetery - potential land acquisition	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). 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.	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 Appointments to Council Controlled Organisations	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.

Carried

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

For:

Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Woolf, Councillor Young

Against:

Deputy Mayor Free (Deputy Chair), Councillor Sparrow

Majority Vote: 13:2

Carried

(Councillor Calvert left the meeting at 3:47pm.)
The meeting went into public-excluded session at 3:47pm.

The meeting returned from public-excluded session and concluded at 4:05pm 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

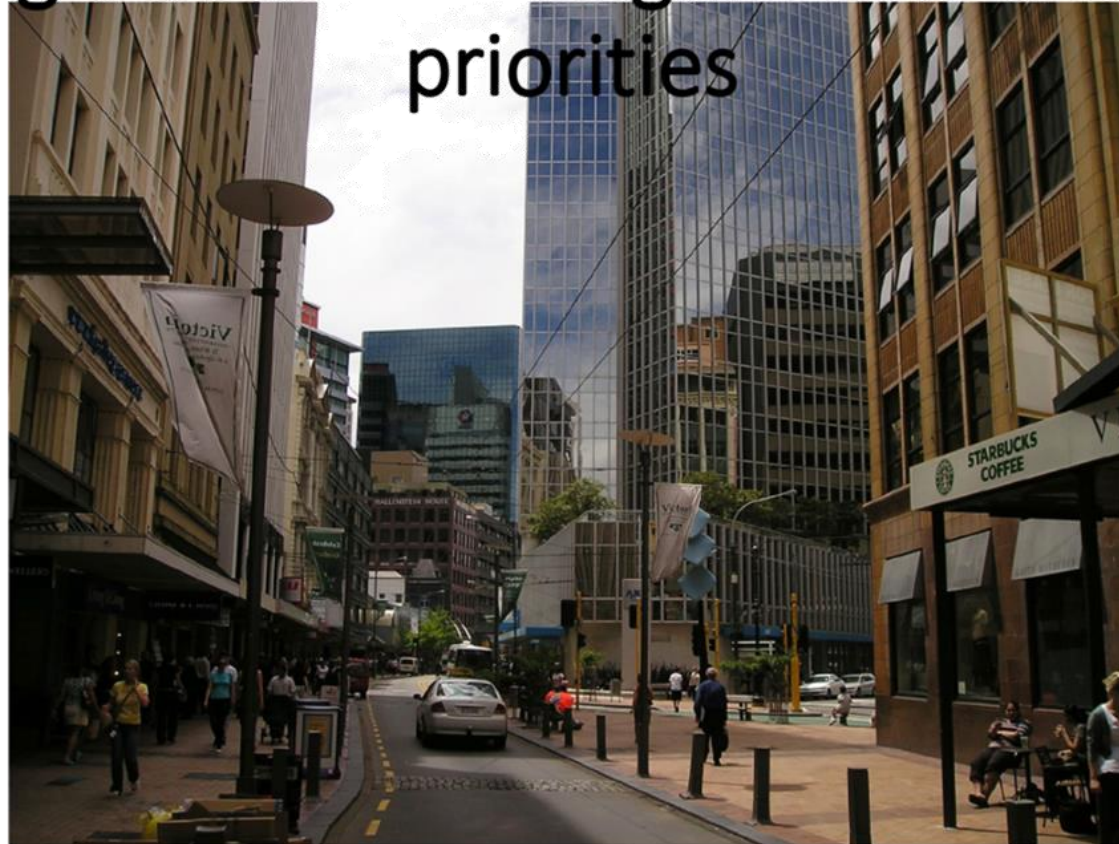
WELLINGTON CITY COUNCIL

MINUTE ITEM ATTACHMENTS

Time: 9:30am
Date: Thursday, 30 September 2021
Venue: Virtual Meeting

Business	Page No.
1.7.1 Living Streets Aotearoa	
1. Living Streets Aotearoa	2
2.1 Government Reform: Three Waters	
1. Letter to Minister Mahuta	6

Building a better Wellington with a focus on priorities



- Image by Simon at pixabay.com

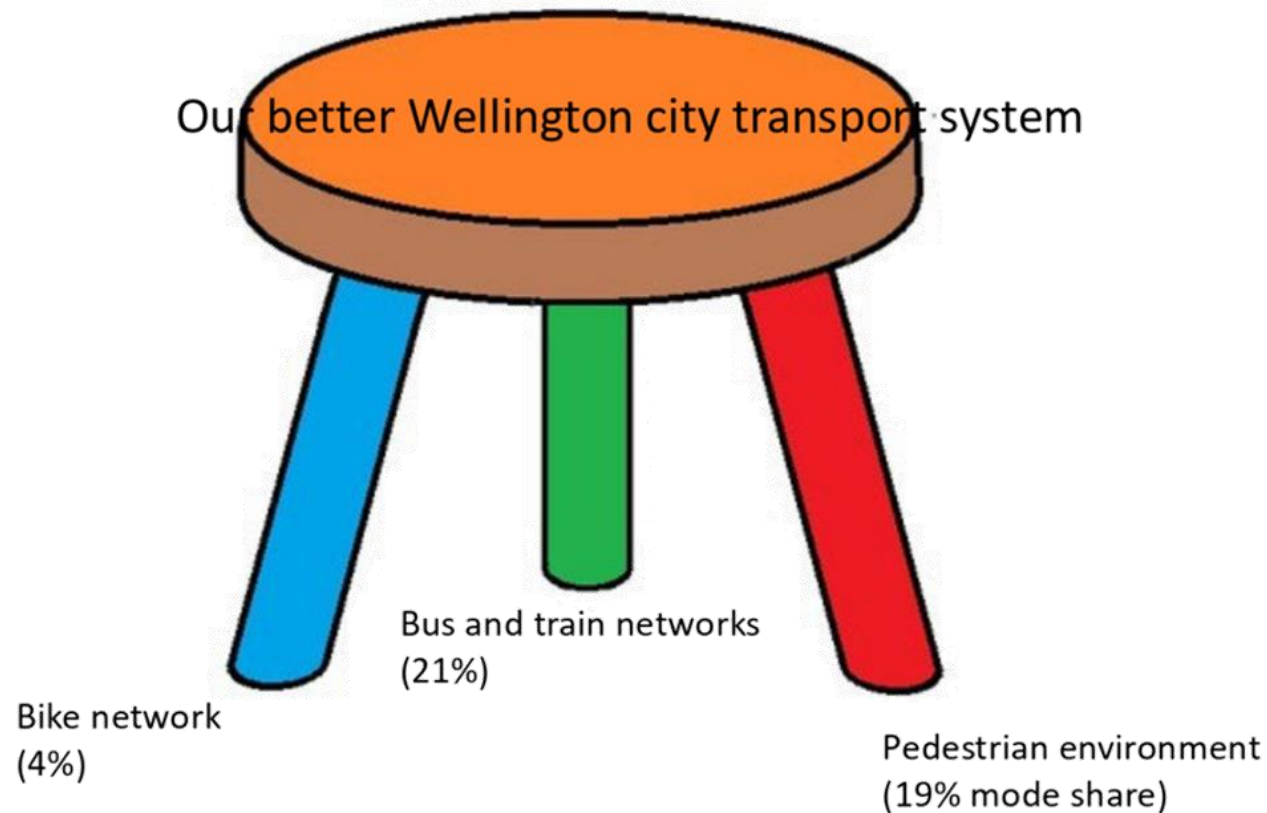
Essential elements for building a sustainable Wellington

- Meets our sustainable future vision
- Based on evidence
- A plan
- Funding
- Leadership
- Get on and do it

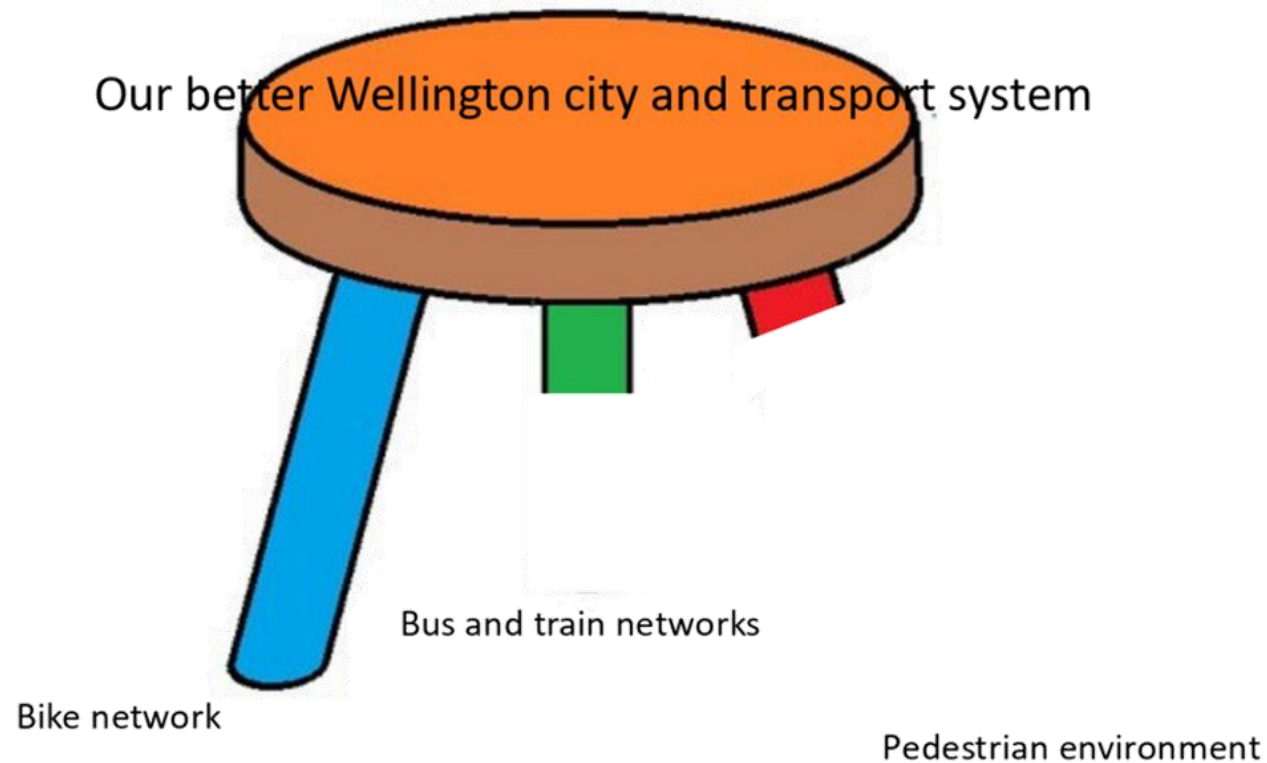
\$\$\$



Support sustainable transport options



Not supporting sustainable transport options



1 October 2021

Hon Nanaia Mahuta
Minister of Local Government
Parliament Buildings
WELLINGTON
Via email : n.mahuta@ministers.govt.nz

Tēnā koe Minister

Common concerns and potential responses from Mayors and Chief Executives in Entity C to proposed three waters reform model

This Government's water reform programme is the biggest change the local government sector has seen since 1989.

This letter is to present some of the reform concerns common to the Mayors and Chief Executives of **twenty** of the twenty-two councils in proposed Entity C, water services entity. These concerns are attached to this letter. We note and emphasize that some councils do not support the proposed reforms at all, and individual councils will have additional concerns that are not listed in the attached document.

Each council has its own unique position on water reforms and these views span everything from opposition to support. However, we have found common ground on the issues that concern us, should reform proceed.

You will receive individual submissions from each council to highlight their local perspectives and issues.

Should the Government progress the reforms, there will be a significant process of transition and change which will have considerable impacts for all councils. This includes challenges around resourcing, relationships with our communities and iwi partners, the operating model, and finances. The councils in Entity C expect to be given strong assurance as to how the issues raised in our collated (and individual) feedback will be addressed, including our ongoing role in the reform process.

Should reform proceed, we believe that a collaborative approach (central government, mana whenua and local government) will be critical to success. Councils need a greater level of involvement in the transition process and establishment of the water services entities to ensure this reform works in practice.

We look forward to receiving further information so we can engage meaningfully with our mana whenua partners and the community on the future management and delivery of the three waters functions.

Ngā mihinui

Carterton District Council

Mayor Greg Lang/Chief Executive Geoff Hamilton

Central Hawkes Bay District Council

Mayor Alex Walker/Chief Executive Monique Davidson

Chatman Islands District Council

Mayor Monique Croon/Chief Executive Owen Pickles

Gisborne District Council

Mayor Rehette Stoltz/Chief Executive Nedine Thatcher Swann

Greater Wellington Regional Council

Chair Daran Ponter/Chief Executive Nigel Corry

Hastings District Council

Mayor Sandra Hazlehurst/Chief Executive To'osavili Nigel Bickle

Horowhenua District Council

Mayor Bernie Wanden/Chief Executive David Clapperton

Hutt City Council

Mayor Campbell Barry/Chief Executive Jo Miller

Kāpiti Coast District Council

Mayor K (Guru) Gurunathan/Chief Executive Wayne Maxwell

Manawatu District Council

Mayor Helen Worboys/Chief Executive Shayne Harris

Marlborough District Council

Mayor John Leggett/Chief Executive Mark Wheeler

Masterton District Council

Mayor Lyn Patterson/Acting Chief Executive David Hopman

Nelson City Council

Mayor Rachel Reese/Chief Executive Pat Dougherty

Palmerston North City Council

Mayor Grant Smith/Chief Executive Heather Shotter

Porirua City Council

Mayor Anita Baker/Chief Executive Wendy Walker

South Wairarapa District Council

Mayor Alex Beijen/Chief Executive Harry Wilson

Tararua District Council

Mayor Tracey Collins/Chief Executive Bryan Nicholson

Tasman District Council

Mayor Tim King/Chief Executive Janine Dowding

Wairoa District Council

Mayor Craig Little/Chief Executive Kitea Tipuna

Wellington City Council

Mayor Andy Foster/Chief Executive Barbara McKerrow

Summary of key issues & potential responses to proposed three waters reforms

	Case for change and process	Governance model and Iwi / Māori	Local voice / influence and planning integration	Wider reforms and impacts on local government	Financial impacts and asset transfer	Wider issues	Collaborative approach to transition
Issues	<p>There is a lack of public and Iwi / Māori awareness and understanding of the need for change or the reforms proposed.</p> <p>There is a lack of clarity of process beyond 1 October, including whether it will be mandatory and consultation processes.</p>	<p>The governance model is too complex and does not enable local input or enable effective representation. It appears to be more of a representation structure rather than a governance model to enable co-governance with Iwi / Māori.</p>	<p>There is a lack of clarity of the planning processes and investment prioritisation including:</p> <ul style="list-style-type: none"> • Responsiveness and agility to growth and development • Balancing economic efficiency with local social and well-being outcomes • Opportunities for community and council input, how disputes will be managed and consumer needs • How councils will retain 'smart client' capability to enable trade off discussions 	<p>The cumulative impacts and alignment across three waters reforms, RMA reforms and future of local government remain unclear.</p> <p>All the reforms processes will lead to significant reshaping and disruption for councils. As far as possible, this needs to be closely aligned to avoid churn, loss of staff and impacts on our communities.</p>	<p>There remains a lack of clarity on the financial impacts of the reforms including assets impacted.</p> <p>Potential impacts on customers are also unclear including when and by how much costs for three waters will increase and the transparency and fairness of pricing and charging across WSE.</p>	<p>The reforms raise a range of other complex issues including boundaries, rural water, stormwater and sector capacity</p> <p>There is also a lack of clarity on the process for engagement or consultation with our communities, should the process remain voluntary.</p>	<p>Effective leadership and a collaborative culture working with local government is critical to the reforms.</p> <p>Three waters and broader reforms may mean a complete re-shaping of local government which therefore must be coordinated to avoid significant disruptions and undue costs to our communities.</p>
Potential responses	<p>Government needs to clearly outline the decision-making process and pathway beyond 1 October, including ongoing sector engagement in the design and establishment of the WSE and consultation with the public and Iwi / Māori.</p> <p>Government needs to own and front the need for change with our communities and Iwi partners, including coordination of any consultation process.</p>	<p>Review of the governance structure, working with councils and Iwi / Māori to develop a model that allows for strong local / regional representation based around sub-WSE cluster areas.</p> <p>This needs to consider effective representation balancing selection and election processes.</p> <p>Planning and investment prioritisation processes including the SOE and SOI, need to be aligned with the representation groups at the sub-WSE areas.</p>	<p>Clarify the opportunities for local voice / influence and planning integration, including:</p> <ul style="list-style-type: none"> • Prioritisation of investment based on sub-WSE regional representation areas. • Amendment of the statutory purpose or objectives of the WSE to give greater recognition to local outcomes and well-being. • Alignment of the WSE planning processes with spatial planning and proposed RMA reforms. • Capability and process to enable local outcomes via investment, including procurement processes. • Integration of the first 3-5 years of LTP investment planning into WSE investment plans • The process to manage disputes, including potential broader role of the economic regulator or ombudsman. 	<p>Government needs to undertake a review of the three waters reform process to ensure that the lessons are applied to broader reforms.</p> <p>Government needs to establish a structure and process to ensure alignment and oversight across the reforms processes.</p> <p>Government needs to own and front the need for change with our communities and Iwi partners, including coordination of any consultation processes.</p>	<p>Government needs to commit to working with local government to develop:</p> <ul style="list-style-type: none"> • The methodology for debt and asset identification and transfer. • The process, timeframes and funding to enable due diligence. • More detail on the conditions and details of the 'better off' and 'no worse off' financial packages. • More detail on the pricing and charging model across WSE. 	<p>Government needs to clarify the boundary for Entity C, including at the top of the South Island.</p> <p>Government needs to commit to work with local government and the water sector address the complex issues being raised in relation to stormwater and rural water schemes as well as actively support increased sector capability and capacity.</p> <p>Government needs to provide clarity on the consultation process.</p>	<p>Should reforms proceed, active and collaborative partnership with local government is needed to set leadership, direction and alignment with broader reforms, including:</p> <ul style="list-style-type: none"> • early establishment of the transitional WSE • a clear and achievable timeline, mandate, funding as well as ongoing commitment from Government. • ongoing financial support for local government to enable this change process.