



If calling, please ask for Democratic Services

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## Council

Thursday 24 August 2023, 9.30am

Taumata Kōrero, Council Chamber, Greater Wellington Regional Council,  
100 Cuba St, Te Aro, Wellington

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**Quorum:** Seven Councillors

## Members

### Councillors

Daran Ponter (Chair)

Adrienne Staples (Deputy Chair)

David Bassett

Ros Connelly

Quentin Duthie

Penny Gaylor

Chris Kirk-Burnnand

Ken Laban

David Lee

Thomas Nash

Hikitia Ropata

Yadana Saw

Simon Woolf

**Recommendations in reports are not to be construed as Council policy until adopted by Council**

# Council

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Thursday 24 August 2023, 9.30am

Taumata Kōrero - Council Chamber, Greater Wellington Regional Council  
100 Cuba St, Te Aro, Wellington

## Public Business

No.	Item	Report	Page
1.	Apologies		
2.	Conflict of interest declarations		
3.	Public participation		
4.	<a href="#">Confirmation of the Public minutes of the Council meeting of 29 June 2023</a>	23.279	4
5.	<a href="#">Confirmation of the Restricted Public Excluded minutes of the Council meeting of 29 June 2023</a>	RPE23.302	12

## Strategy/Policy/Major Issues

6.	<a href="#">Proposed Regional Policy Statement Change 1 – Appointment of additional member to the Part 1, Schedule 1 Hearing Panel</a>	23.374	14
7.	<a href="#">Proposed Strategic Public Transport Asset Control Strategy – for consultation</a>	23.380	25
8.	<a href="#">RiverLink Construction - Implications for Public Transport Services</a>	23.212	42
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## Governance

10.	<a href="#">Amended Wellington Regional Leadership Committee joint committee agreement - Future Development Strategy</a>	23.344	67
11.	<a href="#">Appointment of Councillors to Wairarapa Moana Statutory Board and transfer of Crown funding</a>	23.377	145
12.	<a href="#">Electoral system for Council's 2025 and 2028 triennial elections</a>	23.243	155
13.	<a href="#">Adoption of the 2024 meeting schedule</a>	23.331	163
14.	<a href="#">Whaitua Kāpiti Committee members – increased honoraria</a>	23.389	171
15.	<a href="#">Finance update – full year 30 June 2023</a>	23.387	176

## Resolution to Exclude the Public

16.	<a href="#">Resolution to Exclude the Public</a>	23.404	181
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**Public Excluded Business**

17.	Appointment of mana whenua members to Te Upoko Taiao – Natural Resources Plan Committee	PE23.337	184
18.	Appointments to Whaitua Te Whanganui-a-Tara Reference Group	PE23.388	222
19.	Chief Executive performance review for 2022/23	RPE23.319	229
20.	Chief Executive remuneration review for 2022/23	RPE23.320	253



Please note these minutes remain unconfirmed until the Council meeting on 24 August 2023.

Report 23.279

## Public minutes of the Council meeting on Thursday 29 June 2023

Taumata Kōrero – Council Chamber, Greater Wellington Regional Council  
100 Cuba Street, Te Aro, Wellington at 9.30am

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### Members Present

Councillor Ponter (Chair)  
Councillor Staples (Deputy Chair)  
Councillor Bassett  
Councillor Connelly  
Councillor Duthie  
Councillor Gaylor  
Councillor Kirk-Burnnand  
Councillor Laban  
Councillor Lee  
Councillor Nash  
Councillor Ropata  
Councillor Saw  
Councillor Woolf

### Karakia timatanga

The Chair opened the meeting with a karakia timatanga.

### Public Business

#### 1 Apologies

There were no apologies.

#### 2 Declarations of conflicts of interest

There were no declarations of conflicts of interest.

**3 Public participation**

There was no public participation.

**4 Confirmation of the Public minutes of the Council meeting on 15 June 2023 - Report 23.244**

Moved: Cr Kirk-Burnnand / Cr Laban

That the Council confirms the Public minutes of the Council meeting on 15 June 2023 - Report 23.244.

The motion was **carried**.

**5 Confirmation of the Public Excluded minutes of the Council meeting on 15 June 2023 - Report PE23.246**

Moved: Cr Laban / Cr Staples

That the Council confirms the Public Excluded minutes of the Council meeting on 15 June 2023 - Report PE23.246.

The motion was **carried**.

**6 Confirmation of the Public Minutes of the Extraordinary Council meeting on 22 June 2023 - Report 23.295**

Moved: Cr Bassett / Cr Nash

That the Council confirms the Public minutes of the Extraordinary Council meeting on 22 June 2023 - Report 23.295.

The motion was **carried**.

## **Strategy, policy or major issues**

**7 Adoption of the 2023/24 Annual Plan – Report 23.257**

Zofia Miliszewska, Head of Strategy and Performance, Alison Trustrum-Rainey, Chief Financial Officer, and Nigel Corry, Chief Executive, spoke to the report.

Moved: Cr Ponter / Cr Staples

That Council:

- 1 Notes that in accordance with section 95(2A) of the Local Government Act 2002, formal public consultation was not undertaken in the preparation of the 2023/24 Annual Plan as no significant or material changes have been proposed from year three of Greater Wellington's 2021-31 Long Term Plan.
- 2 Adopts the 2023/24 Annual Plan (Attachment 1).
- 3 Authorises the Chief Executive the ability to make minor editorial changes to the 2023/24 Annual Plan prior to publication to correct errors and improve public understanding.

- 4 Authorises the Chief Financial Officer to enter into any debt facilities, or borrowing that are required to implement the 2023/24 Annual Plan that are in accordance with the Council's Treasury Management Policy.
- 5 Notes that separate reports are being considered at this Council meeting to set the:
  - a Wellington Regional Council rates for 2023/24 (Report 23.237)
  - b Wholesale water levy for 2023/24 (Report 23.284).

Moved as an amendment, to be an additional motion: Cr Gaylor / Cr Bassett

- 6 Directs the Chief Executive to prepare, as part of the Long Term Plan 2024-34 process, a report for a future Council meeting on the future financial impact on Wellington Regional Council rates of Let's Get Wellington Moving.

The amendment was put and was **carried**.

**Noted:** Councillors Duthie and Saw requested their votes against the amendment be recorded.

The substantive motion was put:

That Council:

- 1 Notes that in accordance with section 95(2A) of the Local Government Act 2002, formal public consultation was not undertaken in the preparation of the 2023/24 Annual Plan as no significant or material changes have been proposed from year three of Greater Wellington's 2021-31 Long Term Plan.
- 2 Adopts the 2023/24 Annual Plan (Attachment 1).
- 3 Authorises the Chief Executive the ability to make minor editorial changes to the 2023/24 Annual Plan prior to publication to correct errors and improve public understanding.
- 4 Authorises the Chief Financial Officer to enter into any debt facilities, or borrowing that are required to implement the 2023/24 Annual Plan that are in accordance with the Council's Treasury Management Policy.
- 5 Notes that separate reports are being considered at this Council meeting to set the:
  - a Wellington Regional Council rates for 2023/24 (Report 23.237)
  - b Wholesale water levy for 2023/24 (Report 23.284).
- 6 Directs the Chief Executive to prepare, as part of the Long Term Plan 2024-34 process, a report for a future Council meeting on the future financial impact on Wellington Regional Council rate of Let's Get Wellington Moving.

The motion was **carried**.

The meeting adjourned at 10.29am and resumed at 10.46am.

**8 Setting of Wellington Regional Council rates 2023/24 – Report 23.237**

Alison Trustrum-Rainy, Chief Financial Officer, and Ashwin Pai, Financial Controller, spoke to the report.

Moved: Cr Kirk-Burnnand / Cr Saw

That Council:

- 1 Sets, pursuant to sections 23 and 24 of the Local Government (Rating) Act 2002, the rates as set out in Attachment 1 for the period commencing 1 July 2023 and concluding 30 June 2024, with all dollar amounts being inclusive of Goods and Services Tax (GST).
- 2 Sets the instalment due dates as set out in Attachment 2.
- 3 Resolves, pursuant to sections 57 and 58 of the Local Government (Rating) Act 2002, to add penalties to unpaid rates as outlined in Attachment 2.
- 4 Requests officers to send a copy of these resolutions to all territorial authorities acting as Wellington Regional Council’s agents for rates collection.
- 5 Requests officers to place these resolutions on Greater Wellington's website.

The motion was **carried**.

**9 Wholesale water levy 2023/24 and end of year adjustment for levy 2022/2023 – Report 23.284**

Sue McLean, Group Manager, Corporate Services, and Alison Trustrum-Rainey, Chief Financial Officer, spoke to the report.

Moved: Cr Connelly / Cr Duthie

That Council:

- 1 Approves, pursuant to section 91 of the Wellington Regional Water Board Act 1972, the wholesale water contributions payable by constituent authorities for 2023/24 as follows:

	<b>2023/24 Levy</b>
	<b>\$ (GST exclusive)</b>
Hutt City Council	14,309,064
Porirua City Council	6,375,180
Upper Hutt City Council	6,187,300
Wellington City Council	26,268,096
<b>Total</b>	<b>53,139,640</b>

- 2 Approves, the end of year adjustment levies for 2022/23 as follows:

	<b>2022/23 Adjustments</b>	
	<b>\$ (GST exclusive)</b>	
Hutt City Council	363,545	To Pay
Porirua City Council	74,545	To Pay
Upper Hutt City Council	285,199	To Pay

Wellington City Council

723,289

Refund

The motion was **carried**.

**10 Analysis of submissions on the proposed Significance and Engagement Policy – Report 23.181**

Alex Smith, Manager, Corporate Planning and Reporting, and Zofia Miliszewska, Head of Strategy and Performance, spoke to the report.

Moved: Cr Gaylor / Cr Saw

That Council:

- 1 Considers the submissions on the proposed Significance and Engagement Policy (Attachments 1).
- 2 Agrees to the following changes to the proposed Significance and Engagement Policy:
  - a Adopts the preferred options as outlined in the table in paragraph 14, regarding both the proposed updates to the existing criteria used to measure the significance of decisions, issues, proposals and activities and the introduction of new criteria.
  - b Adopts the updated policy statement and approach to partnering with mana whenua as outlined in the table in paragraph 21.
- 3 Notes that final Significance and Engagement Policy will be presented to Council for adoption at a meeting later in the 2023 calendar year.

The motion was **carried**.

**11 Operative Natural Resources Plan – Report 23.194**

Fathima Iftikar, Director, Strategy, Policy and Regulation, and Paul Denton, Senior Policy Advisor, spoke to the report. Fathima Iftikar advised that the date referenced in recommendation 1 of the report should read “9 June 2023”.

Moved: Cr Staples / Cr Nash

That Council:

- 1 Notes that the Minister of Conservation approved the Regional Coastal Plan parts (provisions) of the Natural Resources Plan on 9 June 2023 in accordance with Clause 19 of Schedule 1, to the Resource Management Act 1991.
- 2 Approves the Natural Resources Plan, excluding the provisions of the Regional Coastal Plan already approved by the Minister of Conservation, in accordance with Clause 17 of Schedule 1 to the Resource Management Act 1991, by affixing the Seal of Council.
- 3 Agrees that the Natural Resources Plan shall become operative from 28 July 2023 in accordance with Clause 20 of Schedule 1 to the Resource Management Act 1991.

The motion was **carried**.

**Noted:** Council and the Chief Executive acknowledged the contributions and work of previous Councillors, members of Te Upoko Taiao – Natural Resources Plan Committee, and staff to the development of the Natural Resources Plan.

## **Governance**

### **12 Statements of Intent 2023-24– Report 23.288**

Sarah Allen, Principal Advisor, Company Portfolio and Economic Development, spoke to the report.

Moved: Cr Kirk-Burnnand / Cr Nash

That Council receives the Statements of Intent (SOIs) for WRC Holdings and Wellington Regional Economic Development Agency, and the Statement of Trustee Intent (SOTI) for Wellington Regional Stadium Trust, for 2023-24.

The motion was **carried**.

### **13 Issue of additional unpaid share capital to fund Greater Wellington Rail Limited capital expenditure for 2022-23 – Report 23.254**

Ashwin Pai, Financial Controller, spoke to the report.

Moved: Cr Nash / Cr Kirk-Burnnand

That Council:

- 1 Notes that the amount of \$18.0 million was originally required by GWRL to fund 2022/23 year capital expenditure.
- 2 Approves the additional amount of \$3 million required by GWRL to fund the 2022/23 year capital expenditure. This takes the total for the 2022/23 year to \$21.0 million.
- 3 Notes that GWRL's 2022/23 capital expenditure will be funded by:
  - a The issue of additional 3 million unpaid ordinary \$1 shares by GWRL to WRCHL, and
  - b The issue of additional 3 million unpaid ordinary \$1 shares by WRCHL to Council.
- 4 Approves the issue of additional 3 million unpaid ordinary \$1 shares in WRCHL to Council.
- 5 Approves WRCHL approving the issue of additional 3 million unpaid ordinary \$1 shares in GWRL to WRCHL.
- 6 Authorises the Council Chair and Deputy Chair to sign the required Entitled Persons Agreement attached approving and consenting to the issue of shares on behalf of Council.
- 7 Authorises the Council Chair to sign the agreement attached for the issue of shares approving the basis upon which the respective WRCHL and GWRL boards may make calls for payment of the shares.

- 8 Requests that the Council Chair confirms the consent and approvals referred to in this report, in writing to WRCHL.

The motion was **carried**.

**14 Finance update – year to date to 31 May 2023 - Report 23.291** [For information]

Alison Trustrum-Rainey, Chief Financial Officer and Sean Nicholson, Planning and Reporting Accountant, spoke to the report.

**Resolution to exclude the public**

**15 Resolution to exclude the public – Report 23.297**

Moved: Cr Gaylor / Cr Bassett

That the Council excludes the public from the following parts of the proceedings of this meeting, namely:

**Chief Executive performance indicators for 2023/24 - Report RPE23.219**

The general subject of each matter to be considered while the public is excluded, the reasons for passing this resolution in relation to each matter, and the specific ground/s under section 48(1) of the Local Government Official Information and Meetings Act 1987 (the Act) for the passing of this resolution are as follows:

<b>Chief Executive performance indicators for 2023/24 – Report RPE23.219</b>	
<i>Reason/s for passing this resolution in relation to each matter</i>	<i>Ground/s under section 48(1) for the passing of this resolution</i>
<p>This report contains information relating to the current Chief Executive’s performance agreement. Release of this information would prejudice the privacy of Nigel Corry, Chief Executive, by disclosing information pertaining to the employment relationship between the Chief Executive and the Council.</p> <p>Greater Wellington Regional Council has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override Mr Corry’s privacy</p>	<p>The public conduct of this part of the meeting is excluded as per section 7(2)(a) of the Act, to protect the privacy of natural persons.</p>

This resolution is made in reliance on section 48(1)(a) of the Act and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would

be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.

The motion was **carried**.

The public part of the meeting closed at 11.45am.

Councillor D Ponter

**Council Chair**

Date:



Please note these minutes remain unconfirmed until the Council meeting on 24 August 2023.

The matters referred to in these minutes were considered by Council in Public Excluded business. These minutes do not require confidentiality and may be considered in the public part of the meeting.

Report RPE23.302

## Restricted Public Excluded minutes of the Council meeting on Thursday 29 June 2023

Taumata Kōrero – Council Chamber, Greater Wellington Regional Council  
100 Cuba Street, Te Aro, Wellington, at 11.45am.

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### Members Present

Councillor Ponter (Chair)  
Councillor Staples (Deputy Chair)  
Councillor Bassett  
Councillor Connelly  
Councillor Duthie  
Councillor Gaylor  
Councillor Kirk-Burnnand  
Councillor Laban  
Councillor Lee  
Councillor Nash  
Councillor Ropata  
Councillor Saw  
Councillor Woolf

#### 1 Chief Executive Performance Indicators for 2023/24 – Report RPE23.219

Moved: Cr Laban/ Cr Ropata

That Council adopts the Chief Executive key performance indicators for 2023/24 (Attachment 1).

The motion was **carried**.

The Chair closed the meeting with a karakia whakamutunga.

The Restricted Public Excluded part of the meeting closed at 11.47am.

Councillor D Ponter

**Chair**

Date:

**Council**  
**24 August 2023**  
**Report 23.374**



**For Decision**

## **PROPOSED REGIONAL POLICY STATEMENT CHANGE 1 – APPOINTMENT OF ADDITIONAL PANEL MEMBER TO THE PART 1, SCHEDULE 1 HEARINGS PANEL**

**Te take mō te pūrongo**

### **Purpose**

1. To seek Council approval for the appointment of an additional Independent Hearing Commissioner to the Proposed Regional Policy Statement Change 1: Part 1, Schedule 1 Hearings Panel.
2. To amend the Terms of Reference for the Proposed Regional Policy Statement Change 1: Part 1, Schedule 1 Hearings Panel to increase the Panel Membership to accommodate the additional appointment.

**He tūtohu**

### **Recommendations**

That Council:

1. **Appoints** Gillian Wratt to the Proposed Regional Policy Statement Change 1: Part 1, Schedule 1 Hearings Panel to hear, deliberate and make recommendations on Part 1, Schedule 1 provisions of Proposed Change 1 to the Regional Policy Statement.
2. **Amends** the Terms of Reference of the Proposed Regional Policy Statement Change 1: Part 1, Schedule 1 Hearings Panel to increase the Panel Membership from 3 to 4 members.

**Te tāhū kōrero**

### **Background**

#### *Proposed Regional Policy Statement Change 1*

3. The Regional Policy Statement for the Wellington Region (RPS) is a statutory instrument under the Resource Management Act 1991 (RMA). Its purpose is to address significant resource management issues for the Region. It also implements national direction (National Policy Statements and National Environmental Standards), and it gives direction to regional and district plans providing a framework for integrated management of natural and physical resources.
4. Proposed Regional Policy Statement Change 1 (Change 1) was publicly notified on 19 August 2022 and is the first change to the RPS since it was made operative in 2013. Change 1 gives effect to (implements) the National Policy Statement on Urban

Development (NPS-UD), and it starts the implementation of the National Policy Statement for Freshwater Management 2020 (NPS-FM).

5. Submissions on Change 1 closed on 14 October 2022, with a total of 156 submissions received. A Summary of Decisions Requested was then notified on 5 December 2022, and 31 further submissions were received.
6. Further details about Change 1 can be found on the Greater Wellington website.

*Two separate planning processes*

7. Change 1 has been notified under two separate planning processes: the new Freshwater Planning Process (FPP) for the Freshwater Planning Instrument (FPI) component of Change 1, and the standard Part 1, Schedule 1 Resource Management Act 1991 (RMA) process for the remaining provisions.
8. For the Part 1, Schedule 1 (P1S1) process, the Council appoints the hearings panel and oversees the process. For the FPP this is the role of the Chief Freshwater Commissioner who is appointed by the Minister for the Environment.
9. The key differences between the two processes are:
  - a. The FPP provides for cross-examination through the hearings process, for provisions that are notified as freshwater.
  - b. The FPP process has limited appeal rights. For any recommendations that are accepted by the Council, only appeals on points of law to the High Court are available. For any recommendations that the Council rejects, merit appeals to the Environment Court can be made.
  - c. The P1S1 process provides full appeal rights to the Environment Court.

*Council decisions to date*

10. At its meeting on 15 December 2022 (Report PE22.492), Council agreed:
  - a. To nominate Glenice Paine and Ina Kumeroa Kara-France for appointment to the Freshwater Hearings Panel.
  - b. To 'pass on' nominations made by mana whenua/tangata whenua to the Chief Freshwater Commissioner.
  - c. That the same mana whenua/tangata whenua and Greater Wellington nominees appointed on the Freshwater hearings panel are appointed to the Schedule 1 hearings panel.
  - d. That the standard Schedule 1 hearings panel has the same delegation powers as the Freshwater hearings panel. This is as follows:
    - i. To hear public submissions and provide the recommendations report to Council, for Council to make the final decisions on the recommendations.
11. In March 2023, the Chief Freshwater Commissioner appointed the following Commissioners to the Freshwater Hearings Panel (FHP):
  - a. Judge Craig Thompson (Chair, Freshwater Commissioner)
  - b. Gillian Wratt (Freshwater Commissioner)

- c Ina Kumeroa Kara-France (Greater Wellington Nominee)
  - d Glenice Paine (Mana Whenua/Tangata Whenua Nominee).
12. The Council subsequently agreed to the appointment and establishment of the P1S1 Panel at its meeting of 30 March 2023 (Reports PE21.103 and 23.120). The Part 1, Schedule 1 Hearings Panel members are:
- a Dhilum Nightingale (Chair)
  - b Ina Kumeroa Kara-France
  - c Glenice Paine.
13. Throughout the process of appointing the hearings panels for Change 1, officers have sought to ensure an integrated approach across the two plan-making processes. This is reflected in the appointment of Commissioner Kara-France and Commissioner Paine to both panels.

### **Te tātaritanga Analysis**

#### *Submissions and evidence about the allocation of provisions between the FPP and P1S1 Processes*

14. The hearings process for Change 1 commenced on 26 June 2023. Hearings are proceeding in several hearing streams based on the key topics of Change 1. Two hearing streams have been completed to date being the 'Overview and General Submissions' and 'Integrated Management' topics.
15. The hearings process was planned on the basis that where topics include provisions notified across both the FPP and P1S1 processes, both panels would hear those submissions. For topics where the provisions were notified under the FPP, only the FHP would hear those submissions.
16. A key theme that has emerged from both hearings is that some submitters consider that too many provisions have been notified under the FPP (where appeal rights are limited) and that a 're-allocation' of provisions is required. The basis for this position is that the Council has not applied the Resource Management Act s80A tests or the *Otago Regional Council v Royal Forest & Bird Protection Society of NZ Inc* High Court decision correctly.
17. The Panels have heard evidence from submitters and Greater Wellington's legal advisors about how to address this issue fairly and efficiently. In response, the Panels have advised they intend to proceed on the following basis:
- a Both panels will hear all submissions – this ensures that when the Panels are making recommendations on provisions, they have heard all submissions and there are no procedural issues where they are making recommendations on matters on which they have not heard evidence.
  - b The P1S1 and FHP panels will make recommendations on the allocation of provisions once they have heard all submissions on Proposed Change 1.
  - c The Panels will not make allocation recommendations before or at the end of each Hearing Stream because they do not have the jurisdiction to do so.

- d In its recommendation report, the FHP may recommend that particular provisions do not relate directly to freshwater or otherwise meet the Otago Regional Council High Court tests, so they should be removed from the FPI. The Panels consider that the FHP has the jurisdiction to make any such recommendations.
  - e The P1S1 panel, having heard all submissions and provided there is no issue as to scope, may recommend that particular provisions are reallocated into the P1S1 process. The Panels consider that the P1S1 panel also has jurisdiction to issue recommendations on the merits and content of any reallocated provisions.
18. In addition to the above process, for those topics that include freshwater provisions, the reporting officers will assess each of those provisions against the tests in the RMA and make recommendations as to whether those provisions should remain in the FPP. These recommendations will be made on the basis of evidence from submitters and the expert opinion of the reporting officer.
- P1S1 Panel request to increase representation of members on the P1S1 Panel*
19. In addition to the above direction from the panels about how to proceed, the Chair of the P1S1 Panel has requested a wider range of expertise on the P1S1 Panel, to ensure provisions that may be reallocated by the FHP can be considered fully. This is because the P1S1 panel will be tasked with making recommendations on the substance of a broader range of topics than originally planned.
20. The Chair issued a [Panel Minute on 19 July 2023](#) requesting officers to recommend to the Council the appointment of Commissioner Gillian Wratt (Freshwater Commissioner on the FHP) to the P1S1 Panel.
21. As noted in the Minute, the appointment of Commissioner Wratt to the P1S1 Panel provides an efficient way of addressing the issue. In particular:
- a Commissioner Wratt has a background in science and this expertise will complement the expertise of the existing P1S1 panel members.
  - b Commissioner Wratt is already involved in the hearings through her appointment to the FHP which avoids any delays to the process that might occur with appointing a Commissioner who is not currently involved.
  - c The appointment provides increased integration across the two planning processes and Change 1 itself.
22. Officers recommend the appointment of Commissioner Wratt to the P1S1 Panel.
23. Commissioner Wratt's profile is provided in **Attachment 1**.
24. This will also require a change to the Terms of Reference for the Part 1, Schedule 1 Panel (**Attachment 2**) to increase the number of Panel members to four.

## **Ngā hua ahumoni**

### **Financial implications**

25. The current work programme for RPS Change 1 has been approved through the 2021-31 Long Term Plan. There are no immediate financial implications associated with this report. There are no additional costs associated with the appointment of an additional panel member to the P1S1 hearing panel.

## **Ngā Take e hāngai ana te iwi Māori**

### **Implications for Māori**

26. National direction requires mana whenua/tangata whenua to be actively involved in policy development including decision making, particularly freshwater management, recognising their unique relationships, whakapapa, spiritual and cultural connection to water and environment.
27. Improving outcomes for mana whenua/tangata whenua and Māori is one of the strategic priorities of Te Whāriki, Greater Wellington Māori outcomes framework. One of the key focus areas of Te Whāriki is 'Engagement for equitable outcomes', and especially 'influencing effective decision making'.
28. Of the three commissioners appointed to the Part 1, Schedule 1 Panel, two have tikanga Māori/mātauranga Māori knowledge and expertise and one has whakapapa connections. This approach will assist in ensuring that mātauranga Māori and Te Ao Māori informs the development of the recommendations on Proposed Change 1.
29. However, this still is short of reflecting Te Tiriti o Waitangi and true partnership. The RMA prescribed process for the appointments on the hearings panel means that the Wellington region mana whenua/tangata whenua will not be fully and equally represented on the hearings panel.
30. Nationally, there is a small pool of Māori commissioners to choose from, potentially limiting tikanga Māori and mātauranga Māori expertise on hearings panels across Aotearoa. The capacity of tikanga Māori and mātauranga Māori expertise of accredited commissioners will be significantly sparse over the next few years. There are multiple plan changes under way in the Wellington Region, as well as all of the regional councils across Aotearoa undertaking freshwater planning processes to meet the NPS-FM December 2024 deadline.
31. In the Wellington Region, there is an even smaller pool of regional mana whenua/tangata whenua RMA accredited commissioners. This will put pressure on the mana whenua/tangata whenua resources, as well as disadvantage the regional mana whenua/tangata whenua in being part of the decision-making process on the various planning instruments across the region.
32. Greater cooperation across the region's local government sector and central government is required to support the accreditation process for the regional mana whenua/tangata whenua, and to alleviate the ongoing pressure on their resources.

### **Te huritao ki te huringa o te āhuarangi** **Consideration of climate change**

33. The matters requiring decision in this report were considered by officers in accordance with the process set out in Greater Wellington's Climate Change Consideration Guide 2020.
34. The proposed matter is administrative or procedural decision and will not have any direct impact on greenhouse gas emissions.

### **Ngā tikanga whakataua** **Decision-making process**

35. The decision-making process is explicitly prescribed for these decisions under Schedule 1 of the Resource Management Act 1991.
36. The matters requiring decision in this report have been considered by officers against the requirements of Part 6 of the Local Government Act 2002 (the Act).

### **Te hiranga** **Significance**

37. Officers have considered the significance of the matter, taking into account the Council's *Significance And Engagement Policy* and Greater Wellington's *Decision-Making Guidelines*. Due to the administrative nature of these decisions, officers recommend that the matter be considered to have low significance.

### **Te whakatūtakitaki** **Engagement**

38. Due to the administrative nature and low significance of the decisions, no public engagement on these matters has been undertaken.

### **Ngā tūāoma e whai ake nei** **Next steps**

39. If Council agrees, Commissioner Wratt will be appointed to the P1S1 panel for Change 1, effective immediately.

**Ngā āpitihanga**  
**Attachments**

<b>Number</b>	<b>Title</b>
1	Profile for Commissioner Gillian Wratt
2	Updated Terms of Reference for the Proposed Regional Policy Statement Change 1 Part 1, Schedule 1 Panel

**Ngā kaiwaitohu**  
**Signatories**

Writer	Kate Pascall – Programme Lead (Proposed RPS Change 1)
Approvers	Matthew Hickman – Environmental Policy Manager Fathima Iftikar – Director Strategy, Policy and Evaluation

<b>He whakarāpopoto i ngā huritaonga</b> <b>Summary of considerations</b>
<p><b><i>Fit with Council's roles or with Committee's terms of reference</i></b></p> <p>The considerations in this report align with Council's roles and responsibilities. The RMA requires regional councils to prepare a Regional Policy Statement and to give effect to national direction, including the National Policy Statement on Urban Development 2020 and the National Policy Statement for Freshwater Management 2020. The relevant planning processes are explicitly prescribed under Schedule 1 of the RMA.</p>
<p><b><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></b></p> <p>The current work programme for RPS Change 1 has been approved through the 2021-31 Long Term Plan. There are no direct contributions to any other key strategies and policies.</p>
<p><b><i>Internal consultation</i></b></p> <p>Te Hunga Whiriwhiri has provided input into this report. No significant issues were raised.</p>
<p><b><i>Risks and impacts - legal / health and safety etc.</i></b></p> <p>There is a low risk associated with the appointment of an additional Commissioner to the P1S1 Panel. This approach supports integration across the two panels and a robust deliberations process if provisions are reallocated from the FPP to the P1S1 process.</p> <p>There is a risk that mana whenua/tangata whenua consider that they are not fully represented on either panel due to the lack of availability of commissioners.</p>

## **Profile for Commissioner Gillian Wratt**

Gillian is an experienced senior executive and director with an extensive background in science and environmental management and policy, including as Chief Executive of Cawthron Institute and Antarctica New Zealand.

Gillian is a certified Environment Commissioner with experience as an RMA Commissioner and on Environmental Protection Authority EEZ and Hazardous Substances and New Organisms decision making committees.

Gillian is based in Whakatu/Nelson and has several governance roles in the science and not-for-profit sectors.

ATTACHMENT 2 TO REPORT 23.374



## **Terms of Reference for the Proposed Regional Policy Statement Change 1: Part 1, Schedule 1 Hearing Panel**

March 2023 – Updated August 2023

DRAFT

## 1. Membership

The membership of the Proposed Regional Policy Statement Change 1: Part 1, Schedule 1 Hearings Panel shall comprise ~~three~~ **four** persons appointed by Council.

Each member shall hold a current certification under the RMA Making Good Decisions Programme.

The Chairperson of the panel shall be appointed by Council.

## 2. Quorum

The quorum is two members.

## 3. Meeting Procedures

All members have equal speaking rights.

The panel shall endeavour to reach its decision on any relevant matter by consensus. In the event that a consensus is unable to be reached then decisions shall be made via a majority vote. Each member has a deliberative vote. The Chairperson does not have a casting vote.

## 4. Powers

The Proposed Regional Policy Statement Change 1: Part 1, Schedule 1 Hearings Panel is delegated all necessary powers under the Resource Management Act 1991 to consider and hear submissions on the Proposed Regional Policy Statement Change 1 and to make recommendations to Council on the Proposed Change 1 to the Regional Policy Statement.

## 5. Responsibilities

The Proposed Regional Policy Statement Change 1: Part 1, Schedule 1 Hearings Panel shall ensure that:

- The hearing and consideration process is carried out in a way that is effective and timely
- Submitters are provided with the best possible opportunity to be heard in support of their submission
- Panel members receive submissions with an open mind and give due consideration to each submission; and
- The decision-making process is robust and transparent.

## 6. Duration

The Proposed Regional Policy Statement Change 1: Part 1, Schedule 1 Hearings Panel is deemed to be dissolved at the end of the decision-making process on the submissions received on the Proposed Regional Policy Statement Change 1.

**Council**  
**24 August 2023**  
**Report 23.380**



**For Decision**

## **PROPOSED STRATEGIC PUBLIC TRANSPORT ASSET CONTROL STRATEGY – FOR CONSULTATION**

**Te take mō te pūrongo**

### **Purpose**

1. For Council to consider approving the Proposed Strategic Public Transport Asset Control Strategy (Proposed Strategy), which sets a high-level direction for public transport asset control, for consultation.

**He tūtohu**

### **Recommendations**

That Council:

- 1 **Notes** that in June 2021 Council submitted to the Ministry of Transport on the Public Transport Operating Model Review in relation to public transport asset ownership and operating model.
- 2 **Notes** that the Proposed Public Transport Asset Control Strategy has been developed as a result of Council's position in its June 2021 submission to the Ministry of Transport on the Public Transport Operating Model Review.
- 3 **Approves** the Proposed Public Transport Asset Control Strategy as set out at Attachment 1 to this report.
- 4 **Notes** that following (and subject to) Council approval, the Proposed Public Transport Asset Control Strategy will be:
  - a Presented to public transport operators in the Region for their comment
  - b Formally consulted on as part of the upcoming Long Term Plan in accordance with the Local Government Act 2002 requirements.
- 5 **Notes** that the Proposed Public Transport Asset Control Strategy will be brought back to Council as part of the Long Term Plan process for final approval.
- 6 **Notes** that the Proposed Public Transport Asset Control Strategy does not commit Council to any financial investment.
- 7 **Notes** that any financial investment will be required to follow normal approval processes, which may include consultation under the Long Term Plan and/or Council financial approval.

- 8 **Notes** that while the proposed Land Transport Management (Regulation of Public Transport) Bill 2023 will help enable Council ambitions, Greater Wellington control of strategic assets is currently possible under the existing legislative framework (Public Transport Operating Model).
- 9 **Notes** that ownership, or interest in, future public transport assets will be held by the entity that best meets legislative requirements and Council interests.

## **Te tāhū kōrero Background**

### ***Council direction***

2. In June 2021, Council made a submission on the Public Transport Operating Model Review (PTOM Review) to the Ministry of Transport.
3. Council's submission on the PTOM Review in relation to asset ownership and operating model stated:

*“Greater Wellington has put considerable thought into asset ownership and its related financial implications. We strongly hold that, for regional councils to be truly strategic in our planning and provision of world-class public transport, we need to have stronger control of critical infrastructure like depots and charging infrastructure. This is to ensure the critical assets remain available to public transport use (i.e., they are not converted into other uses such as retail or housing), and that competitors’ access to the public transport market is not constrained through the private and diverse (multiple) ownership of these critical assets.*

*Greater Wellington acknowledges that the current [Public Transport Operating Model] framework does not exclude regional councils from owning this infrastructure, but we do consider that it would be helpful for our long term financial planning if a stronger statement of government’s support for strategic public transport asset ownership would be forthcoming.”*

4. A full copy of the submission can be found on [Greater Wellington’s website](#).

### ***Strategic context***

5. The Land Transport Management Act 2003 (LTMA) does not preclude asset ownership by regional councils. Section 27 of the LTMA allows regional councils to hold an interest in or acquire a public transport service or public transport infrastructure if it does so by way of a council-controlled trading organisation (CCTO). An example of this is the rail rolling stock is held by Greater Wellington Rail Limited (which is a CCTO).
6. In August 2022, the Government announced the establishment of the Sustainable Public Transport Framework (SPTF) to replace the PTOM, which has been operating since 2013 and is the current policy and legislative framework for the planning, procurement, and delivery of bus and ferry public transport services.
7. Control of strategic public transport assets by regional councils is one of four broad focus areas of the SPTF.

8. Enacting the SPTF requires legislative change through amendments to the LTMA, and the development of enabling and supporting operational policy and guidance to be delivered by Waka Kotahi.
9. The Land Transport Management (Regulation of Public Transport) Bill 2023 (the Bill) was introduced to Parliament on 16 March 2023 and is currently at Second Reading stage following presentation of the Transport and Infrastructure Select Committee's report on the Bill on 31 July 2023. The Bill introduced proposed changes to the LTMA that impact the control of strategic public transport assets, including to:
  - a Remove the prohibition on local government operating public transport in-house
  - b Relax a council's ability to own or hold an interest in a public transport service and associated infrastructure including removal of the statutory provision referring to such interests being held in CCTOs.

## **Te tātaritanga Analysis**

10. The Proposed Public Transport Asset Control Strategy (Proposed Strategy), **Attachment 1**, sets out an assessment of various options for enhancing strategic control of public transport assets and recommends a pathway for Council to gain greater control of bus assets (including depots, charging infrastructure and fleet).
11. While ownership is one of the pathways to greater control of assets, the Proposed Strategy also considers various contractual and commercial mechanisms for Greater Wellington to have greater influence or create future opportunities to control assets.
12. The Proposed Strategy sets out the benefits, cost and complexities associated with greater asset control, as well as considers the 'counterfactual' outcomes if assets remain with private operators.
13. The analysis concludes that there are a variety of strategic, cost and resilience benefits associated with asset ownership but that there would need to be a focus on developing organisational capability and funding to own and control assets.
14. The Proposed Strategy ultimately concludes that the benefits of asset ownership would be significant and warrant investment. However, the Proposed Strategy also concludes that in shifting towards greater asset control, Greater Wellington will need to prioritise investment due to and funding constraints.
15. An independent review of the Proposed Strategy has highlighted that the approach is consistent to many other Public Transport Authorities (PTAs) within Australasia and intended PTA plans within New Zealand.
16. Waka Kotahi has indicated that funding can be made available for the Greater Wellington development of depot charging infrastructure as part of the Climate Emergency Response Fund (CERF).
17. Summaries of the analysis are included in Attachment 1 to this report.

**Ngā hua ahumoni**  
**Financial implications**

18. There are no immediate financial implications to adopting this Proposed Strategy as it is a directional policy which will be the subject of approval and consultation via the Long Term Plan (LTP).

**Ngā Take e hāngai ana te iwi Māori**  
**Implications for Māori**

19. The Proposed Strategy may present a variety of opportunities to partner with Iwi, particularly around ownership or leasing of assets / land and co-design and development of key sites. There is the possibility of ongoing partnership opportunities, though new depots and infrastructure that will require ongoing support roles in operations and maintenance.
20. Engagement with Iwi will be considered as integral to the development plans of any site or investment location.

**Te huritao ki te huringa o te āhuarangi**  
**Consideration of climate change**

21. A significant objective of the Proposed Strategy is to enable the efficient and timely investment in bus charging infrastructure.
22. More rapid decarbonisation of the network would be aided by consolidated asset ownership model that would enable more efficient use of charging infrastructure between operators.
23. Control of assets would allow longer term investment decisions and decarbonisation strategies for fleet that are not necessarily bound to contractual timeframes and commercial incentives.
24. Control of assets would allow the build of new charging infrastructure outside of existing operator depot location, some of which are constrained in both available space for new buses, but also the require power supply to charge them.

**Ngā tikanga whakatau**  
**Decision-making process**

25. The matters requiring decision in this report were considered by officers against the decision-making requirements of Part 6 of the Local Government 2002.

**Te hiranga**  
**Significance**

26. Officers considered the significance (as defined by Part 6 of the Local Government Act 2002) of the matters for decision, taking into account Council's *Significance and Engagement Policy* and Greater Wellington's *Decision-making Guidelines*.

27. The subject matter of this report is part of a decision-making process that could lead to the Council making a decision of high significance within the meaning of the Local Government Act 2002. However, the adoption of a Proposed Strategy is of low significance as it is a preliminary decision; the Proposed Strategy will be consulted as part of the LTP process in accordance with requirements of the Local Government Act 2002.

**Te whakatūtakitaki  
Engagement**

28. Officers will engage with public transport operators and undertake formal consultation as part of the LTP process in accordance with requirements of the Local Government Act 2002.

**Ngā tūāoma e whai ake nei  
Next steps**

29. Following adoption of the Proposed Strategy, officers will engage with public transport operators and undertake formal consultation as part of the LTP process in accordance with requirements of the Local Government Act 2002.

**Ngā āpitihanga  
Attachment**

Number	Title
1	Proposed Public Transport Asset Control Strategy

**Ngā kaiwaitohu  
Signatories**

Writer	Nicki Lau Young – Programme Director Metlink Operating Model, Metlink
Approvers	Tim Shackleton – Senior Manager Commercial Strategy & Investments, Metlink Samantha Gain – Group Manager Metlink

<b>He whakarāpopoto i ngā huritaonga Summary of considerations</b>
<b><i>Fit with Council's roles or with Committee's terms of reference</i></b> It is appropriate that Council makes the decision to adopt a Proposed Public Transport Asset Control Strategy for formal consultation
<b><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></b> The Proposed Public Transport Asset Control Strategy provides an opportunity for Council to achieve its transport objectives set out in the Long Term Plan.
<b><i>Internal consultation</i></b> Metlink has consulted with the Finance, Legal & Procurement, and Strategic & Corporate Planning in the development of the matters for consideration in this report
<b><i>Risks and impacts - legal / health and safety etc.</i></b> There is inherent risk with having increased control over assets as this brings with it increased legal, financial and health and safety obligations; these additional risks will need to be considered as part of the decision-making on any individual investments to implement the Proposed Public Transport Asset Control Strategy.  The Proposed Public Transport Asset Control Strategy has been developed to mitigate risk associated with the ability to ensure long term provision of public transport services in the Wellington Region.



# Strategic Public Transport Asset Control Strategy

Proposed for consultation

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## Purpose

The purpose of the Public Transport Asset Control Strategy (the Strategy) is to ensure there is a long-term framework and direction for public transport authority (PTA) control of key public transport assets.

While the Strategy will help shape the size and location of significant infrastructure investments across the Wellington region, these investments will largely be required, regardless of whether they are publicly or privately held. The objective of the Strategy is for Greater Wellington to play a more active and strategic role in the planning and management of key public transport infrastructure through a range of potential commercial arrangements (not necessarily confined to outright ownership).

Greater Wellington will fund these investments through a variety of potential financial approaches. These may include one off capital investment or through ongoing lease / financing costs. The Strategy influences how Greater Wellington pays for the investments needed rather than the quantum of investment needed. Overall, the project will aim to make savings to operational costs in the long term, through cheaper local government financing, consolidating asset locations and potential reduction of private profit margins associated with private control of assets.

Adoption of the Strategy does not constitute approval of specific investments (or actions) by Greater Wellington required to deliver the strategy. These will be determined through Council’s normal business planning and investment approval processes.

## Council’s Strategic Context

The goal and vision for Greater Wellington’s public transport is to provide an efficient, accessible, and low carbon public transport network.

To support the attainment of this vision, the Regional Public Transport Plan (RPTP) sets three strategic priorities:

1. *Mode shift*: a 40% increase in mode shift to public transport by 2030.
2. *Improve customer experience*: to continue to improve customer experience on public transport across the network, maintaining a customer satisfaction rating greater than 92%
3. *Decarbonise public transport vehicle fleet*: to reduce public transport carbon emissions by 60% for Wellington Region by 2030 primarily by decarbonising the public transport fleet.

Across the three strategic priorities, there are several themes within the RPTP that provide guidance on the work and direction that needs to be undertaken. The themes are:

Mode Shift	Decarbonise Public Transport Vehicle Fleet	Improve Customer Experience
<ul style="list-style-type: none"> <li>• Provide a high quality, high capacity, high frequency core network</li> <li>• Improve access to public transport</li> <li>• Promote behaviour change</li> </ul>	<ul style="list-style-type: none"> <li>• Drive environmental and cost sustainability by pursuing smart commercial opportunities and lower carbon technologies</li> <li>• Decarbonise the Metlink bus fleet by 2030</li> <li>• Explore ways to further decarbonise the Metlink rail and ferry fleet</li> </ul>	<ul style="list-style-type: none"> <li>• Greater choice and flexibility for journey planning, fares and fare payment options.</li> <li>• Improve the accessibility of public transport for all</li> <li>• Prioritise safety through continuous improvements to both infrastructure and operations</li> </ul>

The availability, locality and quality of network assets are critical for the achievement of all Greater Wellington's strategies priorities and corresponding themes. In particular:

- *Mode shift and customer experience:*
  - the availability and quality of the asset base needs to be maintained to ensure service sufficient reliability and customer comfort;
  - asset use and services need to be able to be directed to respond to growing capacity and customer experience requirements particularly around vehicles maintenance and onboard amenities.
- *Decarbonisation:*
  - the existing asset base needs to be transitioned to assets which support lowering emissions. This includes not only the vehicles (train, bus, ferry) but also the infrastructure that supports them (line and depot electrification, in route infrastructure) and from where we source electricity (higher renewable sources).

Greater Wellington needs sufficient control of its assets (through either direct ownership or appropriate contractual arrangements) to ensure these strategic priorities and themes can be met through considered and timely investment.

## Need and Context for Change

In 2021 Council directed GW to look at options for control of strategic public transport infrastructure assets. As part of its submission on the Public Transport Operating Model (PTOM) review to Government it noted that *"we need to have stronger control of critical infrastructure like depots and charging infrastructure. This is to ensure the critical assets remain available to public transport use"*.

Control of strategic assets is also now a major focus of the Sustainable Public Transport framework (SPTF) review which is expected to replace the existing PTOM model within the next 2 – 3 years. In addition, several other Public Transport Agencies (PTAs) around New Zealand are developing similar strategies.

The purpose of the strategic Assets strategy is to develop an approach for the long-term direction of asset control and the contractual arrangements that support operation of the networks providing public transport. This would give guidance on:

- Control and ownership approaches for each class of asset based on the key strategic principles
- Identify pathways and a plan for transition to the identified control structures
- Design of the wider network integrating key strategic assets into network design
- Design of the operational models to support the network and strategy

The model for the operation of public transport and its assets is in a state of change with an upcoming change to the Public Transport Operating Model (PTOM) and move to the Sustainable Public Transport Framework (SPTF). This reflects a ideological shift away from commercially driven models towards a greater focus on the outcomes for the service and public.

The assets strategy reflects this by identifying best approaches for control and security of the network, while maintaining a focus on minimising long-term costs. It takes a holistic view across a long time period (30-40 years).

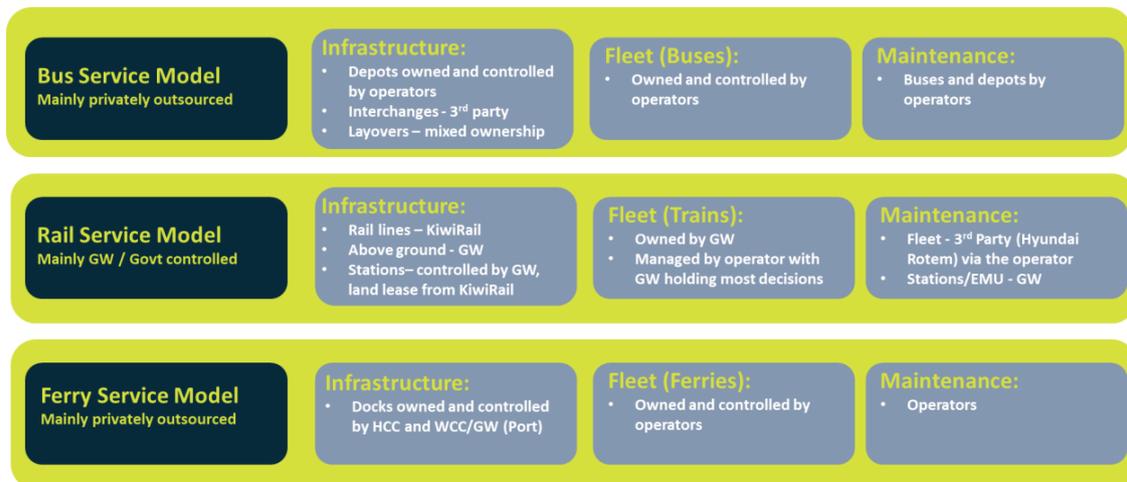
## Current Public Transport Infrastructure and Operational Models

The public transport network in Wellington is provided by two main modes, rail and bus, with ferry and total mobility providing supplementary services. The network carries approximately 40 million passengers per year across the region and patronage across the modes.

Delivery of the Greater Wellington public transport network services are currently provided by:

- Bus – four operators who contract to deliver services across 18 different units;
- Rail – a single operator contracted to manage and operate the rail services;
- Ferry – a single operator contracted to deliver ferry services across Wellington harbour;
- Total mobility – A number of individual private operators providing mobility taxi services.

There are several operational models that are available to Greater Wellington to deliver public transport services - including fully in-house or outsourced models, and a range in-between. Greater Wellington currently has different operational models across its rail, bus, ferry public transport services. These can be summarised as follows:



One of the key differences between the rail, bus and ferry operational models is the amount of control and influence retained by Greater Wellington over its infrastructure assets.

Under the rail model:

- The provision of rail services is a mixed model where operational delivery is provided by a commercial operator, above ground assets (including the train fleet) are owned by Greater Wellington (through a subsidiary CCTO) and rail lines are provided by KiwiRail or through long term contracts in place with KiwiRail.
- The contract with operators for managing rail operations are currently 9 years plus a renewal of 6 years.
- Decisions on keeping or removing operators are entirely based on the ability to provide a quality affordable service and achieving KPIs, rather than influenced by the control of assets.
- Greater Wellington has either direct control or a high degree of influence over the long-term direction, planning and investment in the PT rail network assets.

## Under the bus model:

- The provision of bus services is almost totally outsourced to commercial operators who provide the infrastructure (depot and fleet) and manage the operations. Essentially network design and a degree supporting bus stop infrastructure are the key functions left to Greater Wellington. Commercial operators are then incentivised to build their own fleet and depot infrastructure to meet various KPI associated with the desired timetables. In addition to fleet and depot infrastructure there are other smaller assets, such as layovers and interchanges, which are owned by either GWRC or the relevant territorial authority.
- The contracts with bus operators are mainly 8-10 years in duration which provides a constraint around long term infrastructure planning as investment beyond contract periods run the risk of becoming sunk costs.
- Greater Wellington specifies the fleet requirements (number, size and special features) but not depot requirements.
- Greater Wellington has a medium degree of control over the fleet assets but a low degree of control over depots which require significant and long-term investment to support growth.

## Under the ferry model:

- The provision of ferry services is completely outsourced to a commercial operator who is accountable for ensuring the provision of all required infrastructure (including the ferry and dock facilities) and manages the operations.
- It is small in the overall scale and turnover relative to Greater Wellington's wider public transport network – making it difficult to attract competition.
- The management of ferry and marine assets requires significant expertise beyond normal public transport requirements.
- Greater Wellington has a low degree of control over ferry assets but given this is premium public transport service and customers have other public transport options for their journeys, this is not seen as a problematic.

## Objectives

Greater Wellington identified six key objectives that underpin the asset control strategy and are used to assess different strategy outcomes:

- *Service continuity* – Ensuring infrastructure critical to delivering the network's intended routes and timetables remain available.
- *Coordinated services and infrastructure* - planning certainty and centralised coordination of services and infrastructure to deliver a more planned, responsive and efficient network.
- *Aligned roles and capabilities* - Greater Wellington and operator capability aligns with allocation of future delivery roles and operating models.
- *Value and broader Council outcomes* – procurement and competitive processes provide value for money (through open and fair competitive processes) and assist in meeting Council's broader strategic priorities including social and environmental outcomes.
- *Responsive to opportunities* - responsiveness to new innovations and operating models and modes to drive environmental, cost sustainability and service enhancements.
- *Reduce PT Emissions (by 2030 and 2035)* - all core routes are electric by 2030 and enabling the supply of Zero Emissions Bus assets to be scaled in response to an accelerated transition to 100% decarbonisation no later than 2035.

## Options

Four options were developed for assessment. These options considered depot land, depot facilities, charging infrastructure (for site and to vehicles), and fleet assets.

- **Status Quo** (Option A): Operators own or lease all assets, and fund / procure electrification to sites. Investment and operating costs are passed on to Greater Wellington through ongoing service charges. Multiple operators maintain control over all assets and subsequent investment decisions.
- **Depot Ownership** (Option B): Greater Wellington owns or leases all depot sites and facilities, including funding / procuring electrification to sites. Operators hold sub-leases for depots from GWRC, and own or lease fleet and charging equipment. Greater Wellington has an option to purchase all vehicles via transfer obligation contracts.
- **Depot and Fleet via Transfer** (Option C): Greater Wellington gains control over assets through contractual transfer obligations. Operators own or lease all assets in the meantime, funding / procuring electrification to sites could be by Greater Wellington or operators.
- **Depot and Fleet Ownership** (Option D): Greater Wellington owns or leases all strategic assets, and funds / procures electrification to sites. Operators sub-lease assets from Greater Wellington in order to provide services.

## Consequences of retaining status quo

If the current bus operating model continues, we will need to consider a range of factors:

- Mitigating the significant competitive advantage incumbents will have in future contract tenders with established depots in highly urban areas. Significant mitigation options seem unlikely given the scarcity and cost of land.
- Service continuity risk, posed by current operators having shorter term leases on depot land. This may be partially mitigated through negotiating transfer clauses or rights of first refusal with the landowners.
- Long term investments and technology risks being potentially recovered over shorter contract terms, rather than the economic lives of assets. This can be somewhat mitigated through incentivisation and transfer rights to new technology– but will add complexity to changing operators.
- Sub-optimal network design and growth, through insufficient timely investment in depot capacity and charging. This can be managed by operator incentives however these additional investments may create competitive advantage issues.

In general, the largest risk of the counterfactual is both commercial (incumbent advantage,) and service continuity to availability and appropriate growth.

## Assessment

Each of the four options have been assessed against the six objectives outlined above, and the results are summarised in the table below:



	A: Status quo	B: Depot ownership	C: Depot and fleet transfer	D: Depot and fleet ownership	
<b>Service Continuity</b>	↙	↗	↗	↑	Option D (ownership of depot and fleet assets) provides the greatest safeguards for service continuity, and both options B and C provide improvement compared to the status quo.
<b>Coordinated Services and Infrastructure</b>	↙	↗	→	↑	Option D (ownership of depot and fleet assets) provides the greatest scope for effective coordination across all asset types. Depot ownership is a critical component, enabling effective long-term network planning.
<b>Aligned Roles and Capabilities</b>	↗	→	↗	↙	Operators have established capabilities and OEM relationships, and Option A (status quo) utilises existing roles and capabilities. While GWRC can develop its own capabilities for ownership, this entails risk and elapsed time to establish, particularly in relation to fleet.
<b>Value for outcomes</b>	↙	↗	↗	↑	Option D (ownership of depot and fleet assets) reduces barriers to entry the most, while both options B and C provide significant improvement over the status quo. Option D is also likely to have the lowest cost of finance.
<b>Responsive to Opportunities</b>	↙	↗	→	↑	Option D (ownership of depot and fleet assets) optimises GWRC’s ability to respond to opportunities across all asset types or where integration between vehicles and fixed infrastructure is required. Depot control is a critical element, e.g. to enable investments such as solar panels or multi-tenanted facilities.
<b>Reduce PT Emissions (by 2030 and 2035)</b>	→	↗	↑	→	Option A (status quo) builds on existing operators ZEB experience, while Option D entails time and execution risk as GWRC develops its in-house capabilities. Option C (depot and fleet transfer) is considered best, as it leverages existing experience but removes investment uncertainty and associated risks. Option D may be best for emissions reduction in the long term, but the time constraints for meeting targets mean Option C and Option B are considered lower risk.

## Assessment

These assessment results are outlined for each option in the table below.

A: Status quo	B: Depot ownership	C: Depot and fleet transfer	D: Depot and fleet ownership
<ul style="list-style-type: none"> <li>• Maintains current commercial incentives, and continues to leverage operator capabilities, relationships and supply chains.</li> <li>• Maintains barriers to entry, which ultimately erode value for money and the ability to change operators.</li> <li>• Greater Wellington lacks ready access to assets in the event of unplanned operator change.</li> <li>• Some required investments (e.g., electrification of depots) face significant mismatch of current contract expiries vs asset life, leading to uncertainty / risk.</li> <li>• Greater Wellington is not able to readily able to optimise depot locations and features as part of longer-term planning.</li> </ul>	<ul style="list-style-type: none"> <li>• Provides the opportunity for Greater Wellington to plan new depot locations (owned or leased from third party owners) based on the future network plan, energy supply, and acceptable resilience and environmental standards. It may also be better positioned than operators to coordinate investments for depot electrification with Lines Companies.</li> <li>• Greater Wellington needs to build strong capabilities in design, development and asset management for Depots, as well as associated procurement capabilities (e.g., leveraging additional third parties).</li> <li>• Operators continue to build and leverage their experience, relationships, and supply chains to make good investment decisions for fleet and charging.</li> <li>• Reduces barriers to entry by providing access to depots for new entrants.</li> <li>• Reduces the ability of operators to make use of depots for other commercial purposes.</li> </ul>	<ul style="list-style-type: none"> <li>• Transfer obligations may provide greater confidence for operators to make investments, knowing these will be priced into end-of-term arrangements.</li> <li>• Existing depot locations will remain a constraint on investment (e.g., relating to electrification, or network-wide emission reduction opportunities).</li> <li>• Reduces barriers to entry barriers to entry by providing new entrants with access to Depots as well as vehicles. However, new entrants would still be required to raise finance to acquire assets, or third-party ownership models would need to be established.</li> <li>• Operators may target only minimum standards when procuring and maintaining assets, so these standards will require careful development to align incentives.</li> <li>• Reduces the ability of operators to make use of depots and vehicles for other commercial purposes.</li> </ul>	<ul style="list-style-type: none"> <li>• As for Option B in relation to Depots.</li> <li>• Greater Wellington needs to build strong capabilities in design, development and asset management for vehicles, as well as associated relationship management and procurement capabilities (e.g., OEMs and supply chains). Greater Wellington may be able to work with other PTAs at a national level to build and maintain appropriate capabilities.</li> <li>• Control over all assets means planning, coordination and inter-operability may be optimised at a network level.</li> <li>• Reduces barriers to entry by providing new entrants with access to all assets, without the need to raise finance to acquire assets.</li> <li>• Reduces the ability of operators to make use of depots and vehicles for other commercial purposes.</li> </ul>

## Approach to Future Asset Control

The option assessment highlighted that Option D (Depot and fleet ownership) provided the greatest opportunity for benefits and value in the long term. In shifting towards greater asset control, Greater Wellington will need to prioritise investments where ownership provides the best value for increased control given risk and funding constraints.

Greater Wellington already has transfer rights over some depots, and the possibility to develop the Lyall Bay leased land. Given the significant development lead-times to building key infrastructure, the short to medium term focus will be on establishing greater control of key depots and charging infrastructure.

Fleet ownership is likely to require a significant uplift in operational and maintenance capabilities that Greater Wellington does not have in place today. This level of change may create cost and organisational capacity risk. Developing the roles and capabilities needed for ownership of fleet is complex and effort-intensive, and full fleet ownership is likely to add very high short term investment costs in buying out various Operator fleet.

As a result of the above asset control assessment, the approach to be taken by Greater Wellington to its control of bus assets will be to:

### Over the long term:

- increase control of all strategic bus assets
- prioritise investments where ownership provides the best value for increased control in light of risks and funding constraints
- grow capabilities needed for increased control.

### Over the short to medium term:

- accept a mix of transfer rights and ownership responses
- move to establish greater control of key depots
- seek transfer rights over standard fleet, with potential ownership of specialised fleet (e.g., on demand vehicles)
- collaborate with other Councils in relation to evaluating fleet ownership as an option.

This approach is illustrated in the diagram below.

LTP Periods:	2024-27	2027-30	2030-33	2033-36	Beyond
Depots	Mix of transfer rights, ownership and status quo, with focus on key depots, and providing investment certainty for electrification				Evaluate further control and ownership options based on strategic priorities at the time
Fleet	Comprehensive transfer rights for standard fleet through new contract terms, and case-by-case consideration of ownership for specialised fleet				Evaluate further control and ownership options based on strategic priorities at the time
Capabilities	Strengthen commercial and depot ownership capabilities, while evaluating fleet ownership maturity requirements (including experience through specialised fleet and Rail)				Develop roadmap for future capability requirements

**Attachment 1 to Report 23.380**

Depots are Tier 1 asset investments with 30 – 40-year lifecycles. Metlink will develop more detailed analysis, options and plans to help determine optimal locations and investment requirements in the longer term.

Individual asset investment decisions will be subject to specific business cases and review of funding options. This will include ensuring alignment with all Greater Wellington focus areas including mana whenua partnerships, climate resilience and emissions reduction, and improved access to services and equity of outcomes.

Business cases will also apply the six key asset control objectives to determine the right solution for each specific case. For example, where transfer rights provide the outcomes sought, this can enable relatively more capital allocated to other urgent priorities.

The Strategy will inform subsequent Long-Term Plans (LTP) and Wellington Regional Public Transport Plans (RPTP).

**Council**  
**24 August 2023**  
**Report 23.212**



**For Decision**

## **RIVERLINK CONSTRUCTION – IMPLICATIONS FOR PUBLIC TRANSPORT SERVICES**

**Te take mō te pūrongo**

### **Purpose**

1. To set out the implications of the RiverLink project construction on public transport services for the Melling Line.
2. To seek Council endorsement of the temporary closure of the Melling Line during the RiverLink construction phase.

**He tūtohu**

### **Recommendations**

That Council:

- 1 **Endorses** the temporary closure of the Melling Line (for up to 18 months), subject to a public transport mitigation plan being agreed between Greater Wellington and Te Wai Takamori o Te Awa Kairangi prior to the closure.
- 2 **Notes** that delivering RiverLink will cause significant traffic disruption, and the closure of the Melling Line has the potential to exacerbate traffic congestion.
- 3 **Notes** that while the Melling Line is closed, Metlink will provide a range of travel options for Melling Line customers, informed by an understanding of customer travel preferences in line with principles set out in paragraphs 36 to 39.
- 4 **Notes** that the public transport mitigation plan will include consideration of:
  - a initiatives such as new and targeted bus services, free or discounted services, and additional Park and Ride
  - b measures to optimise use of the public transport network and active transport modes, in order to provide options for residents (particularly those in the western hills) to travel to the Wellington CBD, while avoiding the Melling Interchange as far as possible and not increasing vehicle kilometres travelled.
- 5 **Notes** that the Greater Wellington Chief Executive will agree the public transport mitigation plan on Greater Wellington's behalf, the intent of which will be to maintain a similar or enhanced level of customer service to that being experienced currently allowing for flexibility to change the mitigation measures to achieve this.

## **Te tāhū kōrero**

### **Background**

#### ***RiverLink***

3. RiverLink is a partnership project between Greater Wellington Regional Council (Greater Wellington), Hutt City Council (HCC), Waka Kotahi NZ Transport Agency (Waka Kotahi), Ngāti Toa Rangitira and Taranaki Whānui.
4. Te Wai Takamori o Te Awa Kairangi (the Alliance) is delivering Riverlink on behalf of all project partners.

#### ***Melling Line***

5. The Melling Line is a branch of the Hutt Valley Line, with two stations - Western Hutt Station and Melling Station - situated north of Petone Station.
6. The Melling Line currently operates with a weekday only service, operating between approximately 6:30am to 6:30pm. Peak service frequency is approximately every 20 minutes, with an hourly inter-peak service frequency.
7. Melling Station has 187 Park and Ride parks (141 located at Melling Station; 46 located at Block Road). 14. Western Hutt Station does not have Park and Ride facilities.
8. Melling Station sits within the RiverLink project area and is directly impacted by the construction of the interchange over SH2 and the location of the new bridge (south of existing Melling bridge).

#### ***Request from the Alliance to temporarily close the Melling Station and associated tracks***

9. At the commencement of the project, Greater Wellington's preference was to keep the Melling Station and line operating during construction of RiverLink (with some short-term closures envisaged).
10. In April 2023, the Alliance requested that Greater Wellington consider a temporary (up to 15 months) closure of the Melling Station and associated track between July 2024 and October 2025.
11. The request from the Alliance to remove the requirement for a temporary station and associated track was based on the following:
  - Temporary closure enables a full block of line for workers to undertake works associated with the permanent station, rail realignment and shared cycleway construction south of the station, which has space constraints for construction if the line were to remain live. This will improve construction efficiencies and minimise risk for construction staff interfacing with a live railway, and with customers interfacing with worksites.
12. Since April 2023, the Alliance has progressed design and construction work. The complexity of the construction sequencing is becoming much clearer, this includes stormwater, wastewater removal and reinstatement of large pipes from both the western hills and the existing river corridor, the extent of seismic strengthening of the ground at the existing train station for bridge abutments, construction of retaining walls along the existing rail line, along with moving the line and station themselves. On this basis, the temporary closure request has been extended to 18 months.

**Customer profile of Melling Line users**

13. Analysis of population (using Statistics New Zealand census data) in the area shows that the Melling Line primarily services the peak travellers of western hills suburb residents. These commuters have a strong preference for the private vehicle access to rail services. A small proportion, less than 2% of residents in the catchment, do not have access to a private vehicle.

	Belmont	Belmont Park	Tirohanga	Alicetown-Melling
Population	2998	340	1342	3027
Deprivation score	1/10 (low)	1/10 (low)	1/10 (low)	5/10
Commuters (15+)	1655	159	1081	1676
PT Dependent (no Private vehicle access)	2%	0%	1%	9%
Commute via private vehicle	50%	47%	46%	38%
Commute via train	10%	7%	9%	15%
Commute via bus	1%	0%	0%	4%

14. The population of the adjacent areas of Melling and Alicetown have a higher dependency on public transport. However, they also have direct nearby access to the Hutt Valley Line at Ava Station, which is used by the majority of train users in this area.

**Melling Station use**

15. Boarding data shows average weekday boardings for March 2023 were 342.
16. In March 2023 on site observations were taken in the morning to further understand customers’ use of the station:
- a the majority of boardings occurred in the peak period (prior to 9am)
  - b over 90% of passengers come from the Western Hills

- c Approximately 65% of passengers used the Park and Ride facilities; with the Melling Station carpark reaching capacity between 8.00am-8.15am; and the Block Road carpark reaching approximately 80% capacity.
- d Of the remainder of passengers approximately:
  - i 17% passengers each day arrive by bus (Route 145)
  - ii 9% passengers arrive each day by 'kiss and ride' (dropped off)
  - iii 8% passengers arrive each day by walking
  - iv 1% passengers arrive by bicycle.

#### ***Western Hutt Station use***

- 17. Boarding data shows average weekday boardings for March 2023 were 115 people.
- 18. Morning site observations showed the majority of boardings occurred in the peak period (before 9am). In the absence of Park and Ride facilities, passengers arrive by 'kiss and ride', bus, walking and cycling.

#### **Te tātaritanga Analysis**

##### ***Temporary closure (up to 18 months) of the Melling Station and associated track***

- 19. The Alliance has requested that Greater Wellington consider a temporary closure of the Melling Station and associated track. Two alternative options were also considered:

##### *Partial closure of the station and use of a temporary station at Melling*

- 20. A partial closure of the station and use of a temporary station at Melling will not provide sufficient additional time for construction activities, it does not unlock significant programme savings or make construction faster given the costs to establish a temporary station nearby.
- 21. Moving away from a temporary station helps benefit construction and programme in the following ways:
  - a de-risks the construction of the shared path and associated temporary works in the rail corridor.
  - b reduces the risk of programme delays working during off peak periods and without the associated safety risks and costs of working within a live rail corridor.
  - c removes the public interface of station customers walking through an active work site and ensures people are not being re-routed through temporary pedestrian routes which are likely to change frequently.
  - d helps to manage the overall traffic impacts around Melling by removing the park and ride facility during construction.

##### *Western Hutt Station as terminal station*

- 22. A second alternative is to use Western Hutt Station as the terminal station during construction.

23. Western Hutt Station has a smaller utilisation and relatively small catchment of customers, particularly as it has no Park and Ride facility.
24. Ava Station, on the Hutt Valley Line, is relatively close to Western Hutt Station and provides a convenient alternative for people in the Melling and Alicetown area.
25. If the Melling Line services continued to operate between Petone and Western Hutt only, infrastructure changes would need to be put in place to enable it, such as changes in rail signalling systems, relocation of stop blocks, termination of the overhead lines. These are significant rail network works.
26. Establishing Western Hutt as the terminal station on the Melling Line does not effectively provide a useful service alternative for customers currently using Melling Station (given the location of Western Hutt station).
27. Further, the costs associated with the changes needed to make this station a terminus, cannot be justified.

***Preferred option - Temporary closure of the Melling Line***

28. Temporary closure of the Melling Line provides the following advantages:
  - a Unimpeded site access in the location of the Melling Station and carpark would enable shortened construction timeframe and associated savings.
  - b Significant safety advantages by:
    - i eliminating public and construction interaction throughout the site, and
    - ii reducing work in the live rail corridor
  - c Risk to the Programme is reduced by allowing time and space for some of the complex parts of the project to be undertaken earlier and without additional complications of keeping a live train station open.
  - d Facilitates safe and easier construction of parts of the new cycle-way (south of Melling Station).
  - e Avoids communications overload/fatigue for customers, with one message for the duration of the construction (i.e. between closure and re-opening)
  - f Some Melling Line customers who currently use park and ride may choose to stay in their vehicles and drive on to their destination rather than parking and riding or taking a bus to another station. For some customers, even with a like for like service offering during construction, this maybe the outcome.

***Additional considerations***

29. The final mix of mitigation measures (including public transport services, targeted customer engagement) will be agreed between Greater Wellington and the Alliance.
30. The mix of measures will include additional bus routes, park and ride facilities, fare initiatives and real time analysis. The mix of this will be determined over the next 12 months. The mix of mitigation measures will remain agile and will be reviewed during the construction phase. A robust communications and engagement strategy these measures will sit alongside these mitigation measures.
31. Greater Wellington will be kept fully informed of the Station construction programme.

32. Note that the design and construction of a new “Melling Station” and associated infrastructure is part of the core Alliance Programme.
33. The diagram below illustrates the impact on project timing between keeping the Station open during construction, a full closure of the Melling Station and associated track and/or full closure of Melling Line:



*Potential public transport mitigation plan initiatives*

34. The public transport mitigation plan could include initiatives such as new and targeted bus services, free or discounted services, safe walking and cycling alternatives, on demand services, and additional Park and Ride. A targeted customer communications plan will also form part of the mitigation plan.
35. Officers will work closely with the Alliance, Hutt City Council and operators to develop and deliver the mitigation plan in line with the principles set out below.

*Principles applied in assessing and planning for customer impacts*

36. Metlink considered the following principles in assessing the proposed construction options impacts on customers, and will apply these principles in developing the mitigation plan.:
  - a Ensuring public transport remains a viable option during the disruption, especially for customers who cannot or chose not to use a private vehicle.
  - b Ensuring that the response reflects the known behaviours and preferences of current customers, including minimising transfers and overall journey time, and maintaining level of convenience their current rail journey provides.
  - c Ensuring the change in service is easy to understand and consistently applied over the period of the disruption.
  - d Ensuring the change in service can be consistently delivered by our operators.
37. Ultimately, the improved access to the Melling Line, as well as reinstatement of improved travel time and convenience will mean that it is highly likely Melling Line patronage will return to, and even exceed, current levels.

38. A temporary Melling Line closure is on balance the best option for the overall RiverLink programme and delivery and Melling line customers. It will enable faster delivery of flood protection, resilience, and transport outcomes.
39. Moving the Station, and providing for better connections, to and from the station for Public Transport, improved walking and cycling links and a direct connection to the Hutt City Centre provides longer term opportunities for mode shift. The Communications and Engagement Strategy will lean into this during construction and GW will look at mode shift opportunities into the future.

### **Ngā hua ahumoni Financial implications**

40. The Riverlink Alliance budget will cover the suite of mitigations required to support a similar or enhanced level of customer service to that being experienced currently.
41. The benefits of a temporary Melling Line closure to the Programme create significant savings in cost and programme efficiencies.

### **Ngā Take e hāngai ana te iwi Māori Implications for Māori**

42. Ngāti Toa Rangitira and Taranaki Whānui ki Te Upoko o Te Ika are RiverLink partners.
43. The issues arising out of this report for mana whenua are addressed through the partnership arrangements in place for Te Wai Takamori o Te Awa Kairangi. Governance is provided through the Mana Whenua Steering Group, which was initially established between Waka Kotahi and Ngāti Toa Rangitira and Taranaki Whānui ki Te Upoko o Te Ika to oversee Te Ara Tupua, Eastern Bays Pathway and now includes Te Awa Kairangi. Day to day oversight for RiverLink is provided by the Iwi Integration Manager and Partner leads embedded into the Alliance.

### **Te huritao ki te huringa o te āhuarangi Consideration of climate change**

44. The RiverLink programme delivers improved flood protection, resilience, and transport outcomes.
45. There is some risk that during construction, loss of convenience may mean current Melling Line users will choose private transport during construction. However, the proposed public transport mitigation plan to be in place during the period the Melling Line is closed, will support a similar or enhanced level of customer service to that being experienced currently.
46. Ultimately, the improved access to the Melling Line, as well as reinstatement of improved travel time and convenience will mean that it is highly likely Melling Line patronage will return to, and even exceed, current levels. This is likely to improve our ability to achieve Greater Wellington and the Government's decarbonisation goals.

**Ngā tikanga whakatau**  
**Decision-making process**

47. The matter requiring decision in this report was considered by officers against the decision-making requirements of Part 6 of the Local Government Act 2002.

**Te hiranga**  
**Significance**

48. Officers considered the significance (as defined by Part 6 of the Local Government Act 2002) of the matter, taking into account Council's Significance and Engagement Policy and Greater Wellington's Decision-making Guidelines.
49. Officers consider that the matter is of low significance. The decision to temporarily close the Melling Line would, on the face of it, have an impact on users' reliable access to public transport. However, it is intended that the proposed public transport mitigation plan will support a similar or enhanced level of customer service to that being experienced currently.
50. Mitigations will be agreed between Greater Wellington and the Alliance before any closure of the Melling Line.

**Te whakatūtakitaki**  
**Engagement**

51. Officers have engaged with the Alliance, which is delivering RiverLink on the matters covered in this report.
52. RiverLink/Greater Wellington and the Alliance will work closely on the community engagement and alignment with Metlink's journey planning and customer care team will be required to explore the proposed mitigations and development them further as required.

**Ngā tūāoma e whai ake nei**  
**Next steps**

53. Following Council's decision, officers will complete a detailed Communications and Engagement Plan and confirm the public transport mitigation plan in due course.

**Ngā kaiwaitohu  
Signatories**

Writer	Barry Fryer – Manager Rail Assets, Metlink Bonnie Parfitt – Senior Manager Network & Customer, Metlink Tracy Berghan – Manager, RiverLink
Approvers	Samantha Gain – Group Manager, Metlink Wayne O’Donnell - Programme Director, RiverLink Nigel Corry – Chief Executive

<p style="text-align: center;"><b>He whakarāpopoto i ngā huritaonga</b> <b>Summary of considerations</b></p>
<p><b><i>Fit with Council's roles or with Committee's terms of reference</i></b></p> <p>It is appropriate that Council makes this decision.</p>
<p><b><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></b></p> <p>The proposals in this report contribute to the delivery of RiverLink and Public Transport aspects of the 2021-31 Long Term Plan.</p>
<p><b><i>Internal consultation</i></b></p> <p>In preparing this report there has been consultation with officers in the Public Transport, Office of the GM Environment, and RiverLink Groups.</p>
<p><b><i>Risks and impacts - legal / health and safety etc.</i></b></p> <p>The report sets out the risks and impacts of closing or not closing the Melling Line.</p>

Council  
24 August 2023  
Report 23.398



For Decision

## ACCREDITED LIVING WAGE EMPLOYER REQUIREMENTS

### Te take mō te pūrongo

#### Purpose

1. For the Council to consider whether Greater Wellington Regional Council (Greater Wellington) should seek to become an accredited employer for the “Living Wage”.

### He tūtohu

#### Recommendations

That Council:

- 1 **Agrees** that the matters for decision in the report have a medium degree of significance.
- 2 Having regard to both the significance of the matters for decision in this report and the matters in section 79 (2) of the Local Government Act 2002:
  - a **Agrees** that the extent to which different options have been identified is appropriate;
  - b **Agrees** that the degree to which advantages and disadvantages have been quantified is appropriate;
  - c **Agrees** that the extent and detail of the information before Council is appropriate for the decision being made.
- 3 **Notes** that pursuant to the previous decisions made by Council as detailed in Report 21.92, funding of transport operators to enable payment of the living wage to drivers is managed separately from, but is complementary to, this potential project and will be accounted for in current Annual and Long Term Plan budgets.
- 4 **Notes** that all of Greater Wellington’s direct employees are paid at or above living wage.
- 5 **Notes** that the Council’s knowledge of the views and preferences of the affected suppliers and other persons likely to be affected by, or have an interest in, the matters for decision in this report have not yet been sought or considered.
- 6 **Notes** that due to a lack of available information on the wages and salaries paid by Greater Wellington’s suppliers to their employees, officers are unable to provide estimated costs to Council for any additional expenditure that may be necessary to provide an uplift of all relevant indirect employees and, therefore, immediately seeking accreditation is not considered to be a reasonably practicable option.

- 7 **Notes** that the funding required to both support a project team to seek staged (option 2) or rapid accreditation (option 3) and to potentially make additional payments to suppliers, other than in relation to transport operator contracts, to bring indirect employees' wages up to living wage is not included in the FY23/24 Annual Plan budget and if this option is sought, will require reconsideration and reallocation of funding from other projects with an unknown effect on those projects at this time.
- 8 **Notes** that given recommendations 4 through 6:
- a Option 1 (not to seek accreditation at this time) is the recommended option as it does not exclude seeking accreditation in the future but enables a considered, evidence based approach through the usual Council decision making processes in the Annual and Long Term Plans;
  - b Option 2 (a staged approach to seeking accreditation) is feasible but comes with unknown costs and effects, especially if the employees of Council Controlled Organisations are captured within the definition of 'indirect employee';
  - c Option 3 (rapid accreditation) is not recommended given the unknown costs and reputational risk to Council associated with an inappropriately planned accreditation programme.
- 9 **Determines** its preferred option as:
- Either*
- Option 1 (*Recommended*)
- Or*
- Option 2. (*Feasible*)
- Or*
- Option 3. (*Not recommended*)
- 10 *If Option 2 or Option 3 is selected:* **Delegates** to the Chief Executive the authority to:
- a develop and implement a survey, communications and engagement plan with affected parties;
  - b receive and consider any supplier pool/cost impact analysis subsequent to supplier surveys;
  - c proceed to seek accreditation only if, on undertaking the required supplier engagement and cost impact analysis, the impacts of doing so are not considered to be detrimental and the costs associated with doing so do not constitute a significant change to the then current Annual and Long Term Plans; and
  - d negotiate any terms associated with seeking accreditation.
- 11 **Notes** that regardless of the option chosen, officers will provide biannual updates to Council on:

- a progress on supplier engagement and feedback;
- b the steps being taken by Greater Wellington to support suppliers to improve employee terms and conditions (including living wage) that are important to ensuring a stable and productive work force;
- c any further steps required to ensure that those suppliers that do not qualify for the additional funding (as they already pay living wage) are not materially disadvantaged;
- d the status of any implementation plan; and
- e the financial implications for Council associated with any uplift of payments required under any of the available options,

to enable reconsideration of any decisions made in relation to this report as appropriate.

### **Te tāhū kōrero Background**

2. The living wage was first discussed at Council in September 2016. In March 2017 (Report 2017.14) Council made resolutions about the living wage framework, including:
  - a That Greater Wellington and every CCO for which Greater Wellington was 100% shareholder would become a living wage employer; agreed to pay a base salary no less than the formal living wage; and
  - b Not to seek living wage accreditation status.
3. A workshop occurred in August 2020, as a result of 2019 negotiations with the Public Service Association (PSA) and the Amalgamated Workers Union (AWUNZ), at which Council agreed to continue that approach.
4. Pursuant to a Council decision on 8 April 2021 (Report 21.92) in relation to transport operator contracts, the issue of uplift payments to address the living wage issue for drivers was addressed through a funding proposal with additional funding available to transport operators that paid under the living wage at the date of the decision.
5. The status of Greater Wellington as a living wage employer was further discussed at a Council workshop in March 2023 at which stage it was confirmed that Greater Wellington meets the accreditation criteria for 'direct employees' but it was unknown at that time whether it meets the criteria for 'indirect employees'. The definition of direct and indirect employees is discussed within the analysis section of this Report.
6. At that workshop Council requested that officers present a decision paper to Council detailing:
  - a the process for becoming an accredited living wage employer with an appropriate accreditation group;
  - b an initial determination of how the definition of 'indirect employees' affects Greater Wellington;
  - c the consequential costs associated with that determination in terms of meeting the requirements of the accreditation process covering both direct costs (the fees

associated with becoming accredited supplier) and indirect costs (the costs associated with paying our suppliers more to enable them to become Living Wage employers if any);

- d any other matters impacting on a decision to become accredited.

## **Te tātaritanga**

### **Analysis**

#### ***Living wage***

7. The Living Wage Movement Aotearoa New Zealand (Living Wage Aotearoa) was formed in 2012 by a diverse group of people from community organisations, churches, and unions to campaign for a Living Wage for New Zealanders.
8. The Living Wage is defined by Living Wage Aotearoa as the income necessary to provide workers and their families with the basic necessities of life. A living wage will enable workers to live with dignity and to participate as active citizens in society”.
9. In New Zealand the Living Wage is calculated based on a family unit of two adults and two children, one adult working full time and the second adult working half time. It reflects the basic expenses of workers and their families such as food, transportation, housing and childcare, and is calculated independently by the New Zealand Family Centre Social Policy Unit.
10. The Living Wage is updated annually and is based on wage movements as reported by Statistics New Zealand in the Quarterly Employment Survey.
11. The New Zealand Living Wage hourly rate is currently \$23.65 until 31 August 2023. From 1 September 2023 this will increase to \$26.00.

#### ***Accreditation criteria***

12. The accreditation programme is operated by Living Wage Aotearoa through its Accreditation Board. Accredited employers hold a licence from Living Wage Aotearoa and must pay an annual licence fee. The annual licence fee takes into account the number of employees employed in the organisation and the sector. For Greater Wellington, the current licence fee would be \$1,500 per annum which covers up to 999 employees.
13. The criteria for accreditation is:
  - a All ‘directly employed’ workers are on the current Living Wage prior to accreditation.
  - b All ‘indirectly paid workers’ employed by contractors, delivering a service to the business/ organisation on a regular and on-going basis<sup>1</sup>, are either on the current Living Wage or on milestones agreed as part of the License.
  - c Employers have provided workers with access to a union;

- d Employee terms and conditions have not been reduced in order to meet the current Living Wage rate by, for example, reducing hours or other benefits available to an employee.
14. 'Directly employed' means all workers employed by an organisation in an employer/employee relationship.
15. Relevant to Greater Wellington 'Indirectly employed workers' are defined as workers employed by contractors performing regular or ongoing work in the New Zealand workplace.<sup>2</sup> 'Workplace' does not necessarily mean just Greater Wellington's premises but can include work undertaken in the community. This captures, therefore, work that Greater Wellington would regularly undertake in the community as part of its legislative obligations.
16. While the line is vague and needs some additional work, from a Greater Wellington perspective officers consider that 'indirectly employed' workers would likely cover the following non-exclusive categories:
- a all cleaning contractors undertaking cleaning services on all of Greater Wellington's property including (but not limited to) commercial offices, regional park facilities and the like;
  - b all contracts associated with the maintenance of Greater Wellington's property and assets. Examples will include routine stopbank maintenance, machinery maintenance, facilities maintenance, public transport asset maintenance, some roading maintenance, and mowing contracts;
  - c contractors engaged by Greater Wellington to undertake ongoing restoration or maintenance on its land or land administered under the Reserves Act;
  - d contractors undertaking Greater Wellington's biosecurity functions on its behalf (bait laying, hunting, trapping, pest plant identification and destruction and the like) including associated transport services;
  - e all routine science and laboratory services, including sampling and testing, undertaken as part of Greater Wellington's legislative obligations to undertake, for example, state of the environment monitoring under the Resource Management Act;
  - f all direct employees of the transport operators but not including the next level down (subcontractors) which would include, for example, subcontracted supply, maintenance and cleaning contracts.
17. Indirect employees would not include the employees of suppliers undertaking one off infrastructure projects (for example the building a bridge, road or a firebreak) but would include the regular maintenance if we own the asset. It would also likely not include, for example, work assisted or funded by Greater Wellington on private land (i.e. erosion control through work on tree planting).
18. Other than what may be a substantial reputational loss for Greater Wellington, there is no penalty for obtaining accreditation and then having accreditation revoked should we

<sup>2</sup>So excludes overseas suppliers or supply chains.

fail to meet accreditation standards at a later date. We cannot, however, seek accreditation and then plan how we would implement the required data gathering, contractual frameworks and enforcement capability as this must be agreed with Living Wage Aotearoa prior to seeking accreditation.

#### ***Uncertainty - Council Controlled Organisations***

19. Based on discussions that officers have had with Living Wage Aotearoa, the employees of Greater Wellington's Council Organisation (COs) and Council Controlled Organisations (CCOs) may not be captured in an accreditation programme if they do not share the same Chief Executive or Directors.
20. Officers have some concern, however, that our questions in this area have not been well understood and there appears to be some misunderstanding as to what constitutes a CO or CCO. In addition, officers are aware that other local government organisations have included COs and CCOs in part or in whole and we have been unable to resolve these apparent inconsistencies as at the date of this report.

#### ***Current status***

21. Greater Wellington meets the accreditation criteria for direct employees. While the salary criteria to become an accredited living wage employer relates to a worker's fixed package, not base salary, all permanent and fixed term employees have base salary of at least the equivalent of the current living wage.
22. The Procurement Policy in place since August 2021 includes reference to living wage. This requires all parties undertaking a procurement within Greater Wellington to consider whether a living wage requirement is appropriate for that particular procurement but it is not mandatory to do so. A review of the policy currently underway as part of a broader social procurement review will also look to embedding further requirements as to living wage.
23. Living wage implementation in relation to transport operator contracts is subject to the decisions made by Council in Report 21.92 dated 8 April 2021.
24. We do not know whether all of the remaining contractors that fall within the categories detailed in paragraph 16 or, if included, all CCOs, pay their employees the living wage. Our current finance system 'Ngatahi' (including the supplier database and contracts register) does not currently hold or have the ability to record that information. We are, therefore, unable at this point in time to ascertain the overall costs associated with uplifting all contractors falling into the above categories without directly working with our current suppliers in this space to obtain those costings.

#### ***Nga kōwhiringa***

##### **Options**

25. The following reasonably practicable options have been identified to align minimum indirect employee wages to the living wage.
26. Option 1: Business as usual (Recommended). Do not become accredited. Use current resource within the procurement team to oversee the following actions in a principled, focused but not time bound manner:

- a continue to maintain living wage for all direct employees and in relation to the transport operator contracts as per agreed process in Report 21.92;
  - b further investigate the incorporation of CO and CCOs within an accreditation programme in order to ensure the potential impacts of doing so are fully understood;
  - c initiate data collection on living wage suppliers within the supplier database in Ngātahi as new suppliers are added and as information on the living wage status of current suppliers is obtained (underway but subject to cost and supplier implementation timeframes);
  - d review and amend the current Procurement Policy and associated manuals and templates to provide targeted as opposed to high level guidance on social procurement issues (including living wage) to ensure Greater Wellington supports a stable and productive workforce and ensuring that living wage uplift is done to complement and not distort other social procurement initiatives such as supplier diversity (Māori economic development) and modern slavery initiatives;
  - e review, analyse and amend Greater Wellington supplier contract templates to ensure when ready, there is a mechanism to commit these suppliers to pay and maintain payment of living wage overtime and an ability for Greater Wellington to track compliance with any commitments;
  - f ensure all new procurements include an appropriate living wage component;
  - g negotiate with existing and new suppliers to obtain commitments to pay living wage and then ensure contracts include appropriate living wage clauses where they are not currently on a Greater Wellington template contract, for example where we are relying on supplier terms for commodity supply, or where the contract is silent on living wage requirements;
  - h identify suppliers that cannot currently support living wage payment and investigate options including potential contractual or hourly rate increases;
  - i investigate and potentially move to other supply sources if elevation to living wage payments is resisted (likely to require some form of formal market search or procurement process);
  - j develop and establish an ongoing administrative function to monitor contract management, verification of living wage commitments and contract enforcement process to maintain living wage requirements (even if accreditation is never sought);
  - k undertake a full cost impact analysis and incorporate funding required to support the work undertaken above into Annual and Long Term Plans enabling Council to make usual funding allocation decisions through standard process.
27. Option 2 (Feasible): Staged accreditation. As per status quo but seek accreditation over a three year period using additional resource, estimated at one to two additional full time equivalents (FTEs) within the procurement team to undertake the work within a time bound period with officers reporting back to Council on cost impact should it prove

to be significant and unable to be accommodated within the then current Annual or Long Term Plans.

28. Option 3: Rapid accreditation (Not recommended). As for option one except that a project team would be established with up to three additional full time equivalent (FTE) employees in the procurement team - reducing to 0.5 FTE for administrative work post accreditation. Subject to full cost impact analysis, consultation and any analysis work required to ensure that contractors who will not be 'topped up' are not materially disadvantaged, seek accreditation by July 2024 noting that timeframe extensions may be required.

	<b>Option 1 - Recommended</b> (Business as usual)	<b>Option 2 – Feasible</b> (Staged accreditation)	<b>Option 3 – Not Recommended</b> (Rapid accreditation)
<b>Advantages</b>	<p>No additional funding required.</p> <p>Any uplift costs absorbed into current and future project budgets.</p> <p>Enables a principled and thorough approach to uplift through integration with Activity Management Planning initiatives and careful assessments of particular suppliers.</p> <p>Reduces the risk of objection from suppliers that are already paying living wage (i.e. allegations of preference or material disadvantage to living wage suppliers)</p> <p>Enables case by case consideration of whether or not the process disadvantage small or niche suppliers (often Māori or Pacific business) that working towards establishing themselves to supply to Greater Wellington and may be unable to commit to providing a living wage in the immediate future.</p> <p>Enables appropriate engagement across the communities and businesses affected by the living wage approach.</p>	<p>Enables same principled approach to analysis and targeting of suppliers as with business as usual with a staged approach.</p> <p>May enable selected contractors to lift base contract rates and subsequently base wages sooner than would otherwise be possible – but this is currently an unsupported statement and further analysis is required.</p> <p>Enables Council to make longer term funding decisions through usual Annual and Long Term Plan allocation processes.</p>	<p>Enables rapid accreditation.</p> <p>Faster uplift of the wages and salaries of indirect employees.</p> <p>Favourable response from living wage community.</p>

	<b>Option 1 - Recommended</b> (Business as usual)	<b>Option 2 – Feasible</b> (Staged accreditation)	<b>Option 3 – Not Recommended</b> (Rapid accreditation)
	<p>Enables a targeted approach to the potential inclusion of COs and CCOs.</p> <p>Avoids or enables Greater Wellington to take an ‘eyes open’ mitigation approach to the disadvantages incumbent in options 2 and 3.</p>		
<b>Disadvantages</b>	<p>Uplift in indirect employee wages to living wage would be delayed until the time the contracts are re-tendered.</p> <p>Negative response from living wage supporters to delay.</p>	<p>Will require additional and unknown funding which is not currently within Annual or Long Term Plans.</p> <p>Potential negative effects for smaller suppliers who are working to establish themselves and cannot afford to pay living wage without uplift from Greater Wellington.</p> <p>Negative responses from suppliers that do not ‘qualify’ for additional payments from Greater Wellington.</p> <p>Possible distortion of supplier employment terms if implemented too quickly - where employers put forward living wage personnel for Greater Wellington work but offer other employees to other suppliers at below living wage rate) – of particular concern with COs such as the Stadium Trust (if incorporated) where there are multiple organisations involved.</p> <p>Higher risk of claims of unfair advantage from current suppliers.</p>	<p>As for options 2 and:</p> <p>Will require diversion of funds from other projects to fund additional personnel required to obtain rapid accreditation.</p> <p>Highest risk of objection from current suppliers.</p> <p>Unknown cost to organisation to uplift – could be significant (see financial impact analysis) and require both Annual and Long Term Plan changes.</p> <p>If completed rapidly, may disproportionately affect developing Māori businesses and niche suppliers and distort current social procurement initiatives, in that if they are unable to commit to living wage and would also cost too much for GW to uplift, they may fail to gain work from GW.</p> <p>High risk of market and employee terms distortion.</p>
<b>Promotion of community outcomes</b>	<p>Delivers positive impacts in relation to:</p> <ul style="list-style-type: none"> <li>- Strong economy</li> <li>- Connected community</li> </ul>	<p>As per option 1 but delivered in a focused and potentially faster manner.</p>	<p>As per option 1 but may have the perverse effect of distorting social procurement initiatives for developing businesses.</p>

	<b>Option 1 - Recommended</b> (Business as usual)	<b>Option 2 – Feasible</b> (Staged accreditation)	<b>Option 3 – Not Recommended</b> (Rapid accreditation)
	<ul style="list-style-type: none"> <li>- Healthy community</li> <li>- Māori economic development</li> </ul>		
<b>Impact on capacity to meet present and future needs</b>	None.	<p>Increased cost of providing services across the Council staggered over a longer period and may be able to be incorporated into usual budget and planning structures for Council.</p> <p>Potential reduction of pool of available suppliers can be managed in a coordinated and planned manner.</p>	<p>Potential increases to cost of providing services across the Council (to an unknown extent at the date of this paper) may result in service reduction due to unaffordability under current budgets.</p> <p>May result in pool of suppliers available to GW to drop to rapidly with consequential service reductions.</p>

***Preferred Option - Summary***

29. Option 1 is the recommended option because:
  - a subject to the cost impact analysis, it is achievable without adjustment to current staffing numbers and Annual Plan budgets;
  - b it enables appropriate engagement with directly affected suppliers and others;
  - c it is a principled and evidence based approach that enables careful consideration of all risks and benefits while still recognising the value we place on the promotion of employment standards and the vital part our suppliers play in supporting the work undertaken by Greater Wellington within the region.
  
30. Option 2 is feasible but not recommended because:
  - a it requires additional staffing and will consequently affect current Annual Plan budgets with an unknown and potentially detrimental effect on other projects from which funding will be stripped to enable accreditation;
  - b is unlikely to significantly increase the speed at which Greater Wellington is able to appropriately support living wage uplift as compared to a business as usual approach;
  - c may have an unmanageable effect on Greater Wellington’s supplier pool i.e. suppliers rapidly becoming unavailable to Greater Wellington, in a supplier market that is already constrained, as they do not meet living wage criteria and Greater Wellington cannot provide sufficient uplift;
  - d there is a chance of error with consequential cost impacts on Greater Wellington.
  
31. Option 3 is not recommended because:

- a immediate negative financial implications for current Annual Plan with additional FTE requirements with unknown negative impacts on other projects in order to afford additional FTE (see financial analysis).
- b all risks and disadvantages associated with option two are magnified and it is officers considered opinion that these will not be able to be managed within a 12 month time frame.

***Additional Considerations - Council Organisations and Council Controlled Organisations***

- 32. As noted earlier in this report, there remains considerable uncertainty around whether or not COs and CCOs must be included in any accreditation project. On the basis of the advice we have received there is an inconsistent approach as to the inclusion of such entities.
- 33. We have received advice from Living Wage Aotearoa that they are likely not to be included if they do not have the same Chief Executive or Directors as the Council. Officers consider that this advice is based on a misunderstanding as to the legislative structure of COs and CCOs. This categorisation would cover, for example, a wholly owned company such as Greater Wellington Rail Limited which does have a consistent directorship with Councillors on the Board of GWRL. It would not cover entities such as the Stadium Trust, Wellington Water Limited, Centreport or similar.
- 34. However, we have information from colleagues in other councils that COs and CCOs are incorporated into their accreditation programmes in some manner. This is consistent with the definition and potential scope of 'indirect employee'. Using Wellington Water as a current example, Wellington Water fulfils a Greater Wellington statutory function in that they undertake bulk water supply for Greater Wellington under a Service Level Agreement. Given that context, Wellington Water employees fit the criteria.
- 35. CentrePort and the Stadium Trust are a further step removed from that immediate statutory function but are arguably a vehicle for Greater Wellington to fulfil Local Government Act required community and regional wellbeing investment. If on analysis and working with Living Wage Aotearoa these organisations are considered to be captured, then Greater Wellington would need to undertake significant preparatory and engagement work. In particular, we need to ensure that we are working with the organisations themselves and any other affected parties (such as other shareholding or investing councils) to ensure negotiations are undertaken in a considered manner to maximise benefits and minimise any disruptions or potential distortions outlined in the analysis of options above.

**Ngā hua ahumoni**

**Financial implications**

- 36. The funding required to maintain living wage for all direct employees and transport operators is currently accounted for in Annual and Long Term plans.
- 37. As at the date of this paper, officers are unable to quantify the costs associated with accreditation given the lack of data on the salary and wages of indirect employees. However, based on other studies undertaken by central government, adjustments to support living wage initiatives come with a cost uplift of anywhere between 9% and

15%. Officers highlight to Council that these uplift estimates are based on then current living wage levels that have since risen and will be rising again in September.

38. In addition to any increase in cost associated with Greater Wellington supporting suppliers to pay the living wage:
- a Option 2 (staged accreditation) accreditation would have a cost impact of approximately \$240,000 (exclusive of GST) in FY23/24 which is unbudgeted in the current Annual Plan. This is based on standard contract rates for one FTE for 12 months.
  - b Option 3 (rapid accreditation) would have significant cost impacts in FY23/24 in that it would require 2 FTE and potentially 3 FTE (if COs and CCOs are required to be incorporated). At the contract rates assumed above, this would result in an unbudgeted costs of between \$480,000 to \$720,000 (GST exclusive).
39. In addition, if living wage was to be applied to CCOs like the Stadium Trust, this could result in considerable cost increases for that organisation which are unlikely to be sustainable without subsidy from the parent organisations. Jointly owned CCOs and Trusts will also require negotiation with the other shareholders to effect any implementation of Living Wage – there is no guarantee that this would be successful.

### **Ngā Take e hāngai ana te iwi Māori Implications for Māori**

40. Implications for Māori have not been fully assessed but an analysis of the same would constitute part of any living wage implementation plan regardless of whether or not accreditation was sought. A full review of Greater Wellington's social procurement initiatives, including living wage, is already underway.
41. However, at a high level it is well known that Māori employees are over-represented in lower wage roles and positions. The social benefit to supporting a principled and structured living wage programme would almost certainly benefit Māori. However, accreditation is not necessary for that benefit to accrue.
42. Conversely and potentially perversely, rapid accreditation without appropriate analysis and adjustment of Greater Wellington's current programmes may have a negative effect. While the actual risk of this occurring cannot be known until the analysis/cost impact assessments are undertaken, there is a potential to disbenefit emerging Māori owned organisations and businesses and other smaller or niche suppliers supporting Māori employees. For example, if an organisation is unable to pay living wage or have opted for a different benefit or support structure and is not paying living wage (i.e. whanau or marae based) then Greater Wellington may have to cease using them in order to gain or maintain accreditation.

### **Te huritao ki te huringa o te āhuarangi Consideration of climate change**

43. The matters requiring decision in this report are not considered by officers to have a direct impact on Climate Change.

**Ngā tikanga whakatau**  
**Decision-making process**

44. The matters requiring decision in this report have been considered by officers against the requirements of Part 6 of the Local Government Act 2002 (the Act).

**Te hiranga**  
**Significance**

45. Officers have considered the significance of the matters, taking into account the Council's significance and engagement policy and decision-making guidelines. Officers consider that the matters to be considered have medium significance due to the importance of supporting the economic wellbeing of the region. The potential additional cost and increasing cost over time is also a factor relevant to the significance of the matter.
46. Officers have taken into account the principles set out in section 14 of the Act and the need to manage the Council's resources prudently.
47. Officers have also considered the need to take account of the community's views and preferences in relation to the matter and the fact that this has not yet been undertaken.
48. In light of the current lack of engagement, the assessment of significance and the other factors relevant to the process for making these decisions, officers have identified and assessed the reasonable practical options as set out at paragraphs 26 to 28 of this report.

**Te whakatūtakitaki**  
**Engagement**

49. To be undertaken regardless of the option chosen by Council. If the decision is to seek accreditation, it will also include engagement on becoming accredited within the relevant time frame.

**Ngā tūāoma e whai ake nei**  
**Next steps**

50. Dependent on Council decision and approval, officers will undertake those activities outlined in the assessment of the options at paragraphs 26, 27 or 28 of this report.

**Ngā kaiwaitohu  
Signatories**

Writers	Hemi Kanji, Manager Procurement Deborah Kessell-Haak, Head of Legal and Procurement (General Counsel)
Approvers	Donna Hickey, Group Manager People and Customer Sue McLean, Group Manager Corporate Services Samantha Gain, Group Manager Metlink Luke Troy, Group Manager Strategy

<b>He whakarāpopoto i ngā huritaonga Summary of considerations</b>
<b><i>Fit with Council's roles or with Committee's terms of reference</i></b> The Council is required to make the decisions contained in this report as there is no current budget.
<b><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></b> Subject to analysis including cost impact, market distortion analysis, and the analysis of implications for Māori including Māori economic development.
<b><i>Internal consultation</i></b> Consultation has occurred within the relevant departments within the organisation. Subject to Council decision, further internal consultation will occur with any directly impacted groups within Greater Wellington as part of any project implementation.
<b><i>Risks and impacts - legal / health and safety etc.</i></b> The reports details risks associated with this decision. There are no known or health and safety risks.

**Council**  
**24 August 2023**  
**Report 23.344**



**For Decision**

**AMENDED WELLINGTON REGIONAL LEADERSHIP COMMITTEE JOINT COMMITTEE AGREEMENT - FUTURE DEVELOPMENT STRATEGY**

**Te take mō te pūrongo**

**Purpose**

1. To advise Council on the proposed amendments to the Wellington Regional Leadership Committee Joint Committee Agreement so the Wellington Regional Leadership Committee can undertake the work to inform, prepare and finalise the Future Development Strategy.

**He tūtohu**

**Recommendations**

That Council:

- 1 **Notes** that:
  - a On 25 February 2021 (Report 21.21), Council resolved to establish the Wellington Regional Leadership Committee and for Council to become a member of that Committee
  - b The Wellington Regional Leadership Committee is a joint committee of all local authority parties to the current Wellington Regional Leadership Committee Joint Committee Agreement (the Joint Committee Agreement), and includes members representing iwi and the Crown
  - c The matters addressed by Wellington Regional Leadership Committee now need updating
  - d The amended Joint Committee Agreement takes effect from the date it is signed by all local authority parties.
- 2 **Notes** the main proposals in the amended Joint Committee Agreement provide for the Wellington Regional Leadership Committee to:
  - a Undertake the work necessary to inform, prepare and finalise the Future Development Strategy in accordance with the National Policy Statement on Urban Development 2020
  - b Establish a Joint Committee Subcommittee for the Future Development Strategy to:

- i Hear submissions on the draft Future Development Strategy (and any updates), and
    - ii Make recommendations on those submissions to the Wellington Regional Leadership Committee, 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.
- 3 **Notes** the proposed amendments outlined in Recommendation 2 are included in the amended Joint Committee Agreement as a track changed version (Attachment 1) and a clean version (Attachment 2).
- 4 **Notes** that, as required by the current Joint Committee Agreement, the Wellington Regional Leadership Committee has endorsed the proposed amendments to the functions and powers of the Joint Committee.
- 5 **Agrees** that the Wellington Regional Leadership Committee continues as a joint committee under clause 30(1)(b) of Schedule 7 to the Local Government Act 2002 on the terms set out in the amended Joint Committee Agreement (Attachment 2).
- 6 **Approves** the amended Joint Committee Agreement (Attachment 2), 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 **Delegates** to the Wellington Regional Leadership Committee all the powers and functions set out in the amended Joint Committee Agreement (Attachment 2), including the power 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 (and any updates to that Strategy) to be developed under the National Policy Statement on Urban Development 2020.
- 8 **Authorises** the Council Chair to sign the amended Joint Committee Agreement (Attachment 2) on behalf of Council.
- 9 **Appoints** Councillor Lee to be a member of the Joint Committee Subcommittee for the Future Development Strategy.

## Te tāhū kōrero

### Background

#### *Future Development Strategy*

2. The Future Development Strategy (FDS) is an updated version of the Wellington Regional Growth Framework. It is a statutory document for “Tier 1 and 2” councils, which are required to prepare a FDS under the National Policy Statement on Urban Development 2020 in time to inform their 2024–34 Long Term Plan (their LTP). This means these councils ideally need to endorse a draft FDS by 30 September 2023 to enable them to include any financial and other implications in the early drafts of their LTP.
3. In the region covered by the Wellington Regional Leadership Committee (WRLC), the:
  - a Tier 1 councils are Wellington City Council, Porirua City Council, Kāpiti Coast District Council, Hutt City Council, Upper Hutt City Council, and Greater Wellington Regional Council
  - b Tier 3 councils are Horowhenua District Council, South Wairarapa District Council, Carterton District Council, and Masterton District Council.

These tiers are based on growth projections, where Tier 1 councils are considered “high growth”.

4. Officers from local government and central government have been working on the content of the draft FDS since August 2022. A list of the related workshops and meetings that the WRLC, councils, iwi, and others have had on the draft FDS is included in this report (**Attachment 3**).
5. The FDS team has also been working with developers and infrastructure providers on the draft FDS, as required under the National Policy Statement on Urban Development 2020.
6. The draft FDS is nearing completion and is expected to be presented to the WRLC meeting on 19 September 2023 to seek its approval for consultation. This, however, cannot be done without signoff from all ten member councils to the amended Wellington Regional Leadership Committee Joint Committee Agreement (the Joint Committee Agreement) (**Attachment 2**).

#### *The Joint Committee Agreement*

7. The current Joint Committee Agreement includes the:
  - a Terms of Reference for the WRLC
  - b Role of development and implementation of the Wellington Regional Growth Framework, as a spatial plan for the Wellington Region. At the time of developing the initial Joint Committee Agreement, a FDS was not contemplated as a tool, so the current Joint Committee Agreement and Terms of Reference does not give the WRLC any related powers or functions.

8. The WRLC Secretariat has received legal advice that confirms this view:

It is beyond the scope of the WRLC powers to approve the Future Development Strategy, draft or final, on behalf of the member Councils at present. Those decisions on the Future Development Strategy currently must be made by each individual Council.
9. This advice reflects that the current Joint Committee Agreement identifies that the WRLC is responsible for the Wellington Regional Growth Framework specifically, rather than a more general responsibility for regional spatial planning. The current responsibility was always the intent for the WRLC.
10. As a comparison, the current Joint Committee Agreement has the WRLC responsible for “regional economic development” in a more general terms, rather than referencing a specific document (e.g. the Wellington Regional Growth Framework).
11. Therefore, for the WRLC to be involved in the FDS process (in any manner), officers consider that amendments are needed to the current Joint Committee Agreement.
12. This process is being undertaken in two steps:
  - a Step 1 - the WRLC agrees which option it endorses for signoff of the draft FDS, signoff of the final FDS, and the establishment of a Joint Committee Subcommittee for the Future Development Strategy to hear and recommend on submissions on the draft FDS. The WRLC agreed to Option 1 at its 13 June 2023 meeting. That option is reflected in this report, with a record of the WRLC’s decision-making process included for your reference (see **Attachment 4**)
  - b Step 2 – as required by the Local Government Act 2002, any amendments to the current Joint Committee Agreement need to be agreed by all ten councils that are parties to the current Joint Committee Agreement. This report covers that step.

## **Te tātaritanga Analysis**

### ***Step 2 – Proposed amendments to the current Joint Committee Agreement***

13. Each of the ten councils approved the initial Joint Committee Agreement and Terms of Reference and then an update. The proposal outlined in this report is the second update to the initial Joint Committee Agreement.

#### *Legal advice*

14. Key points from the legal advice received by the WRLC Secretariat are:
  - a It is currently beyond the scope of the WRLC’s powers to approve the FDS, draft or final, on behalf of the member councils. All decisions on the FDS currently must be made by each individual council
  - b To streamline the process for approving the FDS across all ten councils, the Joint Committee Agreement could be amended to include the FDS within the WRLC’s specific responsibilities. Such an amendment should state that the WRLC has authority to:

- i Decide to commence the FDS consultation and preparation process
  - ii Approve the draft FDS (statement of proposal) and commence the special consultative process
  - iii Engage in consultation and hear submissions on the FDS as part of the special consultative process, and
  - iv Approve the final FDS (with reporting to the ten councils at relevant steps).
- c** Together with proposed amendments to the Joint Committee Agreement, each council needs to resolve to delegate to the WRLC its decisions on the FDS and its role in consultation and the special consultative process.
- d** Delegation of a decision on the FDS by a local authority is possible under clause 32 of Schedule 7 to the Local Government Act 2002.

*Proposed amendments to the Joint Committee Agreement*

15. Officers propose amending the current Joint Committee Agreement to align with the WRLC's agreed option (see paragraph 12a above). A track changed version (**Attachment 1**) and clean version (**Attachment 2**) of the amended Joint Committee Agreement are attached for your reference.
16. As required by the Local Government Act 2002, any changes to the Joint Committee Agreement need to be agreed by all ten councils that are parties to the Joint Committee Agreement. This is occurring at the respective council meetings between July and September 2023. To date, four of the member councils of the WRLC<sup>1</sup> have approved the proposed amended Joint Committee Agreement.
17. The main proposed amendments to the Joint Committee Agreement are adding:
- a The FDS as a "Specific Responsibility" of the WRLC, including the detailed actions of what this includes
  - b The ability for the WRLC to set up a hearing subcommittee for the FDS to hear submissions, and make recommendations on those submissions to the WRLC
  - c The related delegations to the WRLC to undertake this work, including what this means in terms of actions such as developing the draft FDS, holding hearings, and approving the FDS
  - d The ability for the hearing subcommittee to have an independent chair if desired
  - e A new Appendix 2, which is the Terms of Reference for the Joint Committee Subcommittee for the Future Development Strategy. This appendix includes information on the hearings subcommittee's purpose, responsibilities, membership and delegations.

<sup>1</sup> These councils are Hutt City Council, Masterton District Council, South Wairarapa District Council, and Upper Hutt City Council.

18. We are also taking the opportunity to propose other changes to the current Joint Committee Agreement. These are:
  - a Clarifying references (e.g., to both persons and Ministers when talking about the Crown members, and the Administering Authority is noted but not explained)
  - b Removing the explicit requirement for an independent chair for the WRLC, so this will now be an option rather than a must.
19. If one of the ten member councils of the WRLC does not approve the proposed amendments, then the next steps would likely be:
  - a Hold an extraordinary meeting of the WRLC to understand its next preference for the signoff of the FDS
  - b Propose further amendments to the Joint Committee Agreement
  - c Set up dates for another ten council meetings
  - d Prepare a new pack of background information and analysis for the related council reports
  - e Ask the ten councils to each consider another report on the proposed further amendments.
20. We estimate that such a process would take until December 2023; meaning that engagement on the draft FDS would then be undertaken in February 2024, with the final FDS approved mid-2024.

#### *Hearing Subcommittee*

21. The proposed amended Joint Committee Agreement provides for a Joint Committee Subcommittee for the purpose of hearing submissions on the FDS. Some points to note are:
  - a Appendix 2 of the amended Joint Committee Agreement (**Attachments 1 and 2**) provides all the related information
  - b The amended Joint Committee Agreement allows for each council and each iwi entity to have a member on the Joint Committee Subcommittee (see paragraph 22 below for advice on Council's proposed member). It is not a must to appoint someone, but the option is provided to enable all parties to continue to be part of the process if so chosen
  - c At this stage, we are unclear how long the hearings will take. Our only reference point so far is the Nelson/Tasman Future Development Strategy process, where there was a week of hearings
  - d We are planning to hold hearings across the Wellington Region (e.g. in Wellington City, the western corridor, and the Wairarapa) to make it easier for those wanting to make an oral submission. Members of the Joint Committee Subcommittee will need to attend all hearings across the Wellington Region
  - e The Joint Committee Subcommittee will be supported to manage submissions and submitters who want to be heard, an expert to write up the findings from the

hearings and submissions, and may have access to an independent chair for the hearings if required

- f The Joint Committee Subcommittee recommend changes to the draft FDS to the WRLC for its consideration.

*Appointment to the Joint Committee Subcommittee*

- 22. The amended Joint Committee Agreement provides for Council to appoint a Councillor as a member of the Joint Committee Subcommittee. After consultation with the Council Chair the appointment of Councillor David Lee is proposed for this position.

**Ngā hua ahumoni  
Financial implications**

- 23. The costs of developing and approving the draft and final FDS, and of the Joint Committee Subcommittee undertaking hearings, are budgeted at \$510,000, with these costs split between all ten member councils of the WRLC.

**Ngā Take e hāngai ana te iwi Māori  
Implications for Māori**

- 24. The WRLC's approved option will enable the iwi partners to the WRLC to participate in the FDS decision making process. This is the best option for iwi partners as:
  - a Iwi members of the WRLC will have an option, just like councils, to put someone on the Joint Committee Subcommittee
  - b Iwi members will be at the WRLC meetings when the draft and final FDS are approved
  - c Other options considered by the WRLC, where councils only signed off either the draft or final FDS, would rely on:
    - i Council standing orders enabling iwi members to sit at the council table and vote on either the draft and/or final FDS
    - ii Iwi partners having to go to multiple council meetings in their rohe to participate in any signoffs.

**Te huritao ki te huringa o te āhuarangi  
Consideration of climate change**

- 25. The draft FDS includes objectives to create better climate change outcomes.

**Ngā tikanga whakatau  
Decision-making process**

- 26. The matters requiring decision in this report were considered by officers against the decision-making requirements of Part 6 of the Local Government Act 2002.

27. These decisions are also compliant with clause 30A of Schedule 7 to the Local Government Act 2002, as confirmed by legal advice.

**Te hiranga  
Significance**

28. Officers considered the significance (as defined by Part 6 of the Local Government Act 2002) of these matters, taking into account Council's *Significance and Engagement Policy* and Greater Wellington's *Decision-making Guidelines*. Officers consider that these matters are of low significance, given their administrative nature.

**Te whakatūtakitaki  
Engagement**

29. Engagement and consultation was undertaken with developers and infrastructure providers as required by the National Policy Statement on Urban Development 2020 when developing the draft FDS.
30. Internal engagement included:
- a Multiple discussions at WRLC Senior Staff Group meetings from September 2022 through to now. In all these discussions, the preferred options (reflected in the proposed amended Joint Committee Agreement) were endorsed
  - b Multiple discussions at WRLC CEO meetings from September 2022 through to now. In all these discussions, the preferred options (reflected in the proposed amended Joint Committee Agreement) were endorsed
  - c Discussion at workshops with WRLC iwi members on the draft FDS with them endorsing the recommended changes and approach.
  - d Explanation and discussion at numerous council workshops as outlined in **Attachment 3**.
  - e Discussion at WRLC workshops since September 2022.

**Ngā tūāoma e whai ake nei  
Next steps**

31. Once all ten local authority parties have agreed to the amended Joint Committee Agreement (**Attachment 2**), it will be provided to the Council Chair for his signature.

**Ngā āpitihanga  
Attachments**

Number	Title
1	Amended Wellington Regional Leadership Committee Joint Committee Agreement - track changed version
2	Amended Wellington Regional Leadership Committee Joint Committee Agreement - clean version

<b>Number</b>	<b>Title</b>
3	Timeline of engagement on the future Development Strategy
4	Wellington Regional Leadership Committee's consideration of options for signoff of the Future Development Strategy

**Ngā kaiwaitohu  
Signatories**

Writer	Will Ogier – Principal Advisor Democratic Services
Approvers	Francis Ryan – Head of Governance and Democracy Luke Troy – Group Manager Strategy

<b>He whakarāpopoto i ngā huritaonga Summary of considerations</b>
<b><i>Fit with Council's roles or with Committee's terms of reference</i></b> Council is a member party to the Joint Committee Agreement. As such, its approval is needed for any proposed amendment and related delegations. Council has related powers under the Local Government Act 2002.
<b><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></b> The amended Joint Committee Agreement and establishment of the Joint Committee Subcommittee allows Council to contribute to the development and implementation of the FDS.
<b><i>Internal consultation</i></b> We consulted the WRLC Secretariat in preparing this report.
<b><i>Risks and impacts - legal / health and safety etc.</i></b> There are no known risks or impacts arising from these decisions.

Amended Wellington Regional Leadership Committee Joint Committee Agreement – track changed version

# Wellington Regional Leadership Committee Joint Committee Agreement

Dated 2023 July 2021

## Wellington Regional Leadership Committee - Joint Committee Agreement

### Purpose

This agreement is made pursuant to Clause 30A, Schedule 7 of the Local Government Act 2002 (LGA 2002). The purpose is for a Joint Committee of Carterton District Council, Greater Wellington Regional Council, Hutt City Council, Kāpiti Coast District Council, Masterton District Council, Porirua City Council, South Wairarapa District Council, Upper Hutt City Council, Wellington City Council, Horowhenua District Council and ~~mana-whenuaiwi~~ to take responsibility for key matters of regional importance where a collective voice and collective regional planning and action is required.

The parties listed above are wanting to work together with central government on matters that are of regional importance and are cross boundary and inter-regional in nature. The role of the Joint Committee is to set direction and monitor activities from those plans related to the direction on all matters, with particular focus on:

- Regional economic development
- Regional economic recovery
- ~~Wellington regional growth framework (joint spatial plan under the [Urban Growth Partnerships](#) and [Urban Growth Agenda](#))~~
- Urban development and specifically, the preparation and approval and regular review and implementation of a Future Development Strategy under the National Policy Statement on Urban Development 2020 (including preparing, finalising and making publicly available a Housing and Business Development Capacity Assessment and undertaking any other work necessary to inform the draft Future Development Strategy) and the preparation of the implementation plan for this Strategy.

~~The Joint Committee does not undertake delivery activity – this is undertaken elsewhere by entities such as local authorities and Council Controlled Organisations.~~

This agreement focuses on the Joint Committee, including its membership and delegations.

The Joint Committee is a formal Joint Committee pursuant to the LGA 2002 (Clauses 30 and 30A, Schedule 7). The Joint Committee will be deemed to not be discharged at or following each triennial local government election (in line with Clause 30 (7) of Schedule 7, LGA 2002).

There are some parties to this agreement (ie Crown and iwi) who do not appoint members to the Joint Committee directly.

### Administering Authority

The Administering Authority referred to in this Agreement is Greater Wellington Regional Council.

## Membership

The membership of the Joint Committee is comprised of:

- The Mayor of Carterton District Council
- The Mayor of Horowhenua District Council
- The Mayor of Hutt City Council
- The Mayor of Kāpiti Coast District Council
- The Mayor of Masterton District Council
- The Mayor of Porirua City Council
- The Mayor of South Wairarapa District Council
- The Mayor of Upper Hutt City Council
- The Mayor of Wellington City Council
- The Chair of Wellington Regional Council
- A person nominated by the Joint Committee itself and appointed by the Administering Authority to be the ~~independent~~ Chairperson of the Joint Committee. Before nominating the person, the Joint Committee is required to consider whether the Chairperson should be independent. The nominee may be drawn from the local government and mana whenua membership of the Joint Committee or may be an additional member who is independent.

The members of the Joint Committee may also include:

- A person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira) and appointed by the Administering Authority
- A person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui) and appointed by the Administering Authority
- A person nominated by Rangitāne Tū Mai Rā Trust and appointed by the Administering Authority
- A person ~~jointly~~ nominated by Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust (Ngāti Kahungunu ki Wairarapa) and Ngāti Kahungunu ki Wairarapa Tāmaki Nui ā Rua Settlement Trust and Trust and appointed by the Administering Authority
- A person nominated by Raukawa ki te Tonga and appointed by the Administering Authority
- A person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiwawa ki Whakarongotai) and appointed by the Administering Authority
- A person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū) and appointed by the Administering Authority
- Up to three ~~persons~~ Ministers nominated by the Crown (Cabinet) and appointed by the Administering Authority.

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In respect of those members who are persons nominated by a particular entity or body (and then appointed by the Administering Authority), for the avoidance of doubt, if no nomination occurs then the Administering Authority need not make an appointment to the Joint Committee in respect of that entity or body. The membership of the Joint Committee will be accordingly reduced to the extent that there is no nomination/appointment (including for the purposes of calculating the number of vacancies for establishing a quorum). Such appointment may be made if and when a relevant nomination occurs.

The territorial local authorities that are parties to this agreement must appoint the relevant Mayor to be a member of the Joint Committee. This is so that those Mayors are counted for the purposes of determining the number of members required to constitute a quorum – see clause 30A(6A) of Schedule 7 of the Local Government Act 2002.

The local authorities that are parties to this agreement may, in addition to the appointment of the relevant Mayor or Chair, appoint an alternate who, in exceptional circumstances where the Mayor or Chair is not able to attend a Joint Committee meeting, is entitled to attend that Joint Committee meeting as a member of the Joint Committee (and appointed by the relevant local authority). If an alternate is appointed, it must be the Deputy Mayor or Deputy Chair. The appointment of alternates does not affect the normal calculation of a quorum.

The local authorities that are parties to this agreement may also nominate one elected member for appointment by the Joint Committee as a member of the Joint Committee Subcommittee. The iwi who are parties to this agreement may also nominate one person for appointment by the Joint Committee as a member of the Joint Committee Subcommittee.

The Joint Committee Subcommittee's purpose is to consider submissions on the draft Future Development Strategy and make recommendations on those submissions to the Joint Committee (which retains the decision to approve the final Future Development Strategy). If the Joint Committee reviews the Future Development Strategy in accordance with the National Policy on Urban Development 2020 and it determines updating of the Future Development Strategy is required, then the Joint Committee Subcommittee will consider submissions on any draft updates to the Future Development Strategy and make recommendations on those submissions to the Joint Committee (which retains the decision to approve the final updated Future Development Strategy).

The iwi that are parties to this agreement may, in addition to the appointment of the person nominated for each iwi and appointed by the Administering Authority, each nominate an alternate for appointment by the Administering Authority who, in exceptional circumstances where the appointed person is not able to attend a Joint Committee meeting, is entitled to attend that Joint Committee meeting as a member of the Joint Committee. The appointment of alternates does not affect the normal calculation of a quorum.

The Ministers, nominated by the Crown (Cabinet) and appointed by the Administering Authority, may each nominate an alternate for appointment by the Administering Authority who, in exceptional circumstances where the appointed ~~person~~ Minister is not able to attend a Joint Committee meeting, is entitled to attend that Joint Committee meeting as a member of the Joint Committee. The appointment of alternates does not affect the normal calculation

of a quorum. If an alternate for the Minister of the Joint Committee is not appointed, then any person who attends on behalf of a Minister will be treated as an observer.

A Deputy Chairperson is to be appointed by the Joint Committee from the existing membership. In accordance with standing orders, the Deputy Chairperson may preside at meetings in the absence of the Chairperson (including before the Joint Committee nominates an independent Chairperson and that person is appointed by the Administering Authority).

#### *General*

The membership of the Wellington Regional Leadership Committee shall be limited to a maximum of 21 members (including the independent Chairperson). In accordance with Clause 30A of Schedule 7 to the Local Government Act 2002, the quorum at a meeting of the Joint Committee shall be half of the members if the number of members (including vacancies) is an even number, or a majority of members if the number of members (including vacancies) is an odd number. In accordance with clause 30A(6)(c)(iii) of Schedule 7 of the Local Government Act 2002, for a quorum to be established there must be present at least 5 members appointed by local authorities.

The standing orders of the Administering Authority apply to the Joint Committee. The Joint Committee will adopt a memorandum of understanding setting out the principles that guide the Joint Committee's work and the approach that the Joint Committee will take.

#### *Expectations around member voting based on Joint Committee programme and agenda*

When the Joint Committee is addressing regional economic development matters or regional economic recovery matters~~matters that are not within the Wellington Regional Growth Framework programme~~, it is expected that the Ministers of the Crown will not exercise their voting rights (and may elect not to attend the relevant meetings or parts of meetings).

#### **Observers**

The Joint Committee allows for observers. Observers will be entitled to speak at meetings but will not be members of the Joint Committee.

At each meeting, the independent Chairperson shall recognise those observers attending in accordance with these provisions and the persons recognised by the independent Chairperson shall have speaking rights at the meeting.

The attendance at any public excluded session by observers shall only be permitted with the prior approval of the independent Chairperson.

#### **Meeting Frequency**

Meetings will be held once every two-three months, or as necessary and determined by the independent Chairperson.

Notification of meetings and the publication of agendas and reports shall be conducted in accordance with the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 and will be undertaken by the Administering Authority.

### **Specific Responsibilities**

The Wellington Regional Leadership Committee has the following specific responsibilities in support of its overall purpose:

#### Wellington Regional Growth Framework

1. Oversee the development and implementation of the Wellington Regional Growth Framework, including regional climate change projects and a regional housing action plan.
2. Recommend to the Wellington Regional Growth Framework partners how funding and resources should be applied to support implementation of the Wellington Regional Growth Framework.
3. Monitor the implementation of the Wellington Regional Growth Framework and associated workstreams.
4. Review and keep up to date the Wellington Regional Growth Framework as circumstances change.
5. Recommend to the Wellington Regional Growth Framework partners actions to achieve alignment with council, central government and iwi plans, strategies and policies.
6. Facilitate engagement and consultation with stakeholders and the community on the Wellington Regional Growth Framework.
7. Develop submissions and advocate to external organisations on matters relating to the Wellington Regional Growth Framework.
8. Engage with neighbouring regions on cross-boundary matters relating to the Wellington Regional Growth Framework.

#### Regional Economic Development

1. Provide leadership in regional, sustainable economic development, including establishing partnerships with key agencies involved in economic development. Acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a regional economic development plan to guide the collective work of the region, in line with the desired future outlined in the Wellington Regional Growth Framework.
3. Monitor and report on the status of the regional economy, emerging risks and opportunities and progress towards the implementation of the regional economic development plan and transition to a low carbon economy.
4. Develop submissions and advocate to external organisations on matters relating to regional economic development.

5. Recommend to Greater Wellington Regional Council (as a joint shareholder of Wellington NZ) the allocation of the regional targeted rate for economic development to initiatives and activities based on the regional economic development plan.

Regional Economic Recovery

1. Provide leadership in regional economic recovery, including establishing partnerships with key agencies involved in recovery, acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a programme of regional economic recovery initiatives, which incorporate alignment with the region's climate change goals.
3. Coordinate the implementation of a programme of regional economic recovery initiatives through local authorities, council controlled organisations and other partners.
4. Monitor and report on the impacts of regional economic recovery on the region, emerging risks and opportunities and progress towards implementation of the programme of regional economic recovery initiatives.
5. Develop submissions and advocate to external organisations on matters relating to regional economic recovery including developing regional proposals for partnerships and funding assistance.

Future Development Strategy

1. Prepare, finalise and make publicly available the Housing and Business Development Capacity Assessment and undertake any other work necessary under the National Policy Statement for Urban Development 2020 to inform the draft Future Development Strategy.
2. Consult and engage in order to prepare a draft Future Development Strategy under the National Policy Statement for Urban Development 2020.
3. Prepare a draft Future Development Strategy.
4. Approve a draft Future Development Strategy and any other documentation necessary as part of the special consultative procedure in accordance with the LGA 2002.
5. Commence and engage in the special consultative procedure in accordance with the LGA 2002 for the Future Development Strategy
6. Appoint a Joint Committee Subcommittee to consider the submissions on the draft Future Development Strategy (and any draft updates to that Strategy in accordance with National Policy Statement for Urban Development 2020), which will make recommendations to the Joint Committee on those submissions.
7. Approve the final Future Development Strategy after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft Future Development Strategy.
8. Review the Future Development Strategy in accordance with the National Policy on Urban Development 2020 and decide whether updating of the Future Development

Strategy is required. If so, complete the same process for consultation as applies to the preparation of the Future Development Strategy set out above.

9. Approve any updated Future Development Strategy under the National Policy Statement for Urban Development 2020, after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft updated Future Development Strategy.
10. Prepare the implementation plan required for the Future Development Strategy (or updated one) and oversee the implementation of the Future Development Strategy.

## Delegations

Each local authority delegates to the Joint Committee, in accordance with the terms of reference in Appendix 1, the following responsibilities:

1. Approval of all plans and implementation programmes necessary to fulfil the specific responsibilities of the Joint Committee, including:
  - Wellington Regional Growth Framework and the Wellington Regional Growth Framework Implementation Plan
  - Regional Economic Development Plan
  - Regional Economic Recovery Implementation Plan
2. Approval of all submissions and advocacy statements necessary to fulfil the specific responsibilities of the Joint Committee
3. Undertaking the work required to inform a draft Future Development Strategy under the National Policy Statement for Urban Development 2020 (including preparing, finalising and making publicly available the Housing and Business Development Capacity Assessment) and undertaking consultation and engagement in order to prepare a draft Future Development Strategy under the National Policy Statement for Urban Development 2020, preparing that draft, approving the draft and documentation necessary as part of the special consultative procedure, commencing and concluding the special consultative procedure in accordance with the LGA 2002 and approving the final Future Development Strategy, after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft Strategy.
4. Appointing a Joint Committee Subcommittee to consider the submissions on the draft Future Development Strategy and giving it the power to make recommendations on those submissions to the Joint Committee (which retains the power to make the decision to approve the final Future Development Strategy). The Joint Committee Subcommittee will operate in accordance with the Terms of Reference in Appendix 2 to this agreement.
5. Review the Future Development Strategy in accordance with the National Policy on Urban Development 2020 and decide whether updating of the Future Development Strategy is required. If so, complete the same process for consultation as applies to the preparation of the Future Development Strategy set out above.

6. Approve any updated Future Development Strategy under the National Policy Statement for Urban Development 2020, after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft updated Future Development Strategy.

2-7. Prepare the implementation plan required for the Future Development Strategy (or updated one) and oversee the implementation of the Future Development Strategy.

3-8. The setting of the Joint Committee’s meeting schedule.

**Responsibilities**

The table below identifies key parties related to this agreement and the Wellington Regional Leadership Committee and their responsibilities.

Party	Responsibilities
Wellington Regional Leadership Committee	Decision making related to the Specific Responsibilities in this agreement and TOR, <u>including Regional economic development, Regional economic recovery, Wellington regional growth framework, Future Development Strategy (and implementation of the Future Development Strategy);</u>  <u>Appointing a Joint Committee Subcommittee to consider the submissions on the draft Future Development Strategy and giving it the power to make recommendations on those submissions to the Joint Committee (and the same for any updated Future Development Strategy);</u>  Joint regional voice and advocacy;  Select and nominate the <del>independent</del> Chairperson (for appointment to the Joint Committee by the Administering Authority);  Agree 3 year rolling work programme consistent with WRGF, Economic Plan and other relevant directional documents;  <u>Appointing members and the Chair of the Joint Committee Subcommittee.</u>
<u>Joint Committee Subcommittee for Future Development Strategy</u>	<u>To run an appropriate process to consider the submissions on the draft Future Development Strategy (and any updated one) and to make recommendations on those submissions to the Joint Committee, so the Joint Committee can approve the final Future Development Strategy (or any updated one).</u>
<del>independent</del> Chairperson	Chair the Joint Committee meetings;  Approve attendance as required in public excluded sessions;  Approve speaking rights as required at Joint Committee meetings;  Liaise with members of the Joint Committee as required;  Approve (in consultation with the Senior Staff Group) content of meeting agendas.
Chief Executives Group	Provide support and advice to the Joint Committee;  Agree funding amounts and splits (rolling 3-year programme).

**Attachment 1 to Report 23.344**

Party	Responsibilities
Senior Staff Group (2 <sup>nd</sup> Tier Managers)	Recommend work programme to the Joint Committee; Recommend funding arrangements and allocations; Manage reports to the Joint Committee; Review work being undertaken and recommend changes if required; Align work programmes within home organisations.
Joint Secretariat	Coordinate the work of the Joint Committee (in consultation with the <u>independent Chairperson</u> ); Provide administrative support to the Joint Committee on all aspects of its business; Lead work streams as required; Manage joint communications and consultation; Support the work of the Joint Committee, including monitoring, research and independent advice as required.
Delivery agencies e.g. Councils, Council Controlled Organisations, <u>WREMO</u>	Provide information and research; Draft papers for the Joint Committee; Attend meetings as required; Deliver aspects of the work programme (e.g. economic development activities).
Administering Authority	Administer standing orders; Employing joint secretariat staff; Payment of the meeting fees and <u>independent Chairperson's</u> honorarium; Appointing members to the Joint Committee (who are to be appointed by the Administering Authority).

**Administration Funding**

Funding will be provided by the Wellington Region’s local authorities for the administration of the Joint Committee and Joint Committee Subcommittee, a ~~new~~ joint secretariat, and iwi participation in the Joint Committee and Joint Committee Subcommittee through a regional targeted rate set by Greater Wellington Regional Council. -

Horowhenua District Council will make an annual funding contribution on a proportional population basis. This funding contribution is calculated by dividing the total annual amount levied through the Wellington Region targeted rate by the total population of the Wellington Region, to arrive at a per capita amount, and then multiplying that per capita amount by the

population of Horowhenua District to determine the annual Horowhenua District Council contribution.

Funding will be provided by central government as a contribution to the administration of the Joint Committee and Joint Committee Subcommittee and the joint secretariat at an amount to be agreed.

The funding will support the administration of the Joint Committee, the Joint Committee Subcommittee and the joint secretariat that supports the Joint Committee and Joint Committee Subcommittee which will undertake the following:

1. Providing administrative support to the Joint Committee, Joint Committee Subcommittee and the Senior Staff Group
2. Managing the work programme of the Joint Committee and Joint Committee Subcommittee, including policy advice function and monitoring and research as required
3. Provision of independent advice to support the work programme and Joint Committee Subcommittee as required

**Variation of this Agreement**

This agreement may be varied by the parties from time to time but only with the endorsement of the Wellington Regional Leadership Committee.

**EXECUTION**

**SIGNED** for and on behalf of **CARTERTON DISTRICT COUNCIL:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of person signing

**SIGNED** for and on behalf of **HOROWHENUA DISTRICT COUNCIL:**

\_\_\_\_\_

**Attachment 1 to Report 23.344**

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Signature

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Name of person signing

**SIGNED** for and on behalf of **HUTT CITY COUNCIL:**

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Signature

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Name of person signing

**SIGNED** for and on behalf of **KĀPITI COAST DISTRICT COUNCIL:**

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Signature

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Name of person signing

**SIGNED** for and on behalf of **MASTERTON DISTRICT COUNCIL:**

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**Attachment 1 to Report 23.344**

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Signature

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Name of person signing

**SIGNED** for and on behalf of **PORIRUA CITY COUNCIL:**

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Signature

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Name of person signing

**SIGNED** for and on behalf of **SOUTH WAIRARAPA DISTRICT COUNCIL:**

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Signature

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Name of person signing

**SIGNED** for and on behalf of **UPPER HUTT CITY COUNCIL:**

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**Attachment 1 to Report 23.344**

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Signature

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Name of person signing

**SIGNED for and on behalf of WELLINGTON CITY COUNCIL:**

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Signature

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Name of person signing

**SIGNED for and on behalf of WELLINGTON REGIONAL COUNCIL:**

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Signature

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Name of person signing

**SIGNED for and on behalf of NGĀTI TOA RANGATIRA:**

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**Attachment 1 to Report 23.344**

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Signature

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Name of person signing

**SIGNED** for and on behalf of **TARANAKI WHĀNUI:**

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Signature

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Name of person signing

**SIGNED** for and on behalf of **RANGITĀNE TŪ MAI RĀ TRUST**

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Signature

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Name of person signing

**SIGNED** for and on behalf of **NGĀTI KAHUNGUNU KI WAIRARAPA TĀMAKI NUI-A-RUA SETTLEMENT TRUST (NGĀTI KAHUNGUNU KI WAIRARAPA) AND**

~~NGĀTI KAHUNGUNU KI WAIRARAPA  
TAMAKI NUI Ā RUA SETTLEMENT TRUST:~~

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Signature

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Name of person signing

**SIGNED** for and on behalf of **RAUKAWA KI  
TE TONGA:**

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Signature

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Name of person signing

**SIGNED** for and on behalf of **ĀTIAWA KI  
WHAKARONGOTAI:**

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Signature

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Name of person signing

**Attachment 1 to Report 23.344**

**SIGNED** for and on behalf of **MUAŪPOKO HAPŪ:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of person signing

**SIGNED** for and on behalf of **CENTRAL GOVERNMENT:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of person signing

**Dated:** \_\_\_\_\_ **2023**

## Appendix 1

### Wellington Regional Leadership Committee Terms of Reference

#### Purpose

The purpose of the Wellington Regional Leadership Committee is to take responsibility for key matters of regional importance – Wellington Regional Growth Framework, Regional Economic Development, ~~and~~ Regional [Economic Recovery, and the Future Development Strategy](#) - where a collective voice and collective planning and action is required.

The Wellington Regional Leadership Committee (Joint Committee) is a Joint Committee, established in accordance with clauses 30 and 30A of Schedule 7 to the Local Government Act 2002.

The Joint Committee has members from all the nine councils wholly within the Wellington Region and the Horowhenua District Council, ~~mana-whenua~~[iwi](#) and members from central Government.

#### [Administering Authority](#)

[The Administering Authority for the Wellington Regional Leadership Committee is Greater Wellington Regional Council.](#)

#### Specific Responsibilities

The Wellington Regional Leadership Committee specific responsibilities include:

##### Wellington Regional Growth Framework

1. Oversee the development and implementation of the Wellington Regional Growth Framework, [including regional climate change projects and a regional housing action plan](#).
2. Recommend to the Wellington Regional Growth Framework partners how funding and resources should be applied to support implementation of the Wellington Regional Growth Framework.
3. Monitor the implementation of the Wellington Regional Growth Framework and associated workstreams.
4. Review and keep up to date the Wellington Regional Growth Framework as circumstances change.
5. Recommend to the Wellington Regional Growth Framework partners actions to achieve alignment with council, central government and iwi plans, strategies and policies.
6. Facilitate engagement and consultation with stakeholders and the community on the Wellington Regional Growth Framework.
7. Develop submissions and advocate to external organisations on matters relating to the Wellington Regional Growth Framework.

8. Engage with neighbouring regions on cross-boundary matters relating to the Wellington Regional Growth Framework.

Regional Economic Development

1. Provide leadership in regional economic development, including establishing partnerships with key agencies involved in economic development. Acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a regional economic development plan to guide the collective work of the region, in line with the desired future outlined in the Wellington Regional Growth Framework.
3. Monitor and report on the status of the regional economy, emerging risks and opportunities and progress towards the implementation of the regional economic development plan and transition to a low carbon economy.
4. Develop submissions and advocate to external organisations on matters relating to regional economic development.
5. Recommend to Greater Wellington Regional Council (as a joint shareholder of Wellington NZ) the allocation of the regional targeted rate for economic development to initiatives and activities based on the regional economic development plan.

Regional Economic Recovery

1. Provide leadership in regional economic recovery, including establishing partnerships with key agencies involved in recovery, acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a programme of regional economic recovery initiatives, which incorporate alignment with the region's climate change goals.
3. Coordinate the implementation of a programme of regional economic recovery initiatives through local authorities, council controlled organisations and other partners.
4. Monitor and report on the impacts of regional economic recovery on the region, emerging risks and opportunities and progress towards implementation of the programme of regional economic recovery initiatives.
5. Develop submissions and advocate to external organisations on matters relating to regional economic recovery including developing regional proposals for partnerships and funding assistance.

Future Development Strategy

1. Prepare, finalise and make publicly available the Housing and Business Development Capacity Assessment and undertake any other work necessary under the National Policy Statement for Urban Development 2020 to inform the draft Future Development Strategy.

2. Consult and engage in order to prepare a draft Future Development Strategy under the National Policy Statement for Urban Development 2020.
3. Prepare a draft Future Development Strategy.
4. Approve a draft Future Development Strategy and any other documentation necessary as part of the special consultative procedure in accordance with the LGA 2002.
5. Commence and engage in the special consultative procedure in accordance with the LGA 2002 for the Future Development Strategy
6. Appoint a Joint Committee Subcommittee to consider the submissions on the draft Future Development Strategy (and any draft updates to that Strategy in accordance with National Policy Statement for Urban Development 2020), which will make recommendations to the Joint Committee on those submissions.
7. Approve the final Future Development Strategy after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft Future Development Strategy.
8. Review the Future Development Strategy in accordance with the National Policy on Urban Development 2020 and decide whether updating of the Future Development Strategy is required. If so, complete the same process for consultation as applies to the preparation of the Future Development Strategy set out above.
9. Approve any updated Future Development Strategy under the National Policy Statement for Urban Development 2020, after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft updated Future Development Strategy.
10. Prepare the implementation plan required for the Future Development Strategy (or updated one) and oversee the implementation of the Future Development Strategy.

### **Membership**

The membership of the Joint Committee is comprised of:

- The Mayor of Carterton District Council
- The Mayor of Horowhenua District Council
- The Mayor of Hutt City Council
- The Mayor of Kāpiti Coast District Council
- The Mayor of Masterton District Council
- The Mayor of Porirua City Council
- The Mayor of South Wairarapa District Council
- The Mayor of Upper Hutt City Council
- The Mayor of Wellington City Council
- The Chair of Wellington Regional Council

- A person nominated by the Joint Committee itself and appointed by the Administering Authority to be the ~~independent~~ Chairperson of the Joint Committee. Before nominating the person, the Joint Committee is required to consider whether the Chairperson should be independent. The nominee may be drawn from the local government and mana whenua membership of the Joint Committee or may be an additional member who is independent.

The members of the Joint Committee may also include:

- A person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira) and appointed by the Administering Authority
- A person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui) and appointed by the Administering Authority
- A person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa) and appointed by the Administering Authority
- A person nominated by Ngāti Kahungunu ki Wairarapa ~~Tāmaki nui-a-Rua Settlement Trust (Ngāti Kahungunu ki Wairarapa) and Ngāti Kahungunu ki Wairarapa Tāmaki Nui-a-Rua Settlement~~ Trust and appointed by the Administering Authority
- A person nominated by Raukawa ki te Tonga and appointed by the Administering Authority
- A person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiwawa ki Whakarongotai) and appointed by the Administering Authority
- A person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū) and appointed by the Administering Authority
- Up to three ~~persons~~ Ministers nominated by the Crown (Cabinet) and appointed by the Administering Authority.

In respect of those members who are persons nominated by a particular entity or body (and then appointed by the Administering Authority), for the avoidance of doubt, if no nomination occurs then the Administering Authority need not make an appointment to the Joint Committee in respect of that entity or body. The membership of the Joint Committee will be accordingly reduced to the extent that there is no nomination/appointment (including for the purposes of calculating the number of vacancies for establishing a quorum). Such appointment may be made if and when a relevant nomination occurs.

The territorial authorities that are parties to this agreement must appoint the relevant Mayor to be a member of the Joint Committee. This is so that those Mayors are counted for the purposes of determining the number of members required to constitute a quorum – see clause 30A(6A) of Schedule 7 of the Local Government Act 2002.

The local authorities that are parties to this agreement may, in addition to the appointment of the relevant Mayor or Chair, appoint an alternate who, in exceptional circumstances where the Mayor or Chair is not able to attend a Joint Committee meetings, is entitled to attend that Joint Committee meetings as a member of the Joint Committee (and appointed by the relevant local authority). If an alternate is appointed, it must be the Deputy Mayor or Deputy Chair. The appointment of alternates does not affect the normal calculation of a quorum.

The local authorities that are parties to this agreement may also nominate one elected member for appointment by the Joint Committee as a member of the Joint Committee Subcommittee. The iwi who are parties to this agreement may also nominate one person for appointment by the Joint Committee as a member of the Joint Committee Subcommittee. The Joint Committee Subcommittee's purpose is to consider submissions on the draft Future Development Strategy and make recommendations on those submissions to the Joint Committee (which retains the decision to approve the final Future Development Strategy). If the Joint Committee reviews the Future Development Strategy in accordance with the National Policy on Urban Development 2020 and it determines updating of the Future Development Strategy is required, then the Joint Committee Subcommittee will consider submissions on the draft updates to the Future Development Strategy and make recommendations on those submissions to the Joint Committee (which retains the decision to approve the final updated Future Development Strategy).

The iwi that are parties to this agreement may, in addition to the appointment of the person nominated for each iwi and appointed by the Administering Authority, each nominate an alternate for appointment by the Administering Authority who, in exceptional circumstances where the appointed person is not able to attend a Joint Committee meeting, is entitled to attend that Joint Committee meeting as a member of the Joint Committee. The appointment of alternates does not affect the normal calculation of a quorum.

The Ministers, nominated by the Crown (Cabinet) and appointed by the Administering Authority, may each nominate an alternate for appointment by the Administering Authority who, in exceptional circumstances where the appointed ~~person~~ Minister is not able to attend a Joint Committee meeting, is entitled to attend that Joint Committee meeting as a member of the Joint Committee. The appointment of alternates does not affect the normal calculation of a quorum. If an alternate nominated for any Minister on the Joint Committee is not appointed, then any person who attends on behalf of the Minister will be treated as an observer.

A Deputy Chairperson is to be appointed by the Joint Committee from the existing membership. In accordance with standing orders, the Deputy Chairperson may preside at meetings in the absence of the ~~independent~~ Chairperson (including before the Joint Committee nominates an ~~independent~~ Chairperson and that person is appointed by the Administering Authority).

#### *General*

The membership of the Wellington Regional Leadership Committee shall be limited to a maximum of 21 members (including the ~~independent~~ Chairperson).

#### *Expectations around member voting based on Joint Committee programme and agenda*

When the Joint Committee is addressing regional economic development matters or regional economic recovery matters ~~that are not within the Wellington Regional Growth Framework programme~~, it is expected that the Ministers of the Crown will not exercise their voting rights (and may elect not to attend the relevant meetings or parts of meetings)

#### **Observers**

The Joint Committee allows for observers. Observers will be entitled to speak at meetings but will not be members of the Joint Committee.

At each meeting, the ~~independent~~ Chairperson shall recognise those observers attending in accordance with these provisions and the persons recognised by the ~~independent~~ Chairperson shall have speaking rights at the meeting.

The attendance at any public excluded session by observers shall only be permitted with the prior approval of the ~~independent~~ Chairperson.

### Voting

Each member has one vote. In the case of an equality of votes the ~~independent~~ Chairperson has a casting vote.

### Meetings

The Joint Committee will arrange its meetings in separate parts, relating to the specific focus areas of: Wellington Regional Growth Framework; Regional Economic Development; ~~and~~ Regional Recovery and Future Development Strategy.

Meetings will be held once every two-~~three~~ months, or as necessary and determined by the ~~independent~~ Chairperson.

The Joint Committee will set its own meeting schedule.

### Quorum

In accordance with Clause 30A of Schedule 7 to the Local Government Act 2002, the quorum at a meeting of the Joint Committee shall be half of the members if the number of members (including vacancies) is an even number, or a majority of members if the number of members (including vacancies) is an odd number. In accordance with clause 30A(6)(c)(iii) of Schedule 7 of the Local Government Act 2002, for a quorum to be established there must be present at least 5 members appointed by local authorities.

Notification of meetings and the publication of agendas and reports shall be conducted in accordance with the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 and will be undertaken by the administering local authority.

### Delegations

Each local authority delegates to the Joint Committee, and in accordance with the terms of reference, the following responsibilities:

1. Approval of all plans and implementation programmes necessary to fulfil the specific responsibilities of the Joint Committee, including:
  - a. Wellington Regional Growth Framework and Wellington Regional Leadership Committee Implementation Plan
  - b. Regional Economic Development Plan
  - ~~c.~~ Regional Economic Recovery Implementation Plan.

2. Approval of all submissions and advocacy statements necessary to fulfil the specific responsibilities of the Joint Committee.
3. Undertaking the work required to inform a draft Future Development Strategy under the National Policy Statement for Urban Development 2020 (including preparing, finalising and making publicly available the Housing and Business Development Capacity Assessment) and undertaking consultation and engagement in order to prepare a draft Future Development Strategy under the National Policy Statement for Urban Development 2020, preparing that draft, approving the draft and documentation necessary as part of the special consultative procedure, commencing and concluding the special consultative procedure in accordance with the LGA 2002 and approving the final Future Development Strategy, after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft Strategy.
4. Appointing a Joint Committee Subcommittee to consider the submissions on the draft Future Development Strategy and giving it the power to make recommendations on those submissions to the Joint Committee (which retains the power to make the decision to approve the final Future Development Strategy). The Joint Committee Subcommittee will operate in accordance with the Terms of Reference in Appendix 2 to this agreement.
5. Reviewing the Future Development Strategy in accordance with the National Policy on Urban Development 2020 and deciding whether updating of the Future Development Strategy is required. If so, completing the same process for consultation as applies to the preparation of the Future Development Strategy set out above.
6. Approval of any updated Future Development Strategy under the National Policy Statement for Urban Development 2020, after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft updated Future Development Strategy.
- ~~2.~~ Prepare the implementation plan required for the Future Development Strategy (or updated one) and oversee the implementation of the Future Development Strategy.
- ~~3-7.~~ The setting of the Joint Committee's meeting schedule.

### **Remuneration and expenses**

Each party shall be responsible for remunerating its representative(s) on the Joint Committee.

Members who represent organisations or entities other than local authorities (being iwi members) shall be eligible for compensation for Joint Committee activity including travel, meeting time, and preparation for meetings paid by the administering local authority. This amount is to be agreed in advance.

An alternate, attending the Joint Committee on behalf of an iwi member, shall be eligible to receive the meeting fee and travel allowances payable to the member in respect of the meeting the alternate formally attends.

### **Standing Orders**

The Joint Committee shall apply the standing orders of the Administering Authority.

### **Duration of the Joint Committee**

In accordance with clause 30(7) of Schedule 7 of the Local Government Act 2002, the Wellington Regional Leadership Committee is not deemed to be discharged following each triennial local government election.

### **Servicing**

The Joint Committee is serviced by a joint secretariat. The ~~A~~administering ~~local a~~Authority shall be responsible for the administration of the Joint Committee.

### **Council decisions on the Joint Committee's recommendations**

Where a Council makes specific decisions on the Joint Committee's recommendations, these will be reported to the Joint Committee. Where the decision is materially different from the Joint Committee's recommendation the report will set out the reasons for that decision.

### **Variation of this Terms of Reference**

These terms of reference may be varied from time to time. It is envisaged that changes may be made to add or remove specific responsibilities as the circumstances require. Changes will be approved by the parties to the agreement establishing the Wellington Regional Leadership Committee on the recommendation of the Joint Committee.

## Appendix 2

### Joint Committee Subcommittee for Future Development Strategy - Terms of Reference

#### Purpose

The purpose of this Joint Committee Subcommittee is to consider submissions on:

- The Draft Future Development Strategy prepared under the National Policy Statement on Urban Development 2020 and make recommendations on those submissions to the Joint Wellington Regional Leadership Committee.
- Any draft updates to the Future Development Strategy, in accordance with the National Policy on Urban Development 2020 and make recommendations on those submissions to the Joint Wellington Regional Leadership Committee.

The Joint Committee Subcommittee is a Subcommittee of the Wellington Regional Leadership Committee (Joint Committee), established in accordance with clauses 30 of Schedule 7 to the Local Government Act 2002. The Joint Committee Subcommittee will be deemed to not be discharged at or following each triennial local government election (in line with clause 30(7) of Schedule 7 of the Local Government Act 2002).

#### Administering Authority

The Administering Authority for the Joint Committee Subcommittee is Greater Wellington Regional Council.

#### Specific Responsibilities

The specific responsibilities of this Joint Committee Subcommittee include:

- Considering submissions on the Draft Future Development Strategy and any draft updates to the Future Development Strategy
- Deliberating on the draft Future Development Strategy and any draft updates to the Future Development Strategy, taking into account all submissions
- Making recommendations to the Joint Wellington Regional Leadership Committee on those submissions and any suggested amendments to the Draft Future Development Strategy (or updated Strategy as the case may be).

#### Membership

The membership of the Joint Committee Subcommittee may include:

- One elected member nominated by the Carterton District Council and appointed by the Administering Authority
- One elected member nominated by the Horowhenua District Council and appointed by the Administering Authority

- One elected member nominated by the Hutt City Council and appointed by the Administering Authority
- One elected member nominated by the Kāpiti Coast District Council and appointed by the Administering Authority
- One elected member nominated by the Masterton District Council and appointed by the Administering Authority
- One elected member nominated by the Porirua City Council and appointed by the Administering Authority
- One elected member nominated by the South Wairarapa District Council and appointed by the Administering Authority
- One elected member nominated by the Upper Hutt City Council and appointed by the Administering Authority
- One elected member nominated by the Wellington City Council and appointed by the Administering Authority
- one elected member nominated by the Wellington Regional Council and appointed by the Administering Authority
- A person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira) and appointed by the Administering Authority
- A person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui) and appointed by the Administering Authority
- A person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa) and appointed by the Administering Authority
- A person nominated by Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust and appointed by the Administering Authority
- A person nominated by Raukawa ki te Tonga and appointed by the Administering Authority
- A person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiawa ki Whakarongotai) and appointed by the Administering Authority
- A person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū) and appointed by the Administering Authority
- A person nominated by the Joint Committee Subcommittee itself and appointed by the [Joint Committee](#) to be the independent Chairperson of the Joint Committee Subcommittee. The Chairperson is required to have prior experience in sitting on Hearing Panels.

In respect of the members above (persons nominated by a particular entity or body and then appointed by the Administering Authority), for the avoidance of doubt, if no nomination occurs then the Administering Authority need not make an appointment to the Joint Committee Subcommittee in respect of that entity or body. The membership of the Joint Committee Subcommittee will be accordingly reduced to the extent that there is no nomination/appointment (including for the purposes of calculating the number of vacancies

for establishing a quorum). Such appointment may be made if and when a relevant nomination occurs.

If the territorial local authorities that are parties to this agreement nominate the Mayor to be a member of the Joint Committee Subcommittee and the Mayor is appointed by the Administering Authority, then the Mayor will be counted for the purposes of determining the number of members required to constitute a quorum – see clause 30A(6A) of Schedule 7 of the Local Government Act 2002.

The total membership of the Joint Committee Subcommittee shall be limited to a maximum of 18 members (including the independent Chairperson).

### **Voting**

Each member has one vote. In the case of an equality of votes the independent Chairperson has a casting vote.

### **Meetings**

The Joint Committee Subcommittee will set its own meeting schedule.

### **Quorum**

In accordance with Clause 30A of Schedule 7 to the Local Government Act 2002, the quorum at a meeting of the Joint Committee Subcommittee shall be half of the members if the number of members (including vacancies) is an even number, or a majority of members if the number of members (including vacancies) is an odd number.

In accordance with clause 30A(6)(c)(iii) of Schedule 7 of the Local Government Act 2002, for a quorum to be established there must be present at least half of the members nominated by local authorities and appointed by the Administering Authority.

### **Delegations**

The Joint Committee Subcommittee is delegated the following powers in accordance with these terms of reference:

- Considering submissions on the Draft Future Development Strategy and any draft updates to the Future Development Strategy.
- Deliberating on the draft Future Development Strategy and any draft updates to the Future Development Strategy, taking into account all submissions.
- Making recommendations to the Joint Wellington Regional Leadership Committee on those submissions and any suggested amendments to the Draft Future Development Strategy (or updated Strategy as the case may be).

### **Standing Orders**

The Joint Committee Subcommittee shall apply the standing orders of the Administering Authority.

### **Remuneration and expenses**

Each local authority shall be responsible for remunerating its representative(s) on the Joint Committee Subcommittee.

Members who represent organisations or entities other than local authorities (being iwi members), and any independent chair shall be eligible for remuneration for Joint Committee Subcommittee activity including travel, meeting time, and preparation for meetings paid by the Administering Authority. Such remuneration provisions will be determined by the Joint Committee.

### **Servicing**

The Joint Committee Subcommittee is serviced by a joint secretariat. The Administering Authority shall be responsible for the administration of the Subcommittee.

### **Wellington Regional Leadership Committee decisions on the Joint Committee Subcommittee's recommendations**

Where the Wellington Regional Leadership Committee makes decisions on the Joint Committee Subcommittee's recommendations, these will be reported to the local authorities and iwi members listed under 'Membership' above, whether they have a member appointed to the Joint Committee Subcommittee or not.

### **Variation of this Terms of Reference**

These terms of reference may be varied from time to time. It is envisaged that changes may be made to add or remove specific responsibilities as the circumstances require. Changes will be approved by the parties to the agreement establishing the Wellington Regional Leadership Committee on the recommendation of that Joint Committee.

**Attachment 2 to Report 23.344**

**Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version**

# Wellington Regional Leadership Committee Joint Committee Agreement

Dated 2023

## Attachment 2 to Report 23.344

### Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version

## Wellington Regional Leadership Committee - Joint Committee Agreement

### Purpose

This agreement is made pursuant to Clause 30A, Schedule 7 of the Local Government Act 2002 (LGA 2002). The purpose is for a Joint Committee of Carterton District Council, Greater Wellington Regional Council, Hutt City Council, Kāpiti Coast District Council, Masterton District Council, Porirua City Council, South Wairarapa District Council, Upper Hutt City Council, Wellington City Council, Horowhenua District Council and iwi to take responsibility for key matters of regional importance where a collective voice and collective regional planning and action is required.

The parties listed above are wanting to work together with central government on matters that are of regional importance and are cross boundary and inter-regional in nature. The role of the Joint Committee is to set direction and monitor activities from those plans related to the direction on all matters, with particular focus on:

- Regional economic development
- Regional economic recovery
- Wellington regional growth framework (joint spatial plan under the [Urban Growth Partnerships](#) and [Urban Growth Agenda](#))
- Urban development and specifically, the preparation and approval and regular review and implementation of a Future Development Strategy under the National Policy Statement on Urban Development 2020 (including preparing, finalising and making publicly available a Housing and Business Development Capacity Assessment and undertaking any other work necessary to inform the draft Future Development Strategy) and the preparation of the implementation plan for this Strategy.

This agreement focuses on the Joint Committee, including its membership and delegations.

The Joint Committee is a formal Joint Committee pursuant to the LGA 2002 (Clauses 30 and 30A, Schedule 7). The Joint Committee will be deemed to not be discharged at or following each triennial local government election (in line with Clause 30 (7) of Schedule 7, LGA 2002).

There are some parties to this agreement (i.e. Crown and iwi) who do not appoint members to the Joint Committee directly.

### Administering Authority

The Administering Authority referred to in this Agreement is Greater Wellington Regional Council.

## Attachment 2 to Report 23.344

### Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version

#### Membership

The membership of the Joint Committee is comprised of:

- The Mayor of Carterton District Council
- The Mayor of Horowhenua District Council
- The Mayor of Hutt City Council
- The Mayor of Kāpiti Coast District Council
- The Mayor of Masterton District Council
- The Mayor of Porirua City Council
- The Mayor of South Wairarapa District Council
- The Mayor of Upper Hutt City Council
- The Mayor of Wellington City Council
- The Chair of Wellington Regional Council
- A person nominated by the Joint Committee itself and appointed by the Administering Authority to be the Chairperson of the Joint Committee. Before nominating the person, the Joint Committee is required to consider whether the Chairperson should be independent. The nominee may be drawn from the local government and mana whenua membership of the Joint Committee or may be an additional member who is independent.

The members of the Joint Committee may also include:

- A person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira) and appointed by the Administering Authority
- A person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui) and appointed by the Administering Authority
- A person nominated by Rangitāne Tū Mai Rā Trust and appointed by the Administering Authority
- A person nominated by Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust and appointed by the Administering Authority
- A person nominated by Raukawa ki te Tonga and appointed by the Administering Authority
- A person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiwawa ki Whakarongotai) and appointed by the Administering Authority
- A person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū) and appointed by the Administering Authority
- Up to three Ministers nominated by the Crown (Cabinet) and appointed by the Administering Authority.

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### **Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version**

In respect of those members who are persons nominated by a particular entity or body (and then appointed by the Administering Authority), for the avoidance of doubt, if no nomination occurs then the Administering Authority need not make an appointment to the Joint Committee in respect of that entity or body. The membership of the Joint Committee will be accordingly reduced to the extent that there is no nomination / appointment (including for the purposes of calculating the number of vacancies for establishing a quorum). Such appointment may be made if and when a relevant nomination occurs.

The territorial local authorities that are parties to this agreement must appoint the relevant Mayor to be a member of the Joint Committee. This is so that those Mayors are counted for the purposes of determining the number of members required to constitute a quorum – see clause 30A(6A) of Schedule 7 to the Local Government Act 2002.

The local authorities that are parties to this agreement may, in addition to the appointment of the relevant Mayor or Chair, appoint an alternate who, in exceptional circumstances where the Mayor or Chair is not able to attend a Joint Committee meeting, is entitled to attend that Joint Committee meeting as a member of the Joint Committee (and appointed by the relevant local authority). If an alternate is appointed, it must be the Deputy Mayor or Deputy Chair. The appointment of alternates does not affect the normal calculation of a quorum.

The local authorities that are parties to this agreement may also nominate one elected member for appointment by the Joint Committee as a member of the Joint Committee Subcommittee. The iwi who are parties to this agreement may also nominate one person for appointment by the Joint Committee as a member of the Joint Committee Subcommittee.

The Joint Committee Subcommittee's purpose is to consider submissions on the draft Future Development Strategy and make recommendations on those submissions to the Joint Committee (which retains the decision to approve the final Future Development Strategy). If the Joint Committee reviews the Future Development Strategy in accordance with the National Policy on Urban Development 2020 and it determines updating of the Future Development Strategy is required, then the Joint Committee Subcommittee will consider submissions on any draft updates to the Future Development Strategy and make recommendations on those submissions to the Joint Committee (which retains the decision to approve the final updated Future Development Strategy).

The iwi that are parties to this agreement may, in addition to the appointment of the person nominated for each iwi and appointed by the Administering Authority, each nominate an alternate for appointment by the Administering Authority who, in exceptional circumstances where the appointed person is not able to attend a Joint Committee meeting, is entitled to attend that Joint Committee meeting as a member of the Joint Committee. The appointment of alternates does not affect the normal calculation of a quorum.

The Ministers, nominated by the Crown (Cabinet) and appointed by the Administering Authority, may each nominate an alternate for appointment by the Administering Authority who, in exceptional circumstances where the appointed Minister is not able to attend a Joint

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### **Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version**

Committee meeting, is entitled to attend that Joint Committee meeting as a member of the Joint Committee. The appointment of alternates does not affect the normal calculation of a quorum. If an alternate for the Minister of the Joint Committee is not appointed, then any person who attends on behalf of a Minister will be treated as an observer.

A Deputy Chairperson is to be appointed by the Joint Committee from the existing membership. In accordance with standing orders, the Deputy Chairperson may preside at meetings in the absence of the Chairperson (including before the Joint Committee nominates a Chairperson and that person is appointed by the Administering Authority).

#### *General*

The membership of the Wellington Regional Leadership Committee shall be limited to a maximum of 21 members (including the Chairperson). In accordance with Clause 30A of Schedule 7 to the Local Government Act 2002, the quorum at a meeting of the Joint Committee shall be half of the members if the number of members (including vacancies) is an even number, or a majority of members if the number of members (including vacancies) is an odd number. In accordance with clause 30A(6)(c)(iii) of Schedule 7 of the Local Government Act 2002, for a quorum to be established there must be present at least 5 members appointed by local authorities.

The standing orders of the Administering Authority apply to the Joint Committee. The Joint Committee will adopt a memorandum of understanding setting out the principles that guide the Joint Committee's work and the approach that the Joint Committee will take.

#### *Expectations around member voting based on Joint Committee programme and agenda*

When the Joint Committee is addressing regional economic development matters or regional economic recovery matters, it is expected that the Ministers of the Crown will not exercise their voting rights (and may elect not to attend the relevant meetings or parts of meetings).

#### **Observers**

The Joint Committee allows for observers. Observers will be entitled to speak at meetings but will not be members of the Joint Committee.

At each meeting, the Chairperson shall recognise those observers attending in accordance with these provisions and the persons recognised by the Chairperson shall have speaking rights at the meeting.

The attendance at any public excluded session by observers shall only be permitted with the prior approval of the Chairperson.

#### **Meeting Frequency**

Meetings will be held once every two-three months, or as necessary and determined by the Chairperson.

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**Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version**

Notification of meetings and the publication of agendas and reports shall be conducted in accordance with the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 and will be undertaken by the Administering Authority.

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### Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version

#### Specific Responsibilities

The Wellington Regional Leadership Committee has the following specific responsibilities in support of its overall purpose:

#### Wellington Regional Growth Framework

1. Oversee the development and implementation of the Wellington Regional Growth Framework, including regional climate change projects and a regional housing action plan.
2. Recommend to the Wellington Regional Growth Framework partners how funding and resources should be applied to support implementation of the Wellington Regional Growth Framework.
3. Monitor the implementation of the Wellington Regional Growth Framework and associated workstreams.
4. Review and keep up to date the Wellington Regional Growth Framework as circumstances change.
5. Recommend to the Wellington Regional Growth Framework partners actions to achieve alignment with council, central government and iwi plans, strategies and policies.
6. Facilitate engagement and consultation with stakeholders and the community on the Wellington Regional Growth Framework.
7. Develop submissions and advocate to external organisations on matters relating to the Wellington Regional Growth Framework.
8. Engage with neighbouring regions on cross-boundary matters relating to the Wellington Regional Growth Framework.

#### Regional Economic Development

1. Provide leadership in regional, sustainable economic development, including establishing partnerships with key agencies involved in economic development. Acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a regional economic development plan to guide the collective work of the region, in line with the desired future outlined in the Wellington Regional Growth Framework.
3. Monitor and report on the status of the regional economy, emerging risks and opportunities and progress towards the implementation of the regional economic development plan and transition to a low carbon economy.
4. Develop submissions and advocate to external organisations on matters relating to regional economic development.

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**Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version**

5. Recommend to Greater Wellington Regional Council (as a joint shareholder of Wellington NZ) the allocation of the regional targeted rate for economic development to initiatives and activities based on the regional economic development plan.

Regional Economic Recovery

1. Provide leadership in regional economic recovery, including establishing partnerships with key agencies involved in recovery, acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a programme of regional economic recovery initiatives, which incorporate alignment with the region's climate change goals.
3. Coordinate the implementation of a programme of regional economic recovery initiatives through local authorities, council controlled organisations and other partners.
4. Monitor and report on the impacts of regional economic recovery on the region, emerging risks and opportunities and progress towards implementation of the programme of regional economic recovery initiatives.
5. Develop submissions and advocate to external organisations on matters relating to regional economic recovery including developing regional proposals for partnerships and funding assistance.

Future Development Strategy

1. Prepare, finalise and make publicly available the Housing and Business Development Capacity Assessment and undertake any other work necessary under the National Policy Statement for Urban Development 2020 to inform the draft Future Development Strategy.
2. Consult and engage in order to prepare a draft Future Development Strategy under the National Policy Statement for Urban Development 2020.
3. Prepare a draft Future Development Strategy.
4. Approve a draft Future Development Strategy and any other documentation necessary as part of the special consultative procedure in accordance with the LGA 2002.
5. Commence and engage in the special consultative procedure in accordance with the LGA 2002 for the Future Development Strategy
6. Appoint a Joint Committee Subcommittee to consider the submissions on the draft Future Development Strategy (and any draft updates to that Strategy in accordance with National Policy Statement for Urban Development 2020), which will make recommendations to the Joint Committee on those submissions.
7. Approve the final Future Development Strategy after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft Future Development Strategy.

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8. Review the Future Development Strategy in accordance with the National Policy on Urban Development 2020 and decide whether updating of the Future Development Strategy is required. If so, complete the same process for consultation as applies to the preparation of the Future Development Strategy set out above.
9. Approve any updated Future Development Strategy under the National Policy Statement for Urban Development 2020, after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft updated Future Development Strategy.
10. Prepare the implementation plan required for the Future Development Strategy (or updated one) and oversee the implementation of the Future Development Strategy.

### Delegations

Each local authority delegates to the Joint Committee, in accordance with the terms of reference in Appendix 1, the following responsibilities:

1. Approval of all plans and implementation programmes necessary to fulfil the specific responsibilities of the Joint Committee, including:
  - Wellington Regional Growth Framework and the Wellington Regional Growth Framework Implementation Plan
  - Regional Economic Development Plan
  - Regional Economic Recovery Implementation Plan
2. Approval of all submissions and advocacy statements necessary to fulfil the specific responsibilities of the Joint Committee
3. Undertaking the work required to inform a draft Future Development Strategy under the National Policy Statement for Urban Development 2020 (including preparing, finalising and making publicly available the Housing and Business Development Capacity Assessment), and undertaking consultation and engagement in order to prepare a draft Future Development Strategy under the National Policy Statement for Urban Development 2020, preparing that draft, approving the draft and documentation necessary as part of the special consultative procedure, commencing and concluding the special consultative procedure in accordance with the LGA 2002 and approving the final Future Development Strategy, after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft Strategy.
4. Appointing a Joint Committee Subcommittee to consider the submissions on the draft Future Development Strategy and giving it the power to make recommendations on those submissions to the Joint Committee (which retains the power to make the decision to approve the final Future Development Strategy). The Joint Committee Subcommittee will operate in accordance with the Terms of Reference in Appendix 2 to this agreement.
5. Review the Future Development Strategy in accordance with the National Policy on Urban Development 2020 and decide whether updating of the Future Development

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**Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version**

Strategy is required. If so, complete the same process for consultation as applies to the preparation of the Future Development Strategy set out above.

6. Approve any updated Future Development Strategy under the National Policy Statement for Urban Development 2020, after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft updated Future Development Strategy.
7. Prepare the implementation plan required for the Future Development Strategy (or updated one) and oversee the implementation of the Future Development Strategy.
8. The setting of the Joint Committee’s meeting schedule.

**Responsibilities**

The table below identifies key parties related to this agreement and the Wellington Regional Leadership Committee and their responsibilities.

Party	Responsibilities
Wellington Regional Leadership Committee	Decision making related to the Specific Responsibilities in this agreement and TOR, including Regional economic development, Regional economic recovery, Wellington regional growth framework, Future Development Strategy (and implementation of the Future Development Strategy);  Appointing a Joint Committee Subcommittee to consider the submissions on the draft Future Development Strategy and giving it the power to make recommendations on those submissions to the Joint Committee (and the same for any updated Future Development Strategy);  Joint regional voice and advocacy;  Select and nominate the Chairperson (for appointment to the Joint Committee by the Administering Authority);  Agree 3 year rolling work programme consistent with WRGF, Economic Plan and other relevant directional documents;  Appointing members and the Chair of the Joint Committee Subcommittee.
Joint Committee Subcommittee for Future Development Strategy	To run an appropriate process to consider the submissions on the draft Future Development Strategy (and any updated one) and to make recommendations on those submissions to the Joint Committee, so the Joint Committee can approve the final Future Development Strategy (or any updated one).
Chairperson	Chair the Joint Committee meetings;  Approve attendance as required in public excluded sessions;  Approve speaking rights as required at Joint Committee meetings;  Liaise with members of the Joint Committee as required;  Approve (in consultation with the Senior Staff Group) content of meeting agendas.
Chief Executives Group	Provide support and advice to the Joint Committee;  Agree funding amounts and splits (rolling 3-year programme).

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**Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version**

Party	Responsibilities
Senior Staff Group (2 <sup>nd</sup> Tier Managers)	Recommend work programme to the Joint Committee; Recommend funding arrangements and allocations; Manage reports to the Joint Committee; Review work being undertaken and recommend changes if required; Align work programmes within home organisations.
Joint Secretariat	Coordinate the work of the Joint Committee (in consultation with the Chairperson); Provide administrative support to the Joint Committee on all aspects of its business; Lead work streams as required; Manage joint communications and consultation; Support the work of the Joint Committee, including monitoring, research and independent advice as required.
Delivery agencies e.g. Councils, Council Controlled Organisations, WREMO	Provide information and research; Draft papers for the Joint Committee; Attend meetings as required; Deliver aspects of the work programme (e.g. economic development activities).
Administering Authority	Administer standing orders; Employing joint secretariat staff; Payment of the meeting fees and Chairperson’s honorarium; Appointing members to the Joint Committee (who are to be appointed by the Administering Authority).

**Administration Funding**

Funding will be provided by the Wellington Region’s local authorities for the administration of the Joint Committee and Joint Committee Subcommittee, a joint secretariat, and iwi participation in the Joint Committee and Joint Committee Subcommittee through a regional targeted rate set by Greater Wellington Regional Council.

Horowhenua District Council will make an annual funding contribution on a proportional population basis. This funding contribution is calculated by dividing the total annual amount levied through the Wellington Region targeted rate by the total population of the Wellington Region, to arrive at a per capita amount, and then multiplying that per capita amount by the population of Horowhenua District to determine the annual Horowhenua District Council contribution.

Funding will be provided by central government as a contribution to the administration of the Joint Committee and Joint Committee Subcommittee and the joint secretariat at an amount to be agreed.

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**Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version**

The funding will support the administration of the Joint Committee, the Joint Committee Subcommittee and the joint secretariat that supports the Joint Committee and Joint Committee Subcommittee which will undertake the following:

1. Providing administrative support to the Joint Committee, Joint Committee Subcommittee and the Senior Staff Group
2. Managing the work programme of the Joint Committee and Joint Committee Subcommittee, including policy advice function and monitoring and research as required
3. Provision of independent advice to support the work programme and Joint Committee Subcommittee as required.

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**Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version**

**Variation of this Agreement**

This agreement may be varied by the parties from time to time but only with the endorsement of the Wellington Regional Leadership Committee.

**EXECUTION**

**SIGNED** for and on behalf of **CARTERTON DISTRICT COUNCIL:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of person signing

**SIGNED** for and on behalf of **HOROWHENUA DISTRICT COUNCIL:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of person signing

**SIGNED** for and on behalf of **HUTT CITY COUNCIL:**

\_\_\_\_\_

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**Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version**

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Signature

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Name of person signing

**SIGNED for and on behalf of KĀPITI COAST DISTRICT COUNCIL:**

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Signature

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Name of person signing

**SIGNED for and on behalf of MASTERTON DISTRICT COUNCIL:**

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Signature

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Name of person signing

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**SIGNED** for and on behalf of **PORIRUA CITY COUNCIL:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of person signing

**SIGNED** for and on behalf of **SOUTH WAIRARAPA DISTRICT COUNCIL:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of person signing

**SIGNED** for and on behalf of **UPPER HUTT CITY COUNCIL:**

\_\_\_\_\_  
Signature

\_\_\_\_\_

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**Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version**

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Name of person signing

**SIGNED** for and on behalf of **WELLINGTON CITY COUNCIL:**

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Signature

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Name of person signing

**SIGNED** for and on behalf of **WELLINGTON REGIONAL COUNCIL:**

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Signature

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Name of person signing

**SIGNED** for and on behalf of **NGĀTI TOA RANGATIRA:**

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**Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version**

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Signature

---

Name of person signing

**SIGNED** for and on behalf of **TARANAKI WHĀNUI:**

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Signature

---

Name of person signing

**SIGNED** for and on behalf of **RANGITĀNE TŪ MAI RĀ TRUST**

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Signature

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Name of person signing

**Attachment 2 to Report 23.344**

**Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version**

**SIGNED** for and on behalf of **NGĀTI KAHUNGUNU KI WAIRARAPA TĀMAKI NUI-A-RUA SETTLEMENT TRUST:**

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Signature

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Name of person signing

**SIGNED** for and on behalf of **RAUKAWA KI TE TONGA:**

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Signature

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Name of person signing

**SIGNED** for and on behalf of **ĀTIAWA KI WHAKARONGOTAI:**

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Signature

---

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**Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version**

\_\_\_\_\_  
Name of person signing

**SIGNED** for and on behalf of **MUAŪPOKO HAPŪ:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of person signing

**SIGNED** for and on behalf of **CENTRAL GOVERNMENT:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of person signing

**Dated:** **2023**

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### Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version

## Appendix 1

### Wellington Regional Leadership Committee Terms of Reference

#### Purpose

The purpose of the Wellington Regional Leadership Committee is to take responsibility for key matters of regional importance – Wellington Regional Growth Framework, Regional Economic Development, Regional Economic Recovery, and the Future Development Strategy - where a collective voice and collective planning and action is required.

The Wellington Regional Leadership Committee (Joint Committee) is a Joint Committee, established in accordance with clauses 30 and 30A of Schedule 7 to the Local Government Act 2002.

The Joint Committee has members from all the nine councils wholly within the Wellington Region and the Horowhenua District Council, iwi and members from central Government.

#### Administering Authority

The Administering Authority for the Wellington Regional Leadership Committee is Greater Wellington Regional Council.

#### Specific Responsibilities

The Wellington Regional Leadership Committee specific responsibilities include:

##### Wellington Regional Growth Framework

1. Oversee the development and implementation of the Wellington Regional Growth Framework, including regional climate change projects and a regional housing action plan.
2. Recommend to the Wellington Regional Growth Framework partners how funding and resources should be applied to support implementation of the Wellington Regional Growth Framework.
3. Monitor the implementation of the Wellington Regional Growth Framework and associated workstreams.
4. Review and keep up to date the Wellington Regional Growth Framework as circumstances change.
5. Recommend to the Wellington Regional Growth Framework partners actions to achieve alignment with council, central government and iwi plans, strategies and policies.
6. Facilitate engagement and consultation with stakeholders and the community on the Wellington Regional Growth Framework.
7. Develop submissions and advocate to external organisations on matters relating to the Wellington Regional Growth Framework.

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8. Engage with neighbouring regions on cross-boundary matters relating to the Wellington Regional Growth Framework.

#### Regional Economic Development

1. Provide leadership in regional economic development, including establishing partnerships with key agencies involved in economic development. Acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a regional economic development plan to guide the collective work of the region, in line with the desired future outlined in the Wellington Regional Growth Framework.
3. Monitor and report on the status of the regional economy, emerging risks and opportunities and progress towards the implementation of the regional economic development plan and transition to a low carbon economy.
4. Develop submissions and advocate to external organisations on matters relating to regional economic development.
5. Recommend to Greater Wellington Regional Council (as a joint shareholder of Wellington NZ) the allocation of the regional targeted rate for economic development to initiatives and activities based on the regional economic development plan.

#### Regional Economic Recovery

1. Provide leadership in regional economic recovery, including establishing partnerships with key agencies involved in recovery, acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a programme of regional economic recovery initiatives, which incorporate alignment with the region's climate change goals.
3. Coordinate the implementation of a programme of regional economic recovery initiatives through local authorities, council controlled organisations and other partners.
4. Monitor and report on the impacts of regional economic recovery on the region, emerging risks and opportunities and progress towards implementation of the programme of regional economic recovery initiatives.
5. Develop submissions and advocate to external organisations on matters relating to regional economic recovery including developing regional proposals for partnerships and funding assistance.

#### Future Development Strategy

1. Prepare, finalise and make publicly available the Housing and Business Development Capacity Assessment and undertake any other work necessary under the National Policy Statement for Urban Development 2020 to inform the draft Future Development Strategy.

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2. Consult and engage in order to prepare a draft Future Development Strategy under the National Policy Statement for Urban Development 2020.
3. Prepare a draft Future Development Strategy.
4. Approve a draft Future Development Strategy and any other documentation necessary as part of the special consultative procedure in accordance with the LGA 2002.
5. Commence and engage in the special consultative procedure in accordance with the LGA 2002 for the Future Development Strategy
6. Appoint a Joint Committee Subcommittee to consider the submissions on the draft Future Development Strategy (and any draft updates to that Strategy in accordance with National Policy Statement for Urban Development 2020), which will make recommendations to the Joint Committee on those submissions.
7. Approve the final Future Development Strategy after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft Future Development Strategy.
8. Review the Future Development Strategy in accordance with the National Policy on Urban Development 2020 and decide whether updating of the Future Development Strategy is required. If so, complete the same process for consultation as applies to the preparation of the Future Development Strategy set out above.
9. Approve any updated Future Development Strategy under the National Policy Statement for Urban Development 2020, after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft updated Future Development Strategy.
10. Prepare the implementation plan required for the Future Development Strategy (or updated one) and oversee the implementation of the Future Development Strategy.

### Membership

The membership of the Joint Committee is comprised of:

- The Mayor of Carterton District Council
- The Mayor of Horowhenua District Council
- The Mayor of Hutt City Council
- The Mayor of Kāpiti Coast District Council
- The Mayor of Masterton District Council
- The Mayor of Porirua City Council
- The Mayor of South Wairarapa District Council
- The Mayor of Upper Hutt City Council
- The Mayor of Wellington City Council
- The Chair of Wellington Regional Council

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- A person nominated by the Joint Committee itself and appointed by the Administering Authority to be the Chairperson of the Joint Committee. Before nominating the person, the Joint Committee is required to consider whether the Chairperson should be independent. The nominee may be drawn from the local government and mana whenua membership of the Joint Committee or may be an additional member who is independent.

The members of the Joint Committee may also include:

- A person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira) and appointed by the Administering Authority
- A person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui) and appointed by the Administering Authority
- A person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa) and appointed by the Administering Authority
- A person nominated by Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust and appointed by the Administering Authority
- A person nominated by Raukawa ki te Tonga and appointed by the Administering Authority
- A person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiwawa ki Whakarongotai) and appointed by the Administering Authority
- A person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū) and appointed by the Administering Authority
- Up to three Ministers nominated by the Crown (Cabinet) and appointed by the Administering Authority.

In respect of those members who are persons nominated by a particular entity or body (and then appointed by the Administering Authority), for the avoidance of doubt, if no nomination occurs then the Administering Authority need not make an appointment to the Joint Committee in respect of that entity or body. The membership of the Joint Committee will be accordingly reduced to the extent that there is no nomination/appointment (including for the purposes of calculating the number of vacancies for establishing a quorum). Such appointment may be made if and when a relevant nomination occurs.

The territorial authorities that are parties to this agreement must appoint the relevant Mayor to be a member of the Joint Committee. This is so that those Mayors are counted for the purposes of determining the number of members required to constitute a quorum – see clause 30A(6A) of Schedule 7 of the Local Government Act 2002.

The local authorities that are parties to this agreement may, in addition to the appointment of the relevant Mayor or Chair, appoint an alternate who, in exceptional circumstances where the Mayor or Chair is not able to attend a Joint Committee meetings, is entitled to attend that Joint Committee meetings as a member of the Joint Committee (and appointed by the relevant local authority). If an alternate is appointed, it must be the Deputy Mayor or Deputy Chair. The appointment of alternates does not affect the normal calculation of a quorum. The

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local authorities that are parties to this agreement may also nominate one elected member for appointment by the Joint Committee as a member of the Joint Committee Subcommittee. The iwi who are parties to this agreement may also nominate one person for appointment by the Joint Committee as a member of the Joint Committee Subcommittee. The Joint Committee Subcommittee's purpose is to consider submissions on the draft Future Development Strategy and make recommendations on those submissions to the Joint Committee (which retains the decision to approve the final Future Development Strategy). If the Joint Committee reviews the Future Development Strategy in accordance with the National Policy on Urban Development 2020 and it determines updating of the Future Development Strategy is required, then the Joint Committee Subcommittee will consider submissions on the draft updates to the Future Development Strategy and make recommendations on those submissions to the Joint Committee (which retains the decision to approve the final updated Future Development Strategy).

The iwi that are parties to this agreement may, in addition to the appointment of the person nominated for each iwi and appointed by the Administering Authority, each nominate an alternate for appointment by the Administering Authority who, in exceptional circumstances where the appointed person is not able to attend a Joint Committee meeting, is entitled to attend that Joint Committee meeting as a member of the Joint Committee. The appointment of alternates does not affect the normal calculation of a quorum.

The Ministers, nominated by the Crown (Cabinet) and appointed by the Administering Authority, may each nominate an alternate for appointment by the Administering Authority who, in exceptional circumstances where the appointed Minister is not able to attend a Joint Committee meeting, is entitled to attend that Joint Committee meeting as a member of the Joint Committee. The appointment of alternates does not affect the normal calculation of a quorum. If an alternate nominated for any Minister on the Joint Committee is not appointed, then any person who attends on behalf of the Minister will be treated as an observer.

A Deputy Chairperson is to be appointed by the Joint Committee from the existing membership. In accordance with standing orders, the Deputy Chairperson may preside at meetings in the absence of the Chairperson (including before the Joint Committee nominates an Chairperson and that person is appointed by the Administering Authority).

*General*

The membership of the Wellington Regional Leadership Committee shall be limited to a maximum of 21 members (including the Chairperson).

*Expectations around member voting based on Joint Committee programme and agenda*

When the Joint Committee is addressing regional economic development matters or regional economic recovery matters, it is expected that the Ministers of the Crown will not exercise their voting rights (and may elect not to attend the relevant meetings or parts of meetings)

**Observers**

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The Joint Committee allows for observers. Observers will be entitled to speak at meetings but will not be members of the Joint Committee.

At each meeting, the Chairperson shall recognise those observers attending in accordance with these provisions and the persons recognised by the Chairperson shall have speaking rights at the meeting.

The attendance at any public excluded session by observers shall only be permitted with the prior approval of the Chairperson.

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#### **Voting**

Each member has one vote. In the case of an equality of votes the Chairperson has a casting vote.

#### **Meetings**

The Joint Committee will arrange its meetings in separate parts, relating to the specific focus areas of: Wellington Regional Growth Framework; Regional Economic Development; Regional Recovery and Future Development Strategy.

Meetings will be held once every two-three months, or as necessary and determined by the Chairperson.

The Joint Committee will set its own meeting schedule.

#### **Quorum**

In accordance with Clause 30A of Schedule 7 to the Local Government Act 2002, the quorum at a meeting of the Joint Committee shall be half of the members if the number of members (including vacancies) is an even number, or a majority of members if the number of members (including vacancies) is an odd number. In accordance with clause 30A(6)(c)(iii) of Schedule 7 of the Local Government Act 2002, for a quorum to be established there must be present at least 5 members appointed by local authorities.

Notification of meetings and the publication of agendas and reports shall be conducted in accordance with the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 and will be undertaken by the administering local authority.

#### **Delegations**

Each local authority delegates to the Joint Committee, and in accordance with the terms of reference, the following responsibilities:

1. Approval of all plans and implementation programmes necessary to fulfil the specific responsibilities of the Joint Committee, including:
  - a. Wellington Regional Growth Framework and Wellington Regional Leadership Committee Implementation Plan
  - b. Regional Economic Development Plan
  - c. Regional Economic Recovery Implementation Plan
2. Approval of all submissions and advocacy statements necessary to fulfil the specific responsibilities of the Joint Committee.
3. Undertaking the work required to inform a draft Future Development Strategy under the National Policy Statement for Urban Development 2020 (including preparing, finalising and making publicly available the Housing and Business Development Capacity Assessment) and undertaking consultation and engagement in order to prepare a draft

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Future Development Strategy under the National Policy Statement for Urban Development 2020, preparing that draft, approving the draft and documentation necessary as part of the special consultative procedure, commencing and concluding the special consultative procedure in accordance with the LGA 2002 and approving the final Future Development Strategy, after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft Strategy.

4. Appointing a Joint Committee Subcommittee to consider the submissions on the draft Future Development Strategy and giving it the power to make recommendations on those submissions to the Joint Committee (which retains the power to make the decision to approve the final Future Development Strategy). The Joint Committee Subcommittee will operate in accordance with the Terms of Reference in Appendix 2 to this agreement.
5. Reviewing the Future Development Strategy in accordance with the National Policy on Urban Development 2020 and deciding whether updating of the Future Development Strategy is required. If so, completing the same process for consultation as applies to the preparation of the Future Development Strategy set out above.
6. Approval of any updated Future Development Strategy under the National Policy Statement for Urban Development 2020, after considering the recommendations of the Joint Committee Subcommittee on submissions on the draft updated Future Development Strategy.
7. Prepare the implementation plan required for the Future Development Strategy (or updated one) and oversee the implementation of the Future Development Strategy.
8. The setting of the Joint Committee's meeting schedule.

#### **Remuneration and expenses**

Each party shall be responsible for remunerating its representative(s) on the Joint Committee.

Members who represent organisations or entities other than local authorities (being iwi members) shall be eligible for compensation for Joint Committee activity including travel, meeting time, and preparation for meetings paid by the administering local authority. This amount is to be agreed in advance.

An alternate, attending the Joint Committee on behalf of an iwi member, shall be eligible to receive the meeting fee and travel allowances payable to the member in respect of the meeting the alternate formally attends.

#### **Standing Orders**

The Joint Committee shall apply the standing orders of the Administering Authority.

#### **Duration of the Joint Committee**

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In accordance with clause 30(7) of Schedule 7 of the Local Government Act 2002, the Wellington Regional Leadership Committee is not deemed to be discharged following each triennial local government election.

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#### **Servicing**

The Joint Committee is serviced by a joint secretariat. The Administering Authority shall be responsible for the administration of the Joint Committee.

#### **Council decisions on the Joint Committee’s recommendations**

Where a Council makes specific decisions on the Joint Committee’s recommendations, these will be reported to the Joint Committee. Where the decision is materially different from the Joint Committee’s recommendation the report will set out the reasons for that decision.

#### **Variation of this Terms of Reference**

These terms of reference may be varied from time to time. It is envisaged that changes may be made to add or remove specific responsibilities as the circumstances require. Changes will be approved by the parties to the agreement establishing the Wellington Regional Leadership Committee on the recommendation of the Joint Committee.

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### Amended Wellington Regional Leadership Committee Joint Committee Agreement – clean version

## Appendix 2

### Joint Committee Subcommittee for Future Development Strategy - Terms of Reference

#### Purpose

The purpose of this Joint Committee Subcommittee is to consider submissions on:

- The Draft Future Development Strategy prepared under the National Policy Statement on Urban Development 2020 and make recommendations on those submissions to the Joint Wellington Regional Leadership Committee.
- Any draft updates to the Future Development Strategy, in accordance with the National Policy on Urban Development 2020 and make recommendations on those submissions to the Joint Wellington Regional Leadership Committee.

The Joint Committee Subcommittee is a Subcommittee of the Wellington Regional Leadership Committee (Joint Committee), established in accordance with clauses 30 of Schedule 7 to the Local Government Act 2002. The Joint Committee Subcommittee will be deemed to not be discharged at or following each triennial local government election (in line with clause 30(7) of Schedule 7 of the Local Government Act 2002).

#### Administering Authority

The Administering Authority for the Joint Committee Subcommittee is Greater Wellington Regional Council.

#### Specific Responsibilities

The specific responsibilities of this Joint Committee Subcommittee include:

- Considering submissions on the Draft Future Development Strategy and any draft updates to the Future Development Strategy
- Deliberating on the draft Future Development Strategy and any draft updates to the Future Development Strategy, taking into account all submissions
- Making recommendations to the Joint Wellington Regional Leadership Committee on those submissions and any suggested amendments to the Draft Future Development Strategy (or updated Strategy as the case may be).

#### Membership

The membership of the Joint Committee Subcommittee may include:

- One elected member nominated by the Carterton District Council and appointed by the Administering Authority

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- One elected member nominated by the Horowhenua District Council and appointed by the Administering Authority
- One elected member nominated by the Hutt City Council and appointed by the Administering Authority
- One elected member nominated by the Kāpiti Coast District Council and appointed by the Administering Authority
- One elected member nominated by the Masterton District Council and appointed by the Administering Authority
- One elected member nominated by the Porirua City Council and appointed by the Administering Authority
- One elected member nominated by the South Wairarapa District Council and appointed by the Administering Authority
- One elected member nominated by the Upper Hutt City Council and appointed by the Administering Authority
- One elected member nominated by the Wellington City Council and appointed by the Administering Authority
- One elected member nominated by the Wellington Regional Council and appointed by the Administering Authority
- A person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira) and appointed by the Administering Authority
- A person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui) and appointed by the Administering Authority
- A person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa) and appointed by the Administering Authority
- A person nominated by Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust and appointed by the Administering Authority
- A person nominated by Raukawa ki te Tonga and appointed by the Administering Authority
- A person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiawa ki Whakarongotai) and appointed by the Administering Authority
- A person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū) and appointed by the Administering Authority
- A person nominated by the Joint Committee Subcommittee itself and appointed by the Joint Committee to be the independent Chairperson of the Joint Committee Subcommittee. The Chairperson is required to have prior experience in sitting on Hearing Panels.

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In respect of the members above (persons nominated by a particular entity or body and then appointed by the Administering Authority), for the avoidance of doubt, if no nomination occurs then the Administering Authority need not make an appointment to the Joint Committee Subcommittee in respect of that entity or body. The membership of the Joint Committee Subcommittee will be accordingly reduced to the extent that there is no nomination/appointment (including for the purposes of calculating the number of vacancies for establishing a quorum). Such appointment may be made if and when a relevant nomination occurs.

If the territorial local authorities that are parties to this agreement nominate the Mayor to be a member of the Joint Committee Subcommittee and the Mayor is appointed by the Administering Authority, then the Mayor will be counted for the purposes of determining the number of members required to constitute a quorum – see clause 30A(6A) of Schedule 7 of the Local Government Act 2002.

The total membership of the Joint Committee Subcommittee shall be limited to a maximum of 18 members (including the independent Chairperson).

#### **Voting**

Each member has one vote. In the case of an equality of votes the independent Chairperson has a casting vote.

#### **Meetings**

The Joint Committee Subcommittee will set its own meeting schedule.

#### **Quorum**

In accordance with Clause 30A of Schedule 7 to the Local Government Act 2002, the quorum at a meeting of the Joint Committee Subcommittee shall be half of the members if the number of members (including vacancies) is an even number, or a majority of members if the number of members (including vacancies) is an odd number.

In accordance with clause 30A(6)(c)(iii) of Schedule 7 of the Local Government Act 2002, for a quorum to be established there must be present at least half of the members nominated by local authorities and appointed by the Administering Authority.

#### **Delegations**

The Joint Committee Subcommittee is delegated the following powers in accordance with these terms of reference:

- Considering submissions on the Draft Future Development Strategy and any draft updates to the Future Development Strategy.
- Deliberating on the draft Future Development Strategy and any draft updates to the Future Development Strategy, taking into account all submissions.

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- Making recommendations to the Joint Wellington Regional Leadership Committee on those submissions and any suggested amendments to the Draft Future Development Strategy (or updated Strategy as the case may be).

**Standing Orders**

The Joint Committee Subcommittee shall apply the standing orders of the Administering Authority.

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#### **Remuneration and expenses**

Each local authority shall be responsible for remunerating its representative(s) on the Joint Committee Subcommittee.

Members who represent organisations or entities other than local authorities (being iwi members), and any independent chair shall be eligible for remuneration for Joint Committee Subcommittee activity including travel, meeting time, and preparation for meetings paid by the Administering Authority. Such remuneration provisions will be determined by the Joint Committee.

#### **Servicing**

The Joint Committee Subcommittee is serviced by a joint secretariat. The Administering Authority shall be responsible for the administration of the Subcommittee.

#### **Wellington Regional Leadership Committee decisions on the Joint Committee Subcommittee's recommendations**

Where the Wellington Regional Leadership Committee makes decisions on the Joint Committee Subcommittee's recommendations, these will be reported to the local authorities and iwi members listed under 'Membership' above, whether they have a member appointed to the Joint Committee Subcommittee or not.

#### **Variation of this Terms of Reference**

These terms of reference may be varied from time to time. It is envisaged that changes may be made to add or remove specific responsibilities as the circumstances require. Changes will be approved by the parties to the agreement establishing the Wellington Regional Leadership Committee on the recommendation of that Joint Committee.

### **Attachment 3 to Report 23.344**

#### **Timeline of engagement on the draft Future Development Strategy**

The following timeline lists the workshops and meetings that the Wellington Regional Leadership Committee (the WRLC), councils, iwi, and others have had on the draft Future Development Strategy (the FDS):

1. Various presentations to incoming councils on the WRLC and the draft FDS – October to December 2022, in February 2023, and in June 2023
2. A FDS workshop with the WRLC on 1 February 2023
3. A FDS update paper to the WRLC at its meeting on 7 March 2023
4. A combined Wellington City Council and Porirua City Council workshop on 29 March 2023
5. A combined Wairarapa councils workshop on 4 April 2023
6. A combined Upper Hutt City Council and Hutt City Council workshop on 5 April 2023
7. An iwi workshop on 11 April 2023, and various one on one meetings with iwi
8. A combined Horowhenua District Council and Kāpiti Coast District Council workshop on 13 April 2023
9. Three separate workshops in the Wairarapa, one with each related council, on 3 May 2023
10. A workshop with iwi members on the statement of iwi / hapu aspirations for urban development on 15 May 2023
11. A workshop with the WRLC on elements of the draft FDS on 15 May 2023
12. A FDS update paper to the WRLC at its meeting on 13 June 2023
13. A booth on the FDS and a workshop session on the FDS at the WRLC Annual Partners Forum on 26 June 2023
14. A separate workshop in Martinborough for the South Wairarapa District Council on 5 July 2023.

**Wellington Regional Leadership Committee’s consideration of options for signoff of the Future Development Strategy**

1. At its September 2022 meeting, the Wellington Regional Leadership Committee (the WRLC) considered a recommendation that it:

**Agrees** to support the option a. as outlined in paragraph 20 of this report and update the Agreement and Terms of Reference for the Wellington Regional Leadership Committee to enable the Committee to sign off the draft and final of the Future Development Strategy and form a subcommittee to undertake hearings on the Future Development Strategy.
2. No decision was made at the September 2022 meeting due to the lack of local government representatives at the meeting. This recommendation was proposed to be raised at both the December 2022 and March 2023 WRLC meetings.
3. However, making a decision on the Future Development Strategy (the FDS) signoff and an amended Joint Committee Agreement was put on hold and not taken forward at the December 2022 and March 2023 meetings as:
  - a The WRLC requested in September 2022 that it be provided further information regarding decision making on the FDS and any proposed amendments to the WRLC Agreement and TOR
  - b There were five new mayors and many new councillors across the region following the local body elections in October 2022 and it was felt that these people needed to be brought up to speed on what regional spatial planning is, what a FDS is and options and implications for the FDS signoff by the WRLC
  - c Mana whenua had not had enough time (capacity related) to engage in the FDS and signoff process as would be preferred.
4. To assist with b and c above, a number of workshops were undertaken as outlined in **Attachment 3**. These workshops covered the topics of what is regional spatial planning, what is the FDS, and the FDS signoff options.
5. At its meeting on 13 June 2023, the WRLC was provided with a paper that outlined options for the process to enable the approval of the FDS, both draft and final, and for the establishment of a hearings subcommittee.
6. Four options were considered by the WRLC (see below). These options had previously been explained and discussed at the workshops held with councils in March to July 2023 (see **Attachment 3**).

Options	Ability to meet statutory timeframes?	Iwi partners involved?	Additional costs (staff time or budget)?	FDS reflects a joined-up vision for our region?	Alignment with future Spatial Planning Act (SPA)	Rating (out of 10)
1. WRLC signs off draft FDS and final FDS and undertakes hearings.	Yes - project plan in place that reflects this option.	Iwi part of WRLC. Central government part of WRLC.	Budget allocated and on track.	Yes, through WRLC.	Yes, SPA is likely to require a joint committee with mana whenua.	10/10
2. Set up a subcommittee or new committee of just Tier 1 councils and iwi.	Maybe / unlikely, depending on time taken to set up new committee.	Maybe, dependent on being part of new committee.	Slightly more legal costs to craft new agreement, but not significant.	Mostly through new subcommittee representation.	Somewhat, i.e., does not include whole region,	7/10
3. WRLC signs off the draft FDS and undertakes hearings and each council signs off the final FDS.	Delay likely if agreement can't be reached on final FDS (i.e., if 1 or more councils don't agree on content).	Not at final FDS stage unless allowed for in council standing orders.	Iwi will need to attend multiple final sign off meetings. Individual council officers to prepare and present reports for final FDS.	Risk that agreement may not be reached on FDS. May in effect have 10 FDS documents.	No.	5/10
4. Each council signs off the draft FDS, WRLC holds hearings and signs off the final FDS.	Delays likely if agreement can't be reached on draft FDS (i.e., if 1 or more councils don't agree on content).	Worse than option 3 for iwi partners as key decisions will be made at the draft FDS stage.	Slight increase in work for each council and dedicated staff will need to be available.	Risk that agreement may not be reached on FDS. May in effect have 10 FDS documents.	Maybe.	5/10

7. Option 1 was agreed by the WRLC at its meeting on 13 June 2023.
8. Option 1 includes:
  - a One-on-one workshops with each council and iwi entity on the content of the FDS for their overview and comment – before the draft goes to the WRLC
  - b Engagement with certain parties and consideration of the matters as required by clauses 3.14 and 3.15 of the National Policy Statement on Urban Development 2020 before the draft goes to the WRLC
  - c The WRLC signing off the draft FDS
  - d The WRLC Secretariat and FDS Project lead managing the submissions hearings and report back process
  - e A hearings panel consisting of one representative from each local government and iwi entity on the WRLC (if they choose to)
  - f Workshops / briefings to provide councils and iwi entities with an understanding of proposed changes from the submissions and hearings to the FDS
  - g The WRLC signing off the final FDS.
9. Assuming all councils approve changes to the Joint Committee Agreement by mid-September 2023 (the last likely council meeting), engagement and hearings will be undertaken in 2023, with the FDS likely to be finalised by March 2024.
10. Option 1 was selected by the WRLC because:
  - a Regional spatial planning is a key function of the WRLC as it was initially set up. If other options had been selected, it raises a question about why have the WRLC in the first place. It should be noted that Ministers are on the WRLC for the regional spatial planning aspects only
  - b This option aligns strongly with the future direction given for the proposed Spatial Planning Act (SPA). The SPA will replace the Resource Management Act 1991 and will require regional level spatial strategies to be developed through regional committees made up of central and local government and mana whenua. Undertaking the FDS process jointly through the WRLC will put this region in a good place to prepare future regional level spatial strategies which will be an update of the FDS
  - c The WRLC generally works on a consensus model and it is expected that key decisions are made on this basis. So, in effect, if alignment cannot be achieved then decisions are brought back to the table for further discussion – for instance, if there is a lack of agreement on the draft FDS
  - d From an efficiency perspective, Option 1 would only require one resolution from each council at the start of the process rather than needing to obtain multiple council resolutions throughout the process (i.e. for the draft FDS and the final FDS)
  - e This is the best option for iwi members on the WRLC

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- f It is the preferred option of, and has been endorsed by, the WRLC Secretariat, the FDS Core Team and Steering Group, the WRLC Senior Staff Group, the WRLC CEO Group, and iwi members on the WRLC.
- 11. Reflecting the statutory context for the FDS (required under the National Policy Statement on Urban Development 2020), central government would not participate in the hearings or formally signoff the FDS. This is the same for all the options.
- 12. At the 13 June 2023 meeting, the WRLC agreed:
  - ...to support the progression of Option 1 as outlined in paragraphs 20 to 23 of this report which includes the Committee making decisions to commence the Future Development Strategy consultation and preparation process, approve the draft Future Development Strategy (statement of proposal) and commence special consultative procedure, to engage in consultation and set up a hearing panel to hear submissions on the Future Development Strategy, and approve the final Future Development Strategy (with reporting to the Councils at relevant steps).

Council  
24 August 2023  
Report 23.377



## For Decision

### APPOINTMENT OF COUNCILLORS TO WAIRARAPA MOANA STATUTORY BOARD AND TRANSFER OF CROWN FUNDING

#### Te take mō te pūrongo

##### Purpose

1. To seek Council's appointment of two Wellington Regional Council members and two alternatives to the Wairarapa Moana Statutory Board (the Statutory Board) and to transfer new Crown funding to the Statutory Board.

#### He tūtohu

##### Recommendation/s

That Council:

1. **Appoints** the Council Chair and the Councillor representing the Wairarapa Constituency as Greater Wellington's members of the Wairarapa Moana Statutory Board.
2. **Appoints** the Chair of the Environment Committee and the Chair of Te Tiriti o Waitangi Komiti as alternatives to the Wairarapa Moana Statutory Board.
3. **Notes** that the receipt of \$632,000 (GST exclusive) of new money from the Crown is not provided for in the Long Term Plan 2021-2031 and requires Council approval for the funding to transfer to the Wairarapa Moana Statutory Board.
4. **Approves** the transfer to the Wairarapa Moana Statutory Board of the \$632,000 Crown funding allocated to Greater Wellington and **authorises** the Chief Executive to make the necessary arrangements for the transfer.
5. **Requests** that the Council Chair writes to the Wairarapa councils, suggesting that they consider pooling their new Crown funding and transferring it to the Wairarapa Moana Statutory Board for the purpose of developing the Wairarapa Moana natural resources document.

#### Te tāhū kōrero

##### Background

2. The purpose of the Te Rohe o Rongokako Joint Redress Act 2022 (the Act) is to give effect to joint redress in the deeds of settlement that settle the historical claims of:
  - a. Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua (Ngāti Kahungunu); and

- b Rangitāne o Wairarapa (Rangitāne) and Rangitāne o Tamaki nui-ā-Rua.<sup>1</sup>
3. At the meeting of the Te Tiriti o Waitangi Komiti at Kohunui marae in May 2023, Haami Te Whaiti Chair, Ngāti Kahungunu ki Wairarapa Tamaki Nui a Rua Trust provided an overview of their significant redress to help settle their Treaty of Waitangi historical claims with the Crown.
4. The Statutory Board is a central part of their cultural redress and was established on the settlement date of 7 March 2023 under the provisions of the Act.<sup>2</sup>
5. The purpose of the Statutory Board is to act as a guardian of Wairarapa Moana and the Ruamāhanga River catchment, for the benefit of present and future generations by:
  - a being the administering body of each Wairarapa Moana reserve; and
  - b being the manager of the Wairarapa Moana marginal strips; and
  - c providing leadership on the sustainable management of Wairarapa Moana and the Ruamāhanga River catchment; and
  - d promoting the restoration, protection, and enhancement of the social, economic, cultural, environmental, and spiritual health and well-being of Wairarapa Moana and the Ruamāhanga River catchment to the extent that those matters relate to natural resources.<sup>3</sup>
6. The Statutory Board has ten members. Of the five who represent mana whenua:
  - a four are appointed by the Ngāti Kahungunu trustees which includes:
    - i one representing the hapū of Papawai Marae; and
    - ii one representing the hapū of Kohunui Marae; and
  - b one is appointed by the Rangitāne trustees.
7. The remaining five Statutory Board members are appointed as follows:
  - a two by the Minister of Conservation; and
  - b two by the Wellington Regional Council; and
  - c one by the South Wairarapa District Council.<sup>4</sup>

<sup>1</sup> *Te Rohe o Rongokako Joint redress Act 2022 No 76. Public Act 3 Purpose – New Zealand Legislation*

<sup>2</sup> *Te Rohe o Rongokako Joint redress Act 2022 No 76. Public Act 44 Statutory Board established – New Zealand Legislation*

<sup>3</sup> *Te Rohe o Rongokako Joint redress Act 2022 No 76. Public Act 45 Purpose of Statutory Board – New Zealand Legislation*

<sup>4</sup> *Te Rohe o Rongokako Joint redress Act 2022 No 76. Public Act 47 Membership of Statutory Board – New Zealand Legislation*

8. In making decisions on who to appoint, Council:
  - a must be satisfied [the appointees] have the skills, knowledge, and experience
    - i to participate effectively in the Statutory Board; and
    - ii to contribute to achieving the purpose of the Statutory Board; and
  - b must have regard to any other members of the Statutory Board to ensure that the membership collectively reflects a balanced mix of skills, knowledge, and experience in relation to Wairarapa Moana.<sup>5</sup>
9. There is no requirement for the Council's appointees to the Statutory Board to be Councillors.
10. At the meeting in December 2017, Council signed off all four of Greater Wellington's contributions to the Crown's redress to settle the Treaty of Waitangi historical claims of Ngāti Kahungunu. The decisions included *'in determining the two appointees, to take into account the skills and experience necessary for the roles and the local knowledge held by potential appointees.'*<sup>6</sup> This requirement reflects the anecdotal notes participants took on the added value of Statutory Board members having experience and expertise of working with Wairarapa Moana during the Ngāti Kahungunu and the Crown negotiations.
11. At the meeting convened by Te Arawhiti of the parties to the Statutory Board in July 2023, further insight was provided on the appointees' experience and associated issues:
  - a Ngāti Kahungunu 'the Lake is a tupuna and is not well. Want to see the best representation from Crown agencies in opening doors as there is a need for a lot of money. Need to return the mauri to the lake and return the Ruamāhanga river to the lake.'
  - b Rangitāne 'want the right people on the Board who are prepared to step out of their comfort zone and make it a functioning Board. Need to do something different, what we've done up to date has not worked.'
  - c Te Arawhiti 'Need people who are the best of the best. The Board must speak with authority. The Board will need to find its own way and work as a team.'

## **Te tātaritanga Analysis**

### **Statutory Board appointments**

12. The Statutory Board provides the opportunity for members to step up and lean into new ways of working that help Ngāti Kahungunu and Rangitāne whānau, hapū and iwi to lead and be supported in realising their settlement aspirations for Wairarapa Moana and the Ruamāhanga catchment and achieve mutually beneficial goals for the region.

<sup>5</sup> *Te Rohe o Rongokako Joint redress Act 2022 No 76. Public Act 48 Qualifications of members – New Zealand Legislation*

<sup>6</sup> *Council Final Ngati Kahungunu Settlement Redress package 10 Dec PLUS AC.docx, Recommendation 4(a), (b)*

13. The broad focus on collective experience and expertise provides guidance for Council to consider in appointing a strong governance team to support the work of the Statutory Board.
14. It is proposed that Council considers appointing the Council Chair as one of two representatives. If agreed, this decision would:
  - a bring the most senior Councillor to the table in responding to the call for the 'best of the best representation in opening doors and wanting the right people on the Board'; and
  - b confirm Council's support for Te Tiriti o Waitangi partnership in action at the governance decision making table; and
  - c signal Council's recognition of the importance of the Board's role in working together to achieve the best outcomes for the Wairarapa Moana and the Ruamāhanga catchment.
15. It is proposed that Council considers appointing the Councillor representing the Wairarapa Constituency as the second of two representatives. Currently, there is an added bonus as the Councillor also holds the Deputy Chair's role. However, there is no requirement for these dual roles to be linked as a consideration for future appointment.
16. If agreed, this decision would:
  - a honour the December 2017 Council's decision on the need for appointees to have the skills and experience necessary for the roles and the local knowledge; and
  - b deliver years of local skills, knowledge, and experience in relation to working on key priorities through relevant committees including the Wairarapa Committee; and
  - c in the current context, bring the second most senior Councillor to the table in reinforcing the 'best of the best representation in opening doors and wanting the right people on the Board'.
17. Council is also able to appoint up to two alternative members for the Statutory Board appointees under the provisions of the Act.<sup>7</sup>
18. It is proposed that Council considers appointing as two alternatives, the:
  - a **Chair of the Environment Committee** as the work of the Statutory Board either aligns with, or is relevant, to the broad responsibilities of the committee.

**Specific responsibilities**

Relevant to this briefing, the Committee's environmental responsibilities include the areas of land use management, air quality, water health and quality, regional natural resources, river control, flood protection, regional parks and reserves, coastal marine environment, maritime navigation and safety, biosecurity and biodiversity.

<sup>7</sup> *Te Rohe o Rongokako Joint redress Act 2022 No 76. Public Act 68 Alternative members of Statutory Board or committee for natural resources – New Zealand Legislation*

**b Chair of Te Tiriti o Waitangi Komiti.**

**Specific responsibilities**

Relevant to this briefing, the responsibilities of Te Komiti include influencing Council, committees, and Greater Wellington decision-making across strategies, policies, plan, programmes, initiatives, and indicators through application of Council's Te Tiriti o Waitangi principles.

19. Under the Act, an appointment ends after 3 years or earlier when the member resigns or is discharged.<sup>8</sup>
20. These provisions provide some flexibility as the terms of appointed Councillors will overlap with the next local government triennium. To mitigate any loss of momentum for the Statutory Board, it is proposed that the Council maintains its memberships through the Councillors occupying the positions of Council Chair and Wairarapa Constituency Councillor on an ongoing basis, and similarly with regard to the alternate position holders.
21. If at any future time, the Council changes its positions of additional responsibility, then it would need to re-consider the position-holders to be appointed to the Statutory Board as members and alternates.
22. Councillors will be funded for their time in preparing for and attending Board meetings through the Councillor remuneration which is fixed by the Remuneration Authority. This does not change when a Councillor is allocated additional responsibilities of this nature. The only applicable entitlements are travel time to attend meetings and mileage, which are paid from the Elected Members budget that is managed by Democratic Services. These costs are not considered to be significant.

**Committee for natural resources**

23. A committee for natural resources (the committee) is established as a committee of the Statutory Board.<sup>9</sup>
24. This information on the committee sets the scene for the following discussion on funding issues and does not require any action by Council at this time.
25. The committee has eight members. Of the four mana whenua representatives:
  - a two are appointed by the Ngāti Kahungunu trustees; and
  - b two are appointed by the Rangitāne trustees.
26. The following councils will appoint one each to the committee:
  - a Wellington Regional Council; and
  - b South Wairarapa District Council; and
  - c Masterton District Council; and

<sup>8</sup> *Te Rohe o Rongokako Joint redress Act 2022 No 76. Public Act 47 Membership of Statutory Board – New Zealand Legislation*

<sup>9</sup> *Te Rohe o Rongokako Joint redress Act 2022 No 76. Public Act 61 Membership of Committee for natural resources – New Zealand Legislation*

d Carterton District Council.<sup>10</sup>

27. The primary purpose of the committee is to develop a publicly notified natural resources document for approval by the Statutory Board. This document is one of three priority documents that make up the Wairarapa Moana document umbrella framework.<sup>11</sup>
28. Council will be provided with a briefing in due course on the work of this committee and background on the selection process for its representative and alternative.

### **Funding**

29. The Ngāti Kahungunu Deed of Settlement 2021 confirms ‘the Crown will pay \$5million to the trustees of Ngāti Kahungunu to hold until the establishment of the Wairarapa Moana Statutory Board’ as part of their cultural revitalisation redress.<sup>12</sup>
30. At its December 2017 meeting, Council:
  - a ‘noted the Crown will provide \$500,000 to GWRC as a one-off contribution to the costs of the natural resources document.; and
  - b noted that council officers consider this funding is insufficient for a plan public notification process; and
  - c agreed to hold the \$500,000 as a separate ledger item and spend the funds as directed by the Statutory Board.’<sup>13</sup>
31. The Crown increased the proposed \$500,000 to a final one-off contribution of \$3,397,310 and paid funds directly to iwi and the councils involved in developing the natural resources document in December 2022.
32. The one-off contributions are:
  - a \$1,333,600 to trustees of Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua Settlement Trust; and
  - b \$993,150 to the trustees of Rangitāne Tū Mai Rā Trust; and
  - c \$632,000 to the Wellington Regional Council; and
  - d \$136,850 to the South Wairarapa District Council; and
  - e \$122,360 to the Carterton District Council; and
  - f \$179,350 to the Masterton District Council.<sup>14</sup>

<sup>10</sup> *Te Rohe o Rongokako Joint redress Act 2022 No 76. Public Act 61 Membership of Committee for natural resources – New Zealand Legislation*

<sup>11</sup> *Te Rohe o Rongokako Joint redress Act 2022 No 76. Public Act 77 Document has 3 parts – New Zealand Legislation*

<sup>12</sup> *Ngati Kahungunu ki Wairarapa Tamaki nui-a-Rua Deed of Settlement Part 3 ([www.govt.nz](http://www.govt.nz)) Cultural revitalisation s5.77*

<sup>13</sup> *Council Final Ngati Kahungunu Settlement Redress package 10 Dec PLUS AC.docx, Recommendation 8, 9, 10*

<sup>14</sup> <https://www.tearawhiti.govt.nz/assets/Publications/Proactive-releases/2023-04-11-Proactive-release-Ngati-Kahungunu-ki-Wairarapa-Tamaki-nui-a-Rua-Final-settlement-matters.pdf>

33. While officers acknowledge the increase in Crown funding is significantly improved, concerns remain on whether there is sufficient to fund the publicly notified natural resources document processes.
34. Council will be briefed in due course if there is a need for more funding.
35. At the July 2023 Te Arawhiti meeting, Greater Wellington representatives signalled the intent to transfer its \$632,000 GST exclusive funding to the Statutory Board bank account.
36. In doing so, the funds would be held as a separate and identifiable ledger item by the Statutory Board to be utilised for the purpose of developing the natural resources document through the Committee.
37. The transfer of funds will be recognised as expenditure and will require a decision of Council. Under the Instrument of Delegation – Financial, the Chief Executive has financial delegation up to the limits approved in the Long Term Plan and Annual Plan. Any expenditure not provided for in those plans must be approved by the Council.
38. Greater Wellington received the new Crown funding to help develop the natural resources document in March 2023. This funding is not provided for in the Long Term Plan 2021-2031 and requires Council approval for the funding to transfer to the Statutory Board.
39. Finally, it is proposed that the Council Chair writes to the Wairarapa councils and suggests they consider pooling their new funding. If they agree, this would provide the Statutory Board with \$1,070,560 of combined council funds to help develop the natural resources document.

#### **Interim secretariat**

40. At the December 2017 meeting, Council agreed:
  - a Greater Wellington would provide secretariat support to the Wairarapa Moana Statutory Board which covers the minutes and agenda responsibilities; and
  - b the secretariat support would be determined by Council through the annual planning and budgetary processes.<sup>15</sup>
41. At the July 2023 Te Arawhiti meeting, Greater Wellington representatives agreed Te Hunga Whiriwhiri would provide interim secretariat support to the Statutory Board pending a final decision by Ngāti Kahungunu to transition the role to their organisation.

#### **Ngā hua ahumoni Financial implications**

42. There are no new financial implications arising from this report. The funding proposed for transfer to the Statutory Board would be ring-fenced for the purpose that it was originally provided.

<sup>15</sup> Council Final Ngati Kahungunu Settlement Redress package 10 Dec PLUS AC.docx, Recommendation 6c, d

## **Ngā Take e hāngai ana te iwi Māori**

### **Implications for Māori**

43. The appointment of the Chair and Councillor for Wairarapa to the Statutory Board enables Council to help build and shape this new way of working for the region.
44. This will enable Ngāti Kahungunu and Rangitāne whānau, hapū and iwi to realise their settlement aspirations for Wairarapa Moana and Ruamāhanga catchment on their terms and help improve taiao and wai outcomes across Wairarapa.

## **Te huritao ki te huringa o te āhuarangi**

### **Consideration of climate change**

45. It is anticipated that the work of the Board will have a priority focus on considering how the plans they develop address climate change as a priority that will help:
  - a prepare and protect Wairarapa whānau, hapū and iwi in planning and responding to future extraordinary weather events given the destructive impact Cyclone Gabrielle had on their whanaunga in Hawkes Bay, Turanga and Tairāwhiti.
  - b plan managed retreat to move wharenuī, marae and homes to higher ground and protect wāhi tapu including urupā and sites of significance.
  - c whānau with interests in forestry consider new land use options.

## **Ngā tikanga whakatao**

### **Decision-making process**

46. The matters requiring decisions in this report were considered by officers against the decision-making requirements of Part 6 and Clause 31 of Schedule 7 of the Local Government Act 2002.

## **Te hiranga**

### **Significance**

47. Officers considered the significance (as defined by Part 6 of the Local Government Act 2002) of the matters for decisions, taking into account Council's Significance and Engagement Policy and Greater Wellington's Decision-making Guidelines. Officers consider that these matters are of low significance and do not require engagement with the community.

## **Te whakatūtakitaki**

### **Engagement**

48. Due to the low significance of the decision, external engagement is not considered necessary.

## **Ngā tūāoma e whai ake nei**

### **Next steps**

49. The next steps include officers working with Te Arawhiti and the other Statutory Board appointers to:
  - a confirm their appointees to the Statutory Board; and
  - b check their preparedness for the inaugural meeting of the fully operational Statutory Board on 29 September; and
  - c develop a communication strategy to announce the launch of the Statutory Board and its members; and
  - d develop and distribute the agenda and required documents for the inaugural Board meeting.
50. Officers will also report to Council on the appointment of Greater Wellington's representative and alternative to the Committee for natural resources.

## **Ngā kaiwaitohu**

### **Signatories**

Writer	Pauline Hill – Aporei Māori   Principal Advisor, Māori
Approver	Monica Fraser – Te Pou Whakarae   General Manager, Māori

<b>He whakarāpopoto i ngā huritaonga Summary of considerations</b>
<b><i>Fit with Council's roles or with Committee's terms of reference</i></b> The proposals of this briefing: <ul style="list-style-type: none"><li>• fit with Council's responsibilities, and</li><li>• meet Council's obligations under the Te Rohe o Rongokako Joint Redress Act 2022.</li></ul>
<b><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></b> The strategic importance of the work programme for the Statutory Board will influence the Long Term Plans of all the parties to the Board as they collaborate to deliver the best outcomes for people, for the wai and for the whenua in the Wairarapa.
<b><i>Internal consultation</i></b> Te Hunga Whiriwhiri sought peer review from the Environment Group, Democratic Services and Te Hunga Whiriwhiri Directors.
<b><i>Risks and impacts - legal / health and safety etc.</i></b> There are no specific risks arising from this decision

Council  
24 August 2023  
Report 23.243



For Decision

## ELECTORAL SYSTEM FOR THE COUNCIL'S 2025 AND 2028 TRIENNIAL ELECTIONS

### Te take mō te pūrongo

#### Purpose

1. To advise Council on the electoral system for the Council's 2025 and 2028 triennial elections.

### He tūtohu

#### Recommendations

That Council:

##### ***Choice of electoral system***

- 1 *Either*
  - a **Notes** the report (in which case the Single Transferable Vote electoral system continues for the Council's elections).

*Or*

  - b **Resolves** to change to the First Past the Post electoral system for the Council's 2025 and 2028 triennial elections.

##### ***Poll of electors***

- 2 **Notes** that Council can decide (by 11 December 2023) that a binding poll of electors is held on a proposal that a specified electoral system be used for Council's triennial elections in 2025 and 2028.
- 3 *Either*
  - a **Notes** the statutory poll provisions.

*Or*

  - b **Resolves** to hold a poll on the electoral system for the Council's 2025 and 2028 triennial elections.

*Or*

  - c **Resolves** to hold a poll on the electoral system at the time of the Council's 2025 triennial elections, for the Council's 2028 and 2031 triennial elections.
- 4 **Notes** that public notice will be given by 19 September 2023 of electors' right to demand a poll on the electoral system to be used for future Council triennial

elections, and (if Council so decides) of Council's resolution to change the electoral system for the next two Council triennial elections.

## **Te tāhū kōrero**

### **Background**

2. The Local Electoral Act 2001 (LEA) governs the conduct of local government triennial elections and polls of electors. Since 2004, the LEA has required that local government triennial elections (local elections) are conducted using either the First Past the Post (FPP) or Single Transferable Vote (STV) electoral system.
3. At the 2022 local elections, 15 of the 78 councils used STV. Greater Wellington Regional Council was the only regional council to use STV in the 2022 local elections; and it has used STV since the 2013 local elections.
4. Council's practice is to review its electoral system decision each triennium for the following two local elections.
5. The 15 councils that used STV at the 2022 local elections were (with the local election where STV was first used in brackets):
  - Dunedin City Council (2004)
  - Kaipara District (2004)
  - Kāpiti Coast District Council (2004)
  - Marlborough District Council (2004)
  - Porirua City Council (2004)
  - Wellington City Council (2004)
  - Greater Wellington Regional Council (2013)
  - Palmerston North City Council (2013)
  - New Plymouth District Council (2019)
  - Ruapehu District Council (2019)
  - Tauranga City Council (2019)
  - Far North District Council (2022)
  - Gisborne District Council (2022)
  - Hamilton City Council (2022)
  - Nelson City Council (2022).

## **Te tātaritanga**

### **Analysis**

6. Before 12 September 2023, Council may resolve to change the electoral system used for the Council's 2025 and 2028 local elections<sup>1</sup>. This decision can be reversed by a binding poll of electors (see below) or by a subsequent Council decision (following the 2025 local election).

<sup>1</sup> Section 27 of the LEA.

### **Single Transferable Vote**

7. Greater Wellington Regional Council currently uses STV as its electoral system. Of the eight territorial authorities in the Wellington Region, three (Kāpiti Coast District Council, Porirua City Council, and Wellington City Council) used STV at the 2022 local elections. These territorial authorities cover the majority of electors of the Wellington Region: of the Wellington Region's 392,384 enrolled electors for the 2022 local elections, 245,193 electors (62.5 percent) were enrolled in those three territorial authority areas.
8. In its report *He piki tūranga, he piki kōtuku- The future for local government* (June 2023), the Future for Local Government Review Panel recommended that STV be adopted as a nationwide method for local elections.

### **Characteristics of Single Transferable Vote**

9. STV is a form of preferential or proportional voting, where voters use numbers to rank candidates in their order of preference.
10. In an election, voters can rank as few or as many candidates as they wish. To cast a valid vote, a voter needs to express a first preference for at least one candidate.
11. A quota (determined from the number of valid votes and number of positions to be filled) is then used to determine who is elected first. First preference votes are counted and candidates whose first preference votes reach or exceed the quota are elected.
12. If insufficient candidates are elected (given the number of positions), the proportion of the votes for an elected candidate above the quota is redistributed according to voters' second or subsequent preferences. Candidates who then reach the quota are elected and the candidate with the fewest votes is excluded.
13. The votes for the excluded candidate are redistributed according to voters' further preferences.
14. This process is repeated until the required number of candidates is elected.

### **First Past the Post**

15. The five territorial authorities in the Wellington Region that used FPP at the 2022 local elections are:
  - Hutt City Council
  - Upper Hutt City Council
  - South Wairarapa District Council
  - Carterton District Council
  - Masterton District Council.
16. At the 2022 local elections, 58 other councils used FPP.
17. At the 2022 local elections, Hutt City Council conducted a binding poll on the electoral system to apply for its 2025 and 2028 local triennial elections. 61.9 percent of voters voted for FPP.

*Characteristics of First Past the Post*

- 18. FPP is not a proportional voting system; instead it is a plurality voting method<sup>2</sup>. Candidates can be elected without receiving a majority of the votes.
- 19. A voter can vote for as many candidates as there are positions to be filled. In a multi-member election, the candidates (equal to the number of positions) with the highest number of votes are elected.

**Public notice of right to demand a poll on the electoral system**

- 20. By 19 September 2023, Greater Wellington Regional Council must give public notice of the statutory right of electors to demand a binding poll on the specific electoral system to be used for the Council’s elections. Such a poll enables the electors to countermand Council’s choice of electoral system for the Council’s 2025 and 2028 local elections. If Council resolves to change the electoral system (under recommendation 1b) the public notice must include a copy of that resolution.

**Holding a poll of electors**

*Council resolution*

- 21. Also, Council may decide (by 11 December 2023) that a binding poll of electors is held on a proposal that a specified electoral system be used for the Council’s elections. If Council agrees to such a poll by that date, the poll results determine the electoral system for the Council’s 2025 and 2028 local elections.
- 22. If Council chooses at this meeting to hold such a poll, the resolution may specify a date on which the poll will be held. Regardless, the Chief Executive must give notice of the resolution to Greater Wellington’s Electoral Officer as follows:
  - a If no date is specified, as soon as is practicable
  - b If a specific date is agreed, at an appropriate time that enables the poll to be conducted within 89 days of the Electoral Officer’s receipt of the Chief Executive’s notice of Council’s resolution.
- 23. The Electoral Officer must, as soon as practicable after receiving notice from the Chief Executive, give public notice of the poll.
- 24. The related advantages and disadvantages of Council deciding to hold a poll of electors are set out below:

Advantages	Disadvantages
Community decision – every eligible elector can vote.	Financial implications not budgeted for, if held outside of the local government triennial election.
	Potential for lower voter turnout, which could result in misrepresentation of the wider community’s preference.

<sup>2</sup> A plurality voting method is an electoral process in which the candidate who polls more votes than any other candidate is elected.

25. Council also has an option of holding a poll at the time of the Council elections in October 2025. The outcome of such a poll would apply for the Council's 2028 and 2031 elections.

*Electors demand a poll*

26. In addition, at any time, five percent of the number of electors enrolled at the 2022 local triennial elections for Greater Wellington Regional Council (19,620 electors) may demand, in writing, a poll on the electoral system. If such a demand for a poll is received:
- a By 11 December 2023, then the poll must be held by 14 March 2024, with the poll results applying for the Council's 2025 and 2028 local elections
  - b After 11 December 2023, then the poll must be held after 14 March 2024<sup>3</sup>, with the poll results applying for the Council's 2028 and 2031 local elections.

***Proposed legislative change***

27. Three of the deadline dates specified in this report are based on the anticipated passage of the Local Government Electoral Legislation Bill through its remaining parliamentary consideration by the time that the House of Representatives completes its last sitting day, on 31 August 2023, prior to the General Election. At the time of writing this report government officials have advised that the Bill is on track to pass through its remaining parliamentary stages by 31 August 2023. If the Bill is not passed by 31 August, the following two deadlines of the current Local Electoral Act 2001 will apply:
- a Last date for Council to resolve to hold a poll on the electoral system: 21 February 2024 (refer paragraph 21)
  - b Last date for demand from electors for poll: 21 February 2024 (refer paragraph 26)
  - c Last date for poll on electoral system: 21 May 2024 (refer paragraph 26).
28. If the Bill is not passed by 31 August 2023 then the deadline dates specified in the current Local Electoral Act 2001 will be included in the public notice referred to in paragraph 20.

**Nga kōwhiringa  
Options**

***Changing the electoral system***

29. If Council wishes to retain the current electoral system (STV) for its local elections (Option One), then Council can simply note this report (recommendation 1a). Alternatively, Council can choose to change the electoral system to FPP (Option Two and recommendation 1b). The advantages and disadvantages of these options are set out below.

<sup>3</sup> Such a poll can be held with the 2025 local elections.

*Option One – retain the current electoral system (STV)*

Advantages	Disadvantages
Results better reflect the preferences of a greater number of votes.	Counting system is more complex.
Broad proportionality in multi-member constituencies.	Perceived complexity of voting.
More equitable minority representation.	

*Option Two – change the electoral system to FPP*

Advantages	Disadvantages
Counting process is easy to understand.	Candidates can be elected with small amounts of voter support.
Results are easy to understand.	Higher number of wasted votes.
	Potential for disproportionate election results, including the ‘less representative’ nature of councils using FPP.

**Ngā hua ahumoni**

**Financial implications**

30. There are minimal additional election costs associated with a decision to change the electoral system to FPP.
31. Greater Wellington’s Electoral Officer estimates that the cost of a poll of electors run separately to the Council’s local elections would be approximately \$875,000 (GST exclusive). There is currently no budget provision to meet the cost of such a poll.
32. These estimated poll costs exclude the costs of a communications campaign to inform the community of relevant matters so electors can cast an informed vote.
33. If Council decides to hold a poll with the 2025 local elections, the additional cost would not be significant.

**Ngā Take e hāngai ana te iwi Māori**

**Implications for Māori**

34. STV is regarded as a proportional electoral system, which potentially achieves more equitable minority representation<sup>4</sup>. Changing to FPP may make it more difficult for Māori to be elected and could result in a less representative Council.

<sup>4</sup> Page 7, The Local Government Electoral Option 2008 – a guide prepared for the Department of Internal Affairs, the Society of Local Government Managers Electoral Working Party and Local Government New Zealand by Dr Janine Hayward Senior Lecturer/Pukenga Matua Department of Politics/Te Tari Torangapu University of Otago/Te Whare Wananga o Otago.

## **Ngā tikanga whakatau**

### **Decision-making process**

35. The decision-making process is prescribed by sections 27 to 34 of the LEA. The application of these provisions is addressed in the Background and Analysis sections.

## **Ngā tūāoma e whai ake nei**

### **Next steps**

36. A public notice will be published on Greater Wellington’s website by 19 September 2023, advising of the right of electors to demand a poll on the electoral system and (if Council so decides) of Council’s resolution to change the electoral system for the next two local triennial elections.

## **Ngā kaiwaitohu**

### **Signatories**

Writer	Will Ogier – Principal Advisor Democratic Services
Approvers	Francis Ryan –Kaiwhakahaere Mana Urungi, Manapori   Head of Governance and Democracy Luke Troy – Kaiwhakahaere Matua Rautaki   Group Manager Strategy

<b>He whakarāpopoto i ngā huritaonga Summary of considerations</b>
<b><i>Fit with Council's roles or Committee's terms of reference</i></b> Council has related decision-making responsibilities under the Local Electoral Act 2001.
<b><i>Contribution to Annual Plan / Long term Plan / Other key strategies and policies</i></b> There are no implications arising from this report for Council's or Greater Wellington's key strategies, policies and plans.
<b><i>Internal consultation</i></b> There was no internal consultation in preparing this report.
<b><i>Risks and impacts: legal / health and safety etc.</i></b> There are no known risks arising from the matters for decision.

Council  
24 August 2023  
Report 23.331



For Decision

## ADOPTION OF THE 2024 MEETING SCHEDULE

### Te take mō te pūrongo

#### Purpose

1. To advise Council of the schedule for Council and committee meetings for 2024.

### He tūtohu

#### Recommendations

That Council:

1. **Adopts** the meeting schedule for Council and committees for the 2024 calendar year as outlined in Attachment 1.
2. **Notes** the 2024 meeting schedules of joint committees of which Council is a member (Attachment 2).
3. **Authorises** the Head of Governance and Democracy to circulate the adopted meeting schedule to key stakeholders and to modify the meeting schedule as, and when, required.

### Te horopaki

#### Context

2. Clause 19(6) of Schedule 7 to the Local Government Act 2002 provides for Council to adopt a schedule of meetings for Council and committee meetings.
3. The proposed schedule for the 2024 calendar year (**Attachment 1**) includes Council, its committees and subcommittees.
4. The schedule does not include meetings for WRC Holdings or Whitireia Park Board, which will adopt their own schedules. The schedule also does not include Council's advisory groups. It also does not include workshops or other events.
5. The joint committees in the Wellington Region of which Council is a member (Civil Defence Emergency Management Group, Wellington Regional Leadership Committee and the Wellington Water Committee) are not included in the schedule (**Attachment 1**) for adoption. Each joint committee will each adopt its own schedule at their respective future meetings. The proposed schedules are attached (**Attachment 2**) for Council's reference.

## **Te tātaritanga Analysis**

6. The Council and committee programme is scheduled on the basis that meetings are held on Tuesdays and Thursdays. To the extent practicable, Council and committees of the whole (Climate Committee, Environment Committee, Te Tiriti o Waitangi Komiti, and Transport Committee) are scheduled for Thursdays, with the smaller committees scheduled for Tuesdays.
7. The first full four weeks of both January and July do not have meetings scheduled, consistent with longstanding practice. It has been necessary to schedule a Council workshop on the last Tuesday of both January and July.
8. School holidays have been avoided to the extent practicable. Scheduling meetings next to public holidays has also been avoided to the extent practicable.
9. We have tried to balance the meeting cycles so that there are approximately the same number of meetings per meeting cycle.
10. Meetings will generally be held at Greater Wellington's Wellington office (Cuba Street), except:
  - a Wairarapa Committee meetings will be held at Greater Wellington's Masterton office
  - b Te Awa Kairangi/Hutt River Valley Subcommittee meetings will be held at Hutt City Council, Upper Hutt City Council, or Greater Wellington's offices
  - c Two Council meetings and one each of the Environment and Transport Committees will be held at Greater Wellington's Masterton office, on the following dates:
    - i Council on 29 February
    - ii Environment Committee on 9 May
    - iii Council on 26 September
    - iv Transport Committee on 28 November
11. Meetings may be arranged at other locations as required.
12. The Wellington Region's territorial authorities' governance teams have been consulted in preparation of the schedule and advised of the meeting schedules for those committees in which they have a membership.

## **Ngā hua ahumoni Financial implications**

13. There are no financial implications arising from this report. Remuneration for all non-elected members to committees has been budgeted for.

**Ngā Take e hāngai ana te iwi Māori**  
**Implications for Māori**

- 14. Some of Council’s committees have provisions for mana whenua membership. Members appointed to these committees will receive the relevant meeting invites.
- 15. Scheduling well in advance provides certainty for members of the meeting dates/times, helps to avoid any potential meeting conflicts, and enables mana whenua to be involved in the discussions and decision-making of the relevant committees.

**Ngā tikanga whakatau**  
**Decision-making process**

- 16. The matters requiring decision in this report were considered by officers against the decision-making requirements of Part 6 of the Local Government Act 2002.

**Te hiranga**  
**Significance**

- 17. Officers considered the significance (as defined by Part 6 of the Local Government Act 2002) of the matters for decision, taking into account Council’s *Significance and Engagement Policy* and Greater Wellington’s *Decision-making Guidelines*. Officers consider that the matters outlined in the report are of low significance because of their administrative nature.

**Te whakatūtakitaki**  
**Engagement**

- 18. Because of the low significance no external engagement is necessary.

**Ngā tūāoma e whai ake nei**  
**Next steps**

- 19. Once Council has adopted the schedule for 2024, officers will arrange for the circulation of the adopted schedule to external committee members and key stakeholders.
- 20. Meetings will be publicly notified in *The Post* and *Wairarapa Times-Age* and published on Greater Wellington’s website. This is in accordance with the public notice requirements of the Local Government Official Information and Meetings Act 1987 and Council’s Standing Orders.

**Ngā āpitihanga**  
**Attachments**

Number	Title
1	Schedule of Council and committee meetings 2024
2	Joint committee meeting schedule 2024

**Ngā kaiwaitohu  
Signatories**

Writer	Lucas Stevenson – Kaitohutohu   Advisor, Democratic Services
Approvers	Francis Ryan – Kaiwhakahaere Matua   Head of Governance and Democracy Luke Troy – Kaiwhakahaere Matua Rautaki   Group Manager, Strategy

<p><b>He whakarāpopoto i ngā huritaonga</b>  <b>Summary of considerations</b></p>
<p><b><i>Fit with Council's roles or with Committee's terms of reference</i></b></p> <p>In accordance with clause 19 of Schedule 7 to the Local Government Act Council may adopt a schedule for its meetings, and those of its committees.</p>
<p><b><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></b></p> <p>The 2024 schedule has been designed so that Council can approve key documents (such as the 2024-34 Long Term Plan, and the 2022/23 Annual Report) in line with legislative requirements.</p>
<p><b><i>Internal consultation</i></b></p> <p>The Executive Leadership Team, relevant staff, and committee chairs were consulted.</p>
<p><b><i>Risks and impacts - legal / health and safety etc.</i></b></p> <p>Not adopting the schedule as presented will delay staff from forward planning for 2024.</p> <p>As Council has established committees with members from other local authorities, central government and mana whenua, any delay or change to the schedule could impact the relevant members' availability to attend meetings. It may also cause impacts and delays with the territorial authorities from setting their own schedules.</p>

**Attachment 1 to Report 23.331****2024 Council and committee meeting schedule**

<b>Body</b>	<b>Meeting dates 2024</b>
Council (9.30am)	29 February (Masterton), 10am 11 April 30 May 11 June 27 June 22 August 26 September (Masterton), 10am 31 October 5 December
Climate Committee (9.30am)	28 March 12 September
Environment Committee (9.30am)	27 February 9 May (Masterton), 10am 13 June 8 August 17 October 21 November
Long Term Plan Committee (9.30am)	14 March 21-23 May (Hearing) 18 June
Te Tiriti o Waitangi Komiti (9.30am)	9 February 7 May 20 August 22 October
Transport Committee (9.30am)	22 February 4 April 16 May 20 June 15 August 19 September 24 October

<b>Body</b>	<b>Meeting dates 2024</b>
	28 November (Masterton), 10am
Chief Executive Employment Review Committee (1pm)	13 February 11 June 13 August
Finance, Risk and Assurance Committee (9.30am)	13 February 14 May 13 August 15 October 19 November
Regional Transport Committee (1pm)	19 March 4 June 3 September 26 November
Te Upoko Taiao – Natural Resources Plan Committee (9.30am)	26 March 25 June 24 September 3 December
Wairarapa Committee (10am)	20 February 9 April 28 May 6 August 17 September 29 October
Te Awa Kairangi/Hutt River Valley Subcommittee (4.30pm)	20 February (UHCC) 14 May (UHCC) 6 August (HCC) 15 October (HCC)

**Attachment 2 to Report 23.331****Joint Committee meeting schedule 2024**

<b>Body</b>	<b>Meeting date</b>
Civil Defence Emergency Management Group (11am)	12 March 4 June 3 September 26 November
Wellington Regional Leadership Committee (9am)	12 March 4 June 3 September 26 November
Wellington Water Committee (TBC)	15 March 24 May 26 July 25 October 13 December



**Council**  
**24 August 2023**  
**Report 23.389**

**For Decision**

## **WHAITUA KĀPITI COMMITTEE MEMBERS – INCREASED HONORARIA**

**Te take mō te pūrongo**

**Purpose**

1. To advise Council on a proposed increase of \$5,000 to the honoraria for each of the Whaitua Kāpiti Committee's non-elected members.

**He tūtohu**

**Recommendations**

That Council:

1. **Notes** that the Whaitua Kāpiti Committee is undertaking more work than that provided for in its Terms of Reference.
2. **Approves** amendments to the Whaitua Kāpiti Committee's Terms of Reference (Attachment 1) to increase the annual taxable honorarium for:
  - a. Each Kāwanatanga House member (excluding the Co-Chair) from \$15,000 to \$20,000
  - b. The Co-Chair (appointed by the Kāwanatanga House) from \$20,000 to \$25,000
  - c. Each Mana Whenua House member (excluding the Co-Chair) from \$15,000 to \$20,000
  - d. The Co-Chair (appointed by the Mana Whenua House) from \$20,000 to \$25,000.

**Te horopaki**

**Context**

2. The honorarium for each of the non-elected Whaitua Kāpiti Committee members is stipulated in the Terms of Reference (**Attachment 1**), and includes:
  - a. a minimum of 24 days' work for each Committee member. This work will include at least 12 meetings... as well as preparing for and debriefing each meeting.

3. The Whaitua Kāpiti process:
  - a Has a compressed period of 12 months to meet the Government's National Policy Statement for Freshwater Management 2020 deadline of 31 December 2024. Previous whaitua processes took three to five years
  - b Has also adopted a Tiriti House model, which is new to Council and the Whaitua Kāpiti Committee members
  - c Is requiring additional time and work to enable members to participate effectively in the Tiriti House model.
4. Accordingly, to recognise these additional demands, officers propose an increase of \$5,000 to the annual taxable honoraria paid to community members, mana whenua members, and the two Co-Chairs (where these are not an elected member).

### **Te tātaritanga Analysis**

5. Due to the compressed timeframe (and the intricacies of implementing the new Tiriti House approach) for the Whaitua Kāpiti process, Whaitua Kāpiti Committee members are committing more time to the process than the minimum stipulated in the Terms of Reference.
6. The additional time and work commitments include:
  - a Tiriti training for community members of the Kāwanatanga House (funded separately by Greater Wellington)
  - b Upskilling community members of the Kāwanatanga House in freshwater ecology and policy (supported by Greater Wellington)
  - c Developing agreed positions through caucusing within the respective Houses to enable effective participation in the Tiriti House / Whaitua Kāpiti Committee
  - d Wānanga in the Tiriti House / Whaitua Kāpiti Committee meetings to establish tikanga, whakawhanaungatanga and implementation of the Tiriti House model.
7. These additional time and work commitment are expected to be ongoing.
8. These extra commitments have also delayed progress with the Whaitua Kāpiti Committee's work programme, which will likely result in additional meetings.
9. All of the above matters were discussed at the Tiriti House / Whaitua Kāpiti Committee meeting on 9 August 2023, where a request was made to Greater Wellington for an increase to the honoraria. This increase was also discussed with the Mana Whenua House at its meeting on 16 August 2023.

### ***Proposed increase to the honoraria***

10. The key elements of the proposed increase to the honoraria are:
  - a The respective annual taxable honoraria for each non-elected member of the Whaitua Kāpiti Committee will increase by \$5,000 (i.e. for members, from \$15,000 to \$20,000; and for Co-Chairs, from \$20,000 to \$25,000)

- b This increase applies from the date of the Council decision, and payment will be pro-rated across the remainder of the Whaitua Kāpiti Committee's work
  - c Elected members' expenses, including an elected member appointed by the Kāwanatanga House as Co-Chair, shall continue to be met by the council they represent.
11. Officers consider that the proposed increase in the honoraria is required for the successful delivery of the Whaitua Kāpiti process.
12. The proposed changes are reflected in a clean version of the amended Terms of Reference for the Whaitua Kāpiti Committee (**Attachment 1**), which we recommend that Council approves.

**Ngā hua ahumoni**  
**Financial implications**

13. The additional costs of the proposed increase will be met from within existing budgets.

**Ngā Take e hāngai ana te iwi Māori**  
**Implications for Māori**

14. The proposed increase in honoraria recognises additional workflow and meeting times for the mana whenua members to bring mātauranga and important te ao Māori lens to the whaitua process, for best outcomes.

**Ngā tikanga whakatau**  
**Decision-making process**

15. The matters requiring decision in this report were considered by officers against the decision-making requirements of Part 6 of the Local Government Act 2002.

**Te hiranga**  
**Significance**

16. Officers considered the significance (as defined by Part 6 of the Local Government Act 2002) of these matters, taking into account Council's *Significance and Engagement Policy* and Greater Wellington's *Decision-making Guidelines*. Officers consider that these matters are of low significance due to their procedural nature.

**Te whakatūtakitaki**  
**Engagement**

17. As indicated in paragraph 9, the Whaitua Kāpiti Committee discussed the proposed increase at its meeting on 9 August 2023 and the Mana Whenua House discussed the increase at its meeting on 16 August 2023.

## Ngā tūāoma e whai ake nei

### Next steps

18. If the proposed increase to the honoraria is approved, Whaitua Kāpiti Committee members will be advised, and the increased honoraria will be paid from 24 August 2023.

## Ngā āpitihanga

### Attachment

Number	Title
1	Revised Terms of Reference for the Whaitua Kāpiti Committee

## Ngā kaiwaitohu

### Signatories

Writers	Michele Frank – Catchment Manager Kāpiti Nicola Patrick – Director Catchment
Approvers	Lian Butcher – Group Manager Environment

<b>He whakarāpopoto i ngā huritaonga Summary of considerations</b>
<b><i>Fit with Council's roles or with Committee's terms of reference</i></b> Council has the authority to establish advisory bodies and their terms of reference, and to set the remuneration of members.
<b><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></b> The Whaitua Kāpiti Committee contributes to Council's: <ul style="list-style-type: none"><li>• Obligations to give effect to the National Policy Statement for Freshwater Management (NPS-FM) through engagement with Mana Whenua and the community.</li><li>• Commitments to partner with Mana Whenua.</li></ul>
<b><i>Internal consultation</i></b> Te Hunga Whiriwhiri and Democratic Services were consulted in the preparation of this report.
<b><i>Risks and impacts - legal / health and safety etc.</i></b> There are no known risks associated with an increase to advisory board members' honoraria that is based on additional time and work.

**Council**  
**24 August 2023**  
**Report 23.387**



**For Information**

## **FINANCE UPDATE – FULL YEAR 30 JUNE 2023**

### **Te take mō te pūrongo**

#### **Purpose**

1. To provide Council with Greater Wellington Regional Council's (Greater Wellington's) summary interim financial reports for the 12 months ended 30 June 2023.

### **Te tāhū kōrero**

#### **Background**

2. This report provides a summary of the financial performance of Greater Wellington's activities for the 12 months ended 30 June 2023 - **Attachment 1** refers. The amounts stated in this report and the attachment are GST Exclusive.
3. The report is based on interim numbers and subject to possible change upon completion of the Annual Report audit.
4. The final Annual Report will be signed off on or before 31 October 2023.
5. The interim result to June 2023 is a \$19.0 million operating surplus. Greater Wellington had budgeted for an operating surplus of \$1.6 million. This favourable variance to budget of \$17.4 million is explained in the Analysis section of this report.

### **Te tātaritanga**

#### **Analysis**

#### **Key results**

6. Total Revenue was \$9.0 million lower than budget. Materially driven by three offsetting items.
  - a Reduced fare revenue of \$26.0 million, due to lower patronage levels from reduced services and an increase in working from home practices post covid and \$37.7 million due to half price fares.
  - b This has been offset by higher grants and subsidies in Public Transport of \$62.5 million from Waka Kotahi NZ Transport Agency (Waka Kotahi) and Central Government to help bridge the patronage revenue gap and half price fares support.
  - c Additional investment interest revenue of \$7.0 million.

7. Total Expenditure was \$5.0 million lower than budget. Driven by:
  - a An underspend in Let's Get Wellington Moving of \$11.8 million. This has been re-budgeted in 2023/24 and across Long Term Plan years.
  - b Delays in Greater Wellington ticketing, Bus Shelter/Stop projects, and reduced level of services from bus operators (totalling \$5.3 million)
  - c However, the large variances are offset by rising interest rates of \$13.0 million since the budget was set.
8. These impacts have resulted in an operational deficit before extraordinary items of \$4.6 million, which is \$14.0 million favourable to budget.
9. Capital Expenditure for the full year was 30% below budget, with \$130 million spent out of \$187 million budgeted.
10. Achieving the full Capital Projects (CAPEX) budget has been challenging in 22/23 due to several factors, from construction delays due to poor weather, procurement and contractor availability to delays in the National Ticketing Solution delaying the Greater Wellington ticketing project.
11. Greater Wellington's response to address these delays has been to engage PWC as part of the business assurance programme and have completed a clean page CAPEX budgeting exercise for the 2023/24 annual plan capital budgets, with a focus on deliverability, affordability, staff wellbeing and high impact on the Region.
12. The \$19.0 million full year surplus is an accounting surplus and not a cash surplus as the report contains non-cash items such as depreciation and fair value movements in the financial instruments that council holds.

### **Ngā hua ahumoni Financial implications**

13. The report has no financial implications.

### **Ngā āpitihanga Attachment**

<b>Number</b>	<b>Title</b>
1	Councillor Financial Report – 30 June 2023

### **Ngā kaiwaitohu Signatories**

Writers	Sean Nicholson – Te Whakamahere me te Kaute Pūrongo   Planning & Reporting Accountant Darryl Joyce – Kaiwhakahaere Matua   Manager Accounting Services Ali Trustrum-Rainey – Āpiha Mātāmua Pūtea   Chief Financial Officer
Approver	Sue McLean – Kaiwhakahaere Matua, Ratonga Rangapū   General Manager, Corporate Services

<b>He whakarāpopoto i ngā huritaonga Summary of considerations</b>
<b><i>Fit with Council's roles or with Committee's terms of reference</i></b> The Council has governance oversight of the robustness of the organisation's financial performance.
<b><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></b> The report reviews performance against the financial statements in Council's 22/23 Annual Plan.
<b><i>Risks and impacts - legal / health and safety etc.</i></b> There are no risks arising from this report.

## Monthly Financial Update

### CFO Overview

In summary this year, has been one of economic challenges and financial pressures while maintaining the strategic focus. While there has been variances within Profit and Loss reporting lines, overall GW has had a successful financial year performing overall very close to budgeted levels.

The most notable impact in our Summarised Profit and Loss is farebox revenue from changes in travel behaviour. Central government has provided \$36m of additional Crown funding (\$6m July 22, \$30m June 23) for FY22/23 to support this loss fare revenue. As such, the Greater Wellington loan to cover the loss will no longer be required. In the new LTP we will be working with Metlink and Waka Kotahi to bring Council options on funding or savings to bridge the gap from this trend.

The main economic environment impact currently, is the increase in our finance costs. Finance costs have been higher than budgeted due to increased lending rates. These have been partially offset by the positive side of this equation with additional investment revenue. The increased cost of financing has been factored into the 2023/24 Annual Plan numbers. At this point in time, we also expect increased costs for at least the first 2 or 3 years of the LTP.

The other major area of challenge was the achievement of our capital programme. Council finished the year 30% below budget (\$57m). Supply and weather have been the most common reasons for these delays. We acknowledge the capital budget of 2022/23 was always going to be a challenge and have taken a clean page capital budgeting approach for 2023/24 to produce a budget the organisation can be more accountable for.

### Other Items of Interest

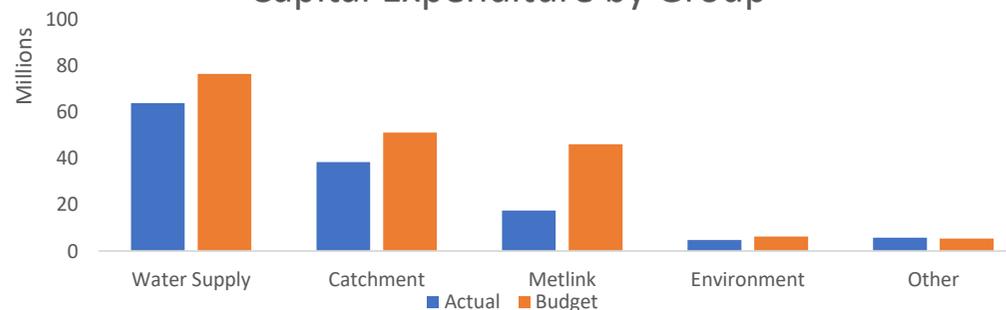
- Green loans relating to 2022/23 Riverlink capital expenditure to the value of \$14m have been drawn down in 2023/24. The Riverlink project qualifies for green loans at a favourable loan rate from the LGFA as it supports climate change adaptation.
- Environment group restructure went live on 22 May. We are still filling in vacancies in Policy and Regulation.
- Council currently has external debt of \$775m up from a starting balance of \$638m on 1 July 2022.
- Council currently holds investments (excluding subsidiaries) of \$247m up from a starting balance of \$191m on 1 July 2022. This includes water investments of \$50m, and pre funding of \$20m.
- Fair value movements are caused by the changes in valuations of financial instruments that Council holds.

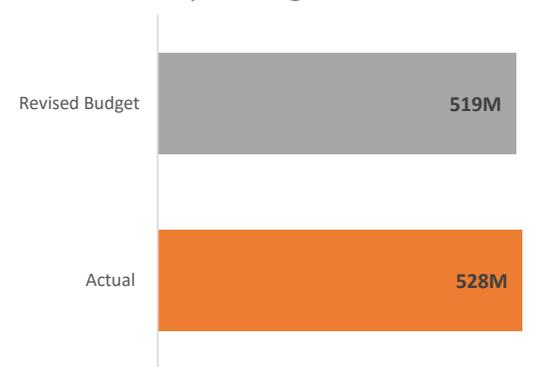
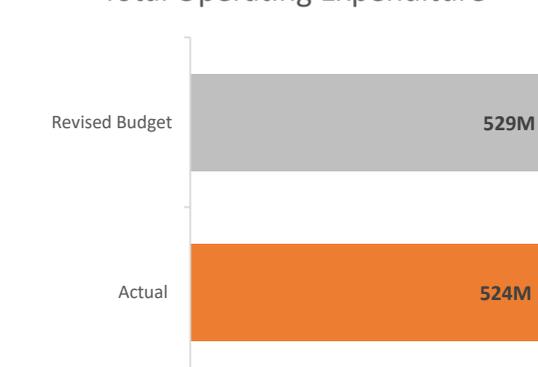
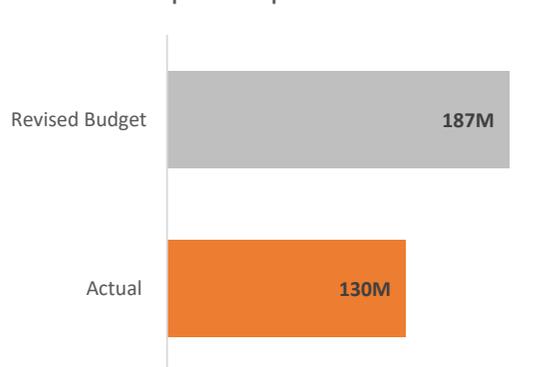
## Summarised Profit and Loss as at 30 June 2023

This statement provides year to date financials for the 12 months ended 30 June 2023 with comparisons to the budget set in the 2022-23 Annual Plan plus re-budgets approved by Council (Revised Budget).

	Full Year			
	Actual	Revised Budget	Variance	
	\$000s	\$000s	\$000s	
<b>Operating Revenue</b>				
Rates and Levies	223,245	222,711	534	0%
Grants and Subsidies	221,886	160,242	61,644	38%
Other Revenue	83,269	136,464	(53,195)	-39%
<b>Total Operating Revenue</b>	<b>528,400</b>	<b>519,417</b>	<b>8,983</b>	<b>2%</b>
<b>Operating Expenditure</b>				
Personnel	74,448	75,241	(793)	-1%
Grants and Subsidies	245,498	252,088	(6,590)	-3%
Consultants, Contractors, and Suppliers	135,182	148,598	(13,416)	-9%
Finance Costs	35,863	22,847	13,016	57%
Depreciation	32,849	30,109	2,740	9%
<b>Total Operating Expenditure</b>	<b>523,840</b>	<b>528,883</b>	<b>(5,043)</b>	<b>-1%</b>
<b>Operating Surplus/(Deficit) before other items</b>	<b>4,561</b>	<b>(9,466)</b>	<b>14,027</b>	<b>-148%</b>
Fair Value Movements	14,455	11,037	3,418	31%
<b>Operating Surplus/(Deficit)</b>	<b>19,016</b>	<b>1,571</b>	<b>17,445</b>	<b>1110%</b>
<b>Capital Expenditure</b>	<b>130,449</b>	<b>187,032</b>	<b>(56,583)</b>	<b>-30%</b>

## Capital Expenditure by Group



Key Variance Commentary														
<p style="text-align: center;"><b>Total Operating Revenue</b></p>  <table border="1"> <tr> <td>Revised Budget</td> <td>519M</td> </tr> <tr> <td>Actual</td> <td>528M</td> </tr> </table>	Revised Budget	519M	Actual	528M	<p style="text-align: center;"><b>Total Operating Expenditure</b></p>  <table border="1"> <tr> <td>Revised Budget</td> <td>529M</td> </tr> <tr> <td>Actual</td> <td>524M</td> </tr> </table>	Revised Budget	529M	Actual	524M	<p style="text-align: center;"><b>Capital Expenditure</b></p>  <table border="1"> <tr> <td>Revised Budget</td> <td>187M</td> </tr> <tr> <td>Actual</td> <td>130M</td> </tr> </table>	Revised Budget	187M	Actual	130M
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Actual	528M													
Revised Budget	529M													
Actual	524M													
Revised Budget	187M													
Actual	130M													
<p><b>Metlink PT</b> – Unfavourable due to lower patronage levels from reduced services and increase in working from home practices as well as half price fares. (\$5.2m)</p> <p><b>Catchment</b> – Favourable due to Kanoa climate resilience programme, Fresh Water Fish Passage project, rental income from Riverlink properties ahead of budget and investment interest above budget. \$5.2m</p> <p><b>Water</b> – Favourable due to higher interest on investment. \$1.7m</p> <p><b>Investment</b> – Favourable due to additional investment revenue. Offset by rising interest rates since budget was set. \$7.0m</p>	<p><b>Metlink PT</b> – Favourable due to a reduced level of services from bus operators and delays in GWRC ticketing and Bus Shelter/stop projects. \$5.3m</p> <p><b>Strategy</b> – Favourable due to underspent in Let’s Get Wellington Moving and delays in Low Carbon Acceleration Fund. \$14.3m</p> <p><b>Investment</b> – Unfavourable due to rising interest rates since the budget was set. This is partially offset by additional investment revenue. (\$13.0m)</p>	<p><b>Metlink PT</b> – Underspent due to re-schedule of National Ticketing Solution and delays in Real Time Info 2.0 initiation. 28.7m</p> <p><b>Catchment</b> – Underspent due to delays in the following projects: Riverlink, Kapiti Flood Management Plan and Wairarapa Flood Management Plan. \$12.9m</p> <p><b>Water</b> – Underspent due to delays in the following projects: Kaitoke flume bridge, Te Marua capacity upgrade, Relocate Main on SS Bridge, Kingsley main replacement and Fluoride dosing. \$12.7m</p>												

**Council**  
**24 August 2023**  
**Report 23.404**



**For Decision**

## **RESOLUTION TO EXCLUDE THE PUBLIC**

That the Council excludes the public from the following parts of the proceedings of this meeting, namely:

Appointment of mana whenua members to Te Upoko Taiao – Natural Resources Plan Committee – Report PE23.337

Appointments to Whaitua Te Whanganui-a-Tara Reference Group – PE23.388

Chief Executive performance review for 2022/23 – RPE23.319

Chief Executive remuneration review for 2022/23 – RPE23.320

The general subject of each matter to be considered while the public is excluded, the reasons for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 (the Act) for the passing of this resolution are as follows:

<b>Appointment of mana whenua members to Te Upoko Taiao – Natural Resources Plan Committee – Report PE23.337</b>	
<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<p>Information contained in this report includes personal and identifying information about candidates for appointment to Te Upoko Taiao – Natural Resources Plan Committee. Release of this information is likely to prejudice the privacy of natural persons as releasing this information would disclose their consideration for appointment as a Committee member.</p> <p>Greater Wellington has considered whether the public interest outweighs the need to withhold the information and has determined that there is no public interest favouring disclosure of this particular information in public proceedings of the meeting that would override the need to withhold the information.</p>	<p>The public conduct of the meeting is excluded as per section 7(2)(a) of the Act – to protect the privacy of natural persons, including that of deceased natural persons.</p>

<b>Appointments to Whaitua Te Whanganui-a-Tara Reference Group – Report PE23.388</b>	
<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<p>Information contained in this report includes personal and identifying information about proposed candidates for appointment. Release of this information prior to Council’s decision is likely to prejudice the privacy of natural persons as releasing this information would disclose their consideration for appointment as a member of the Whaitua Te Whanganui-a-Tara Reference Group.</p> <p>Greater Wellington has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override the need to withhold the information.</p>	<p>The public conduct of the meeting is excluded as per section 7(2)(a) of the Act – to protect the privacy of natural persons, including that of deceased natural persons.</p>
<b>Chief Executive performance review for 2022/23 – Report RPE23.319</b>	
<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<p>This report contains information relating to the current Chief Executive’s full year performance review. Release of this information would prejudice the privacy of the Chief Executive, by disclosing information pertaining to the employment relationship between the Chief Executive and the Council.</p> <p>Greater Wellington has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override the Chief Executive’s privacy.</p>	<p>The public conduct of the meeting is excluded as per section 7(2)(a) of the Act – to protect the privacy of natural persons, including that of deceased natural persons.</p>

<b>Chief Executive remuneration review for 2022/23 – Report RPE23.320</b>	
<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<p>This report contains information relating to the current Chief Executive’s full year remuneration review. Release of this information would prejudice the privacy of the Chief Executive, by disclosing information pertaining to the employment relationship between the Chief Executive and the Council.</p> <p>Greater Wellington has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override the Chief Executive’s privacy.</p>	<p>The public conduct of the meeting is excluded as per section 7(2)(a) of the Act – to protect the privacy of natural persons, including that of deceased natural persons.</p>

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