Absolutely Positively **Wellington** City Council

Me Heke Ki Pōneke

Ordinary Meeting of Te Kaunihera o Pōneke | Council

Ngā Meneti | Minutes

9:30am Thursday Rāpare, 7 September Mahuru 2023 Ngake (16.09), Level 16, Tahiwi, 113 The Terrace Pōneke | Wellington



PRESENT

Mayor Whanau (Chair)

Deputy Mayor Foon (Deputy Chair)

Councillor Abdurahman

Councillor Apanowicz

Councillor Brown

Councillor Calvert

Councillor Chung

Councillor Free (via audio-visual link)

Councillor Matthews

Councillor McNulty

Councillor O'Neill

Councillor Pannett

Councillor Paul

Councillor Randle

Councillor Wi Neera

Councillor Young

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1 Meeting Conduct

1.1 Karakia

The Chairperson opened the meeting at 9.30am with the following karakia.

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

Whakataka te hau ki te tonga. and of the south

Kia mākinakina ki uta,Let the bracing breezes flow,Kia mātaratara ki tai.over the land and the sea.E hī ake ana te atākura.Let the red-tipped dawn come

He tio, he huka, he hauhū. with a sharpened edge, a touch of frost,

Tihei Mauri Ora! a promise of a glorious day

1. 2 Apologies

Moved Mayor Whanau, seconded Councillor Apanowicz

Resolved

That the Te Kaunihera o Poneke | Council:

1. Accept the apologies received from Councillor Paul 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 Brown, Councillor Calvert, Councillor Chung, Deputy Mayor Foon (Deputy Chair), Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Randle, Councillor Wi Neera, Councillor Young

Against:

Absent:

Councillor Paul

Majority Vote: 15:0

Carried

1. 3 Announcements by the Mayor

There were no announcements by the Mayor.

1. 4 Conflict of Interest Declarations

No conflicts of interest were declared.

1. 5 Confirmation of Minutes

Moved Mayor Whanau, seconded Deputy Mayor Foon

Resolved

That the Te Kaunihera o Poneke | Council:

1. Approves the minutes of the Ordinary Te Kaunihera o Pōneke | Council Meeting held on 29 June 2023, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting.

Carried

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

For:

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

Against:

Absent:

Councillor Paul

Majority Vote: 15:0

Carried

1. 6 Items not on the Agenda

There were no items not on the agenda.

1. 7 Public Participation

There were no requests for participation.

2. General Business

(Councillor Paul joined the hui at 9.41am)

2.1 Approval of the Updated Wellington Regional Leadership Committee Agreement and Terms of Reference

Moved Mayor Whanau, seconded Deputy Mayor Foon

That the Te Kaunihera o Poneke | Council:

- 1) Receive the information.
- 2) Note that on 24 February 2021 the Council resolved to establish the Wellington Regional Leadership Committee and for Wellington City Council to become a member of it.
- 3) Agree that the Wellington Regional Leadership Committee continues as a joint committee under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002, with the amended terms set out in the attached Joint Committee Agreement (dated 2023), with the amendments in effect from the date the Wellington Regional Leadership Committee Joint Committee Agreement is signed by all local authority parties.
- 4) Note the main amendments provide for the Wellington Regional Leadership Committee to:
 - undertake the work necessary to inform, prepare and finalise the Future
 Development Strategy in accordance with the National Policy Statement for Urban
 Development 2020.
 - establish a Joint Committee Subcommittee to hear submissions on the draft
 Future Development Strategy (and any updates) and make recommendations to
 the Wellington Regional Leadership Committee on those submissions (which will
 make the final decision on the Future Development Strategy).
 - c. undertake regular reviews of the Future Development Strategy.
 - d. prepare the implementation plan in support of the Future Development Strategy.
 - e. implement the Future Development Strategy.
- 5) Authorise the Wellington Regional Leadership Committee to appoint a Joint Committee Subcommittee for the Future Development Strategy to hear and make recommendations on submissions received on the draft Future Development Strategy to be developed under the National Policy Statement for Urban Development 2020 (and any updates to that Strategy).
- 6) Approve the amended Wellington Regional Leadership Committee Joint Committee Agreement, including the amended Terms of Reference for the Joint Committee and the new Terms of Reference for the Joint Committee Subcommittee for the Future Development Strategy.
- 7) Delegate all powers and functions to the Wellington Regional Leadership Committee set out in the amended Wellington Regional Leadership Committee Joint Committee Agreement, including the amended Terms of Reference for the Joint Committee and the new Terms of Reference for the Joint Committee Subcommittee for the Future Development Strategy.
- 8) Note that the Wellington Regional Leadership Committee is a joint committee of all local authorities that are parties to the Wellington Regional Leadership Committee Joint

Committee Agreement, and it includes members representing iwi and the Crown.

- 9) Authorise the Mayor to sign the amended Wellington Regional Leadership Committee Joint Committee Agreement on behalf of the Council.
- 10) Appoint one elected member Councillor Brown, to be a member of the Joint Committee Subcommittee for the Future Development Strategy for the purposes of hearing submissions on the draft Future Development Strategy (or any updates to it) and making recommendations on those submissions to the Wellington Regional Leadership Committee, with Councillor Matthews as an alternate.

Moved Councillor Pannett, seconded Councillor Matthews the following amendment:

Resolved

- 9) Authorise the Mayor to
 - a) sign the amended Wellington Regional Leadership Committee Joint Committee Agreement on behalf of the Council.
 - b) to request on behalf of the Council that the Joint Committee gives consideration to revising the Terms of Reference to give the highest priority to responding to the twin challenges of climate change and ecological protection alongside the region's growth needs.

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, Deputy Mayor Foon (Deputy Chair), Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Wi Neera

Against:

Councillor Calvert, Councillor Chung, Councillor Randle, Councillor Young

Majority Vote: 12:4

Carried

Moved Mayor Whanau, seconded Deputy Mayor Foon

Resolved

That the Te Kaunihera o Poneke | Council:

- 1) Receive the information.
- 2) Note that on 24 February 2021 the Council resolved to establish the Wellington Regional Leadership Committee and for Wellington City Council to become a member of it.
- 3) Agree that the Wellington Regional Leadership Committee continues as a joint committee under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002, with the amended terms set out in the attached Joint Committee Agreement (dated 2023), with the amendments in effect from the date the Wellington Regional Leadership Committee Joint Committee Agreement is signed by all local authority parties.

- 4) Note the main amendments provide for the Wellington Regional Leadership Committee to:
 - undertake the work necessary to inform, prepare and finalise the Future
 Development Strategy in accordance with the National Policy Statement for Urban Development 2020.
 - b. establish a Joint Committee Subcommittee to hear submissions on the draft Future Development Strategy (and any updates) and make recommendations to the Wellington Regional Leadership Committee on those submissions (which will make the final decision on the Future Development Strategy).
 - c. undertake regular reviews of the Future Development Strategy.
 - d. prepare the implementation plan in support of the Future Development Strategy.
 - e. implement the Future Development Strategy.
- 5) Authorise the Wellington Regional Leadership Committee to appoint a Joint Committee Subcommittee for the Future Development Strategy to hear and make recommendations on submissions received on the draft Future Development Strategy to be developed under the National Policy Statement for Urban Development 2020 (and any updates to that Strategy).
- 6) Approve the amended Wellington Regional Leadership Committee Joint Committee Agreement, including the amended Terms of Reference for the Joint Committee and the new Terms of Reference for the Joint Committee Subcommittee for the Future Development Strategy.
- 7) Delegate all powers and functions to the Wellington Regional Leadership Committee set out in the amended Wellington Regional Leadership Committee Joint Committee Agreement, including the amended Terms of Reference for the Joint Committee and the new Terms of Reference for the Joint Committee Subcommittee for the Future Development Strategy.
- 8) Note that the Wellington Regional Leadership Committee is a joint committee of all local authorities that are parties to the Wellington Regional Leadership Committee Joint Committee Agreement, and it includes members representing iwi and the Crown.
- 9) Authorise the Mayor to
 - a) sign the amended Wellington Regional Leadership Committee Joint Committee Agreement on behalf of the Council.
 - b) to request on behalf of the Council that the Joint Committee gives consideration to revising the Terms of Reference to give the highest priority to responding to the twin challenges of climate change and ecological protection alongside the region's growth needs.
- 10) Appoint Councillor Brown, to be a member of the Joint Committee Subcommittee for the Future Development Strategy for the purposes of hearing submissions on the draft Future Development Strategy (or any updates to it) and making recommendations on those submissions to the Wellington Regional Leadership Committee, with Councillor Matthews as an alternate.

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

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

Against:

Majority Vote: 16:0

Carried

2.2 Annual Dog Report 2022-23

Moved Mayor Whanau, seconded Councillor O'Neill

Resolved

That Te Kaunihera o Poneke | Council:

- 1) Receive the information.
- 2) Agree the content of the Annual Dog Control Report 2022-23.
- 3) Adopt the Annual Dog Control Report 2022-23.

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 (Deputy Chair), Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Against:

Majority Vote: 16:0

2.3 Re-appointment of existing members of the District Licensing Committee

Moved Councillor Matthews, seconded Councillor Chung

Resolved

That the Te Kaunihera o Poneke | Council:

- Receive the information.
- Agree to re-appoint the District Licensing Committee (DLC) members that are subject to the discussion in this paper.

Carried

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

<u>For:</u>

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

Against:

Majority Vote: 16:0

Carried

2.4 Annual Report on income received from and costs incurred in alcohol licensing for year 22-23

Moved Councillor Matthews, seconded Councillor Young

Resolved

That the Te Kaunihera o Poneke | Council:

- 1) Receive the information.
- 2) Adopt the Annual Report of Alcohol licensing income and costs for the year July 2022 June 2023.

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 (Deputy Chair), Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Against:

Majority Vote: 16:0

2.5 Actions Tracking

Moved Mayor Whanau, seconded Deputy Mayor Foon

Resolved

That Te Kaunihera o Poneke | Council:

1. Receive the information.

Carried

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

For:

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

Against:

Majority Vote: 16:0

Carried

2.6 Forward Programme

Moved Mayor Whanau, seconded Deputy Mayor Foon

Resolved

That Te Kaunihera o Poneke | Council:

Receive the information.

Carried

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

For:

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

Against:

Majority Vote: 16:0

3. Committee Reports

3.1 Report of the Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee Meeting of 23 February 2023

QUARTER 2 PERFORMANCE REPORT

Moved Mayor Whanau, seconded Councillor O'Neill

Resolved

That Te Kaunihera o Poneke | Council

- 1) Approve an operational (opex) budget increase of \$3.3m for Wellington Water Limited in the current financial year relating to reactive maintenance (\$2m) and the Karori treatment plant (\$1.3m)
- 2) Approve a capital (capex) budget increase of \$5.75m for Tākina (Wellington Convention and Exhibition Centre)
- 3) Approve the following budget changes relating to Better off Funding for the 2022/23 financial year:
 - a. Increase operational (opex) budget relating to the Subsurface Digital Twin project by \$600k;
 - b. Increase capital (capex) budget relation to the Subsurface Digital Twin project by \$73k;
 - c. Increase opex budget relating to Climate action focused community engagement by \$300k;
 - d. Note that a further budget adjustment relating to the Social Housing CHP tenant support fund will be requested through the Quarter 3 report, once the CHP establishment has been finalised

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 (Deputy Chair), Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Against:

Majority Vote: 16:0

3.2 Report of the Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee Meeting of 31 May 2023

QUARTER 3 PERFORMANCE REPORT

Moved Mayor Whanau, seconded Councillor O'Neill

Resolved

That Te Kaunihera o Poneke | Council

- 1. Approve an increase to Wellington Water Limited's (WWL) CAPEX budget by \$15m from \$50m to \$65m as a bring forward from the 2023/24 financial year;
- 2. Approve an increase to the project Capex budget for the Ngaio Gorge project by \$3.1m from \$10.3m to \$13.4m to cater for the total variation costs of contract works, professional services and labour.

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 (Deputy Chair), Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Against:

Majority Vote: 16:0

Carried

3.4 Report of the Kōrau Tūāpapa | Environment and Infrastructure Committee Meeting of 3 August 2023 PROPOSED LAND ACQUISITION - KAIWHARAWHARA

Moved Mayor Whanau, seconded Councillor O'Neill

Resolved

That Te Kaunihera o Poneke | Council:

 Agree to acquire approximately 98m² of land being part of 1 Curnow Way, Kaiwharawhara, legally described at Lot 15 DP 321404 and held on ROT 85348 (the Land).

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 (Deputy Chair), Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Against:

Majority Vote: 16:0

Carried

3.5 Report of the Koata Hātepe | Regulatory Processes Committee Meeting of 22 June 2023

NEW COMMUNITY RECREATION LEASES: NETBALL WELLINGTON CENTRE AND KILBIRNIE TENNIS CLUB

Moved Mayor Whanau, seconded Councillor O'Neill

Resolved

That Te Kaunihera o Poneke | Council

1) Approve new ground leases for Netball Wellington Centre and Kilbirnie Tennis Club, as required under the Wellington Town Belt Act 2016.

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 (Deputy Chair), Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Against:

Majority Vote: 16:0

3.6 Report of the Koata Hātepe | Regulatory Processes Committee Meeting of 24 August 2023

PROPOSED ROAD STOPPING - LAND ADJOINING 7 LEMNOS AVENUE, KARORI

Moved Mayor Whanau, seconded Councillor O'Neill

Resolved

That Te Kaunihera o Poneke | Council:

- 1) Declare that the approximately 50 m² (subject to survey) of unformed legal-road land in Lemnos Avenue (the Land) adjoining 7 Lemnos Avenue (Lot 13 Deposited Plan 3361, held on ROT WN312/108) 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 Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Brown, Councillor Calvert, Councillor Chung, Deputy Mayor Foon (Deputy Chair), Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Against:

Majority Vote: 16:0

Carried

PROPOSED ROAD STOPPING – LAND ADJOINING 161 HAPPY VALLEY ROAD, ŌWHIRO BAY

Moved Mayor Whanau, seconded Councillor O'Neill

Resolved

That Te Kaunihera o Poneke | Council:

- Declare that the approximately 82 m² (subject to survey) of unformed legal-road land in Happy Valley Road (the Land) adjoining 161 Happy Valley Road (Lot 24 DP 21734, held on CT WN911/43) 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 Whanau, Councillor Abdurahman, Councillor Apanowicz, Councillor Brown, Councillor Calvert, Councillor Chung, Deputy Mayor Foon (Deputy Chair), Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Against:

Majority Vote: 16:0

Carried

3.5 Report of the Unaunahi Māhirahira | Audit and Risk Committee Meeting of 16 August 2023

HEALTH AND SAFETY PERFORMANCE REPORT

Moved Mayor Whanau, seconded Councillor O'Neill

Resolved

That Te Kaunihera o Poneke | Council

1) Receive the information.

Carried

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

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

Against:

Majority Vote: 16:0

4. Public Excluded

Moved Mayor Whanau, seconded Councillor Matthews

Resolved

That Te Kaunihera o Poneke | Council:

 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 Disposal of Airspace

7(2)(b)(ii)

The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

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.

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).

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 (Deputy Chair), Councillor Free, Councillor Matthews, Councillor McNulty, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Randle, Councillor Wi Neera, Councillor Young

Against:

Majority Vote: 16:0

Carried

The meeting went into public-excluded session at 10.29am.

The meeting returned from public-excluded session and concluded at 10.56am with the reading of the following karakia:

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

Authenticated:_	
_	Chair