

**Absolutely Positively  
Wellington City Council**

Me Heke Ki Pōneke

# Ordinary meeting of Te Kaunihera o Pōneke

## Council agenda

Wednesday, 16 November 2022, 9:30am

Ngake (16.09)

Level 16, Tahiwi

113 The Terrace

Wellington



## **MEMBERSHIP**

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

### **Have your say!**

*You can make a short presentation to the Councillors, Committee members, Subcommittee members or Community Board members at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 04-803-8337, emailing [public.participation@wcc.govt.nz](mailto:public.participation@wcc.govt.nz) or writing to Democracy Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number, and the issue you would like to talk about. All Council and committee meetings are livestreamed on our YouTube page. This includes any public participation at the meeting.*

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## 1. Meeting Conduct

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### 1.1 Karakia

The Chairperson will open the meeting with a karakia.

<b>Whakataka te hau ki te uru,</b>	Cease oh winds of the west
<b>Whakataka te hau ki te tonga.</b>	and of the south
<b>Kia mākinakina ki uta,</b>	Let the bracing breezes flow,
<b>Kia mātaratara ki tai.</b>	over the land and the sea.
<b>E hī ake ana te atākura.</b>	Let the red-tipped dawn come
<b>He tio, he huka, he hauhū.</b>	with a sharpened edge, a touch of frost,
<b>Tihei Mauri Ora!</b>	a promise of a glorious day

At the appropriate time, the following karakia will be read to close the meeting.

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

### 1.2 Declaration of Councillor-elect

The Mayor will invite Councillor-elect Tim Brown to make his declaration.

### 1.3 General Explanation

The Chief Executive will provide a general explanation about the elected members' legal responsibilities under various pieces of legislation.

### 1.4 Apologies

The Chairperson invites notice from members of:

1. Leave of absence for future meetings of the Wellington City Council; or
2. Apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

### 1.5 Announcements by the Mayor

### 1.6 Conflict of Interest Declarations

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

### 1.7 Confirmation of Minutes

The minutes of the meeting held on 26 October 2022 will be put to the Te Kaunihera o Pōneke | Council for confirmation.

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## **1. 8 Items not on the Agenda**

The Chairperson will give notice of items not on the agenda as follows:

### ***Matters Requiring Urgent Attention as Determined by Resolution of the Wellington City Council***

The Chairperson shall state to the meeting.

1. The reason why the item is not on the agenda; and
2. The reason why discussion of the item cannot be delayed until a subsequent meeting.

The item may be allowed onto the agenda by resolution of the Wellington City Council.

### ***Minor Matters relating to the General Business of the Wellington City Council***

The Chairperson shall state to the meeting that the item will be discussed, but no resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the Wellington City Council for further discussion.

## **1. 9 Public Participation**

A maximum of 60 minutes is set aside for public participation at the commencement of any meeting of the Council or committee that is open to the public. Under Standing Order 31.2 a written, oral or electronic application to address the meeting setting forth the subject, is required to be lodged with the Chief Executive by 12.00 noon of the working day prior to the meeting concerned, and subsequently approved by the Chairperson.

2. General Business

MAIDEN SPEECHES FOR FIRST-TERM COUNCILLORS

Kōrero taunaki | Summary of considerations

Purpose

1. This report to Te Kaunihera o Pōneke | Council asks that maiden speeches by first-term councillors be received.

Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- ☐ Sustainable, natural eco city
- ☐ People friendly, compact, safe and accessible capital city
- ☐ Innovative, inclusive and creative city
- ☐ Dynamic and sustainable economy
- ☐ Functioning, resilient and reliable three waters infrastructure
- ☐ Affordable, resilient and safe place to live
- ☐ Safe, resilient and reliable core transport infrastructure network
- ☐ Fit-for-purpose community, creative and cultural spaces
- ☐ Accelerating zero-carbon and waste-free transition
- ☐ Strong partnerships with mana whenua

Strategic alignment with priority objective areas from Long-term Plan 2021–2031

Relevant Previous decisions

No relevant previous decisions.

Financial considerations

- ☒ Nil
- ☐ Budgetary provision in Annual Plan / Long-term Plan
- ☐ Unbudgeted \$X

Risk

- ☒ Low
- ☐ Medium
- ☐ High
- ☐ Extreme

Author	Hedi Mueller, Senior Democracy Advisor
Authoriser	Stephen McArthur, Chief Strategy & Governance Officer



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### **Taunakitanga | Officers' Recommendations**

Officers recommend the following motion

That the Te Kaunihera o Pōneke | Council:

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

### **Whakarāpopoto | Executive Summary**

1. Seven new councillors were elected to Wellington City Council in the 2022 local government elections.
2. It is customary that first-term councillors give a speech at their first ordinary meeting of Te Kaunihera o Pōneke | Council.

### **Takenga mai | Background**

3. The following members were elected for their first term in October 2022:
  - a. Nīkau Wi Neera (Te Whanganui-a-Tara Maori Ward)
  - b. Nureddin Abdurahman (Paekawakawa/Southern Ward)
  - c. Tim Brown (Motukairangi/Eastern Ward)
  - d. Ray Chung (Wharangi/Onslow-Western Ward)
  - e. John Apanowicz (Takapū/Northern Ward)
  - f. Ben McNulty (Takapū/Northern Ward)
  - g. Tony Randle (Takapū/Northern Ward)

### **Kōrerorero | Discussion**

4. Not applicable.

### **Ngā mahinga e whai ake nei | Next actions**

5. Not applicable.

### **Attachments**

Nil

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## GOVERNANCE ARRANGEMENTS FOR THE 2022/2025 TRIENNIUM

### Kōrero taunaki | Summary of considerations

#### Purpose

1. This report to Te Kaunihera o Pōneke | Council seeks agreement of the formal Terms of Reference and Delegations to the committees and subcommittees established by the mayor under section 41A of the Local Government Act 2002 ('LGA' or 'the Act').

#### Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- ☐ Sustainable, natural eco city
- ☐ People friendly, compact, safe and accessible capital city
- ☐ Innovative, inclusive and creative city
- ☐ Dynamic and sustainable economy

#### Strategic alignment with priority objective areas from Long-term Plan 2021–2031

- ☐ Functioning, resilient and reliable three waters infrastructure
- ☐ Affordable, resilient and safe place to live
- ☐ Safe, resilient and reliable core transport infrastructure network
- ☐ Fit-for-purpose community, creative and cultural spaces
- ☐ Accelerating zero-carbon and waste-free transition
- ☐ Strong partnerships with mana whenua

#### Relevant Previous decisions

A document outlining the committee structure was tabled at the inaugural meeting of Te Kaunihera o Pōneke | Council on 2 October 2022.

#### Significance

The decision is **rated low significance** in accordance with schedule 1 of the Council's Significance and Engagement Policy.

#### Financial considerations

☒ Nil

☐ Budgetary provision in Annual Plan / Long-term Plan

☐ Unbudgeted \$X

#### Risk

☐ Low

☐ Medium

☐ High

☐ Extreme

Authors	Sean Johnson, Democracy Team Leader Beth Keightley, General Counsel
Authoriser	Jennifer Parker, Democracy Services Manager Stephen McArthur, Chief Strategy & Governance Officer

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## **Taunakitanga | Officers' Recommendations**

Officers recommend the following motion

That Te Kaunihera o Pōneke | Council:

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

## **Whakarāpopoto | Executive Summary**

2. The Terms of Reference and Delegations set the powers of the Council's committees, subcommittees, and other decision-making groups.
3. The document is built on that of previous trienniums, with similar delegations distributed amongst the new committee structure.
4. A number of changes have been proposed, which are noted later in this report.
5. Additionally, officers propose that a Deed of Appointment is executed by the Mayor and Deputy Mayor appointing the Chief Executive as attorney, to facilitate the expedient signing of Deeds.

## **Takenga mai | Background**

6. The Council's functions are wide-ranging, and it has powers and functions under many statutes and regulations. It would be impossible for the full Council to deal with everything itself. Delegation to committees, subcommittees, individual elected members, and officers is necessary for the Council to be efficient, effective, and appropriate for achieving its objectives of service delivery. The chief executive is in turn responsible for sub-delegating residual powers.
7. The proposed terms of reference will ensure that Council powers and functions are exercised at an efficient, effective and appropriate level.
8. A delegate is not obliged to exercise a power or delegated function. If a delegate considers that the circumstances support a power or function's referral back to a delegator then explicit provision is made for this.
9. Section 41A LGA gives the mayor the power to establish committees of Council and appoint chairpersons and deputy chairpersons for any committees that they establish.

## **Committee structure**

10. The committee structure is "supportive of the [mayor's] vision for an inclusive, constructive approach to decision making. It is designed so there is a more even spread of workload across the committees, and therefore a more even workload and sharing of responsibility across the group of chairs and deputy chairs."
11. A key principle was efficient decision-making, the goal is to spend less time in committee and more time in the community.

12. Feedback on what worked well in previous trienniums was incorporated as well as recommendations from the 2021 governance review into Council decision-making (the Winder report).
13. The Terms of Reference and Delegations takes the following key principles into account:
  - Developed for the purposes of efficiency and effectiveness in the conduct of a local authority's business
  - Inclusive, constructive approach to decision-making
  - Even spread of workload between committees
  - Efficiency in decision-making
  - Less time in committee and more time in community
  - Appropriate weekly structure for elected members and staff
  - Incorporate feedback from last triennium and 2021 review into Council decision-making (the Winder report)
  - Don't double up on decision-making
  - Delegate responsibility as much as practicable to ensure we can get on with the important business of running the city
14. The committee structure consists of the following committees and subcommittees:
  - Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee
  - Kōrau Tūāpapa | Environment and Infrastructure Committee
  - Kōrau Mātinitini | Social, Cultural, and Economic Committee
  - Koata Hātepe | Regulatory Processes Committee
  - Unaunahi Māhirahira | Audit and Risk Committee
  - Unaunahi Ngaio | Chief Executive Performance Committee
  - Pītau Pūmanawa | Grants Subcommittee
15. The Terms of Reference and Delegations also contains delegations for:
  - Appointments Group
  - District Licensing Committee
  - Community Boards
  - Specific people – the mayor, deputy mayor, committee chairpersons and Chief Executive.

## **Kōrerorero | Discussion**

16. The draft Terms of Reference and Delegations document (the document) is built on that of the previous trienniums, with similar delegations distributed amongst the new committee structure.

## **Council**

17. There are a range of powers that the Council is unable to delegate under the Act, Officers propose that Council also retain a range of largely governance powers.

## **Committees of the whole**

18. The committee structure contains three 'committees of the whole' with a membership of the mayor, all councillors, and our two mana whenua representatives.
  - Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee
  - Kōrau Tūāpapa | Environment and Infrastructure Committee
  - Kōrau Mātinitini | Social, Cultural, and Economic Committee
19. These committees are empowered with a range of general decision-making powers within the committee's area of focus, including powers over strategy and policy, powers to progress, monitor, and provide oversight of key projects, power to approve

consultation with the public where committee approval is required, power to make external submissions, and power to develop bylaws for adoption by Council.

20. The committees are also delegated specific powers in relation to their area of focus.

### **Committees of the part**

21. The committee structure also includes three committees with a membership that does not include all councillors, and one subcommittee:

- Koata Hātepe | Regulatory Processes Committee
- Unaunahi Māhirahira | Audit and Risk Committee
- Unaunahi Ngaio | Chief Executive Performance Committee
- Pītau Pūmanawa | Grants Subcommittee

### **Community Boards**

22. Council has two community boards – the Mākara / Ōhāriu Community Board and the Tawa Community Board.
23. Under the Act, the role of a community board is to:
- Represent and act as an advocate for the interests of its community
  - Consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board
  - Maintain an overview of services provided by the territorial authority within the community
  - Prepare an annual submission to the territorial authority for expenditure within the community
  - Communicate with community organisations and special interest groups within the community and undertake any other responsibilities that are delegated to it by the territorial authority.
24. Officers are recommending that the community boards are delegated increased powers to perform some of the roles of the Koata Hātepe | Regulatory Processes Committee within the boundaries of their community. These powers relate to naming, stopping, and temporarily closing roads; naming reserves; granting leases, licenses, and easements on reserve land; and establishing dog areas.
25. Officers believe that expanding the delegations made to the community boards will help Council make the most of the extensive decision-making experience and local knowledge held by our community boards.

### **Other groups and specific roles**

26. Some powers are delegated to other decision-making groups or specific roles that fall outside of the formal committee structure.
27. The Appointments Group consists of the mayor, deputy mayor, and the chair of the Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee.
28. The Sale and Supply of Alcohol Act 2012 requires the Council to appoint one or more District Licensing Committees to deal with licensing matters. District Licensing Committees are appointed to exercise the Council's alcohol licensing functions and powers.
29. The mayor, deputy mayor, and committee chairs and deputy chairs have specific responsibilities as set out in the document.

### **Chief executive**

30. As noted earlier in this report, the Council's functions are wide-ranging, and it has powers and functions under many statutes and regulations. It would be impossible for

the full Council to deal with everything itself and so delegation to the chief executive is necessary.

31. Under s42 of the Local Government Act 2002, the Chief Executive is responsible for implementing the decisions of the Council and ensuring the effective and efficient management of the Council's activities. It is therefore appropriate that the Chief Executive receives a wide-ranging delegation in order to discharge these duties.
32. The standing delegations to the Chief Executive have been in place since 2010 (subject to a few small changes in 2013 and 2016). They were last affirmed by Council in the adoption of the Council's Terms of Reference and Delegation on 13 May 2021, and remain in effect.
33. No changes are proposed. The Chief Executive is delegated all powers and authorities, other than those retained by Council, or contained within the delegations to committees or other subordinate decision-making bodies or community boards. In other words, if the Council or Committee has not retained the power it can be exercised by the Chief Executive. The delegation is subject to acting within the law, within Council policy and within the Annual Plan and Long-term Plan. Certain financial tolerances are in place.
34. The delegations are supported by effective communication and constructive working arrangements between elected members and the chief executive, such as the quarterly report, regular briefings, Council and chief executive only time, and the chief executive's key performance indicators.

#### **Key changes**

35. In line with the principles, officers are recommending several changes to the delegations from previous trienniums.
36. The proposed Terms of Reference and Delegations make it clear that decisions on matters relating to the District Plan are delegated to the Kōrau Tūāpapa | Environment and Infrastructure Committee.
37. To reflect the principles of efficient decision-making to spend more time in the community, and delegating as much as practicable, it is proposed that the Kōrau Tūāpapa | Environment and Infrastructure Committee makes key transport decisions at the design stage through to the approval of capital works (in line with previous trienniums), and that any implementation of these decisions through a traffic resolution process be made at the Koata Hātepe | Regulatory Processes Committee.
38. As noted earlier in this report, it is proposed that the community boards also be delegated a number of the powers within their community area otherwise held by the Koata Hātepe | Regulatory Processes Committee.
39. In line with the same principles, officers also recommend that the Koata Hātepe | Regulatory Processes Committee be delegated the power to agree all leases, licences, and easements on Council-owned land that is either open space under the District Plan, reserve under the Reserves Act 1977, or land subject to the Wellington Town Belt Act 2016 (other than decisions which must be recommended to Council under that Act).
40. Officers propose that the limit for grants that can be agreed by the Pītau Pūmanawa | Grants Subcommittee be increased from \$100,000 per annum to \$150,000 per annum.

#### **Workshops and briefings**

41. Council can also make use of workshops and briefings, to progress matters outside of the formal structure of a committee meeting. Through workshops and briefings, elected members can be informed about topical issues, or matters that will at some stage in the

future be the subject of a formal report to a committee. Workshops and briefings have no decision-making authority.

42. The office of the Ombudsman is currently preparing advice on best practice for holding workshops and briefings. Once that advice has been issued, officers will review the recommendations and seek to incorporate them into our current practice where any differences exist.

### **Execution of Deeds**

43. A number of documents that Council needs to sign are Deeds. Under the Property Law Act 2007, Deeds need to be signed by two directors. In a Council context, "Directors" equates to Councillors (that is persons holding a governance as opposed to management role).
44. Under her current delegation, the Chief Executive has delegated authority to finalise and enter into a wide range of contractual documents. This includes the ability to finalise deeds (but not currently to execute them). Under the current process deeds are executed by two elected members, which can lead to delays and a lack of clear understanding on roles and accountabilities. To achieve efficiencies, officers propose that the process be changed, whereby the Chief Executive be granted the right to execute all Deeds (provided the scope of the document falls within her delegation).
45. This can be achieved by the granting of a Power of Attorney from Councillors to the Chief Executive.
46. Officers propose that a Deed of Appointment is executed by the Mayor and Deputy Mayor appointing the Chief Executive as attorney, to facilitate the expedient signing of Deeds. Elected members would continue to be able to sign deeds, in the event that the Chief Executive wasn't available, or as required.

### **Kōwhiringa | Options**

47. Council can choose to agree to the Terms of Reference and Delegations as proposed by officers, or to alter the delegations.

### **Whai whakaaro ki ngā whakataunga | Considerations for decision-making**

#### **Alignment with Council's strategies and policies**

48. These Terms of Reference and Delegations provide for a number of decisions to be made that are required under various Council strategy and policy.

#### **Engagement and Consultation**

49. As a governance decision of the Council, this decision does not require engagement of consultation with the public.

#### **Implications for Māori**

50. The Terms of Reference and Delegations provides for two representatives of our Tākaia Here partners to be appointed to most committees and subcommittees. These appointments will help ensure that the voice of our Tākaia Here partners is present at the Council table.

#### **Financial implications**

51. There are no direct financial implications arising from this paper. The Terms of Reference and Delegations provide for future committee meetings to make decisions



withing the approved long-term plan and annual plan budgets, and set out the delegations if a decision needs to be made outside of those approved budgets.

### **Legal considerations**

52. Clause 32 schedule 7 of the Local Government Act 2002 provides Council the legal power to delegate some of its responsibilities, duties, or powers. Some powers cannot be delegated, and our Terms of Reference and Delegations reflect this.

### **Risks and mitigations**

53. The mayor has indicated that she intends let the structure and delegations bed in over the next 12 months or so and make any changes as necessary.

### **Disability and accessibility impact**

54. The Terms of Reference and Delegations are technical by nature, but work has gone in to simplifying the language used and making it easy to navigate.

### **Climate Change impact and considerations**

55. There are no direct climate change impacts arising from this paper. The committee structure and Terms of Reference and Delegations will allow Council to consider climate change matters through the Kōrau Tūāpapa | Environment and Infrastructure Committee.

### **Communications Plan**

56. Following the finalisation of the Terms of Reference and Delegations document, it will be published online on the Council's website for reference.

### **Health and Safety Impact considered**

57. There are no direct health and safety impacts arising from this paper. The Terms of Reference and Delegations provides for regular reporting on health and safety matters to councillors.

### **Ngā mahinga e whai ake nei | Next actions**

58. Following the finalisation of the Terms of Reference and Delegations document, it will be published online on the Council's website for reference.

### **Attachments**

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DRAFT

# Terms of Reference and Delegations of Wellington City Council

2022-2025

9 November 2022

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## Record of Amendments

Version	Date	Resolution	Summary of Amendments

# Introduction

## ***General***

1. This document sets out the terms of reference and delegations for the Wellington City Council, and its committees and subcommittees. It also sets out the responsibilities of and delegations to particular roles, including the mayor, deputy mayor, chief executive, committee and subcommittee chairs and deputy chairs.
2. The Council's functions are wide-ranging, and it has powers and functions under many statutes and regulations. It would be impossible for the full Council to deal with everything itself. Delegation to committees, subcommittees, individual elected members, and officers is necessary for the Council to be efficient, effective, and appropriate for achieving its objectives of service delivery.
3. These terms of reference will ensure the Council that its powers and functions are exercised at an efficient, effective and appropriate level.
4. A delegate is not obliged to exercise a power or delegated function. If a delegate considers that the circumstances support a power or function's referral back to a delegatee then explicit provision is made for this.

## ***Committees***

5. Committee includes, in relation to Council:
  - a. A committee comprising all or some of the members of Council;
  - b. A standing committee or special committee appointed by Council or the Mayor;
  - c. A joint committee appointed under cl 30A of sch 7 of the LGA 2002; and
  - d. Any subcommittee of a committee described in (a), (b) and (c).
6. The terms of reference and delegations to committees and subcommittees are set out in full in this document. In respect of committees and subcommittees:
  - a. The committees have no decision-making powers other than those set out in these terms of reference.
  - b. Any committee may request expert advice through the Chief Executive where necessary.
  - c. The committees may make recommendations to their governing committee or Council, or chief executive as appropriate.

### ***Mana whenua***

7. The Council has statutory obligations to iwi and Māori, by virtue of the Treaty of Waitangi, in particular in relation to the Resource Management Act 1991 and Local Government Act 2002.
8. The Council is committed to improving and facilitating participation by Māori in its decision-making processes. Further, te ao Māori is a relevant consideration in many of the decisions that Council makes. Local iwi (Ngāti Toa Rangatira, Taranaki Whānui ki Te Upoko o Te Ika and Te Runanganui o Te Āti Awa, “Tā kai Here partners”) are important partners in this respect and provide vital input into Council committees’ decision-making. This is reflected in the Council’s adoption of the “Mana Whenua Representation” paper on 28 April 2021 and the signing of our Tā kai Here partnership agreement on 29 April 2022. This has seen the Council agree to appoint non-elected representatives from mana whenua to all Council committees and subcommittees (except the Unaunahi Ngaio | Chief Executive Performance Review Committee, Community Boards, the Appointment Group, and the District Licencing Committee).
9. The Tā kai Here representatives appointed to these committees will contribute an additional te ao Māori perspective to decision making.
10. The appointment process is undertaken under cl 31(3) sch 7 of the Local Government Act 2002. This enables the Council to appoint un-elected committee members who are considered to have relevant skills, attributes or knowledge that will assist the committee’s work. The Council will consider and approve the recommended appointees of our Tā kai Here partners under this statutory power.
11. Appointed Tā kai Here representatives are full members of the decision-making bodies to which they are appointed and have full rights as members under standing orders to participate in debate and vote on items.

### ***Ambiguity and Conflict***

12. In the event of ambiguity or conflict between any of the provisions contained in these terms of reference, Democracy Services can provide advice. If the ambiguity or conflict results in uncertainty or dispute as to which chairperson, committee or subcommittee has the delegation to act in respect of a particular matter, then the mayor will decide in consultation with the deputy mayor and having received advice from the chief executive. The decision of the mayor will be final and binding.
13. In resolving ambiguity or conflict in the allocation of matters to committees, the committee with the primary outcome of the decision in its area of focus should be the committee that considers the matter.

### ***Health and Safety***

14. In regard to health and safety, all members of the Council are required to discharge their responsibilities of due diligence under the Health and Safety at Work Act 2015. Staff will provide regular reports to the governing body, through the Unaunahi Māhirahira | Audit and Risk Committee, to enable members to discharge their duties.

# Te Kaunihera o Pōneke | Council

Chair	Mayor Tory Whanau
Deputy Chair	Deputy Mayor Laurie Foon
Members	All councillors Tākaī Here representatives can attend and speak, but not vote, at these meetings
Quorum	8
Frequency of meeting	Six-weekly, or as required

## Decision-making powers

1. The following powers are unable to be delegated<sup>1</sup>:
  - a. The power to make a rate.
  - b. The power to make a bylaw.
  - c. The power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.
  - d. The power to adopt a long-term plan, annual plan, or annual report.
  - e. The power to appoint a chief executive.
  - f. The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement.
  - g. The power to adopt a remuneration and employment policy.
  - h. The power to approve or amend the Code of Conduct for elected members.
  - i. The power to approve or amend the Council's Standing Orders.
  - j. The power to establish a joint committee with another local authority or other public body.
  - k. The power to make the final decision on a recommendation from the Ombudsman where it is proposed that Council does not accept the recommendation.
  - l. The powers contained in section 15(1) of the Wellington Town Belt Act 2016.
2. The Council has also decided to retain, and not delegate, the following powers:
  - a. Oversee, develop and approve the Council's relationship with Māori, including iwi appointments to, or removal from committees.
  - b. The power to appoint and discharge members of committees (when not appointed by the mayor).
  - c. To approve Council's recommendation to the Remuneration Authority for the remuneration of elected members.

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<sup>1</sup> For powers a-g see clause 32(1) Schedule 7 Local Government Act 2002. For powers g-j see clauses 15, 27, 30, and 30A Schedule 7 Local Government Act 2002. For power k see section 32(1) Local Government Official Information and Meetings Act 1987.

- d. To approve the Triennial Agreement under the Local Government Act 2002.
- e. To approve the Local Governance Statement.
- f. To determine whether or how to fill any extraordinary Council vacancies.
- g. Review, develop policy and practices and make decisions in respect of governance (including representation reviews).
- h. To promote any legislation or promote significant amendments to legislation (e.g. a Local Bill).
- i. To exercise any authority which it has delegated to a committee, subcommittee or officer, which is referred to it for decision.
- j. To oversee and approve the Council's strategy and policy work programme.



# Committees

## General decision-making powers

Committees with a membership including the mayor and all members of Council are delegated, within their area of focus, the power to:

1. Perform their responsibilities, within the approved long-term plan and annual plan budgets.
2. Develop, approve, monitor, and review strategy and policy.
3. Recommend service level changes and new initiatives to the Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee as part of the long-term plan and annual plan processes.
4. Review and approve business cases and approve key decisions for significant projects that are budgeted and funded within the long-term plan or annual plan.
5. Monitor and provide oversight for significant projects.
6. Approve any consultation processes where committee approval is required, the committee has directed officers to seek approval, or the chief executive considers it appropriate to seek committee approval.
7. Approve regionally significant naming decisions, in accordance with Te Māpihi Maurea Naming Policy.
8. Approve submissions to external bodies/organisations on legislative and regulatory proposals except:
  - a. If there is insufficient time for the matter to be determined by the committee before the submission 'close date', in which case the submission can be agreed by the relevant committee chair, deputy chair, mayor and chief executive (and all councillors must be advised of the submission and provided copies if requested).
  - b. If the submission is of a technical and operational nature, in which case the submission can be approved by the chief executive (in consultation with the relevant committee chair and deputy chair prior to lodging the submission).
  - c. During the formal pre-election period, in which case submissions are approved by the chief executive.
9. Develop and approve the statement of proposal for new or amended bylaws for consultation.
10. Recommend to Council new or amended bylaws for adoption.
11. Review asset management plans.
12. Establish any subcommittee and approve its terms of reference.
13. Consider and make decisions usually within the chief executive's delegations that the chief executive has referred to the committee for decision making.
14. Perform the responsibilities of another committee, where it is necessary to make a decision prior to the next meeting of that other committee.
15. Discuss and approve a forward agenda for the committee.

## Kōrau Mātinitini | Social, Cultural, and Economic Committee

Chair	Councillor Teri O'Neill
Deputy Chair	Councillor Nureddin Abdurahman
Members	Mayor and all councillors Pouiwi Holden Hohaia, Tākai Here representative Pouiwi Liz Kelly, Tākai Here representative
Quorum	9
Frequency of meeting	Six-weekly

### Area of focus

The Kōrau Mātinitini | Social, Cultural, and Economic Committee has responsibility for:

1. Māori strategic outcomes.
2. Arts, culture, and community services.
3. Wellington City social housing.
4. Council's city events.
5. Parking services.
6. Parks, sport and recreation.
7. Community resilience.
8. Economic development.

### Decision-making powers

The Kōrau Mātinitini | Social, Cultural, and Economic Committee has the power to:

1. Exercise the 'general decision-making powers' contained in this Terms of Reference and Delegations, within its area of focus.
2. Receive reports and workplans from the Council's advisory groups.
3. Review as necessary and approve the model and terms of reference for Council advisory groups.

### Grants

4. Approve the criteria and focus areas for grants funds referred for decision by the Pītau Pūmanawa | Grants Subcommittee.
5. Approve any grants referred or recommended for decision by the Pītau Pūmanawa | Grants Subcommittee.
6. Approve the allocation of grants from the City Growth Fund for any grant over \$100,000 per annum.

### ***Open Space and Reserves***

7. For reserves, the power to approve Council strategy, policy and reserve management plans.
8. For all Council-owned land that is either open space under the District Plan, or reserve under the Reserves Act 1977:
  - a. Adopt management plans and amendments to management plans.
  - b. Recommend to Council anything that would change the ownership of such land.
9. For all land that is subject to the Wellington Town Belt Act 2016:
  - a. Recommend to Council whether it should exercise its non-delegable powers under section 15(1)((a-d) of that Act.

## Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee

Chair	Councillor Rebecca Matthews
Deputy Chair	Councillor John Apanowicz
Members	Mayor and all councillors Pouiwi Holden Hohaia, Tā kai Here representative Pouiwi Liz Kelly, Tā kai Here representative
Quorum	9
Frequency of meeting	Six-weekly

### Area of focus

The Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee has responsibility for:

1. Long-term planning and annual planning.
2. Financial and non-financial performance oversight in relation to the long-term plan and annual plan.
3. Financial oversight.
4. Procurement policy.
5. Non-strategic asset investment and divestment as provided for through the long-term plan (recommending to Council where matters are not provided for in the long-term plan).
6. Council-controlled Organisation oversight and performance.
7. Council-controlled Organisation director review and appointments.
8. WellingtonNZ oversight and performance.
9. Approve asset management plans.

### Decision-making powers

The Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee has the power to:

1. Exercise the 'general decision-making powers' contained in this Terms of Reference and Delegations, within its area of focus.
2. Approve the attendance and associated costs of elected members at conferences, seminars, training, or events or when representing the Council overseas as part of delegations or invitations.

### *Long-term plan and annual plans*

3. Develop the Council's draft and final long-term plan, annual plan and any amendment to the long-term plan, for recommendation to Council.
4. Develop the policies required to be part of, or included in, the long-term plan and the funding and financial policies in section 102 of the Local Government Act 2002.
5. Review the Revenue and Financing Policy and be guided by the requirements of the Local Government Act 2002 to set funding sources for each activity component from the most appropriate source.

6. Recommend to Council the appropriate level for the commercial/residential rates differential and any changes to rating resulting from rates reviews.
7. Recommend to Council how capital funding should be reflected in Council policy (including development contributions).
8. Undertake any review of performance against current revenue and financing policy targets and recommend changes as appropriate.
9. Review and recommend to Council any changes to the Council's financial policies as required under the Local Government Act 2002 (section 102).
10. Make recommendations on other factors that may impact on the Council's rate funding or Revenue and Financing Policy.
11. Review the performance measurement framework as part of the long-term plan process, and recommend any amendments to the performance measurement framework.

#### ***Significant projects and monitoring & reporting***

12. Receive and consider quarterly reports on the Council's performance against the long-term plan and annual plan. This includes Council's Performance Framework that is made up of Council Key Performance Indicators and City Outcome Indicators.
13. Review business cases and approve next steps on significant projects not otherwise within another committee's area of focus.
14. Monitor and maintain oversight of financial aspects of significant projects.
15. Review and recommend to Council the adoption of the annual report.

#### ***Financial***

16. Approve budget overspends (above the tolerance levels in the chief executive's delegations) and any reprogramming of capital expenditure for a project or programme provided that:
  - a. The overall budget for the Activity Group is met from savings and efficiencies within the Activity Group.
  - b. The overall budget for capital expenditure is not exceeded.
17. Where this is not the case the committee must either;
  - a. Recommend to Council that additional funding is approved (outside the long-term plan or annual plan process), or,
  - b. Consider including the budget overspend or reprogramming of capital expenditure in the next long-term plan or annual plan.

### ***Council-controlled Organisations (CCOs)***

18. Ascertain and outline the Council's key priorities for each CCO to address in their Statement of Intent in an annual Letter of Expectation, and issue the Letter of Expectation.
19. Receive, review, and provide feedback on draft Statements of Intent.
20. Monitor the performance, including financial, and the delivery of strategic outcomes of Council's CCO's through Quarterly and Annual Reports of CCO performance.
21. Require CCO attendance at the committee meetings to present their reports and respond to any questions from members of the committee.
22. Monitor board performance, including the performance of board members appointed by Council or committee, raising any concerns with the Chair of the CCO.
23. Constructively engage with CCOs during the development of any Council strategy and policy or relevant submission by Council to an external entity (where relevant).
24. Engage with CCOs and provide the members of the committee, the Board, and Chief Executive the opportunity to discuss issues that have the potential to impact a CCOs funding, strategic outlook or risk management framework.
25. Receive reports and updates from certain Council Organisations (COs), noting that while the Wellington Regional Stadium Trust (WRST) is a CO, clauses 18 to 24 apply to that entity.
26. Receive reports and updates from Wellington International Airport Limited on a quarterly and annual basis.
27. Undertake any reviews of CCOs and approve changes to CCO governance arrangements and consider any issues regarding CCOs.
28. To appoint or remove trustees, directors or office holders to Council's CCOs and COs, and external members to other external bodies.
29. In respect of Wellington Water Limited, this committee performs delegations 18 to 20 only.
30. In respect of Wellington Regional Economic Development Agency (WREDA), this committee performs delegations 18 and 19 only.
31. For the avoidance of doubt, council organisations (excluding WRST) are not within the remit of this committee.

## Kōrau Tūāpapa | Environment and Infrastructure Committee

Chair	Councillor Tamatha Paul
Deputy Chair	Councillor Tim Brown
Members	Mayor and all councillors Pouiwi Holden Hohaia, Tākai Here representative Pouiwi Liz Kelly, Tākai Here representative
Quorum	9
Frequency of meeting	Six-weekly

### Area of Focus

The Kōrau Tūāpapa | Environment and Infrastructure Committee has responsibility for:

1. RMA matters, including urban planning, city design, built environment, natural environment, biodiversity, and the District Plan.
2. Housing.
3. Climate change response and resilience.
4. Council property.
5. Waste management & minimisation.
6. Transport including Let's Get Wellington Moving.
7. Council infrastructure and infrastructure strategy.
8. Capital works programme delivery, including CCOs' and Wellington Water Limited's capital works programmes.
9. Three waters.

### Decision-making powers

The Kōrau Tūāpapa | Environment and Infrastructure Committee has the power to:

1. Exercise the 'general decision-making powers' contained in this Terms of Reference and Delegations, within its area of focus.
2. Make resolutions under the Solid Waste Management and Minimisation Bylaw 2020 to support the implementation of that Bylaw.
3. For development proposals under the Waterfront Framework:
  - a. Conduct public engagement/consultation processes as required on design.
  - b. Develop and approve performance briefs for individual areas or sections of work.
  - c. Approve detailed designs for recommendation to Council.
  - d. Consider the commercial terms of any proposal for recommendation to Council.
  - e. Monitor implementation including approval of variations from approved designs.
4. To approve the final design and commercial terms for development proposals under the Waterfront Project as required by the Waterfront Framework.



5. Exercise any non-financial statutory power necessary to progress Let's Get Wellington Moving business cases.
6. Progress speed management plans under the Land Transport Rule: Setting Speed Limits 2022.

***District Plan and Resource Management Act***

7. Review and approve for notification a proposed district plan, a proposed change to the District Plan, or a variation to a proposed plan or proposed plan change (excluding any plan change notified under clause 25(2)(a), Schedule 1 of the Resource Management Act 1991).
8. Withdraw a proposed plan or plan change under clause 8D, Schedule 1 of the Resource Management Act 1991.
9. Make the following decisions to facilitate the administration of proposed plan, plan changes, variations, designation and heritage order processes:
  - a. To authorise the resolution of appeals on a proposed plan, plan change or variation unless the issue is minor and approved by the chair of the Kōrau Tūāpapa | Environment and Infrastructure Committee.
  - b. To consider whether a decision of a Requiring Authority or Heritage Protection Authority will be appealed to the Environment Court by Council and authorise the resolution of any such appeal.
  - c. To consider and approve council submissions on a proposed plan, plan changes, and variations.
  - d. To manage the private plan change process.
  - e. To accept, adopt or reject private plan change applications under clause 25 Schedule 1 of the Resource Management Act 1991.
  - f. To approve the hearings panel's recommendation on a proposed plan, plan change, or variation (including the District Plan review, or a private plan change) under clause 17 of Schedule 1 of the Resource Management Act 1991.
10. Establish an independent hearings panel to conduct the hearings and make recommendations on the intensification planning instrument and the District Plan review, which will come back to this committee for final approval.
11. Appoint the hearing commissioners and chair of the independent hearings panel.
12. Delegate the necessary functions to the independent hearings panel under clause 96(4) of part 6 of schedule 1 of the Resource Management Act 1991.

## Unaunahi Māhirahira | Audit and Risk Committee

Chair	Mr Bruce Robertson
Deputy Chair	Councillor Tony Randle
Members	Mayor Tory Whanau Councillor John Apanowicz Councillor Ray Chung Councillor Iona Pannett Pouiwi Liz Kelly, Tā kai Here representative One external appointed member (to be confirmed)
Quorum	4
Frequency of meeting	Quarterly

### Area of focus

The Unaunahi Māhirahira | Audit and Risk Committee has responsibility for:

1. Overseeing the work of the Council in discharging its responsibilities in the areas of risk management, statutory reporting, internal and external audit and assurance, and monitoring of compliance with laws and regulations, including health and safety.

### Decision-making powers

The Unaunahi Māhirahira | Audit and Risk Committee has the power to:

### Statutory reporting

1. Review and monitor the integrity of the annual report including statutory financial statements and any other formal announcements relating to the council's financial performance, focussing in particular on:
  - a. Compliance with, and the appropriate application of, relevant accounting policies, best practices and accounting standards.
  - b. Compliance with applicable legal requirements relevant to statutory reporting.
  - c. The consistency of application of accounting policies across reporting periods and the Wellington City Council group.
  - d. Agreeing accounting policies and practices including any changes that may affect the way that accounts are presented.
  - e. Any decisions involving significant judgement, estimation or uncertainty.
  - f. The extent to which financial statements are affected by any unusual transactions and the manner in which they are disclosed.
  - g. The disclosure of contingent liabilities and contingent assets.
  - h. The clarity of disclosures generally.
  - i. The basis for the adoption of the going concern assumption.
  - j. Significant adjustments resulting from the audit.
2. Seek from external auditors any information that affects the quality and clarity of the Council's financial statements and statements of service performance, and assess whether appropriate action has been taken by management in response.

3. Confirm that the financial statements and statements of service performance are supported by appropriate management sign-off on the statements and on the adequacy of the systems of internal control (i.e. letters of representation), and recommend signing of the financial statements by the Chief Executive/Mayor and adoption of the Annual Report.
4. Confirm that processes are in place to ensure that financial information included in the entity's Annual Report is consistent with the signed financial statements.

#### ***Risk management***

5. Review, approve and monitor the implementation of the risk management programme of work, the risk management framework including Council's strategic risks and those risks pertaining to CCOs that are significant to the Wellington City Council group, and providing guidance and approval of Council's appetite for risk.
6. Oversight of the systems in place to manage legislative compliance including: health and safety, fraud and integrity risk, significant projects and programmes of work, and significant procurement activity.

#### ***Internal audit***

7. Review and monitor whether management's approach to maintaining an effective internal control framework is sound and effective, and in particular:
  - a. Review and approve the internal audit coverage and annual work plans, ensuring these plans are aligned with the Council's risk profile.
  - b. Review the adequacy of management's implementation of internal audit recommendations.
  - c. Review the internal audit charter to ensure appropriate organisational structures, authority, access, independence, resourcing and reporting arrangements are in place.
  - d. Review whether management has taken steps to embed a culture that is committed to probity and ethical behaviour.
  - e. Review whether management has in place relevant policies and procedures and how these are reviewed and monitored.
  - f. Review whether there are appropriate systems, processes and controls in place to prevent, detect and effectively investigate fraud.
8. Conduct a members only session (i.e. without any management present) with internal audit to discuss any matters that the auditors wish to bring.

### ***External audit***

9. At the start of each audit, confirm the terms of the engagement, including the nature and scope of the audit, timetable and fees, with the external auditor.
10. Receive the external audit report(s) and review action to be taken by management on significant issues and audit recommendations raised within.
11. Conduct a members only session (i.e. without any management present) with external audit to discuss any matters that the auditors wish to bring.

### ***Council-controlled Organisations***

12. The Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee when dealing with CCO matters may refer matters to the Unaunahi Māhirahira | Audit and Risk Committee for review and advice.
13. This committee will enquire to ensure adequate processes at a governance level exist to identify and manage risks within a CCO. Where an identified risk may impact on Wellington City Council or the wider group, the committee will ensure that all affected entities are aware of and appropriately managing the relevant risk.

### ***Health and safety***

14. Oversee the systems in place to manage compliance with regard to health and safety.
15. Refer any health and safety reports to Te Kaunihera o Pōneke | Council.

## Unaunahi Ngaio | Chief Executive Performance Review Committee

Chair	Mayor Tory Whanau
Deputy Chair	Deputy Mayor Foon
Members	The chair of the Kōrau Tōtōpū   Long-term Plan, Finance, and Performance Committee The chair of the Kōrau Tūāpapa   Environment and Infrastructure Committee The chair of the Kōrau Mātinini   Social, Cultural, and Economic Committee
Quorum	3
Frequency of meeting	As required

### Area of focus

The Unaunahi Ngaio | Chief Executive Performance Review Committee has responsibility for:

1. Effective monitoring of the Chief Executive Officer's performance and has the authority to undertake the annual remuneration review. The Committee also has the role of undertaking any review for the purposes of clause 35 schedule 7 Local Government Act 2002, making a recommendation to Council under clause 34 schedule 7 Local Government Act 2002, and (if applicable) undertaking any recruitment and selection process, for recommendation to the Council.

### Decision-making powers

The Unaunahi Ngaio | Chief Executive Performance Review Committee has the power to:

1. Agree the annual performance objectives with the Chief Executive.
2. Undertake a 6 monthly review to review progress against the annual performance objectives, provide feedback, ongoing monitoring and agree to any modifications to the annual performance objectives with the Chief Executive.
3. Conduct the performance review required in the employment agreement between the Council and the Chief Executive.
4. Undertake the annual remuneration review and make decisions regarding remuneration.
5. Represent the Council in regard to any issues which may arise in respect to the Chief Executive's job description, agreement, performance objectives or other similar matters.
6. Conduct and complete a review of employment under clause 35 schedule 7 of the Local Government Act 2002, and make a recommendation to Council as to continued appointment or vacancy under clause 34 schedule 7 of the Local Government Act 2002.
7. Undertake any recruitment and selection process for a Chief Executive (noting that a decision on appointment must by law be made by the Council).
8. The Chair and Deputy Chair have the authority to twice annually request a report of the Chief Executive's "sensitive expenditure".

## Koata Hātepe | Regulatory Processes Committee

Chair	Councillor Sarah Free
Deputy Chair	Councillor Ben McNulty
Members	Mayor Tory Whanau Councillor Nureddin Abdurahman Councillor Diane Calvert Councillor Tamatha Paul Pouiwi Holden Hohaia, Tākai Here representative Pouiwi Liz Kelly, Tākai Here representative
Quorum	4
Frequency of meeting	Six-weekly

### Area of focus

The Koata Hātepe | Regulatory Processes Committee has responsibility for:

1. Naming places in accordance with the naming policy, except for regionally significant decisions.
2. Development contribution remissions.
3. Leases, licences, and easements.
4. Objections to classifications under the Dog Control Act 1996.
5. Suburb boundaries.
6. Traffic resolutions.
7. Temporary road closures.
8. Road stopping.
9. Approving the list of Resource Management Act commissioners and the associated appointment guidelines.

### Decision-making powers

The Koata Hātepe | Regulatory Processes Committee has the power to:

1. Name right-of-ways under section 319A of the Local Government Act 1974, in accordance with Te Māpihi Maurea Naming Policy.
2. Make decisions on applications required under the Development Contribution Policy for remissions, postponements, reconsiderations and objections.
3. Exercise the powers contained in section 15(2) of the Wellington Town Belt Act 2016 for all land subject to that Act.
4. Approve leases, subleases, and easements for all Council-owned land that is either open space under the District Plan, or reserve under the Reserves Act 1977.
5. Make all decisions requiring Council or committee approval under the 'Leases Policy for Community and Recreation Groups'.
6. Recommend to the chief executive the appointment of Commissioners to the District Licensing Committee under section 193 of the Sale and Supply of Alcohol Act 2012.

7. Establish dog areas, such as those described in the Wellington Consolidated Bylaw 2008 (clause 5 of Part 2: Animals).
8. Consider objections to classifications under the Dog Control Act 1996.
9. Amend suburb boundaries and hear any objections to suburb boundary change proposals.
10. Make traffic resolutions under the Traffic and Parking Bylaw 2021.
11. Temporarily close roads for events under clause 11(e), Schedule 10 of the Local Government Act 1974 and the Transport (Vehicular Traffic Road Closure) Regulations 1965.
12. Set speed limits in accordance with a plan, or under the alternative process under the Land Transport Rule: Setting Speed Limits 2022.

#### ***Open space and reserves***

13. For all Council-owned land that is either open space under the District Plan, or reserve under the Reserves Act 1977:
  - a. Approve a Permanent Forest Sink Initiative covenant to be added or removed.
  - b. Make any decision under a management plan which provides that it may not be made by a Council officer (for example, approve a concession).
  - c. Make decisions that would change the legal status of such land, including under the Reserves Act 1977 to classify a reserve, declare land to be a reserve and revoke the reservation of land.
14. For all land that is subject to the Wellington Town Belt Act 2016:
  - a. Recommend to Council whether it should exercise its non-delegable powers under section 15(1)(e) of that Act.
  - b. Exercise the powers contained in section 15(2) of that Act.
15. Approve leases, subleases, and easements for all Council-owned land that is either open space under the District Plan, or reserve under the Reserves Act 1977.
16. Make all decisions requiring Council or committee approval under the 'Leases Policy for Community and Recreation Groups'.
17. Name reserves under section 10 of the Reserves Act 1977, in accordance with Te Māpihi Maurea Naming Policy.

#### ***Road stopping***

18. Recommend to Council whether to proceed with a road stopping and disposal of a stopped road, including if appropriate any related acquisition, disposal, or exchange of land.
19. Consider and recommend to Council any notification by the Minister of Lands that a road is stopped under section 116 of the Public Works Act 1981, and the disposal of the stopped road.



### ***Hearings***

20. Approve Council's list of hearings commissioners under the Resource Management Act 1991.
21. Review and approve the Council's guidelines for composition of hearings panels under the Resource Management Act 1991.
22. Conduct statutory hearings on regulatory matters and undertake and make decisions on those hearings (excluding Resource Management Act 1991 and District Licensing Committee Hearings).
23. Hear and determine objections to the classifications under the Dog Control Act 1996.

### ***Delegations to the chair***

24. The chair of the Committee is authorised to appoint councillors (sitting as hearings commissioners) and/or independent commissioners to hearings panels for Resource Management Act 1991 hearings (other than for the intensification planning instrument and the District Plan review) provided that:
  - a. The chair consults the deputy mayor (and when the panel is for a plan change, also the relevant committee chair);
  - b. Any independent commissioner is on the list approved by the Koata Hātepe | Regulatory Processes Committee; and
  - c. The composition of the hearings panel meets the guidelines approved by the Koata Hātepe | Processes Committee (once approved).
25. The chair of the committee is authorised to jointly approve, with a senior Council officer who has been approved to do so by the chief executive, minor and uncontentious suburb boundary change proposals. "Minor and uncontentious" proposals in this instance are those that affect fewer than 20 properties and have not received any objections that are unable to be resolved. Decisions made under this delegation will be reported to the committee annually. If the chair has a conflict of interest on a suburb boundary change proposal, the matter must be referred to the committee for decision.

## Pītau Pūmanawa | Grants Subcommittee

Chair	Councillor Nicola Young
Deputy Chair	Councillor Nīkau Wi Neera
Members	Mayor Tory Whanau Deputy Mayor Laurie Foon Councillor Tim Brown Councillor Rebecca Matthews Councillor Teri O'Neill
Quorum	4
Frequency of meeting	As required

### Area of focus

The Pītau Pūmanawa | Grants Subcommittee has responsibility for:

1. Effective allocation and monitoring of the Council's grants.

### Decision-making powers

The Pītau Pūmanawa | Grants Subcommittee has the power to:

1. Approve the allocation of grants (including three-year funding contracts) in line with the relevant criteria and priorities for the Arts and Culture Fund, Climate and Sustainability Fund, Environmental and Accessibility Performance Fund, Living Wage for Non-Council Events Fund, Natural Environment Fund, Resilience and Regeneration Fund (projects over \$100,000), Social and Recreation Fund, Sportsville Feasibility Fund, Sportsville Partnership Fund, Waste Minimisation Seed Fund (projects over \$2000), and Waste Minimisation Seed Fund – Organics Diversion.
2. Recommend the allocation of grants in line with the relevant criteria and priorities to the CH Izard trustees for the CH Izard Bequest.
3. Recommend to the relevant committee of the whole any grant over \$150,000 per annum.
4. Approve the priorities for allocating grants within each grant fund, as required.
5. Review the criteria and focus areas for grants funds and recommend changes to the relevant committee of the whole.

## Appointments Group

Chair	Mayor Tory Whanau
Members	Deputy Mayor Laurie Foon The chair and deputy chair of the Kōrau Tōtōpū   Long-term Plan, Finance, and Performance Committee Chief Executive
Quorum	3
Frequency of meeting	As required

### Area of focus

The Appointments Group has responsibility for:

1. Selecting the preferred external candidates to fill vacancies on the boards of Council's CCOs and on those of its committees to which external appointments are required, and to monitor the performance of external members on the boards of Council's CCOs and committees.

### Decision-making powers

The Appointments Group has the power to:

1. Select a balanced range of preferred candidates with an appropriate range and mix of skills.
2. Interview the preferred candidates. There is no requirement to interview if the candidate has previously served on the board of one of Council's CCOs or its committees.
3. Recommend to Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee external appointments, noting that any recommendation of the Group must be unanimous.
4. Provide advice as and when required to Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee on the performance of external members.

## District Licensing Committee

Commissioners	Bill Acton Rachel Palu Kate Thomson Rex Woodhouse	
List members	Bill Acton Saar Cohen-Ronen Sandra Kirby Brad Olsen Rachel Palu	Juliet Philpott Simon Tendeter Kate Thomson Rex Woodhouse
Executive	The chief executive is the secretary of District Licensing Committee/s. The chief executive may delegate this responsibility.	
Frequency of meeting	As required	

### Area of focus

The District Licensing Committee has responsibility for:

1. The Sale and Supply of Alcohol Act 2012 (the Act) requires the Council to appoint one or more District Licensing Committees to deal with licensing matters.
2. District Licensing Committees are appointed to exercise the Council's alcohol licensing functions and powers as determined by the Act.

### Decision-making powers

The functions of District Licensing Committees are specified by the Act and include:

1. To consider and determine applications for licenses and manager's certificates.
2. To consider and determine applications for renewal of licences and manager's certificates.
3. To consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136 of the Act.
4. To consider and determine applications for the variation, suspension, or cancellation of licences other than special licences under section 280 of the Act.
5. To consider and determine applications for the suspension or cancellation of licences under sections 281 and 282 of the Act.
6. To consider and determine applications for the variation, suspension or cancellation of special licences under section 283 of the Act.
7. With the leave of the chairperson for the licensing committee, to refer applications to the licensing authority.
8. To conduct inquiries and to make reports as may be required of it by the licensing authority under section 175 of the Act.
9. Any other functions conferred on licensing committees by or under the Act or any other enactment.

### Reporting to Council

10. The secretary will prepare, for Council approval, an annual report on the proceedings and operations of the District Licensing Committee.

# Community Boards

## Tawa Community Board

Chair	Jill Day
Deputy Chair	Tim Davin
Members	Rachel Allan Janryll Fernandez Jackson Lacy Miriam Moore Councillor Ben McNulty Councillor Tony Randle
Quorum	4
Frequency of meeting	Monthly

## Mākara / Ōhāriu Community Board

Chair	To be confirmed
Deputy Chair	To be confirmed
Members	Christine Grace Darren Hoskins Mark Reed Chris Renner Wayne Rudd Hamish Todd
Quorum	3
Frequency of meeting	Six-weekly

## Area of Focus

The role of a community board is to:

1. Represent and act as an advocate for the interests of its community
2. Consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board
3. Maintain an overview of services provided by the territorial authority within the community
4. Prepare an annual submission to the territorial authority for expenditure within the community
5. Communicate with community organisations and special interest groups within the community and undertake any other responsibilities that are delegated to it by the territorial authority.

## Delegations

The community boards, within their community area, have the power to:

1. Determine expenditure of funds allocated by Council to the board for specific purposes.

### ***Community engagement and representation***

2. Facilitate the Council's consultation with local residents and community groups on local issues and local aspects of citywide issues including input into the long-term plan, annual plan, and policies that impact on the board's area
3. Engage with council officers on local issues and levels of service, including infrastructural, recreational, community services and parks and gardens matters.
4. Council will consult with the board on issues that impact on the board's area and allow sufficient time for the board's comments to be considered before a decision is made.
5. Make submissions (as a community board) to any organisation (including submissions on resource consents notified by the Greater Wellington Regional Council and Wellington City Council) relating to matters of interest to the board in respect of the board's area (a copy of any such submission is to be given to the Council's chief executive).
6. Represent the interests of the community at Council, committee, or subcommittee meetings when a motion under debate relates to a matter that the board considers of particular interest to the residents within its community.
7. Consider matters referred to it by officers, the Council, its committees or subcommittees, including reports relating to the provision of council services within the board's area, and make submissions or recommendations in response to those matters as appropriate. This will include:
  - a. Monitoring and keeping the Council informed of community aspirations and the level of satisfaction with services provided.
  - b. Providing input to the Council's long-term plan and annual plan.
  - c. Providing input to proposed District Plan changes that impact on the board's area.
  - d. Providing input to strategies, policies and plans.
  - e. Providing input to bylaw changes that impact on the board's area.
8. Provide input (whether from the full board, a subcommittee of the board, or a nominated board member/s) to officers on the following matters:
  - a. Local road work priorities.
  - b. Traffic management issues (such as traffic calming measures, pedestrian crossing, street lighting, etc.).
  - c. Street facilities management (such as taxi stands, bus stops, bicycle stands, etc.).
  - d. Applications for licences under the Sale and Supply of Alcohol Act 2012.
  - e. Applications of the Resource Management Act 1991 (including notification decisions) within the board's area.
  - f. The emergency management needs of the area, including the appointment of emergency centre coordinators.
9. The final decision on matters set out in the 'community engagement and representation' section will be made by the appropriate decision-making body or specified person acting under their delegated authority.

### ***Regulatory processes***

10. Name right-of-ways under section 319A of the Local Government Act 1974, in accordance with Te Māpihi Maurea Naming Policy.
11. Name reserves under section 10 of the Reserves Act 1977, in accordance with Te Māpihi Maurea Naming Policy.
12. Approve leases, subleases, and easements for all Council-owned land that is either open space under the District Plan, or reserve under the Reserves Act 1977.
13. Make all decisions requiring Council or committee approval under the 'Leases Policy for Community and Recreation Groups'.
14. Establish dog areas, such as those described in the Wellington Consolidated Bylaw 2008 (clause 5 of Part 2: Animals).
15. Temporarily close roads for events under clause 11(e), Schedule 10 of the Local Government Act 1974 and the Transport (Vehicular Traffic Road Closure) Regulations 1965.

### ***Road stopping***

16. Recommend to Council whether to proceed with a road stopping and disposal of a stopped road, including if appropriate any related acquisition, disposal, or exchange of land.
17. Consider and recommend to Council any notification by the Minister of Lands that a road is stopped under section 116 of the Public Works Act 1981, and the disposal of the stopped road.

### ***Resource management hearings***

18. The community board may have up to two suitably trained members available for selection to sit on hearings panels on resource management issues. Such selection will be in accordance with the Guidelines for Appointment of Hearings Panels approved by Council on 30 March 2005 (and as may be amended from time to time). No board member shall be eligible for selection if the board has made a submission on the matter to be decided.

## Specific Role Descriptions and Delegations

### Mayor

1. The mayor is the leader of the Council and provides leadership to the other members of the Council and the City. The mayor will lead the development of the Council's plans, policies and budgets for consideration by the Council. The mayor is the primary Council spokesperson.
2. The mayor will lead central government liaison, supported as necessary by relevant councillors.
3. Establish a Mayoral Taskforce or Working Party, as required.
4. In addition, the mayor has the delegated authority to:
  - a. Agree and enter into memoranda of understanding to enhance external relationships and partnerships, provided they are consistent with Council policy and direction. Note that these agreements should generally be endorsed by the Council before signing, particularly if an agreement has financial implications. If this is not possible, the Council should be alerted immediately after a memorandum of understanding has been signed.
  - b. Approve the chief executive's annual leave, overseas travel and expenditure on professional development.
  - c. Approve the deputy mayor's attendance at conferences and associated travel within New Zealand, provided it can be funded from the budget approved as part of the Annual Plan.

### Deputy mayor

1. The deputy mayor will:
  - a. Assist the mayor in carrying out the statutory and leadership role of the mayor.
  - b. If the mayor is absent or incapacitated, perform all the responsibilities and duties, and exercise any powers of the mayor (other than the powers under section 41A LGA 2002 and the role of Justice of the Peace).
  - c. Lead and take responsibility for liaison with Councillors on matters of support for carrying out their governance role.
  - d. Assist the mayor in day-to-day administration.
  - e. Ensure that the mayor's view is conveyed to committee and other meetings when they are absent on Council business.
2. The deputy mayor is authorised to approve elected member attendance at conferences or training and associated travel and accommodation within New Zealand provided that:
  - a. It can be funded from the budget approved as part of annual plan.
  - b. The deputy mayor consults with one of either the mayor or chair of the Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee prior to approval.
  - c. Attendance is relevant to the member's role and responsibilities.



## Other

1. The mayor and deputy mayor and chair of the Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee<sup>2</sup> are authorised to approve an elected member to travel overseas (whether for the purpose of training, representing the Council, international relations, attending conferences) – and the associated costs (if any) in urgent circumstances, when it is impracticable for the Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee to consider the item on an agenda prior to the travel.

## Committee chair and deputy chair

A chair and deputy chair of a committee or subcommittee will:

1. Provide leadership to the committee
2. Ensure decision-making is evidence-based and made in a timely manner
3. Conduct the meeting in accordance with standing orders and legislation
4. Enhance relationships with key stakeholders
5. Act as the Council's spokespeople and point of contact for the committee's activities, subject to the mayor's agreement.
6. Collaborate with other committee chairs and deputy chairs where objectives are shared
7. Play a leadership role in the development of policy and strategy falling under the committee's area of focus
8. Ensure progress is made towards the council's strategic priorities in the committee's area of responsibility
9. In the committee's area of responsibility attend relevant events, launches of new activities and projects
10. Ensure council's advisory groups have effective input
11. Meet regularly with the mayor, deputy mayor, chief executive and senior staff
12. Keep the mayor informed of emerging issues
13. Maintain a "no surprises" approach for elected members and staff
14. Raise issues of Council performance with the assigned executive leadership team member in the first instance, following up with the mayor and chief executive if necessary.

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<sup>2</sup> In the event one is conflicted, only two signatures are required. In the event two of the three are conflicted an additional committee chair will be a decision maker (as nominated by the mayor).

## Chief executive delegations

The Council has delegated the following matters to the chief executive under clause 32 of Schedule 7 of the Local Government Act 2002:

1. The chief executive is delegated all powers and authorities (other than those retained by Council, or contained within the delegations to committees or other subordinate decision-making bodies or community boards), subject to any legal limits on the Council's ability to do so, provided that the chief executive acts within the law, Council policy (as approved from time to time) and the long-term plan and annual plan.
2. The chief executive delegations authorise the following tolerance levels, in order to ensure effective and efficient delivery of the long-term plan and annual plan:

- a. If the operating budget for an activity area will be exceeded by an amount no greater than 5% for that year, but the overall annual plan budget level can be maintained, the chief executive has the authority to approve budget transfers between activity areas, but subject to the following criteria:
  - i. The overspends will not result in other projects or sub-projects being cancelled; or
  - ii. Any projects or sub projects included in the annual plan that will not be completed as planned in the current or following year will be reported to the appropriate committee for approval.

(Note, the net operating budget or surplus for this purpose excludes revaluations and gain/loss on sale of assets and any other extraordinary items).

- b. If an individual capital expenditure project in the annual plan will be exceeded by an amount no greater than 10% for that year, the chief executive has the authority to approve that expenditure, as long as the overall capital expenditure budget for the year is not exceeded and subject to the following criteria:
  - i. The overall annual plan capital expenditure dollar amount is not exceeded; and
  - ii. Any overspends must be offset by savings in the current year or a reduction in the dollar amount carried forward to the following years; and
  - iii. The overspends will not result in other projects or sub projects being cancelled; or
  - iv. Any projects or sub projects included in the annual plan that will not be completed as planned in the current or following year will be reported to the appropriate Committee for approval.

For any projects that straddle more than one financial year then the 10% applies to the total project cost and not the cost in the current financial year.

- c. Any actual or forecast variations to budget will be reported to the Council or a committee of the whole of Council for noting and approval.

3. The chief executive has the authority to approve unbudgeted expenditure (either capital or operating) where the incurring of the expenditure relates to:
  - a. urgent health and safety or legislative requirements.
  - b. an emergency (whether one has been declared or not) provided that if the amount is in excess of \$1,000,000 then the chief executive must consult with and get agreement from the mayor or deputy mayor if the mayor is incapacitated. However, in the highly exceptional event that the chief executive is unable to consult, then the chief executive is still authorised to commit to the expenditure, but must report the exercise of the delegation to the mayor and council as soon as possible.
4. The chief executive has the authority to allocate funding from the City Growth Fund up to a total commitment of \$100,000 provided that:
  - a. the criteria of the Fund are met; and
  - b. the decision is made in consultation with, the mayor, the deputy mayor and the economic development portfolio leader.
5. The chief executive has the authority to sign any contract or memorandum of understanding in order to give effect to the annual plan and long-term plan and / or existing policy. Where the content relates to Council's relationship with external stakeholders/organisations, the mayor must be advised. The mayor will determine whether the mayor or chief executive is the appropriate signatory and/or whether the matter is referred to Council or committee.
6. The chief executive officer in consultation with the deputy mayor has the authority to approve international travel for the mayor and/or elected members where an invitation is received and there is no travel cost to the Council.

***Explanatory notes to delegations***

7. This delegation affirms that the long-term plan and the annual plan provide the basis for the implementation of Council decisions by the chief executive. Through and under the Long-term plan and annual plan, operational and capital expenditure budgets, fees and charges, service levels, specific projects, and other significant requirements are approved by the Council.
8. The chief executive and management are then authorised to proceed to make all arrangements in line with those decisions.
9. The delegations are supported by effective communication and constructive working arrangements between elected members and the chief executive, such as the quarterly report, regular briefings, Council and CEO only time, and the chief executive's key performance indicators.
10. These existing delegations were most recently affirmed by Council on 13 May 2021.





# He Mamaku

Wellington City Council Committees

The mamaku is a robust and fast-growing rākau/tree and is found commonly within Wellington. Metaphorically, its structure provides the Council with a vision of how every part of the rākau interacts with each other and supports growth and opportunity whilst using the symbolic nature of innovation, impact and vibrancy found in the fern unfolding.



**Pītau**



**Koata**



**Tētēkura**



**Unaunahi**



**Kōrau**







## 2022-2025 TRIENNIUM MEETING SCHEDULE

### Kōrero taunaki | Summary of considerations

#### Purpose

1. This report to Te Kaunihera o Pōneke | Council seeks approval of the proposed 2022-2025 triennium meeting schedule for the Council and its committees for the periods from mid November 2022 to September 2025.

#### Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- ☐ Sustainable, natural eco city
- ☐ People friendly, compact, safe and accessible capital city
- ☐ Innovative, inclusive and creative city
- ☐ Dynamic and sustainable economy

#### Strategic alignment with priority objective areas from Long-term Plan 2021–2031

- ☐ Functioning, resilient and reliable three waters infrastructure
- ☐ Affordable, resilient and safe place to live
- ☐ Safe, resilient and reliable core transport infrastructure network
- ☐ Fit-for-purpose community, creative and cultural spaces
- ☐ Accelerating zero-carbon and waste-free transition
- ☐ Strong partnerships with mana whenua

#### Relevant Previous decisions

Nil

#### Significance

The decision is **rated low significance** in accordance with schedule 1 of the Council's Significance and Engagement Policy.

### Financial considerations

☐ Nil

☒ Budgetary provision in Annual Plan / Long-term Plan

☐ Unbudgeted \$X

2. There is budgetary provision in relation to the holding of meetings in the 2022 Annual Plan and 2021-31 Long-term Plan.

#### Risk

☒ Low

☐ Medium

☐ High

☐ Extreme

Author	Hedi Mueller, Senior Democracy Advisor
Authoriser	Sean Johnson, Democracy Team Leader Jennifer Parker, Democracy Services Manager Stephen McArthur, Chief Strategy & Governance Officer

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## **Taunakitanga | Officers' Recommendations**

Officers recommend the following motion

That Te Kaunihera o Pōneke | Council:

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

## **Whakarāpopoto | Executive Summary**

3. The Council is being asked to approve a schedule of meetings so that the meetings can be publicly notified in accordance with the requirements set by the Local Government Official Information and Meetings Act 1987.
4. The mayor has established a committee structure that is set to operate on a six-weekly cycle.

## **Takenga mai | Background**

5. The adoption of the schedule by the Council will facilitate an open, democratic process and allow for planning of the forward programme of decisions. It also allows for elected members to plan their commitments over the triennium.
6. A proposed schedule of meetings for the period of November 2022 to September 2025 is attached.

## **Kōrerorero | Discussion**

7. The triennium meeting schedule is based on the governance structure tabled at the Council at its inaugural meeting on 26 October 2022.
8. There were a number of considerations in the preparation of the schedule of meetings, including:
  - The timing of conferences and seminars that members may wish to attend, where known, such as the Local Government New Zealand Annual Conference and Annual General Meeting.



- The draft programme of the Council's consultation and deliberations activities leading into the 2023/24 Annual Plan and review of Long-term Plan in 2024.
  - Ensuring that, where possible, Council and committee meetings begin at 9:30am.
  - Allowing time for chair's briefings ahead of meetings, workshops and briefings.
9. The aim, through careful scheduling of work programmes, is to reduce the need for additional or reconvened meetings and the rescheduling of meetings. However, given the breadth of the Council's work, from time to time additional or extraordinary meetings will no doubt need to be scheduled. The pattern of committee meetings, held on Wednesdays and Thursdays, and workshops held on Tuesdays and Wednesdays, makes this a relatively easy task to do without causing undue disruption to the plans of elected members.
10. However, there will be occasions when additional meetings or workshops will need to be scheduled on Mondays or Fridays, in particular for hearings for projects such as the annual or long-term plans.
11. Proposed meetings for May 2023 included intended hearings for the 2022-23 Annual Plan, however additional meetings may need to be added or rescheduled depending on the number of submissions received.
12. The council has a month's break of meetings in July and January to allow elected members to spend more time in their communities.
13. Additional Council meetings have been scheduled for the end of June to account for the adoption of the annual or long-term plans.
14. Meetings of the Unaunahi Ngaio | CE Performance Review Committee have not been included in the proposed schedule but are intended to take place in February and August each year. These meetings will be scheduled in consultation with the Mayor, Deputy Mayor and Chief Executive, and publicly notified as required.
15. The six-weekly cycle has in some instances been compressed into fewer weeks, generally prior to the January and July recess.
16. Advisory Groups have not been included in this schedule. These do not make decisions and do not need to comply with the Local Government Official Information and Meetings Act 1987 for public notification. Advisory Group meeting schedules are agreed by the Groups themselves.
17. Community Boards have not been included in this schedule as they will adopt their own meeting schedule for the triennium.

### **Kōwhiringa | Options**

18. The council has the following options:
- a) Adopt the meeting schedule for the whole triennium.
  - b) Adopt the meeting schedule only for the first year of the triennium and adopt another schedule of meetings later in 2023.

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## **Whai whakaaro ki ngā whakataunga | Considerations for decision-making**

### **Alignment with Council's strategies and policies**

19. Work has been done to align meetings with the Annual and Long-term Plan processes, and the Annual Report process.

### **Engagement and Consultation**

20. As a governance decision of the Council, this decision does not require engagement of consultation with the public.

### **Implications for Māori**

21. No known implications for Māori.

### **Financial implications**

22. There are no direct financial implications arising from this paper.

### **Legal considerations**

23. Meeting will be publicly notified as legally required in the month prior to being held.

### **Risks and mitigations**

24. The mayor has indicated that she intends let the committee structure bed in over the next 12 months or so and if required, changes can be made to the meeting schedule.

### **Disability and accessibility impact**

25. Each meeting will be livestreamed where possible and accessibility for the public attending in Council Chambers has been considered.

### **Climate Change impact and considerations**

26. There are no direct climate change impacts arising from this paper.

### **Communications Plan**

27. Meetings will be publicly notified in newspapers and on the [wellington.govt.nz](http://wellington.govt.nz) website.

### **Health and Safety Impact considered**

28. Workload for elected members and staff has been considered, so that rest weeks have been incorporated. Only in exceptional circumstances have more than one committee meeting per day been scheduled.

### **Ngā mahinga e whai ake nei | Next actions**

29. Following the finalisation of the meetings calendar, meeting dates for the remainder of 2023 will be published on the Council's website and calendar invites will be sent to elected members and relevant staff.

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**Attachments**

Attachment 1. Meetings schedule 2022-2025

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	Monday	Tuesday	Wednesday	Thursday	Friday
	31	1	2	3	4
November 2022	7	8	9	10	11
	14	15	16 Council	17	18
	21	22	23	24	25
	28	29	30	1 Regs	2
December 2022	5	6	7 Grants	8 EIC	9
	12	13	14 Regs	15 Council	16
	19	20	21	22	23
	26	27	28	29	30
January 2023	2	3	4	5	6
	9	10	11	12	13
	16	17	18	19	20
	23 Wellington Anniv	24	25	26	27
	30	31	1	2 EIC	3
February 2023	6 Waitangi Day	7	8	9	10
	13	14	15 ARC	16 Regs	17
	20	21	22 Grants	23 LTPFP	24
	27	28	1	2 SCEC	3
March 2023	6	7	8	9 Council	10
	13	14	15	16 EIC	17

	Monday	Tuesday	Wednesday	Thursday	Friday
	20	21	22	23 LTPFP	24
	27	28	29	30	31
April 2023	3	4	5	6 Regs	7 Good Friday
	10 Easter Monday	11	12	13 SCEC	14
	17	18	19	20 Council	21
	24	25 ANZAC Day	26	27 EIC	28
May 2023	1	2	3	4	5
	8	9	10 ARC	11 Regs	12
	15	16 LTPFP	17 LTPFP	18 LTPFP	19
	22	23	24 Grants	25 SCEC	26
	29	30	31 LTPFP	1 Council	2
June 2023	5 King's Birthday	6	7	8 EIC	9
	12	13	14	15	16
	19	20	21	22 Regs	23
	26	27	28 SCEC	29 LTPFP Council	30
July 2023	3	4	5	6	7
	10	11	12	13	14 Matariki
	17	18	19	20	21
	24	25	26	27	28
	31	1	2	3 EIC	4

	Monday	Tuesday	Wednesday	Thursday	Friday
August 2023	7	8	9		11
	14	15	16	17 LTPFP	18
	21	22	23	24 Regs	25
	28	29	30	31 SCEC	1
September 2023	4	5	6 LTPFP	7 Council	8
	11	12	13	14 EIC	15
	18	19	20		22
	25	26	27 ARC	28 LTPFP	29
October 2023	2	3	4 Grants	5 Regs	6
	9	10	11	12 SCEC	13
	16	17	18	19 Council	20
	23 Labour Day	24	25	26 EIC	27
	30	31	1		3
November 2023	6	7	8	9 LTPFP	10
	13	14	15	16 Regs	17
	20	21	22	23 SCEC	24
	27	28	29 ARC	30 EIC	1
December 2023	4	5	6 Grants	7 LTPFP	8
	11	12	13	14 Council	15
	18	19	20	21	22

	Monday	Tuesday	Wednesday	Thursday	Friday
	25	26	27	28	29
January 2024	1	2	3	4	5
	8	9	10	11	12
	15	16	17	18	19
	22 Wellington Anniv	23	24	25	26
	29	30	31	1 EIC	2
February 2024	5	6 Waitangi Day	7		9
	12	13	14 ARC	15 LTPFP	16
	19	20	21	22 Regs	23
	26	27	28	29 SCEC	1
March 2024	4	5	6	7 Council	8
	11	12	13 Grants	14 EIC	15
	18	19	20		22
	25	26	27	28 LTPFP	29 Good Friday
April 2024	1 Easter Monday	2	3	4 Regs	5
	8	9	10	11 SCEC	12
	15	16	17	18 Council	19
	22	23	24	25 EIC	26
	29	30	1	2	3
May 2024	6	7	8 ARC	9 LTPFP	10
	13	14	15	16 Regs	17

	Monday	Tuesday	Wednesday	Thursday	Friday
	20	21	22 Grants	23 SCEC	24
	27	28	29	30 Council	31
June 2024	3 King's Birthday	4	5	6 EIC	7
	10	11	12	13	14
	17	18	19 Regs	20 LTPFP	21
	24	25	26 SCEC	27 Council	28 Matariki
July 2024	1	2	3	4	5
	8	9	10	11	12
	15	16	17	18	19
	22	23	24	25	26
	29	30	31	1 EIC	2
August 2024	5	6	7	8	9
	12	13	14	15 LTPFP	16
	19	20	21	22 Regs	23
	26	27	28	29 SCEC	30
September 2024	2	3	4	5 Council	6
	9	10	11 Grants	12 EIC	13
	16	17	18	19	20
	23	24	25 ARC	26 LTPFP	27
	30	1	2	3 Regs	4



	Monday	Tuesday	Wednesday	Thursday	Friday
October 2024	7	8	9	10 SCEC	11
	14	15	16	17 Council	18
	21	22	23	24 EIC	25
	28 Labour Day	29	30	31	1
November 2024	4	5	6	7 LTPFP	8
	11	12	13	14 Regs	15
	18	19	20 ARC	21 SCEC	22
	25	26	27	28 EIC	29
December 2024	2	3	4 Grants	5 Council	6
	9	10	11	12	13
	16	17	18	19	20
	23	24	25	26	27
	30	31	1	2	3
January 2025	6	7	8	9	10
	13	14	15	16	17
	20 Wellington Anniv	21	22	23	24
	27	28	29	30	31
February 2025	3	4	5 ARC	6 EIC	7
	10	11	12	13	14
	17	18	19	20 LTPFP	21

	Monday	Tuesday	Wednesday	Thursday	Friday
	24	25	26	27 Regs	28
March 2025	3	4	5	6 SCEC	7
	10	11	12	13 Council	14
	17	18	19 Grants	20 EIC	21
	24	25	26	27	28
	31	1	2	3 LTPFP	4
April 2025	7	8	9	10 Regs	11
	14	15	16	17 SCEC	18 Good Friday
	21 Easter Monday	22	23	24 Council	25 ANZAC Day
	28	29	30 ARC	1 EIC	2
May 2025	5	6	7	8	9
	12	13	14	15 LTPFP	16
	19	20	21 Grants	22 Regs	23
	26	27	28	29 SCEC	30
June 2025	2 Queen's Birthday	3	4	5 Council	6
	9	10	11	12 EIC	13
	16	17	18 Regs	19 SCEC	20 Matariki
	23	24	25 LTPFP	26 Council	27
	30	1	2	3	4
July 2025	7	8	9	10	11
	14	15	16	17	18

	Monday	Tuesday	Wednesday	Thursday	Friday
	21	22	23	24	25
	28	29	30	31	1
August 2025	4	5	6	7 EIC	8
	11	12	13		15
	18	19	20	21 LTPFP	22
	25	26	27	28 Regs	29
September 2025	1	2	3 Grants	4 SCEC	5
	8	9	10 ARC	11 Council	12
	15	16	17	18	19
	22	23	24	25	26
	29	30	1	2	3
October 2025	6	7	8	9	10

EIC - Kōrau Tūāpapa | Environment and Infrastructure Committee

LTPFP - Kōrau Tōtōpū | Long-term Plan, Finance and Performance Committee

Regs - Koata Hātepe | Regulatory Processes Committee

SCEC - Kōrau Mātinitini | Social, Cultural and Economic Committee

Council - Te Kaunihera o Pōneke | Council

ARC - Unaunahi Māhirahira | Audit and Risk Committee

Grants - Pītau Pūmanawa | Grants Subcommittee



## ELECTED MEMBERS' APPOINTMENTS TO COUNCIL CONTROLLED ORGANISATIONS, COUNCIL ORGANISATIONS AND EXTERNAL OR JOINT COMMITTEES AND ORGANISATIONS

### KŌRERO TAUNAKI | SUMMARY OF CONSIDERATIONS

#### Purpose

1. This report to Te Kaunihera o Pōneke | Council requests agreement to elected member appointments to Council Controlled Organisations (CCOs), Council Organisations (COs) and a number of external or joint committees and organisations.

#### Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- ☐ Sustainable, natural eco city
- ☐ People friendly, compact, safe and accessible capital city
- ☐ Innovative, inclusive and creative city
- ☐ Dynamic and sustainable economy

#### Strategic alignment with priority objective areas from Long-term Plan 2021–2031

- ☐ Functioning, resilient and reliable three waters infrastructure
- ☐ Affordable, resilient and safe place to live
- ☐ Safe, resilient and reliable core transport infrastructure network
- ☐ Fit-for-purpose community, creative and cultural spaces
- ☐ Accelerating zero-carbon and waste-free transition
- ☐ Strong partnerships with mana whenua

#### Relevant Previous decisions

Outline relevant previous decisions that pertain to the decision being considered in this paper.

#### Significance

The decision is **rated low significance** in accordance with schedule 1 of the Council's Significance and Engagement Policy.

#### Financial considerations

- |                              |  |   |
|------------------------------|--|---|
| <input type="checkbox"/> Nil | <input type="checkbox"/> Budgetary provision in Annual Plan / Long-term Plan | <input type="checkbox"/> Unbudgeted \$X |
|------------------------------|--|---|

#### Risk

- |                              |                                 |                               |                                  |
|------------------------------|---------------------------------|-------------------------------|----------------------------------|
| <input type="checkbox"/> Low | <input type="checkbox"/> Medium | <input type="checkbox"/> High | <input type="checkbox"/> Extreme |
|------------------------------|---------------------------------|-------------------------------|----------------------------------|

Authors	Emily Deans, Democracy Advisor Sean Johnson, Democracy Team Leader
Authoriser	Jennifer Parker, Democracy Services Manager Stephen McArthur, Chief Strategy & Governance Officer

## Taunakitanga | Officers' Recommendations

Officers recommend the following motion

That Te Kaunihera o Pōneke | Council:

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

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

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

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

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

Council Advisory and Reference Group	Representation	Appointee
Accessibility Advisory Group	One councillor (and one alternate)	Cr Rebecca Matthews (Cr Iona Pannett)
Environmental Reference Group	One councillor (and one alternate)	Cr Nīkau Wi Neera (Cr John Apanowicz)
Pacific Advisory Group	One councillor	Cr Sarah Free

<b>Council Advisory and Reference Group</b>	<b>Representation</b>	<b>Appointee</b>
	(and one alternate)	(Cr Rebecca Matthews)
Safe and Sustainable Transport Forum	One councillor (and one alternate)	Cr Sarah Free (Cr John Apanowicz)
Takatāpui Rainbow Advisory Council	One councillor (and one alternate)	Cr Iona Pannett (Cr Tamatha Paul)
Youth Council	One councillor (and one alternate)	Cr Ben McNulty (Cr Tamatha Paul)

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

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

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

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

\*The mayor is automatically appointed to these positions.

7. Appoint two Takapū/Northern Ward councillors, Cr Ben McNulty and Cr Tony Randle to the Tawa Community Board for the 2022/2025 triennium.
8. Delegate to the Tawa Community Board the authority to appoint a board member as a representative on Camp Elsdon.

9. Appoint Mayor Tory Whanau (as presiding delegate), Deputy Mayor Laurie Foon, Cr Ray Chung and Cr Sarah Free as its representatives to Local Government New Zealand Zone 4.
10. Agree that the councillors appointed to these organisations and advisory groups will report back to an appropriate forum on an annual basis.
11. Agree that the term of appointments to each of the above positions will commence immediately. Unless otherwise specified the appointment will terminate at the earlier of the time the position is refilled following the 2025-2028 triennial election or 31 December 2025.

## **Whakarāpopoto | Executive Summary**

2. This paper outlines Mayor Whanau's appointments of Wellington City Council elected members to Council Controlled Organisations, Council Organisations and External or Joint Committees and Organisations for the 2022-2025 triennium.

## **Takenga mai | Background**

### **Appointments policy on CCOs**

3. The Council's Policy on the Appointment and Remuneration of Directors and Trustees states that CCO boards comprised of four or more directors will have a designated elected member position, unless otherwise determined by Council.
4. Exceptions and/or special cases are:
  - Wellington Cable Car Ltd – which has only two directors. Council officers David Perks and Danny McComb are the current directors.
  - Wellington Waterfront Ltd – which has four directors. Council officers Barbara McKerrow, Sara Hay, Stephen McArthur, and Beth Keightley are the current directors.
  - Karori Sanctuary Trust. Council is represented by a Councillor appointee to the Guardians of the sanctuary.
  - Wellington Regional Economic Development Agency Limited. Council is represented by the mayor, as the appointee to the Wellington Regional Leadership Committee.
  - Wellington Water Limited. Council is represented by an elected member appointee to the Wellington Water Committee.
5. In accordance with the Appointments Policy, councillors can be appointed to more than one CCO or CO.
6. In line with the Local Government Act, persons to be considered for appointment as a director or trustee of a CCO must have the skills, knowledge and experience to:
  - Guide the organisation, given the nature and scope of its activities; and
  - Contribute to the achievement of the objectives of the organisation.

### **Other information**

7. Appointments are made at the beginning of each new triennium. Unless otherwise specified the appointment will terminate at the earlier of the time the position is refilled following the triennial election or 31 December of the year of the triennial election.
8. Nominations for elected member appointments to CCOs are put forward by the mayor for ratification at one of the first Council meetings of the new triennium. Elected



members should be appointed for no longer than two terms (or six years) on any one CCO board, unless Council agrees there are exceptional circumstances.

#### **Level of councillor representation on boards**

9. It is not recommended that the level of councillor representation on any CCOs is changed at this time.

#### **Council Organisations**

10. The Council is represented by elected members and/or officers on the boards of a number of organisations and bodies.
11. In some cases, the appointments are required because of board membership criteria set out in trust deeds or constitutions. These documents may or may not stipulate that appointees must be councillors. In other cases, the Council has elected to appoint councillors, usually at the request of the entities concerned.
12. The Council should note that any entity whose board includes a Council appointee, whether a councillor, officer or external person, is automatically classified a Council Organisation under the Local Government Act 2002. This brings with it performance monitoring obligations involving consideration of the contribution the entity makes to the strategic outcomes of the Council.
13. Where an obligation to appoint a councillor, officer or external person exists but that right is not exercised, Council's performance monitoring obligations cannot be avoided except that Council may exempt a small organisation that is not a council-controlled trading organisation, in terms of section 7.3 of the Local Government Act 2002.
14. Officers provide a separate report to Council to approve exemptions.
15. Officers have reviewed the need for appointments to the organisations that, by virtue of appointments made to them in the last triennium (whether driven by trust deed or other requirements, or made at the Council's discretion), were categorised as Council Organisations. Officers' advice is as follows:
  - Table A in this report lists those Council Organisations where it is being recommended that the Council makes a councillor appointment.
  - Table B lists other bodies and organisations where it is being recommended that the Council makes a councillor appointment
  - Table C lists the Council's Advisory Groups where it is being recommended that the Council makes a councillor appointment

#### **Advisory and Reference Groups**

16. Council has established a number of advisory groups that assist in the policy formulation process in distinct subject areas. The current groups are the Accessibility Advisory Group, Environmental Reference Group, Pacific Advisory Group, Safe and Sustainable Transport Forum, Takatāpui Rainbow Advisory Council, and Youth Council. These groups generally meet on a monthly basis. It is recommended that a councillor and an alternate be appointed to each. See Table C below for more detailed information on these groups.

#### **External Committees**

*Regional Transport Committee*

17. The Greater Wellington Regional Council (GWRC) has invited Wellington City Council to nominate a representative and an alternate to its Regional Transport Committee (RTC). Membership of the RTC is made up of one person from each territorial authority in the region, a representative from the New Zealand Transport Agency and two representatives from GWRC. The alternative member may attend and vote at meetings of the RTC, but only in the event that the appointed member is unable to attend. The Committee is administered by the GWRC.

*Wellington Regional Leadership Committee*

18. The Wellington Regional Leadership Committee is administered by the Greater Wellington Regional Council and comprised of regional mayors, the regional council chair, mana whenua representatives, and central government representatives.
19. The membership may include: the mayor of Carterton District Council, the chair of Greater Wellington Regional 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, representatives of Ngāti Toa Rangatira represented by Te Rūnanga o Toa Rangatira Inc, Taranaki Whānui represented by Port Nicholson Block Settlement Trust, Rangitāne O Wairarapa represented by Rangitāne O Wairarapa Inc, Ngāti Kahungunu ki Wairarapa represented by Ngāti Kahungunu ki Wairarapa Trust, Raukawa ki Te Tonga, Ātiwawa ki Whakarongotai represented by Āti Awa ki Whakarongotai Charitable Trust, Muaupoko Tribal Committee representing Muaūpoko hapū, and up to three Cabinet ministers.

*Wastewater Treatment Plant and Landfill Joint Committee*

20. The Council also needs to appoint one member and an alternate to the Wastewater Treatment Plant and Landfill Joint Committee with the Porirua City Council (PCC).
21. The joint committee was established in 2006 when the Joint Services Committee and Porirua Basin Drainage Authority were combined to form a single Joint Committee. The broad purpose of this joint committee is to provide the necessary overview of key infrastructure projects serving catchments across the boundaries of the two Councils. Representation on the Committee is seen as being important in gaining the necessary overview and input to infrastructural issues that may affect long-term growth within the urban growth catchment area. The Committee is administered by the Porirua City Council.

*Wellington Water Committee*

22. Wellington Water Ltd (Wellington Water) is jointly owned by Hutt City, Porirua, Upper Hutt, Wellington, South Wairarapa and Greater Wellington Regional Councils. Wellington Water is a council owned, shared service organisation that provides three waters network management services to its shareholder clients (the territorial authorities listed).
23. A representative from each council sits on the regional Wellington Water Committee that provides overall leadership and direction for the company.
24. Wellington Water Ltd is governed by a board of independent directors.

*Wellington Region Waste Management and Minimisation Plan Joint Committee*

25. The Wellington Region Waste Management and Minimisation Plan Joint Committee will oversee the implementation of the Wellington Region Waste Management and Minimisation Plan and its statutory review which is required not more than 6 years after the last review. The Joint Committee sets the priorities and strategic framework for managing waste in the Wellington region. Once the plan is adopted, the actions will be carried forward by each of the councils into their Long Term and Annual Plans to ensure the resourcing is available to deliver the plans' goals and objectives.
26. Each Territorial Authority in the Wellington Region is entitled to appoint one member to the Joint Committee. In addition, each Territorial Authority can appoint an alternate member to attend and vote Joint Committee meetings in the appointed member's absence.
27. A representative from the following territorial authorities is appointed to this joint committee: Upper Hutt City Council, Masterton District Council, Wellington City Council, Carterton District Council, South Wairarapa District Council, Hutt City Council, Kāpiti Coast District Council, Greater Wellington Regional Council and Porirua City Council.

#### *Community Boards*

28. In its determination dated 7 April 2021, the Local Government Commission stipulated that the following membership would apply for each of Councils community boards from the date of the 2022 local authority election:
  - (a) Mākara / Ōhāriu Community Board will comprise six elected members
  - (b) Tawa Community Board will comprise six elected members and two members representing the Northern Ward appointed to the community board by the Council.
  - (c) Camp Elsdon provides low-cost accommodation for youth in a bush environment close to the cities of Porirua and Wellington. It is organised through schools, churches, sports and community groups. Tawa Community Board is one of the core members of Camp Elsdon and it is recommended that the Council continues to have representation on the organisation through the Board.

#### **Local Government New Zealand (LGNZ) Zone 4**

29. Zone 4 is a regional forum developed by LGNZ that enables local authorities to address matters of common interest in the area. Zone 4 comprises all member local authorities within the area bounded by the Wellington Region with the exception of a small portion within the Tararua District.
30. As a member of Zone 4, Council is required to appoint its representatives for the new triennium. It is recommended that the Mayor and three councillors are appointed as the official Council representatives. All elected members are entitled to attend any meeting of Zone 4.

#### **Other Organisations**

31. Appointments to other external organisations have been judged against criteria including whether:
  - representation is a legal requirement
  - the Council funds the organisation
  - the organisation has significant fit with Council's strategic goals
  - there are additional tangible benefits to Wellington City Council/Wellington City.

**Table A – Council Organisations**

1. Table A lists those Council Organisations where it is recommended that a councillor appointment be made:

Organisation	Activity	Reason for recommendation
Wellington Community Housing Provider Trust	The Trust will provide social, affordable and/or community housing to 3,200 tenants in 1,900 houses across Wellington. This is a new Trust that will be settled following the Council's agreement to the Trust Deed and agreement to settle the Trust on 15 December.	The terms of the Trust Deed provide for the Council to appoint four Trustees to the Board, of which two can be elected members.
Creative Communities Local Funding Scheme	To allocate funding provided by Creative New Zealand for the benefit of community arts in the city of Wellington	The Scheme Agreement with Creative New Zealand allows the Council to appoint up to 50% of the members of the Assessment Committee that considers applications for funding (i.e. up to two members).
NZ International Arts Festival Trust	To establish, organise, promote and maintain a Festival of the Arts, to be known as the NZ International Festival of the Arts, for the benefit of the citizens of New Zealand to be centred in Wellington	Under the terms of the Trust Deed (as amended) the Mayor is a member of the Board by virtue of their office so long as she accepts the position. Given the Festival's contribution to tourism, city marketing and events objectives, it is considered appropriate that the Mayor continues on the Board.
Porirua Harbour and Catchment Trust	To promote the sustainable management of Porirua Harbour and its catchment	Porirua Harbour and Catchment Trust is administered by three local authorities (WCC, PCC and GWRC). A representative from each of the three local authorities, the Chairperson of Te Rūnanga O Toa Rangatira and four community representatives make up the membership of the Trust.

Thomas George Macarthy Trust	The Trust gives grants to charitable or educational organisations operating in the old Wellington provincial district, defined as the area of the North island which is south of Turangi and excluding Taranaki and Hawkes Bay	The Board of Governors comprises those who from time to time hold the following positions: <ul style="list-style-type: none"> <li>• Governor General of New Zealand</li> <li>• Prime Minister of New Zealand</li> <li>• Mayor of Wellington</li> <li>• Roman Catholic Archbishop of Wellington</li> </ul>
Sheilah Maureen Winn Charitable Trust	This Trust is managed by Public Trust. It was established by Wellingtonian Sheilah Winn and distributes funds to New Zealand writers.	The trust deed provides that a Wellington City Councillor sits on the Trust's advisory board to provide advice to the trustee about how the Trust income should be distributed.
Guardians of the Karori Sanctuary	Guardians of Karori Sanctuary is constituted under the Karori Sanctuary Trust deed (as amended) to appoint Karori Sanctuary Trust trustees and to provide advice and to represent stakeholders of the Trust.	The Karori Sanctuary Trust deed requires that the membership of the Guardians of the Karori Sanctuary must include one councillor, appointed by the Council.

**Table B – Other bodies and organisations**

32. Table B lists other bodies and organisations where it is being recommended that the Council makes a councillor appointment.

Other organisation	Purpose/Function of organisation	Criteria for appointment
Tā kai Here Leadership Forum	To enable the strategic partnership between iwi and WCC to come to life at a governance level. The Forum is a regular and formalised space to review, refresh and recentre strategic alignment within the Tā kai Here direction.	The terms of reference for the forum enable the chairs and chief executives from Tā kai Here partners to attend. WCC is represented by the Mayor and Deputy Mayor along with the CE and Chief Māori Officer.
Art Collection Group	This group acquires, manages and disposes of art works that WCC purchases and displays within the council buildings.	The Furnishings Art Collection Policy was approved in April 2001 and it was determined that this group would include one Wellington City Councillor.
Waste Forum – Wellington Region	WCC was a founding member of this group and it provides a forum for Councils to discuss environmental issues and work collaboratively on region-wide projects.	The group is representative of all the local authorities in the region. An officer and councillor from each local authority attend quarterly meetings.

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Wellington Multicultural Council	The Multicultural Council's strategic goal is to enable healthy and vibrant ethnic communities to fully contribute to the economic and social well-being of Wellington	It was determined that an elected member should act as a liaison with the Multicultural Council. It meets monthly.
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**Table C – Council's Advisory Groups**

33. Table C lists the Council's Advisory Groups where it is being recommended that the Council makes a councillor appointment

Council Advisory and Reference Groups	Purpose/Function of Organisation	Criteria for appointment
Accessibility Advisory Group	<p>The purpose of the Accessibility Advisory Group is to:</p> <ul style="list-style-type: none"> <li>Advise Council on how to help grow a great and accessible City, where barriers to people with impairments are minimised. Bring lived experience and knowledge to Council around accessibility issues in the context of Council's roles and priorities.</li> <li>It is recognised that members come from and remain connected to their communities, it is from this foundation members share their expertise and lived experience in this advisory role, and engage with their communities and others as part of the wider council consultation processes. The expectations around this connection are set out in the Communication and Involvement of communities points below'.</li> </ul> <p>The AAG will not be seen as representing all views on accessibility in the City.</p>	<p>The group will have up to 12 members and one Councillor representative (and 1 alternate).</p>
Environmental Reference Group	<p>The purpose of the Environmental Reference Group is to:</p> <ul style="list-style-type: none"> <li>Advise Council on the best ways to improve Wellingtonian's quality of life environmentally, socially, culturally and economically by protecting and enhancing the local environment.</li> <li>Bring knowledge and insight into Council around the environment, including water, energy, waste, biodiversity, urban design, climate change, heritage and transport management, in the context of Council's roles and priorities.</li> </ul> <p>The ERG will not be seen as representing all views on the environment in the City.</p>	<p>The group will have up to 12 members and one councillor representative (and one alternate).</p>



<p>Pacific Advisory Group</p>	<p>The purpose of the Pacific Advisory Group is to:</p> <ul style="list-style-type: none"> <li>• Advise Council on how to help grow a great City, where Pasifika peoples thrive and contribute to Council's priorities. Bring knowledge and extra insight into Council about how the different needs of Wellington's Pasifika communities can be addressed in the context of Council's roles and priorities.</li> <li>• It is recognised that members come from and remain connected to their communities, it is from this foundation members share their expertise and lived experience in this advisory role, and engage with their communities and others as part of the wider council consultation processes. The expectations around this connection are set out in the Communication and Involvement of communities points below'</li> </ul> <p>The PAG will not be seen as representing all Pasifika people in the City.</p>	<p>PAG will have a maximum of 17 members that will include:</p> <ul style="list-style-type: none"> <li>• Three members from Samoan communities.</li> <li>• Two members from each of the following communities: Cook Islands, Tonga, Fiji, Niue, Tokelau and Tuvalu.</li> <li>• One member from a Melanesian community and one member from a Micronesian community;</li> </ul> <p>and one councillor representative (and one alternate).</p>
<p>Safe and Sustainable Transport Forum</p>	<p>The role of the Safe and Sustainable Transport Forum is to:</p> <ul style="list-style-type: none"> <li>• Advise on the development and implementation of relevant road safety and sustainable transport projects, programmes and policies.</li> <li>• Advise on community concerns and expectations associated with road safety and sustainable transport in Wellington City.</li> <li>• Assist the Transport Safety, Choice and Sustainability co-ordinators in their role.</li> <li>• Help develop projects that are included in the Council's Long-term Plan and Annual Plan.</li> </ul> <p>The group will not have an independent budget to commission work or undertake activities outside of this advisory role.</p>	<p>Representatives from 10 organisations and agencies interested in road safety and/or sustainable transport are invited to participate in Safe and Sustainable Transport Forum meetings. One councillor and an alternate can be appointed.</p>



Takatāpui Rainbow Advisory Council	<p>The Purpose of the Takatāpui Rainbow Advisory Council is to:</p> <ul style="list-style-type: none"> <li>• Assist and advise the City Council on how to help grow a great City where diverse rainbow people and communities thrive and contribute to the city's priorities.</li> <li>• Bring knowledge and insight to Council to ensure rainbow inclusion in our City.</li> <li>• It is recognised that members come from and remain connected to their communities, and share their expertise and individual lived experience in this advisory role.</li> </ul> <p>The Takatāpui Rainbow Advisory Council will not be seen as representing all rainbow people in the City.</p>	<p>The group will have up to 12 members, including two places specifically reserved for takatāpui members, and one councillor representative (and one alternate).</p>
Youth Council	<p>The purpose of Youth Council is to:</p> <ul style="list-style-type: none"> <li>• Assist and advise the City Council on how to help grow a great City where young people thrive and contribute to the City Council's priorities.</li> <li>• Bring extra insight to Council (a youth perspective) to solve problems facing a changing world.</li> <li>• Develop the capabilities of its members (including leadership and engaging wider youth). The Youth Council will not be seen as representing all young people in the City.</li> </ul> <p>The Youth Council will not be seen as representing all young people in the City.</p>	<p>The Youth Council will comprise a maximum of 20 members and one councillor representative (and one alternate).</p>

### **Kōrerorero | Discussion**

34. The appointment of Elected Members occurs in the first ordinary Council meeting of each triennium.

### **Kōwhiringa | Options**

35. Council could choose to agree to the recommended appointments, or make alternate appointments.

### **Whai whakaaro ki ngā whakataunga | Considerations for decision-making**

#### **Alignment with Council's strategies and policies**

36. Not Applicable.

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**Engagement and Consultation**

37. Not Applicable.

**Implications for Māori**

38. Not Applicable.

**Financial implications**

39. Councillors are not additionally remunerated for their external appointments.

**Legal considerations**

40. Not Applicable.

**Risks and mitigations**

41. Not Applicable.

**Disability and accessibility impact**

42. Not Applicable.

**Climate Change impact and considerations**

43. Not Applicable.

**Communications Plan**

44. Not Applicable.

**Health and Safety Impact considered**

45. Not Applicable.

**Ngā mahinga e whai ake nei | Next actions**

46. Following the approval of the appointments, appointment letters will be sent out to elected members and necessary introductions made and calendar invitations distributed.

**Attachments**

Nil

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## EXEMPTION OF COUNCIL CONTROLLED ORGANISATIONS FROM THE STATUTORY REPORTING REGIME

### Kōrero taunaki | Summary of considerations

#### Purpose

1. This report to Te Kaunihera o Pōneke | Council is to seek Council approval for the continued exemption of Council Controlled Organisations from the definition of 'council controlled organisation' (CCO) under section 7(4) of the Local Government Act 2002 (LGA) and also the statutory monitoring regime set out in LGA.

#### Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- ☐ Sustainable, natural eco city
- ☐ People friendly, compact, safe and accessible capital city
- ☐ Innovative, inclusive and creative city
- ☐ Dynamic and sustainable economy

#### Strategic alignment with priority objective areas from Long-term Plan 2021–2031

- ☐ Functioning, resilient and reliable three waters infrastructure
- ☐ Affordable, resilient and safe place to live
- ☐ Safe, resilient and reliable core transport infrastructure network
- ☐ Fit-for-purpose community, creative and cultural spaces
- ☐ Accelerating zero-carbon and waste-free transition
- ☐ Strong partnerships with mana whenua

#### Relevant Previous decisions

Outline relevant previous decisions that pertain to the decision being considered in this paper.

#### Significance

The decision is **rated low significance** in accordance with schedule 1 of the Council's Significance and Engagement Policy.

#### Financial considerations

☒ Nil

☐ Budgetary provision in Annual Plan /  
Long-term Plan

☐ Unbudgeted \$X

#### Risk

☐ Low

☐ Medium

☐ High

☐ Extreme

Authors	Emily Deans, Democracy Advisor Jamie Crump, Manager CCO Partnerships & Planning
Authoriser	Anna Calver, Manager Economic Wellbeing and CCOs Stephen McArthur, Chief Strategy & Governance Officer

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## **Taunakitanga | Officers' Recommendations**

Officers recommend the following motion

That Te Kaunihera o Pōneke | Council:

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

## **Whakarāpopoto | Executive Summary**

2. Under Section 6(4)(i) of the LGA, an organisation is not a Council Controlled Organisations (CCO or CCOs) if it is exempted under Section 7 of the Act.
3. The Joe Aspell Trust, Wellington Waterfront Limited and the Wellington Rural Fire Authority are deemed to be CCOs and would otherwise be subject to the prescribed monitoring regime set out in the LGA. However, Section 7 of the Act allows the Council to exempt a small organisation.
4. The exemption renewal is required to be granted by resolution of the Council and must be reviewed every three years. The entities have all been exempted previously by the Council.

## **Takenga mai | Background**

5. A CCO is an entity in which a council, either on its own or jointly with other local authorities, has the right directly or indirectly to appoint 50% or more of the trustees, directors or managers of the organisation. Alternatively, an entity is also a CCO if council(s) have the right to 50% or more of the votes at a meeting of members (shareholders).
6. Under this definition, the entities are deemed CCOs and would be subject to the prescribed monitoring regime set out in the LGA. However, Section 6(4)(i) of the Act provides that an organisation is not a CCO if it is exempted under Section 7. Section 7 allows the Council to exempt a small organisation for the purposes of Section 6(4)(i), after having taken account of:
  - a) the nature and scope of the activities provided by the organisation, and
  - b) the costs and benefits, if an exemption is granted, to the Council, the CCO and the community.
7. The exemption is required to be granted by resolution of the Council and must be reviewed every three years.
8. The benefits of exemption are:

### *For the entity*

9. There will be no requirement:
  - to produce an annual Statement of Intent, incorporating measures by which the Council can assess the achievement of its objectives;
  - to submit to the Council a half yearly report on its operations;

- to submit to the Council, and make available to the public, an annual report on its operations; and
  - to submit its annual report for audit by an auditor appointed by the Auditor-General.
10. Being exempted from these requirements will relieve the entities of a significant additional administrative and cost burden.

*For the Council*

11. There will be no requirement to
- set the Council's key performance objectives for the entity (which have not been considered); and
  - monitor the performance of the entity to evaluate its contribution to the achievement of the Council's strategic aims and outcomes (which, even if relevant, is small).

**Kōrerorero | Discussion**

**Wellington Waterfront Limited (WWL)**

12. In 2014 the management services carried out by WWL (including planning, management of day-to-day operations and property development in respect of the waterfront), were transferred to Council.
13. However, the company structure of WWL was and is still required to be retained to hold the Council's waterfront assets in trust as a bare trustee with respect to the Marine and Coastal Areas Act (2011).
14. As such, WWL essentially functions as a holding company for the Council's waterfront assets with the day to day operations formerly delivered by WWL now undertaken by the Council.
15. The Board of WWL is now made up of Council officers appointed by the Chief Executive who now carry out administrative and compliance duties as necessary on behalf of WWL.
16. The activities that are required to be monitored under the LGA are carried out by Council and as such, no purpose would be served by requiring WWL to meet the monitoring requirements of the LGA.

**Joe Aspell Trust**

17. The Joe Aspell Trust is a charitable trust that administers funds settled on Wellington City Council in 1990 from the estate of the late Joe Aspell (a former City Councillor) for the purpose of providing for "the care, benefit, maintenance, upbringing, education, advancement in life and general welfare of young people who reside in Wellington and who are socially disadvantaged".
18. The Trust is considered a CCO by virtue of the trust deed naming the Mayor for the time being as Chairperson of the Board of Trustees and requiring three of the remaining five trustees to be Wellington City Councillors, appointed by the Mayor.
19. The nature and scope of the Trust's activities are neither material nor significant in terms of contribution to the Council's strategic objectives or from a public profile viewpoint.

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### **Wellington Rural Fire Authority (WRFA)**

20. The WRFA is established under the Forest and Rural Fires Act 1977 as a body corporate. The Wellington Rural Fire District is managed by the Wellington Rural Fire Authority (the Authority), as gazetted on 13 June 2013 (no. 74, p. 1980).
21. The WRFA governance is via a committee of seven members. The committee is established to administer the Wellington Rural Fire District. In addition to the provisions contained within the Forest and Rural Fires Regulations the detailed rules by which the business of the committee is conducted are provided for in the constitution and the committee rules documentation.
22. The five member authorities can only appoint three members onto the committee, and as such do not have voting control on the committee. While the five councils are not shareholders of the entity (there are no actual shareholders provided for under the Forest and Rural Fires Act), the five councils do provide most of the funding and so at an AGM each have a vote. Therefore, under section 6(1)(a)(i) of the LGA2002 the WRFA meets the definition of a CCO.
23. The Forest and Rural Fires Regulations 2005 provides a detailed framework for how a Rural Fire Committee must function under the Forest and Rural Fires Act 1977. This includes provisions around making appointments, the governance committee role and function, disclosure of interests, provisions for sub-committees, financial provisions and reporting confidentiality of information, etc.

### **Kōwhiringa | Options**

24. The alternative to granting exceptions to the WWL and the Joe Aspell Trust would be to require them to meet the obligations of a CCO. This would see the staff of these organisations producing a statement of intent including key performance indicators and financial reporting. This would require significant additional resourcing.
25. The alternative to granting an exemption to the WRFA would be to require it to meet the obligations of a CCO. This would see the WRFA staff producing a statement of intent including key performance indicators and financial reporting in the respective formats of each of the five member councils. This would require significant additional resourcing over and above those needed to meet the reporting requirements of the Fire Service Commission (via the National Rural Fire Authority).

### **Whai whakaaro ki ngā whakataunga | Considerations for decision-making**

#### **Alignment with Council's strategies and policies**

26. Not applicable

Engagement and Consultation

Not applicable

#### **Implications for Māori**

28. Not applicable

#### **Financial implications**

29. There are no financial implications

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**Legal considerations**

30. This report complies with the legislative requirements of the Local Government Act (2002) and is consistent with existing Council policy.

**Risks and mitigations**

31. Not applicable

**Disability and accessibility impact**

32. Not applicable

**Climate Change impact and considerations**

33. Not applicable

**Communications Plan**

34. Not applicable

**Health and Safety Impact considered**

35. Not applicable

**Ngā mahinga e whai ake nei | Next actions**

36. No further actions are required prior to a review of the exemption in three years.

**Attachments**

Nil

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## 2022-2025 TRIENNIUM COUNCILLORS' REMUNERATION

### Kōrero taunaki | Summary of considerations

#### Purpose

1. This report to Te Kaunihera o Pōneke | Council seeks a decision on the allocation of the pool specified by the Remuneration Authority (the Authority), for the remuneration of councillors, based on the governance structure for the 2022-2025 triennium.

#### Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- ☐ Sustainable, natural eco city
- ☐ People friendly, compact, safe and accessible capital city
- ☐ Innovative, inclusive and creative city
- ☐ Dynamic and sustainable economy

#### Strategic alignment with priority objective areas from Long-term Plan 2021–2031

- ☐ Functioning, resilient and reliable three waters infrastructure
- ☐ Affordable, resilient and safe place to live
- ☐ Safe, resilient and reliable core transport infrastructure network
- ☐ Fit-for-purpose community, creative and cultural spaces
- ☐ Accelerating zero-carbon and waste-free transition
- ☐ Strong partnerships with mana whenua

#### Relevant Previous decisions

Nil

#### Significance

The decision is **rated low significance** in accordance with schedule 1 of the Council's Significance and Engagement Policy.

#### Financial considerations

- |                              |   |   |
|------------------------------|---|---|
| <input type="checkbox"/> Nil | <input checked="" type="checkbox"/> Budgetary provision in Annual Plan / Long-term Plan | <input type="checkbox"/> Unbudgeted \$X |
|------------------------------|---|---|

#### Risk

- |   |                                 |                               |                                  |
|---|---------------------------------|-------------------------------|----------------------------------|
| <input checked="" type="checkbox"/> Low | <input type="checkbox"/> Medium | <input type="checkbox"/> High | <input type="checkbox"/> Extreme |
|---|---------------------------------|-------------------------------|----------------------------------|

Author	Hedi Mueller, Senior Democracy Advisor
Authoriser	Sean Johnson, Democracy Team Leader Jennifer Parker, Democracy Services Manager Stephen McArthur, Chief Strategy & Governance Officer

## Taunakitanga | Officers' Recommendations

Officers recommend the following motion

That Te Kaunihera o Pōneke | Council:

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

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

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

Deputy Mayor	<p>The deputy mayor will:</p> <ol style="list-style-type: none"> <li>a) Assist the mayor in carrying out the statutory and leadership role of the mayor.</li> <li>b) If the mayor is absent or incapacitated, perform all the responsibilities and duties, and exercise any powers of the mayor (other than the powers under section 41A LGA 2002 and the role of Justice of the Peace).</li> <li>c) Lead and take responsibility for liaison with Councillors on matters of support for carrying out their governance role.</li> <li>d) Assist the mayor in day-to-day administration.</li> <li>e) Ensure that the mayor's view is conveyed to committee and other meetings when they are absent on Council business.</li> </ol> <p>The Deputy Mayor is authorised to approve elected member attendance at conferences or training and associated travel and accommodation within New Zealand. [refer to Terms of Reference and Delegations, page 29]</p>
Chair of committee of the whole	<p>The chair of a committee of the whole will be responsible for presiding over one of the committees of the whole, which have specific responsibilities in line with their area of focus.</p> <p>The chair of a committee of the whole will be (in association with the deputy chair, and the agreement of the mayor) the Council spokesperson with respect to matters within the committee's area of focus.</p>
Chair of Koata Hātepe   Regulatory Processes Committee	<p>The chair of the Koata Hātepe   Regulatory Processes Committee will be responsible for presiding over that committee of the part which has responsibilities in line with its area of focus.</p> <p>The chair of a committee of the Koata Hātepe   Regulatory Processes Committee will be (in association with the deputy chair, and the agreement of the mayor) the Council spokesperson with respect to matters within the committee's area of focus.</p>

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## **Whakarāpopoto | Executive Summary**

2. Following the election in October 2022, a new governance structure was established by Mayor Whanau and circulated prior to the Inaugural Te Kaunihera o Pōneke | Council meeting on 26 October 2022 (see attachment 1 Committee Diagram). It is proposed that the set remuneration pool for councillors be distributed based on the new governance structure.
3. All elected members must be paid at least the minimum rates prescribed by the Authority in Schedule 2 of the Local Government Members (2022/23) Determination 2022. The Authority set the annual minimum base salaries for Wellington City Council elected members as follows:
  - Mayor: \$183,027
  - Councillor: \$89,860
  - Chair Mākara-Ōhāriu Community Board: \$9,704
  - Member Mākara-Ōhāriu Community Board: \$4,852
  - Chair Tawa Community Board: \$19,359
  - Member Tawa Community Board: \$9,680.
4. The mayor's salary is set by the Authority and cannot be changed.
5. The Authority requires local authorities to fully allocate a specified pool of money<sup>1</sup> for the remuneration of councillors and their additional responsibilities (e.g. chairs of committees) following the Council's adoption of its 2022–2025 governance structure.
6. The Authority set Wellington City Council's total councillor remuneration pool at \$1,639,633 (to cover councillor base salary and the remuneration of additional responsibilities). After accounting for the minimum councillor base pay set by the Authority ( $15 \times \$89,860 = \$1,347,900$ ), there is \$291,733 left to distribute amongst councillors.
7. The remuneration pool must be fully allocated, and only to councillors; it cannot be allocated to the mayor or to community board members. Councillors appointed to external appointments cannot receive additional remuneration from this pool.
8. The remuneration paid to iwi on behalf of mana whenua representatives on Council committees is "equivalent to the remuneration of a full-time elected member", however is not paid out of the councillor remuneration pool.
9. Newly approved remuneration rates will be paid once they have been included in a gazetted determination by the Authority. Regardless of the Authority's determination date, pay will be backdated so that:
  - All councillors would be back-paid the new proposed base salary (\$105,283), to the day after the date that the election result was officially declared (i.e. Saturday 15 October 2022)
  - Councillors with additional responsibilities (i.e. the Deputy Mayor, chairs of the committees of the whole and the Koata Hātepe | Regulatory Processes Committee) would be back-paid their additional remuneration from the day after the date that the Council formally voted to confirm its recommendation to the Remuneration Authority (i.e. tomorrow).

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<sup>1</sup> The Authority based the remuneration pools on the population served by each council and the expenditure of each council.

10. The pool specified by the Authority has been budgeted for in Council's Annual Plan and Long-term Plan 2021–2031.<sup>2</sup>

### **Takenga mai | Background**

11. The Local Government Act 2002 provided the Authority with the responsibility for setting local government elected member remuneration and determining which expenses and allowances can be paid to members.

### **Kōrerorero | Discussion**

12. The Council is required to provide the Authority with a proposed new "base remuneration". The proposed new base remuneration rate has been set at \$105,283.
13. The Authority requires the following information to be provided:
- Name of council
  - Number of elected members (15, excluding the Mayor)
  - Total governance remuneration pool (\$1,639,633, set by the Authority)
  - Councillor minimum remuneration (\$89,680, set by the Authority)
  - (Proposed) base councillor remuneration (\$105,283)
  - Name/title of each proposed position of responsibility, including:
    - Brief description of additional responsibilities above those of a base councillor (refer to table in paragraph 16)
    - Number of members per position (see table in paragraph 15)
    - (Proposed) annual remuneration for the position (see table in paragraph 15)
    - Confirmation that the pool is fully allocated (see table in paragraph 15)
    - Date positions and remuneration were confirmed by Council (16 November 2022)
14. The Authority requires that, for any roles attracting additional remuneration above the proposed base rate (\$105,283) – i.e for the Deputy Mayor, chair of a committee of the whole and chair of the Koata Hātepe | Regulatory Processes Committee – the Council must have a formal vote. The vote is to agree:
- The proposed annual dollar value of remuneration attached to each role, and the name of the councillor elected to fill that role. See table in paragraph 15.
  - The title and short description of each role with additional responsibility (i.e. what are the requirements for the councillor who undertakes it). See paragraphs 16.
15. The proposal for the allocation of Wellington City Council's set remuneration pool is:

Position	Proposed new base salary (per annum)	Total (per annum)
Mayor	\$183,027	\$183,027
Deputy mayor	\$126,650	\$126,650

<sup>2</sup> Under the budget activity code '1002 Committee and Council Process'. Elected Member Remuneration is monitored on a monthly basis as part of the internal management reporting process.

3 x chair of committee of the whole	\$116,361	\$349,083
1 x chair of Koata Hātepe   Regulatory Processes Committee	\$111,070	\$111,070
10 x councillors	\$105,283	\$1,057,830
Total (pool)		\$1,639,633

16. Based on the Terms of Reference and Delegations of the Wellington City Council 2022-2025 (to be agreed at today's Council meeting), the below extracts would fulfil the Authority's requirement for a short description of the two roles with additional responsibility:

Deputy Mayor	<p>The deputy mayor will:</p> <ul style="list-style-type: none"> <li>f) Assist the mayor in carrying out the statutory and leadership role of the mayor.</li> <li>g) If the mayor is absent or incapacitated, perform all the responsibilities and duties, and exercise any powers of the mayor (other than the powers under section 41A LGA 2002 and the role of Justice of the Peace).</li> <li>h) Lead and take responsibility for liaison with Councillors on matters of support for carrying out their governance role.</li> <li>i) Assist the mayor in day-to-day administration.</li> <li>j) Ensure that the mayor's view is conveyed to committee and other meetings when they are absent on Council business.</li> </ul> <p>The Deputy Mayor is authorised to approve elected member attendance at conferences or training and associated travel and accommodation within New Zealand.</p> <p>[refer to Terms of Reference and Delegations, page 29]</p>
Chair of committee of the whole	<p>The chair of a committee of the whole will be responsible for presiding over one of the committees of the whole, which have specific responsibilities in line with their area of focus.</p> <p>The chair of a committee of the whole will be (in association with the deputy chair, and the agreement of the mayor) the Council spokesperson with respect to matters within the committee's area of focus.</p>
Chair of Koata Hātepe   Regulatory Processes Committee	<p>The chair of the Koata Hātepe   Regulatory Processes Committee will be responsible for presiding over that committee of the part which has responsibilities in line with its area of focus.</p> <p>The chair of a committee of the Koata Hātepe   Regulatory Processes Committee will be (in association with the deputy chair, and the agreement of the mayor) the Council spokesperson with respect to matters within the committee's area of focus.</p>

### Kōwhiringa | Options

17. Council may decide to allocate the remuneration pool in a different manner, however the entirety of the pool must be allocated.

18. Council may decide to agree the role descriptions as recommended, or as amended by Council.

## **Whai whakaaro ki ngā whakataunga | Considerations for decision-making**

### **Alignment with Council's strategies and policies**

19. Not applicable.

### **Engagement and Consultation**

20. No additional consultation was undertaken. The Remuneration Authority consults with Council about elected member remuneration and allowances.

### **Implications for Māori**

21. No specific implications for Māori.

### **Financial implications**

22. The base salaries for all elected members, together with the pool for the additional responsibilities, is met from the allocation for elected member remuneration in the Council's 2022–2023 Annual Plan and 2021–2031 Long-term Plan.

### **Legal considerations**

23. The Remuneration Authority sets determinations for the Council based on legislation and the decision is gazetted.

### **Risks and mitigations**

24. Not applicable.

### **Disability and accessibility impact**

25. Not applicable.

### **Climate Change impact and considerations**

26. Not applicable.

### **Communications Plan**

27. The salaries of elected members are public information.

### **Health and Safety Impact considered**

28. Not applicable.

## **Ngā mahinga e whai ake nei | Next actions**

29. The Authority will be provided with the Council's agreed proposal for the allocation of the councillor remuneration pool by close of business on 16 November 2022, to ensure it is included in the December 2022 determination.

### **Attachments**

Attachment 1. Committee Diagram

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Te Kaunihera o  
Pōneke |  
Council

Kōrau Tōtōpū   Long-term Plan, Finance, and Performance Committee	Kōrau Tūāpapa   Environment and Infrastructure Committee	Kōrau Mātinini   Social, Cultural, and Economic Committee	Koata Hātepe   Regulatory Processes Committee	Unaunahi Māhirahira   Audit and Risk Committee	Unaunahi Ngaio   Chief Executive Performance Review Committee
<b>Area of focus</b> 1. Long-term planning and annual planning 2. Financial and non-financial performance oversight in relation to the long-term plan and annual plan 3. Financial oversight 4. Procurement policy 5. Non-strategic asset investment and divestment as provided for through the long-term plan (recommending to Council where matters are not provided for in the long-term plan), Council-controlled Organisation oversight and performance- 6. Council-controlled Organisation director review and appointments 7. WellingtonNZ oversight and performance 8. Approve asset management plans	<b>Area of Focus</b> 1. RMA matters, including urban planning, city design, built environment, natural environment, biodiversity, and the District Plan 2. Housing 3. Climate change response and resilience 4. Council property 5. Waste management & minimisation 6. Transport including Let's Get Wellington Moving 7. Council infrastructure and infrastructure strategy 8. Capital works programme delivery, including CCOs' and Wellington Water Limited's capital works programmes 9. Three waters	<b>Area of focus</b> 1. Māori strategic outcomes 2. Arts, culture, and community services. Wellington City social housing. 3. Council's city events. 4. Parking services. 5. Parks, sport and recreation. 6. Community resilience. 7. Economic development. <b>Pītau Pūmanawa   Grants Subcommittee</b> <b>Area of focus</b> 1. Effective allocation and monitoring of the Council's grants.	<b>Area of focus</b> 1. Naming places in accordance with the naming policy, except for regionally significant decisions 2. Development contribution remissions 3. Leases, licences, and easements 4. Objections to classifications under the Dog Control Act 1996 5. Suburb boundaries 6. Traffic resolutions 7. Temporary road closures 8. Road stopping 9. Approving the list of Resource Management Act commissioners and the associated appointment guidelines	<b>Area of focus</b> 1. Overseeing the work of the Council in discharging its responsibilities in the areas of risk management, statutory reporting, internal and external audit and assurance, and monitoring of compliance with laws and regulations, including health and safety.	<b>Area of focus</b> 1. Effective monitoring of the Chief Executive Officer's performance and has the authority to undertake the annual remuneration review. The Committee also has the role of undertaking any review for the purposes of clause 35 schedule 7 Local Government Act 2002, making a recommendation to Council under clause 34 schedule 7 Local Government Act 2002, and (if applicable) undertaking any recruitment and selection process, for recommendation to the Council.







## ELECTED MEMBER ALLOWANCES AND ENTITLEMENTS POLICY

### Kōrero taunaki | Summary of considerations

#### Purpose

1. This report to Te Kaunihera o Pōneke | Council asks that the Council adopt the updated Elected Member Allowances and Entitlements Policy.

#### Strategic alignment with community wellbeing outcomes and priority areas

Aligns with the following strategies and priority areas:

- ☐ Sustainable, natural eco city
- ☐ People friendly, compact, safe and accessible capital city
- ☐ Innovative, inclusive and creative city
- ☐ Dynamic and sustainable economy

#### Strategic alignment with priority objective areas from Long-term Plan 2021–2031

- ☐ Functioning, resilient and reliable three waters infrastructure
- ☐ Affordable, resilient and safe place to live
- ☐ Safe, resilient and reliable core transport infrastructure network
- ☐ Fit-for-purpose community, creative and cultural spaces
- ☐ Accelerating zero-carbon and waste-free transition
- ☐ Strong partnerships with mana whenua

#### Relevant Previous decisions

Outline relevant previous decisions that pertain to the decision being considered in this paper.

#### Significance

The decision is **rated low significance** in accordance with schedule 1 of the Council's Significance and Engagement Policy.

#### Financial considerations

- |                              |   |   |
|------------------------------|---|---|
| <input type="checkbox"/> Nil | <input checked="" type="checkbox"/> Budgetary provision in Annual Plan / Long-term Plan | <input type="checkbox"/> Unbudgeted \$X |
|------------------------------|---|---|

2. Elected member expenses and allowances are provided for in the Long-term Plan.

#### Risk

- |   |                                 |                               |                                  |
|---|---------------------------------|-------------------------------|----------------------------------|
| <input checked="" type="checkbox"/> Low | <input type="checkbox"/> Medium | <input type="checkbox"/> High | <input type="checkbox"/> Extreme |
|---|---------------------------------|-------------------------------|----------------------------------|

Author	Hedi Mueller, Senior Democracy Advisor
Authoriser	Sean Johnson, Democracy Team Leader Jennifer Parker, Democracy Services Manager Stephen McArthur, Chief Strategy & Governance Officer

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## **Taunakitanga | Officers' Recommendations**

Officers recommend the following motion

That Te Kaunihera o Pōneke | Council:

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

## **Whakarāpopoto | Executive Summary**

1. The Remuneration Authority sets limits for the following allowances:
  - Vehicle kilometre allowance.
  - Travel time allowance.
  - ICT allowance.
  - Childcare allowance.
2. All allowances are entirely at the discretion of individual councils, within the limits set by the Remuneration Authority.
3. Wellington City Council's Elected Member Allowances and Recovery of Expenses Policy was last adopted by Council on 11 May 2016, with editorial updates made in 2020.
4. The proposed Elected Member Allowances and Entitlements Policy largely brings the allowances in line with the limits set by the Remuneration Authority.

## **Takenga mai | Background**

5. Elected members of a local authority may be entitled to receive allowances while working on council business.
6. It is for Council to decide the level of allowance or reimbursement, provided it is within the limits set by the Remuneration Authority.

## **Kōrerorero | Discussion**

7. The proposed Elected Member Allowance and Entitlements Policy (the Policy) largely brings the allowances in line with the limits set by the Remuneration Authority (the Authority).
8. While not explicitly mentioned in the Policy, Tāka Here representatives will be entitled to the same allowances and entitlements as councillors.
9. Changes have been made to sections as follows:

### *Travel*

10. Mileage allowance has been included for approved travel related to seminars, conferences and training courses outside of Wellington City.
11. Further guidance has been provided about the use of taxi chits.
12. Private vehicle carparks have been made optional.
13. The Authority has set an allowance limit for travel time and mileage, however neither of these are recommended to be adopted as the Authority has set the base remuneration

for a councillor at a level they deem to be one full-time equivalent. This is not a change from the Elected Member Expenses and Allowances Policy adopted by Council in 2016.

#### *Childcare*

14. When the Authority issued its determination in 2019/2020, it included the childcare allowance for the first time.
15. The purpose of the childcare allowance is to acknowledge that childcare is a cost that is incurred by the role a member has in undertaking council business. Lack of an allowance could be a barrier to people standing as candidates for election.
16. Wellington City Council has not yet had an opportunity to adopt the childcare allowance. Officers recommend that the childcare allowance be adopted in full.

#### *Health and Wellbeing*

17. This section has been added to reflect the benefits that councillors have informally been provided.

### **Kōwhiringa | Options**

18. Council could agree to adopt the Policy in full or in part.
19. The dollar values of the allowances could be agreed at a lower rate (within the parameters set by the Remuneration Authority).
20. The eligibility criteria is unable to be altered.

### **Whai whakaaro ki ngā whakataunga | Considerations for decision-making**

#### **Alignment with Council's strategies and policies**

21. The Policy is aligned with the Wellington City Council internal Travel and Accommodation Policy.

#### **Engagement and Consultation**

22. As a governance decision of the Council, this decision does not require engagement or consultation with the public.

#### **Implications for Māori**

23. Tā kai Here representatives will be entitled to the same allowances and entitlements as councillors.

#### **Financial implications**

24. Elected member expenses and allowances are provided for in the Annual and Long-term Plans.

#### **Legal considerations**

25. Councils do not need the Remuneration Authority's agreement for changes to their individual elected members' expenses and reimbursement policy so long as their policy remains within the limits of the current remuneration and allowances determination.

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### **Risks and mitigations**

26. The risk associated with this Policy is low, as the allowances are within the parameters set by the Remuneration Authority.

### **Disability and accessibility impact**

27. The Policy is technical by nature, but work has gone in to simplifying the language used and making it easy to navigate.

### **Climate Change impact and considerations**

28. Climate change considerations have been incorporated into the Policy, in regard to travel, communications and technology.

### **Communications Plan**

29. Following the adoption of the Elected Member Allowances and Entitlements Policy, it will be published on the Council's website for reference.

### **Health and Safety Impact considered**

30. There are no direct health and safety impacts arising from this paper.

### **Ngā mahinga e whai ake nei | Next actions**

31. Following the adoption of the Allowances and Entitlements Policy, it will be published on the Council's website for reference.

### **Attachments**

Attachment 1. EM Allowances and Entitlements Policy

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# Elected Member Allowances and Entitlements Policy

## Introduction

1. This policy sets out rules on the claiming of expenses by elected members and the allowances that will be available to them during their term of office, and only while acting in their official capacity as elected members.
2. The payment for any or all allowances is at the discretion of the Wellington City Council.

## Principles

3. The Remuneration Authority has assessed that the workload for a Wellington City Councillor is approximately equivalent to a full-time job.
4. Any expenses to be reimbursed must be on an actual and reasonable basis and in line with Council policy.
5. All expense claims are approved by the Manager of Governance and Democracy Services, and full original receipts are required.
6. Reimbursements will be made via the payroll system.
7. All expenditure that falls under this policy is approved on the condition that it can be met within relevant budget provisions.

## Interpretation

8. **Actual** means as evidenced by the original receipt attached to the claim form.
9. **Reasonable** means that it is within the amount specified by this policy or as deemed reasonable by the Chief Executive or their delegate.
10. **Council business** includes: formal council and community board meetings, committee meetings, workshops, seminars, LGNZ Conference, statutory hearings, training courses, site visits, meetings with staff, meetings with community groups, meetings with members of the public. It does not include events where the primary focus is on social activity, events where attendance is in a non-representative capacity, travel not related to council business or personal travel interspersed with Council business.
11. **Elected member** means those individuals declared to be elected to the Council, including as a member of a Community Board, Councillor, or Mayor.
12. **Remuneration Authority** is an independent body established by the Remuneration Authority Act 1977, with responsibilities under the Local Government Act 2002 to determine remuneration and expense/allowance rules for local authority members.
13. **Wellington City Council support staff** means Governance and Democracy Services, the Mayor's Office, or International Relations.

## Travel

14. All approvals for travel must consider the impact on Climate Change, including whether there are any mitigations possible to reduce the impact such as the use of remote conferencing technology or a reduction in the number of Elected Member participants.

## Vehicles

15. Except for the Mayor, elected members are not provided with the use of a vehicle.

16. No mileage allowances are payable, except for approved travel related to seminars, conferences, and training courses outside of Wellington City. Elected members are required to claim the costs of using their private vehicles on council business as part of their individual taxation arrangements.
17. Costs of travelling by public transport to and from approved external meetings, functions, conferences or seminars are reimbursed on production of receipts.
18. Taxi chits can be provided when required and upon approval for council business within Wellington City.
19. Car parks at council offices can be provided to Councillors to enable them to carry out their governance and representation responsibilities.
20. Car licence plates must be registered with Democracy Services and security staff.
21. Rental cars can be provided if travel to a conference out of Wellington City has been approved, and the cost of a rental car is cheaper than paying air/bus/train fare or the following mileage allowance.
22. If elected members choose to use their private vehicles for approved travel relating to seminars, conferences, and training courses outside of Wellington City, the following mileage allowance applies:
  - a) Petrol or diesel vehicles  
The allowance for a petrol or diesel vehicle is 83 cents per kilometre for the first 14,000 kilometres, and 31 cents per kilometre after.
  - b) Hybrid petrol vehicles  
The allowance for a hybrid petrol vehicle is 83 cents per kilometre for the first 14,000 kilometres, and 18 cents per kilometre after.
  - c) Electric vehicles  
The allowance for an electric vehicle is 83 cents per kilometre for the first 14,000 kilometres, and 10 cents per kilometre after.

#### *Air Travel*

23. All travel must be booked by Governance and Democracy Services, except Mayoral travel which is to be booked by the Mayor's Office, or other international travel which is to be booked by International Relations.
24. International air travel must be approved in advance by the Council.
25. Air travel will be booked for approved conferences/seminars, where travel by air is the most cost-effective travel option.
26. For flights up to eight hours, economy class will be booked.
27. For flights longer than eight hours, business class will be booked.
28. All travel complies in all respects with the Council's Travel and Accommodation Policy.
29. Allowances for subscriptions to airline clubs (such as the Koru Club) are not paid or reimbursed.

#### *Accommodation*

30. All accommodation must be booked by Wellington City Council support staff and will be at designated hotels where possible.
31. Actual and reasonable meal costs, excluding alcohol, incurred while travelling may be reimbursed.
32. There is no reimbursement of meals provided by others.
33. There is no allowance or reimbursement for incidental costs while travelling.



34. Elected members travelling on Council business who choose to stay privately (with friends, relatives etc) are paid an allowance of \$60 per night, which includes the cost of accommodation, breakfast and dinner.

## Entertainment and Hospitality

35. No allowances will be paid nor expenses reimbursed in respect of hospitality or entertainment.

## Communications and Technology

36. Councillors, including the mayor, will be provided with a cellphone and laptop for council business.
37. The Mayor can be provided with a landline phone.
38. If Councillors do not wish to use the provided devices, they are entitled to receive the following annual allowances:
- a. Use of a personal computer, laptop or tablet (including docking station): \$400
  - b. Use of a personal printer: \$50
  - c. \$200 for the use of ICT consumables (eg. paper, ink cartridges)
  - d. Use of a mobile phone: \$200
  - e. Use of a personal internet connection: \$800
39. If using a personal phone, councillors can also receive up to \$500 annually for council-related toll and mobile phone charges.
40. In line with Council carbon-zero goals under Te Atakura - First to Zero, elected members will be provided agenda documents through an appropriate electronic platform.
41. Council resources and equipment is not to be used for electioneering purposes.
42. Councillors, including the mayor, may use the following internal Council services to an appropriate and reasonable level for council business as determined by the Manager Governance and Democracy Services:
- Information technology advice/assistance for Council-owned equipment.
43. A home-based technology allowance of \$45 per month will be paid to the chairs of the Tawa and Mākara/Ōhāriu community boards to reimburse the incumbents of those positions a portion of the communication costs (i.e. business related telephone calls, internet connection etc) incurred by them in carrying out their duties.

## Professional Development, Clubs and Associations

44. No allowances will be paid in respect of the members' attendance time at professional development courses, conferences and seminars.
45. Course registration fees are paid subject to the approval of the Deputy Mayor.
46. No allowances will be paid nor expenses reimbursed in respect of subscriptions to clubs or associations.

## Resource Consent Hearing Fees

47. A member who acts as the chairperson of a resource consent hearing is entitled to be paid a fee of \$116 per hour of hearing time and preparation time.
48. A member who is not the chairperson of a resource consent hearing is entitled to be paid a fee of \$93 per hour of the hearing time and preparation time.

49. For any period of hearing time and preparation time that is less than 1 hour, the fee must be apportioned accordingly.

## Childcare Allowance

50. Elected members can claim up to \$6,000 per year for each child if the childcare meets the criteria.
51. Elected members are eligible for the allowance if:
- they are engaged on local authority business at the time of the childcare
  - they are the parent or guardian of the child, or usually has day-to-day responsibility for care of the child, and
  - the child is under 14 years of age.
52. The childcare must be provided by someone who:
- is not a spouse, civil union partner, or de facto partner of the member
  - is not a parent of the child
  - does not ordinarily reside with the member or child.
53. Elected members must provide satisfactory evidence to the local authority of the amount paid for childcare.

## Taxation of Allowance

54. Allowances (as distinct from reimbursements of business expenses) will not be paid without deduction of withholding tax.

## Health and Well-being

55. Elected members are entitled to the flu vaccination employee benefit. Elected members can book this service annually when it is made available to staff.
56. An elected member experiencing discomfort, pain, or injury in the workplace, may arrange an ergonomic assessment through their support staff.
57. Elected members are entitled to the Employment Assistance Programme for access to confidential, short-term, solutions-focussed counselling.

## Breach of Allowance and Expense Rules

58. If an elected member breaches this policy, the elected member must reimburse the council for any costs the council may have wrongfully incurred.
59. An alleged breach of allowance and expense rules may be considered under the Code of Conduct.

## Policy Review

60. This policy will be reviewed at the beginning of each triennium, following the release of the Remuneration Authority's Local Government Members Determination.
61. The Council may direct a review of this policy at any time.

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### 3. Public Excluded

#### Recommendation

That the Te Kaunihera o Pōneke | Council:

1. Pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, exclude the public from the following part of the proceedings of this meeting namely:

General subject of the matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
3.1 CHP transition: Trustee appointments	7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.
3.2 Local Government Funding Agency Annual General Meeting Voting	7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.