

Absolutely Positively
Wellington City Council

Me Heke Ki Pōneke

Ordinary meeting of Te Kaunihera o Pōneke

Council minutes

Wednesday, 16 November 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.

Whakatata te hau ki te uru,	Cease oh winds of the west
Whakatata 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

1.5 Announcements by the Mayor

The Mayor made the following announcement:

“We’re making our way through inductions and becoming more comfortable with our roles. It’s now time for us to come together to make great decisions for Wellington, Wellingtonians, and the planet on which we are all reliant. That is a great responsibility we all collectively shoulder – not just on behalf of those we represent today but also the generations to follow.

We have a diverse council made up of councillors with a range of views. It will undoubtedly lead to robust discussions, just as it should in the political arena.

But despite our differences, it’s important that we are a unified council. That unity needs to be built on trust and respect as we go about our decision making. It is up to as all as individuals to make that happen.

We are entering a new age which will bring new challenges, along with some existing ones, but I am already heartened by the enthusiasm you have shown. It bodes well for the next three years. Thank you councillors.

I also want to acknowledge the amazing achievement of the Black Ferns. They won the Women’s Rugby World Cup, sold out Eden Park, took women’s sport to a new level, and along the way brought Aotearoa New Zealand together on a wave of pride. I am hopeful Wellingtonians will be able to show their appreciation in some way and I’m liaising with Parliament to see how that could be done.

In the meantime, I wish you all well and I look forward to working collaboratively to make a better Wellington. Let’s seize that opportunity together.”

1. 4 Apologies

Moved Mayor Whanau, seconded Councillor Free, the following motion

Resolved

That the Te Kaunihera o Pōneke | Council:

1. Accept the apologies received from Councillor Brown for lateness.

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, Deputy Mayor Foon, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Absent:

Councillor Brown

Majority Vote: 15:0

Carried

1. 6 Conflict of Interest Declarations

No conflicts of interest were declared.

1. 7 Confirmation of Minutes

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

Resolved

That the Te Kaunihera o Pōneke | Council:

1. Approve the minutes of the Ordinary Te Kaunihera o Pōneke | Council Meeting held on 26 October 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 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

Absent:

Councillor Brown

Majority Vote: 15:0

Carried

1. 8 Items not on the Agenda

There were no items not on the agenda.

1. 9 Public Participation

There were no request for public participation.

(Councillor Brown joined the meeting at 9:35am.)

1. 2 Declaration of the Councillor-elect

Councillor Brown made his declaration as attached.

1. 3 General Explanation

Chief Executive Barbara McKerrow provided the following General Explanation:

“As Chief Executive of the Wellington City Council, I am required to give a general explanation to elected members of certain legislation which controls the way in which the Council’s business may be conducted and the laws affecting elected members.

The Local Government Official Information and Meetings Act 1987: This Act sets meeting procedures and requirements and governs the availability of information. The key principle underpinning the Act is that information should be made publicly available, unless certain specific withholding grounds apply.

Other laws affecting elected members: There are other obligations which elected members must be aware of and which are included in a range of legislation, including the Local Authorities (Members’ Interests) Act 1968; sections 99, 105, and 105A of the Crimes Act 1961; the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013. Further information on these provisions was provided both in your briefing pack and in the verbal briefing that you attended on 20 October.”

2. General Business

2.1 Maiden Speeches for First-Term Councillors

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

Resolved

That the Te Kaunihera o Pōneke | Council:

1. Receive the information.
2. Thank the first-term councillors for their maiden speeches.

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

The meeting adjourned at 10:16am and reconvened at 10:46am with all members present.

2.2 Governance Arrangements for the 2022/2025 Triennium

Moved Mayor Whanau, seconded Councillor McNulty, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

- 1) Receive the information.
- 2) Authorise the Terms of Reference and Delegations of Wellington City Council 2022-2025.
- 3) Note that the existing delegations to the Chief Executive remain in force.
- 4) Authorise the mayor and deputy mayor to grant a power of attorney to the chief executive, to enable her to execute deeds, provided the document falls within the chief executive's delegation.
- 5) Delegate to the mayor, deputy mayor, and chief executive the authority to approve any editorial changes or changes arising from decisions at this meeting to the Terms of Reference and Delegations document, prior to publication.

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

2.3 2022-2025 Triennium Meeting Schedule

Moved Mayor Whanau, seconded Councillor Free, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

- 1) Receive the information.
- 2) Adopt the schedule of meetings for the Council and committees for the period of November 2022 to September 2025 (Attachment 1).
- 3) Note the following timing guidelines:
 - a. Council and committee meetings will operate on a six-weekly cycle.
 - b. Committees of the whole, Koata Hātepe | Regulatory Processes Committee, and Council will be held on Thursdays at 9:30am.
 - c. Unaunahi Māhirahira | Audit and Risk Committee and Pītau Pūmanawa | Grants Subcommittee will be held on Wednesdays at 9:30am.
- 4) Note that ordinary, extraordinary and multi-day meetings may be scheduled, rescheduled or cancelled from time to time in consultation with the mayor, chair and deputy chair of the relevant committee, and chief executive.
- 5) Note that Unaunahi Ngaio | CE Performance Review Committee meetings will be scheduled in consultation with the mayor, deputy mayor and chief executive.
- 6) Note that meeting times will be formally notified by Democracy Services.

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

2.4 Elected Members' Appointments to Council Controlled Organisations, Council Organisations and External or Joint Committees and Organisations

Moved Mayor Whanau, seconded Councillor Matthews, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

1. Receive the information.
2. Appoint Wellington City councillors to vacancies on the Boards of the following Council Controlled Organisations:

Council Controlled Organisation	Representation	Appointee
Basin Reserve Trust	One councillor	Cr John Apanowicz
Joe Aspell Trust	Mayor* Three councillors	Mayor Tory Whanau Cr Tim Brown Cr Ray Chung Cr Nicola Young
Wellington Museums Trust	One councillor	Cr Ben McNulty
Wellington Zoo Trust	One councillor	Cr Nureddin Abdurahman
Wellington Regional Stadium Trust	One councillor	Cr Diane Calvert

3. Appoint Wellington City councillors to the following Council Organisations:

Council Organisation	Representation	Appointee
Wellington International Airport Ltd	One councillor	Mayor Tory Whanau
Creative Communities Local Funding Scheme	Two councillors (under the terms of the contract with Creative NZ)	Cr Nīkau Wi Neera Cr Teri O'Neill
NZ International Arts Festival Trust	Mayor*	Mayor Tory Whanau
Porirua Harbour and Catchment Trust	One councillor	Cr Ben McNulty
Thomas George Macarthy Trust	Mayor*	Mayor Tory Whanau
Guardians of the Karori Sanctuary	One councillor	Cr Ray Chung
Wellington Community Housing Provider Trust	Two councillors	Cr Rebecca Matthews Cr Ben McNulty Cr Tim Brown
Sheilah Maureen Winn Charitable Trust	One councillor	Cr Nicola Young

4. Appoint a Wellington City councillor, and an alternate, to the following Council Advisory and Reference Groups:

Council Advisory and Reference Group	Representation	Appointee
Accessibility Advisory Group	One councillor (and one alternate)	Cr Rebecca Matthews (Cr Iona Pannett)
Environmental Reference Group	One councillor (and one alternate)	Cr Nīkau Wi Neera (Cr John Apanowicz)
Pacific Advisory Group	One councillor (and one alternate)	Cr Sarah Free (Cr Rebecca Matthews)
Safe and Sustainable Transport Forum	One councillor (and one alternate)	Cr Sarah Free (Cr John Apanowicz)
Takatāpui Rainbow Advisory Council	One councillor (and one alternate)	Cr Iona Pannett (Cr Tamatha Paul) (Cr Teri O'Neill)
Youth Council	One councillor (and one alternate)	Cr Ben McNulty (Cr Tamatha Paul) (Cr Nīkau Wi Neera)

5. Appoint a Wellington City councillor and an alternate to the following groups and organisations:

Other Organisations	Representation	Appointee
Tā kai Here Leadership Forum	Mayor* One councillor	Mayor Tory Whanau Deputy Mayor Laurie Foon
Art Collection Group	One councillor (and one alternate)	Cr Nicola Young (Cr Nīkau Wi Neera)
Liaison with the Wellington Multi-Cultural Council	One councillor (and one alternate)	Cr Ray Chung (Cr Nureddin Abdurahman)
Waste Forum – Wellington Region	One councillor (and one alternate)	Cr Laurie Foon (Cr Iona Pannett)

6. Appoint or nominate (as appropriate) a Wellington City councillor and an alternate, if need be, to the following joint external committees:

Joint External Committees	Representation	Appointee
Regional Transport Committee	One councillor (and one alternate)	Cr Iona Pannett (Cr Tony Randle)
Wellington Regional Leadership Committee	Mayor* (and one alternate)	Mayor Tory Whanau (Deputy Mayor Laurie Foon)
Wastewater Treatment Plant and Landfill Joint Committee	One councillor (and one alternate)	Pouwi Liz Kelly (Rachel Allan)
Wellington Water Committee	One councillor (and one alternate)	Mayor Tory Whanau (Cr Tim Brown)
Wellington Region Waste Management and Minimisation	One councillor	Cr Iona Pannett

Plan Joint Committee	(and one alternate)	(Deputy Mayor Laurie Foon)
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*The mayor is automatically appointed to these positions.

7. Appoint two Takapū/Northern Ward councillors, Cr Ben McNulty and Cr Tony Randle, to the Tawa Community Board for the 2022/2025 triennium.
8. Delegate to the Tawa Community Board the authority to appoint a board member as a representative on Camp Elsdon.
9. Appoint Mayor Tory Whanau (as presiding delegate), Deputy Mayor Laurie Foon, Cr Ray Chung and Cr Sarah Free as its representatives to Local Government New Zealand Zone 4.
10. Agree that the councillors appointed to these organisations and advisory groups will report back to an appropriate forum on an annual basis.
11. Agree that the term of appointments to each of the above positions will commence immediately. Unless otherwise specified the appointment will terminate at the earlier of the time the position is refilled following the 2025-2028 triennial election or 31 December 2025.

Carried

Secretarial note: The original 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 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

2.5 Exemption of Council Controlled Organisations from the Statutory Reporting Regime

Moved Mayor Whanau, seconded Councillor Paul, the following motion

Resolved

Officers recommend the following motion

That Te Kaunihera o Pōneke | Council:

- 1) Receive the information
- 2) Continue to treat Joe Aspell Trust, Wellington Waterfront Limited and the Wellington Rural Fire Authority as exempted organisations, in accordance with the provisions of section 7 of the Local Government Act 2002, and as such not council-controlled organisations.

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

2.6 2022-2025 Triennium Councillors' Remuneration

Moved Mayor Whanau, seconded Councillor Brown, the following motion

Resolved

That Te Kaunihera o Pōneke | Council:

1. Receive the information.
2. Recommend the below remuneration proposal to the Remuneration Authority:

Position	Proposed new base salary (per annum)	Total (per annum)
Mayor	\$183,027	\$183,027
Deputy mayor	\$126,650	\$126,650
3 x chair of committee of the whole	\$116,361	\$349,083
1 x chair of Koata Hātepe Regulatory Processes Committee	\$111,070	\$111,070
10 x councillors	\$105,283	\$1,057,830
Total (pool)		\$1,639,633

3. Agree to the following short role descriptions for the deputy mayor, chair of committee of the whole, and chair of the Koata Hātepe | Regulatory Processes Committee:

Deputy Mayor	The deputy mayor will: a) Assist the mayor in carrying out the statutory and leadership role of the mayor.
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	<p>b) If the mayor is absent or incapacitated, perform all the responsibilities and duties, and exercise any powers of the mayor (other than the powers under section 41A LGA 2002 and the role of Justice of the Peace).</p> <p>c) Lead and take responsibility for liaison with Councillors on matters of support for carrying out their governance role.</p> <p>d) Assist the mayor in day-to-day administration.</p> <p>e) Ensure that the mayor's view is conveyed to committee and other meetings when they are absent on Council business.</p> <p>The Deputy Mayor is authorised to approve elected member attendance at conferences or training and associated travel and accommodation within New Zealand. [refer to Terms of Reference and Delegations, page 29]</p>
Chair of committee of the whole	<p>The chair of a committee of the whole will be responsible for presiding over one of the committees of the whole, which have specific responsibilities in line with their area of focus.</p> <p>The chair of a committee of the whole will be (in association with the deputy chair, and the agreement of the mayor) the Council spokesperson with respect to matters within the committee's area of focus.</p>
Chair of Koata Hātepe Regulatory Processes Committee	<p>The chair of the Koata Hātepe Regulatory Processes Committee will be responsible for presiding over that committee of the part which has responsibilities in line with its area of focus.</p> <p>The chair of a committee of the Koata Hātepe Regulatory Processes Committee will be (in association with the deputy chair, and the agreement of the mayor) the Council spokesperson with respect to matters within the committee's area of focus.</p>

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

2.7 Elected Member Allowances and Entitlements Policy

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

Resolved

That Te Kaunihera o Pōneke | Council:

- 1) Receive the information.
- 2) Adopt the Elected Member Allowances and Entitlements Policy.

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 Chung, Deputy Mayor Foon, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Absent:

Councillor Calvert

Majority Vote: 15:0

Carried

(Councillor Calvert left the meeting at 11:31am and returned to the meeting at 11:37am.)

4. Public Excluded

Moved Mayor Whanau, seconded Councillor Matthews, 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 CHP transition: Trustee 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.
4.2 Local Government Funding Agency Annual General Meeting Voting	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 Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Calvert, Deputy Mayor Foon, Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Paul, Councillor Randle, Councillor Young

Against:

Councillor Brown, Councillor Chung, Councillor Pannett, Councillor Wi Neera

Majority Vote: 12:4

Carried

The meeting went into public-excluded session at 11:38am.

The meeting returned from public-excluded session and concluded at 12:08pm 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

16 November 2022

DECLARATION MADE PURSUANT TO CLAUSE 14 OF SECHDULE 7 OF THE LOCAL GOVERNEMENT ACT 2002

I, **Timothy Ian Brown**, declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of Wellington City, the powers, authorities, and duties vested in, or imposed upon, me as a member of the Wellington City Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meeting Act 1987, or any other Act.

Ko au a **Timothy Ian Brown**. Ko taku kupu tēnei. Ka tutuki i ahau, ki tāku e pono nei, ngā kawenga katoa, hei painga mō te Tāone o Pōneke i runga i te mana kua riro mai i ahau, hei mema o Te Kaunihera o Pōneke, i raro i te Ture Kāwanatanga ā-Rohe, rua mano, mā rua, te Ture Pārongo Huinga Ōkawa Kāwanatanga ā-Rohe, kotahi mano, iwa rua, waru tekau mā whitu, me ētahi atu ture rānei.

DATED at Wellington this **16th day of November 2022**

I whakaritea i Pōneke i tēnei rā tekau ma ono o Whiringa-ā-rangi, i te tau rau mano, rua tekau mā rua.

Signature / Waitohu:



Timothy Ian Brown

In the presence of / I waitohua i mua i a:



Tory Awatere Whanau
Mayor of Wellington
Koromatua o Pōneke