

Confirmed Public minutes of the Council meeting on Thursday 24 August 2023

Taumata Kōrero – Council Chamber, Greater Wellington Regional Council
100 Cuba Street, Te Aro, Wellington at 9.31am.

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 Saw
Councillor Woolf (from 10.59am)

Karaka timatanga

The Council Chair opened the meeting with a karaka timatanga.

Public Business

1 Apologies

Moved: Cr Bassett / Cr Nash

That the Council accepts the apologies for absence from Councillor Ropata and for lateness from Councillor Woolf.

The motion was **carried**.

2 Declarations of conflicts of interest

There were no declarations of conflicts of interest.

3 Public participation

Rev Stephen King, national Chair, Living Wage Movement of Aotearoa NZ, spoke to agenda item 9 – Accredited Living Wage Employer requirements – Report 23.398.

Blair Bradley, Procurement Manager, KiwiBank, spoke to agenda item 9 – Accredited Living Wage Employer requirements – Report 23.398.

4 Confirmation of the Public minutes of the Council meeting on 29 June 2023 – Report 23.279

Moved: Cr Gaylor / Cr Kirk-Burnnand

That the Council confirms the Public minutes of the Council meeting on 29 June 2023 – Report 23.279.

The motion was **carried**.

5 Confirmation of the Restricted Public Excluded minutes of the Council meeting on 29 June 2023 – Report RPE23.302

Moved: Cr Staples / Cr Saw

That the Council confirms the Restricted Public Excluded minutes of the Council meeting on 29 June 2023 – Report RPE23.302

The motion was **carried**.

The chair accorded priority to agenda item 9 – Accredited Living Wage Employer requirements – Report 23.398 in accordance with standing order 3.5.2.

Strategy, policy or major issues

9 Accredited Living Wage Employer requirements – Report 23.398

Donna Hickey, Group Manager, People & Customer and Deborah Kessell-Haak, Head of Legal & Procurement, spoke to the report.

Moved: Cr Nash / Cr Ponter

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 accreditation with a staged approach to implementation (option 2) 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, depending on the timeframes for implementation, could 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 the main options are:
 - a Option 1 – not to seek accreditation at this time. This would 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 – to seek Living Wage accreditation with a staged approach to implementation. This comes with unknown costs and effects, especially if the employees of Council Controlled Organisations are captured within the definition of 'indirect employee'.
- 9 Determines its preferred option as Option 2 – to seek Living Wage accreditation with a staged approach to implementation
- 10 Agrees that Greater Wellington officers will work with representative of Living Wage Aotearoa on a staged implementation approach.

- 11 Authorises the Chief Executive to:
 - a Establish a working group with Living Wage Aotearoa to assist in the implementation of accreditation;
 - b Develop and implement a survey, communications and engagement plan with affected parties;
 - c Receive and consider any supplier pool/cost impact analysis subsequent to supplier surveys;
 - d Consider, on the basis of the information gathered through the steps mentioned in a), b), and c) above, the implications, including cost implications of Living Wage accreditation on council's Annual and Long Term Plans;
 - e Identify and present to Council options to manage these implications, including any significant changes to the Annual Plans and Long Term Plans in place at the time of accreditation; and
 - f Negotiate any terms associated with seeking accreditation.
- 12 Notes that 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.

Moved as an amendment (as an additional motion, to be motion 1): Cr Gaylor / Cr Bassett

That Council:

- 1 Supports the principle of the Living Wage.

The amendment was **carried** and became part of the substantive motion.

The substantive motion was put:

That Council:

- 1 Supports the principle of the Living Wage.

- 2 Agrees that the matters for decision in the report have a medium degree of significance.
- 3 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.
- 4 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.
- 5 Notes that all of Greater Wellington's direct employees are paid at or above living wage.
- 6 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.
- 7 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.
- 8 Notes that the funding required to both support a project team to seek accreditation with a staged approach to implementation (option 2) 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, depending on the timeframes for implementation, could require reconsideration and reallocation of funding from other projects with an unknown effect on those projects at this time.
- 9 Notes that given motions 5 through 7 the main options are:
 - a Option 1 – not to seek accreditation at this time. This would 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 – to seek Living Wage accreditation with a staged approach to implementation. This comes with unknown costs and effects, especially if

the employees of Council Controlled Organisations are captured within the definition of 'indirect employee'.

- 10 Determines its preferred option as Option 2 – to seek Living Wage accreditation with a staged approach to implementation
- 11 Agrees that Greater Wellington officers will work with representative of Living Wage Aotearoa on a staged implementation approach.
- 12 Authorises the Chief Executive to:
 - a Establish a working group with Living Wage Aotearoa to assist in the implementation of accreditation;
 - b Develop and implement a survey, communications and engagement plan with affected parties;
 - c Receive and consider any supplier pool/cost impact analysis subsequent to supplier surveys;
 - d Consider, on the basis of the information gathered through the steps mentioned in a), b), and c) above, the implications, including cost implications of Living Wage accreditation on council's Annual and Long Term Plans;
 - e Identify and present to Council options to manage these implications, including any significant changes to the Annual Plans and Long Term Plans in place at the time of accreditation; and
 - f Negotiate any terms associated with seeking accreditation.
- 13 Notes that 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.

The motion was taken in parts: Motions 1 to 9 were put and **carried**, motions 10 to 12 were put and **carried**, and motion 13 was put and **carried**.

Noted: Councillor Lee requested that his vote against motions 10 to 12 were recorded.

The meeting adjourned at 10.30am and resumed at 10.45am.

6 Proposed Regional Policy Statement Change 1 – Appointment of additional member to the Part 1, Schedule 1 Hearing Panel – Report 23.374

Fathima Ifitkar, Director Strategy, Policy and Regulation, spoke to the report.

Moved: Cr Staples / Cr Lee

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.

The motion was **carried**.

7 Proposed Strategic Public Transport Asset Control Strategy – for consultation – Report 23.380

Tim Shackleton, Senior Manager, Commercial, Strategy & Investments and Nicki Lau Young Programme Director, Metlink Operating Model, spoke to the report.

Moved: Cr Saw / Cr Bassett

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.

The motion was **carried**.

Councillor Woolf arrived at 10.59am at the conclusion of the above item.

8 RiverLink Construction – Implications for Public Transport Services – Report 23.212

Samantha Gain, Group Manager, Metlink, and Wayne O'Donnell, Programme Manager, spoke to the report.

Moved: Cr Duthie / Cr Connelly

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, with the closure of the Melling Line having the potential to exacerbate traffic congestion, and that a well-designed mitigation plan with public transport and active modes can help to alleviate that 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 of Report23.212.
- 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.
 - c Measures to encourage public transport use in the Hutt Valley, in order to reduce traffic congestion and transport emissions, and assist motorists from Wairarapa and Upper Hutt who must travel through Melling to get to and from Wellington City

- 5 Notes that the Greater Wellington Chief Executive will agree to the public transport mitigation plan on Greater Wellington's behalf, with the input of Councillors, the intent of which will be to maintain a similar or enhanced level of customer service to that currently being experienced, reduce traffic congestion and transport emissions, and allowing for flexibility to change the mitigation measures to achieve this.

The motion was **carried**.

Governance

10 Amended Wellington Regional Leadership Committee joint committee agreement – Future Development Strategy – Report 23.344

Luke Troy, Group Manager Strategy, spoke to the report.

Moved: Cr Staples / Cr Gaylor

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.

The motion was **carried**.

11 Appointment of Councillors to Wairarapa Moana Statutory Board and transfer of Crown funding – Report 23.377

Pauline Hill, Principal Advisor Māori, spoke to the report.

Moved: Cr Staples / Cr Kirk-Burnnand

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.

The motion was **carried**.

12 Electoral system for Council's 2025 and 2028 triennial elections – Report 23.243

Francis Ryan, Head of Governance and Democracy, spoke to the report.

Moved: Cr Gaylor / Cr Connelly

That Council:

- 1 Notes the report (in which case the Single Transferable Vote electoral system continues for the Council's elections).
- 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 Notes the statutory poll provisions.
- 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.

The motion was **carried**.

13 Adoption of the 2024 meeting schedule – Report 23.331

Francis Ryan, Head of Governance and Democracy, spoke to the report.

Moved: Cr Saw / Cr Bassett

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.

The motion was **carried**.

14 Whaitua Kāpiti Committee members – increased honoraria – Report 23.389

Nicola Patrick, Director Catchment, spoke to the report.

Moved: Cr Gaylor / Cr Kirk-Burnnand

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.

The motion was **carried**.

15 Finance update – full year 30 June 2023 – Report 23.387 [For Information]

Darryl Joyce, Manager Accounting Services, spoke to the report.

Resolution to exclude the public

16 Resolution to exclude the public – Report 23.404

Moved: Cr Gaylor / Cr Kirk-Burnnand

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 – Report PE23.388

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

Chief Executive remuneration review for 2022/23 – Report 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 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:

Appointment of mana whenua members to Te Upoko Taiao – Natural Resources Plan Committee – Report PE23.337	
<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>
Appointments to Whaitua Te Whanganui-a-Tara Reference Group – Report PE23.388	
<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</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>

would override the need to withhold the information.	
Chief Executive performance review for 2022/23 – Report RPE23.319	
<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>
Chief Executive performance review for 2022/23 – Report RPE23.319	
<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.

The motion was **carried**.

The public part of the meeting closed at 12.13pm.

A handwritten signature in blue ink, appearing to be 'D Ponter', written in a cursive style.

Councillor D Ponter

Chair

Date:

21 September 2023