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**ORDINARY MEETING  
OF  
STRATEGY AND POLICY COMMITTEE  
AGENDA**

**Time:** 9:30 am  
**Date:** Thursday, 11 March 2021  
**Venue:** Ngake (16.09)  
Level 16, Tahiwi  
113 The Terrace  
Wellington

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**MEMBERSHIP**

Mayor Foster  
Deputy Mayor Free  
Councillor Calvert (Deputy Chair)  
Councillor Condie  
Councillor Day (Chair)  
Councillor Fitzsimons  
Councillor Foon  
Councillor Matthews  
Councillor O'Neill  
Councillor Pannett  
Councillor Paul  
Councillor Rush  
Councillor Sparrow  
Councillor Woolf  
Councillor Young

**NON-VOTING MEMBERS**

Te Rūnanga o Toa Rangatira Incorporated  
Port Nicholson Block Settlement Trust

**Have your say!**

*You can make a short presentation to the Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 04-803-8334, 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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## **AREA OF FOCUS**

The role of the Strategy and Policy Committee is to set the broad vision and direction of the city, determine specific outcomes that need to be met to deliver on that vision, and set in place the strategies and policies, bylaws and regulations, and work programmes to achieve those goals.

In determining and shaping the strategies, policies, regulations, and work programme of the Council, the Committee takes a holistic approach to ensure there is strong alignment between the objectives and work programmes of the seven strategic areas covered in the Long-Term Plan (Governance, Environment, Economic Development, Cultural Wellbeing, Social and Recreation, Urban Development and Transport) with particular focus on the priority areas of Council.

The Strategy and Policy Committee works closely with the Annual Plan/Long-Term Plan Committee to achieve its objective.

To read the full delegations of this Committee, please visit [wellington.govt.nz/meetings](https://wellington.govt.nz/meetings).

**Quorum:** 8 members

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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 Apologies

The Chairperson invites notice from members of apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

### 1.3 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.

### 1.4 Confirmation of Minutes

The minutes of the meeting held on 17 February 2021 will be put to the Strategy and Policy Committee for confirmation.

### 1.5 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 Strategy and Policy Committee.***

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 Strategy and Policy Committee.

***Minor Matters relating to the General Business of the Strategy and Policy Committee.***

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 Strategy and Policy Committee for further discussion.

## **1.6 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.

Requests for public participation can be sent by email to [public.participation@wcc.govt.nz](mailto:public.participation@wcc.govt.nz), by post to Democracy Services, Wellington City Council, PO Box 2199, Wellington, or by phone at 04 803 8334, giving the requester's name, phone number and the issue to be raised.

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## 2. General Business

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### MAYORAL TASKFORCE: THREE WATERS

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#### **Purpose**

1. This report provides officer advice to the Strategy and Policy Committee on the recommendations of the Report of the Mayoral Taskforce: Three Waters.

#### **Summary**

2. The Mayoral Taskforce identified nine areas of concern and made 48 recommendations to the Wellington City Council. Officers have undertaken analysis of the recommendations and have set out brief advice on each recommendation.
3. While the advice is generally supportive of the main thrust of the recommendations, officers do not consider that all recommendations should be accepted without qualification. Some recommendations are supported in principle but have extensive financial implications that require further analysis and decisions that will be required in the future. In a few cases, officers' view is that recommendations only require noting, and three should be noted and forwarded to GWRC for follow up.

#### **Recommendation/s**

That the Strategy and Policy Committee:

1. Receive the information.
2. Agree in principle with the overall direction and tenor of the Report of the Mayoral Taskforce: Three Waters.
3. Agree with the 29 recommendations annotated as 'accept' as per attachment 1.
4. Agree with the 10 recommendations annotated as 'accept in principle' as per attachment 1, noting that these all require further analysis and are subject to future budgeting decisions.
5. Note recommendations 5, 27, 42-48 as per attachment 1.
6. Note that the Long-term Plan has already addressed or partially addressed many of the recommendations.
7. Note that the Government reform package will subsume most of the recommendations in time.
8. Note that review of the District Plan will pick up several of the recommendations, mainly around stormwater.
9. Note that officers will report back to the Committee on progress in March 2022.

#### **Background**

4. The Wellington Mayoral Task Force: Three Waters (Taskforce) was established by Wellington City Council (the Council) in February 2020. The purpose of the Taskforce

was to make recommendations to the Council on the management and governance of three waters in the City.

5. In December 2020 the report of the Taskforce was presented to Council, with officers to provide further advice on each of the recommendations.
6. Since the inception of the Taskforce the strategic landscape has changed on several fronts:
  - The Government's Three Waters Reform package is moving at pace. This is likely to overtake many of the asset and financial management recommendations of the Taskforce and provides a strong fillip for the rationalisation of processes and policies. Additionally, the stimulus funding provided by the Government is directly addressing some of the recommendations.
  - The draft Long-term Plan also directly addresses several of the recommendations, although the investment required will extend beyond the term of the current Council.
  - The implementation of the National Policy Statement – Freshwater Management (NPS-FM) is progressing. It will be given effect in Greater Wellington Region Council's Natural Resources Plan via the Whaitua te Whanganui-a-Tara (Whaitua). The Whaitua Implementation Programme, which is sponsored by GWRC, is likely to be closely aligned with the recommendations of the Taskforce.
  - The review of the District Plan covers many aspects of stormwater management that were identified by the Taskforce.
  - Finally, recent disruptions caused by pipe failures in Wellington's CBD have raised the profile of three waters to the extent that there is now an expectation that work programmes are imminent.

## **Discussion**

7. The Taskforce organised its recommendations into nine discrete sections. Detailed recommendations and summary advice can be found at Attachment 1.
8. Assets and Services. This area is focussed on improving asset and financial management. This relies heavily on good asset information and data, an area that has been identified as a weakness. While there is some stimulus funding being allocated to start work in this area, this needs to be an ongoing concerted effort. Without good asset data, good investment decisions will be elusive. Wellington Water Limited (WWL) has commenced by inspecting very critical assets.
9. The Council is not looking to restructure financial management as this will occur naturally in the transition to a new water entity as proposed by the Government.
10. Stormwater. This is the most complicated of the waters, because stormwater extends into private properties, developments, rooftops, roads and other assets. Recommendations are around regulatory and non-regulatory measures, green infrastructure, Whaitua and the settings of the District Plan.
11. Previously, stormwater has focussed on drainage. In future it will be equally focussed on stormwater quality and treatment, and action is going to be required to meet water quality targets. Applying regulatory measures at the customer level is expected to reduce the impact at the infrastructure level.



12. Drinking Water. While this section is relatively short, it does include advice on water meters. Officers consider that water meters are inevitable if we are to make a step change in reducing water consumption, reducing our environmental and carbon footprint, recognising the value of this scarce resource and avoiding the need to construct more large water storage.
13. Wastewater. These recommendations are aimed at fixing public and private pipes to stop leakage into waterways and the marine environment, and to ensure public health is not compromised. The Council must accept these recommendations if it is to comply with the NPS-FM.
14. Network Resilience. This area is mainly focussed on seismic resilience. While this has been a strategic priority in the past for WWL, improvements in resilience are now being pursued as an additional benefit of other activities such as renewals. The recommendations around network resilience for Wellington City Council are largely reflective of work that is already underway.
15. Low Carbon Transition and Resource Recovery. These recommendations are straightforward and, in the case of wastewater sludge, well traversed in the LTP.
16. Improving Governance and Achieving Sufficient, Sustainable Funding. The Government Reforms are directly relevant to this section, and officer advice is consistent with the recommendations. Officers note that two of the recommendations in this section are about water meters.
17. Community Participation. This section contains three recommendations that officers consider ought to be passed to GWRC, with a request for their followup. Of the remainder, most are effectively captured either by the Government reforms or forthcoming resource consent processes. Officers advise that most of these recommendations can be noted.

## Options

18. Option 1: The Committee may choose to accept officer advice (preferred option) and direct officers to implement the recommendations as appropriate through the Long-term Plan, Government Reforms, District Plan review and other mechanisms.
19. Option 2: The Committee may choose not to accept officer advice for some or all of the recommendations, and direct officers to take a different course of action.

## Next Actions

20. Officers will make arrangements to implement the selected option, noting that many of the recommendations are already under action

## Attachments

Attachment 1. Detailed recommendations and summary advice [↓](#)

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Author	Mike Mendonca, Chief Resilience Officer
Authoriser	Tom Williams, Chief Infrastructure Officer

## **SUPPORTING INFORMATION**

### **Engagement and Consultation**

The Taskforce was the subject of extensive formal and informal engagement and consultation. Implementation of recommendations will in some cases require further consultation through existing mechanisms and processes.

### **Treaty of Waitangi considerations**

The Taskforce engaged extensively with Mana Whenua.

### **Financial implications**

The recommendations outline the extensive financial implications and, where appropriate, officers have qualified the recommendations.

### **Policy and legislative implications**

There are extensive policy and legislative implications outlined in the report, mainly around the NPS-FM.

### **Risks / legal**

Three waters is a high profile, complex and expensive area that requires an elevated level of assurance to the Council.

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

This is outlined in the advice.

### **Communications Plan**

Not required.

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

Three waters involves significant and complex safety risks, however these are implicit in the recommendations and are not explicitly the subject of the report.

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	Recommendation	Agency	Officer Advice	Funding implications	Officer Recommendation	
<b>Assets and Services</b>						
1	With urgency, task and fund WWL to implement a plan for the inspection of critical assets across the three waters network within three years, in order to inform future investments.	WCC	This financial year WWL was provided with Government stimulus funding in order to commence inspection very critical assets. This work will inform the investment profile, however it will need to be sustained in out years.  WWL is commencing with the very critical wastewater and drinking water assets as a priority, this work is underway and Council officers have been provided with a progress brief.	There will be ongoing funding requirements if this recommendation is to be sustained.	Accept in principle  Noting that this will require future funding decisions	
2	Task and fund WWL to prioritise increased renewals investment on those critical assets identified as needing maintenance and repair during the condition assessment programme.	WCC	This is starting to be addressed via the Long Term Plan. Officers are recommending a step change in the renewals budget.	Substantial, this will require an ongoing investment that will transition to the new water entity.	Accept in principle  Noting that this will require future funding decisions	
3	Task and fund WWL to continue to improve its asset maintenance systems and processes, and asset data collection and management.	WCC	Government stimulus funding has been allocated to WWL to improve asset and data systems. WWL has deployed asset management software (Maximo) and is working with Fulton Hogan as the maintenance and operations partner.	This will require ongoing investment during and beyond transition.	Accept	
4	Substantially increase the level of funding in the WCC 2021/31 LTP for capital funding for renewals (possibly by ringfencing funds collected for water asset depreciation), operational funding for planned maintenance, and operational funding for reactive maintenance to reduce the risk of asset failure.	WCC	As per recommendation 2, it is proposed to increase the level of funding for renewals and maintenance via the LTP. This is based on asset management advice from WWL, and must comply with the Council's revenue and finance policy.  'Ringfencing' is not proposed as part of the LTP, this would require substantial reconfiguring of accounts. However ringfencing will effectively occur naturally as part of the Government reforms that are currently underway.	As outlined in draft consultation document	Accept	
<b>Stormwater</b>						
5	In the event that stormwater asset ownership and management is not transferred to a new entity in the Government reforms, Council should develop a plan for the future of stormwater management that recognises its connections to streams, the other water services, land use, and the roading network.	WCC	In March 2021 Elected Members will have the opportunity to provide feedback to the Government on two/three waters at DIA consultation. Following the consultation, a decision will be made on whether this recommendation needs to be actioned.  The current expectation is that the reforms will include all three waters, noting that there are complexities around open channels, streams and drains.		Note	
6	The Council, together with WWL and with input from GWRC must develop a comprehensive suite of regulatory and non-regulatory interventions to require property developments and roading infrastructure to adopt water sensitive urban design such as the use of water impact assessments, rainwater/stormwater harvesting, rain gardens, constructed wetlands, green roofs, improved sump maintenance, strategic street sweeping and permeable pavements to mitigate water quality impacts and reduce peak wet weather flows.	GWRC WCC WWL	New legislation will have an impact consistent with this recommendation. The (GWRC) Natural Resources Plan gives effect to the National Policy Statement - Freshwater Management via Whaitua te Whanganui-a-Tara ('Whaitua'). This will in turn require improvements in wastewater overflows, wastewater dry weather leaks and stormwater contaminants. The status quo will not satisfy these increased requirements.  From a proposed District Plan perspective, officers are drafting policies and rules to require water impact assessments and water sensitive techniques for subdivisions and developments. These proposed rules are subject to an RMA consultation process.	Significant cost across several asset owners and contracts. Not currently funded.	Accept in principle	

			Improving stormwater quality will be a secondary benefit of such policies and objectives - the District Plan cannot require but can only encourage the techniques and behaviours around improving stormwater quality.			
7	The chosen interventions should be incorporated into the Council's Codes of Practice and District Plan and mandated for all new development (both greenfield and infill/brownfield) supported by education for contractors, community groups, and the design and engineering community.	WCC	Whaitua recommendations are in line with the Mayoral Task Force recommendations. GWRC intends to commence a plan change process as part of the Whaitua implementation programmes. This means that the proposed District Plan (and the Code that is attached to it) will support water impact assessments and water sensitive techniques and standards.  These will only apply to new subdivisions and developments, and possibly not all (this is still to be determined).	Applying regulatory measures at the customer level is expected to reduce the cost impact at the infrastructure level.  Funding will be driven by RMA decisions.	Accept	
8	Propose changes to the District Plan so that all new land development consents are required to improve the stormwater effects of the site (a higher bar than maintaining the current level of effects). Where this is not possible or sensible within development sites, a formal stormwater offsetting programme could be adopted to fund more efficient centralised systems in the public realm.		As above, officers are currently drafting these rules. Under these drafts, some (but possibly not all – this is to be determined) new developments and subdivisions will be required to manage stormwater impacts. Officers are still working through thresholds for these requirements. Hydraulic neutrality will be a condition of resource consents and developers will be required to present a water impact assessment. This is expected in turn to drive WSUD into developments.	There are significant economic costs to the community from this recommendation.  Funding will be driven by RMA decisions.	Accept  Noting that requirements may not apply to <u>all</u> new developments and subdivisions	
9	Work with WWL and GWRC to develop catchment scale stormwater planning which considers opportunities to 'daylight' currently piped streams, restoration of remaining streams, and implementation of green infrastructure to treat stormwater prior to discharge into streams, harbour or the open coast.	WWL	As the City increases investment, officers propose to ensure, where practicable, to incorporate natural green and open spaces that use vegetation, soils, and other elements and practices to help deal with environmental challenges such as stormwater runoff and climate adaptation. This would supplement hard infrastructure, while providing increased biodiversity, flood protection, and more green and open spaces throughout the city.  There is a requirement to develop catchment-based approaches as part of the regulatory framework, and new targets are expected via Whaitua. Proposed District Plan rules such as water impact assessments will be prepared based on WWL's stormwater management strategies. These are expected to be released in 2022.	Significant cost to private owners and the Council, not currently funded	Accept in principle  Noting that this is contingent on future funding decisions	
10	Work with WWL to develop an approach to the ownership and management of green infrastructure for private property developments and ensure that these assets meet design and performance requirements when being vested to Council ownership.	WCC WWL	This recommendation underscores existing challenges around ownership, management and funding of private green infrastructure, and the challenges of integrating it with hard infrastructure.  While current policy settings do not require private green infrastructure, this is a likely outcome of work currently underway. Assets will need to meet design and performance requirements, and have maintenance properly funded.	There will be economic implications of this recommendation. Not currently funded.	Accept in principle  Noting that this is contingent on future funding decisions	
11	Ensure all green infrastructure is adequately capitalised and depreciated to provide ongoing maintenance and renewals funding.	WCC WWL	All assets should be treated in accordance with good asset management practice. Green infrastructure should have the same disciplines as hard infrastructure.	Needs to be built into asset management plans	Accept	
12	With input from WWL, consider the development of a stormwater bylaw to help manage the input of potential contaminants into the stormwater system.	WCC WWL	Officers consider that stormwater quality is likely to be improved as secondary benefit of the proposed District Plan. In time this may be complemented through a bylaw focussed on existing infrastructure, however this is a decision for the future that requires further analysis.	Costs to owners of such a bylaw are likely to be significant, although this offsets infrastructure costs.	Accept in principle  Noting that this is contingent on future funding decisions	
13	Develop standardised estimation and reporting of stormwater	WCC	Council projects will be subject to the same rules as other investors. However the	Additional costs added	Accept in	

	effects for all Council projects and require the assessment of options to offset these effects.	WWL	Council can lead by example through pre-empting these rules and developing a framework before the District Plan rules take effect.	to projects before this is legally necessary.	principle Noting that this is a cost that is not budgeted	
14	With WWL, further integrate the use of roads and open spaces (such as parks and sports grounds) to act as overland flow paths and flood storage, to reduce the effects of stormwater flooding on public health, safety, and property.	WCC WWL	WWL and WCC Transport will continue to further integrate the roads and open spaces to act as overland flow paths and flood storage to reduce the effects of flooding.  There will also be rules in the new District Plan protecting the overland flow paths and secondary flow paths. These will be in the Natural Hazards Chapter, and the Transport Chapter will also have integration through the Water Sensitive Development Chapter.		Accept	
<b>Drinking Water</b>						
15	Rapidly progress the business case for universal residential 'smart' water meters across Wellington City, building on the economic case recently completed for GWRC and as endorsed by the WWL Shareholders Committee, and include budget provision for installing these meters in the out years of the 2021/31 LTP.	WCC	Officers are of the view that without water meters (with a well designed tariff) as a primary measurement mechanism, it is very difficult to reduce water leaks and transmission loss, and to make good investment decisions, or to avoid needing to construct a costly new storage facility.  Officers note that further analysis would need to be undertaken, and that realistically the vehicle for decision making would be either: the Annual Plan for 2022/3; or Government reform consultations; or a separate process undertaken by a new entity.  Porirua City Council is proposing to make meters compulsory for new developments and units via the District Plan.	There are significant financial implications associated with this recommendation, cost of meters is likely to be around \$50m.	Accept Noting that further analysis is required, and that the vehicle for decision making is yet to be determined	
16	Consult with ratepayers on the merits of these smart meters for reducing water loss and enabling more water-efficient behaviour as part of consultation on the 2021/31 LTP.	WCC	Officers consider that smart meters can provide a level of intelligence that is currently not available.		Accept	
17	Establish a suite of policy measures, including changes to the District Plan, relevant bylaws, and Codes of Practice that result in reduced drinking water use in new residential developments, such as through requiring rainwater harvesting and storage.	WCC	Officers consider that ensuring new development is water efficient is essential if we are to mitigate the impacts of growth on water security and investment. Water efficiency gains from new builds are 'banked' for 50+ years life of a property and can provide resilience and stormwater benefits that contribute to climate change objectives.  Officers are currently considering if this should be included in the District Plan	Costs to the Council are low	Accept Noting that this will not occur for several years	
18	Request WWL to investigate the opportunity to harness international innovations around smart water networks and other technologies that support efficient water use and network operations.	WCC	WWL is connected to the international water sector through a range of mechanisms, such as a consultancy panel, membership of the Water Services Association of Australian and SWAN, the global Smart Water Networks Forum. Key staff are tasked with identifying opportunities to adopt new technologies.	Minimal, this recommendation is already part of WWL's ambit	Accept	
<b>Wastewater</b>						
19	Task and fund WWL to develop a road-map for consideration in the 2024/34 LTP that would see WWL (or a future entity) funded to achieve compliance with the National Policy Statement – Freshwater Management by 2040.	WCC	Compliance with the NPS-FM will be through limits set in NRP based on the Whaitua recommendations. The limits will be tighter than existing , and the roadmap needs to reflect water quality parameters and catchments.	This is partly funded	Accept Noting that future decisions will determine the deliverability of	

					the roadmap	
20	Task and fund WWL to progress the Owhiro Catchment pilot programme as a high priority to inform the development of the road-map and to develop and implement a programme that strategically works through catchments to identify and repair cross-connections or asset failures in both public and private assets, where catchments with open streams and community connection are prioritised.	WWL	The Owhiro Bay pilot is underway, although funding for the envisaged catchment rollout is to be sought.		Accept Noting that future decisions will be required for programme rollout	
21	The road-map should include activities to address wastewater network capacity issues (including stormwater ingress) to progressively reduce the requirement for untreated wastewater discharges into the environment from constructed overflows, with the goal that constructed overflows should only be used in genuine emergencies.	WWL	WWL is tasked with for developing a roadmap for consideration. The affordability of delivering that roadmap is yet to be determined, and will be the focus of future decisions.	This will involve significant capital investment	Accept Noting that future decisions will be required to support	
22	Urgently review and strengthen consent and code of compliance processes to ensure there are clear accountabilities and a low risk of future illegal cross-connections.	WCC	This work is underway	The review has been undertaken and processes strengthened.	Accept	
23	Establish a complete set of regulatory and policy measures to ensure that Council can require landowners to undertake repairs to failed private assets, record failures on Land Information Memoranda until repaired, and provide a funding mechanism to support landowners to make these repairs, such as through instalments on their rates bill or by enabling Council to recover the costs when the property is sold.	WWL WCC	WWL's advice is to establish a complete package of initiatives to support the identification and repair of these issues. This includes communicating the need for action in the community, establishing a clear compliance framework, identifying the issues, and making it easy for customers to effect repairs including through providing finance support and access to qualified contractors.  Recording issues on LIMs can already be done and will be considered as part of the framework, and the laterals policy is being revisited through the LTP.  There are existing provisions for the Council that can require landowners to address issues.	Unknown	Accept in principle Noting that further analysis is required  Noting that the LTP is addressing laterals policy	
<b>Network resilience</b>						
24	When evaluating future sludge treatment options, consider the resilience risks involved in piping wastewater sludge across earthquake faultlines.	WWL WCC	The resilience risks involved in piping wastewater sludge was one of the criteria considered by WWL when evaluating and prioritising treatment options as part of the wastewater sludge minimisation project. An evaluation of how the preferred option addresses this risk will be included in the business case for this project. That business case is currently under development and the draft is expected to be presented to Wellington City Council by 31 March 2021.	Estimate in LTP	Accept	
25	Request that WWL develops greater understanding of the compounding effects of seismic activity on buried water infrastructure.	WWL	Improving data collection is a WWL focus area under stimulus funding and more generally to support asset management. A comprehensive programme concentrating on critical assets will help WWL to understand the collective state of assets and consider the role of seismic activity.		Accept Noting that this will be a consequence of improved data and analysis tools	
26	Task and fund WWL to identify critical three waters	WCC	Five resilience projects are in scope of this recommendation:	Funding decisions have	Accept	

	infrastructure at risk from natural hazards and prioritise them for upgrade, having regard to the previous work undertaken for the Wellington Lifelines Group resilience project.		<ul style="list-style-type: none"> <li>The cross harbour pipeline has been deferred beyond the 2021/31 LTP (GWRC)</li> <li>General toughening of water pipes occurs during renewals (GWRC)</li> <li>Omāroro reservoir is underway</li> <li>Moe-i-te-ra reservoir is under review</li> <li>Carmichael to Johnsonville and Karori pipeline is unfunded (GWRC)</li> </ul>	already been made around these projects	For WCC assets only	
27	Continue working with other utility service providers to identify joint earthquake and climate change adaptation strategies, such as alternative 'shared corridors' for utility services to be moved away from hazard areas.	WWL	WWL works with other providers where possible for seismic risk issues Policy setting around climate adaptation do not yet exist; there is no intention or funding to move assets away from hazard areas	Funding is the domain of asset owners	Note	
<b>Low carbon transition and resource recovery</b>						
28	Task and fund WWL to measure carbon and to pursue projects that will reduce the carbon emissions generated by the three waters services.	WWL	WWL has a programme of work underway, mainly focused around wastewater sludge. Investigations around investment in energy efficiency and renewable energy are ongoing.	Minimal impact, potential future costs.	Accept	
29	Advance the sludge minimisation project to deliver more efficient treatment of biosolids, including beneficial reuse of biosolids and treated wastewater where feasible.	WCC WWL	Currently in LTP, however this will require the full investment in phases 1 and 2 to achieve the desired outcome.	LTP	Accept	
<b>Improving governance and achieving sufficient, sustainable funding</b>						
30	Commit to the concept of an independent, publicly-owned, not-for-profit, water management and asset-owning entity that is governed and operates in accordance with a statement of intent from shareholding Councils.	WCC	Officers support this recommendation	Significant impact on Council financials yet to be assessed	Accept	
31	Actively participate in the Government's national Water Reform agenda, to ensure that it delivers on the principles and goals agreed by the Taskforce	WCC	Officers support this recommendation. Officers are engaged with DIA directly, and with a CE forum for the lower North Island. Water reform is also an agenda item for the Mayoral Forum, and Councillors are invited to participate in Government workshops.		Accept	
32	Engage positively and proactively with the other Councils in the region to agree on how the region's people and the environment can best benefit from the reform programme and associated funding.	WCC	Officers support this recommendation, and participate in a regional co-ordination framework that is designed to deliver the best outcome for Wellington Region.		Accept	
33	Work with other Councils to develop a plan to transfer three waters debt and asset ownership off Councils' balance sheets at the 2024/34 LTP, to either WWL or a new entity formed through the Government reforms.	WCC	Officers consider that Government reform is likely to proceed. On that basis, officers support this recommendation with respect to a new entity. PWC has undertaken some primary analysis in this area and has presented results to Councillors. With respect to asset transfer to WWL, officers consider that further due diligence and analysis would be required.		Accept Noting that further analysis would be required in the case of WWL	
34	Ensure the entity has the ability to borrow against its assets, thereby smoothing water infrastructure investment over time.	WCC	This is a fundamental requirement of the reform programme		Accept	
35	Enable the entity to raise revenue directly through customer	WCC	This is a fundamental requirement of the reform programme		Accept	

	charges, while protecting incentives for rainwater harvesting.					
36	Communicate the benefits of switching from the current water charging model to a method based on actual water consumption to reduce demand on drinking water and incentivise property owners to repair leaks.	WCC	This recommendation is fundamentally about water meters. Officers consider that reductions in water demand are significantly higher if volumetric-based charging is also applied.	Significant costs (as per recommendation 15,16), but benefits are expected to exceed costs	Accept	
37	Evaluate any future water charging system to ensure that it is transparent to all users, fair and reasonable in terms of providing a long term ability to deliver sufficient, affordable water to low income households and ensuring that it does not limit the uptake of rainwater tanks for harvest and reuse for non drinking uses	WCC	Officers consider that it is feasible to introduce water meters with a well-designed tariff that delivers on this recommendation.	Significant costs	Accept	
38	Review the Council's development contributions policies to ensure these are requiring new developments to meet the infrastructure costs that they create, and require the new asset owning entity to ensure that upgrades to asset capacity due to population growth are paid for through development contributions and use of the Infrastructure Funding and Financing Act.	WCC	Given the high level of growth and high levels of investment, reviewing development contributions and considering how these might reflect costs in different growth areas has already commenced, with a broad principle to recover funding for all growth related development (except green building remissions).		Accept	
39	Synchronise three waters investment to enable city growth in identified areas in the new District Plan	WCC	WWL undertakes growth studies in areas identified by WCC. Areas have been identified for the LTP. In some areas growth is occurring ahead of infrastructure in some areas causing risk to levels of service. Sufficient funding will be needed for new infrastructure.	This recommendation is subject to funding decisions	Accept in principle Noting that this is contingent on future funding decisions	
<b>Community Participation</b>						
40	With iwi, key stakeholders and the wider community develop a process for the formation of catchment governance groups and catchment plans, within the framework of the Natural Resources Plan and associated resource consents.	WWL	There are some wide obligations under the Global Stormwater Consent. Any community groups need to be clearly established within consent processes.	Implementation of plans may be subject to funding	Accept in principle	
41	Engage iwi, key stakeholders, and the wider community around the Government's reform proposals to develop governance mechanisms that enable direct democratic input while achieving the economies of scale offered by a large corporate entity.	WCC	Consultation is schedule to occur later in 2021. Note that DIA is leading iwi engagement		Accept	
42	Investigate ways to connect people with their catchment using measures such as landscaping and signage to identify the location of piped streams.	WWL	Officers are of the view that this recommendation may detract from effort that needs to be placed into fixing pipes. This falls under recommendation 40.	Moderate cost	Note	
43	Establish clear lines of accountability and communication so that customers know who to contact about all water-related matters and where to find and easily access water-related information and performance data.	GWRC WWL WCC	This is a complex area and it can be difficult for citizens to find the right agency. For water quality however GWRC is the regulator and holds most of the information. Officers consider that water-related information and performance data is the responsibility of the GWRC and propose to liaise with officers there.  Officers recommend that lines of accountability be accepted as 'workable' until the		Note	



			transition to a new entity that subsumes all aspects of water management, effectively giving a one stop shop for all water issues			
44	Review the effectiveness of receiving waters quality monitoring processes, such as LAWA and Baywatch, and noting Auckland Council's 'Swim Safe' system, including a specific focus on whether the selected monitoring sites are consistent with the needs of communities and whether public health notices and signage are clear, unambiguous, and well located.	GWRC	As with 43, officers propose to raise this recommendation with GWRC.		Note	
45	With iwi and partner agencies, develop a cultural health and ecosystem health monitoring programme at selected sites around the Wellington streams and coastline.		Officers consider that this type of programme belongs in existing resource consent processes.		Note	
46	In collaboration with partner agencies, build on the Water That Counts pilot to develop and progressively expand an open-access data portal for water, including measures such as drinking water quality and consumption, water leakage, fresh and marine water quality monitoring, and other key performance measures including compliance with consent conditions.	GWRC	Officers consider that this recommendation is a subset of 43.		Note	
47	Redesign and align WCC and WWL customer satisfaction surveys to better reflect community aspirations and expectations about three waters services.	WWL WCC	Officers have developed an internal <i>intelligent client</i> function, with input from WWL, for the purposes of better assurance, oversight and monitoring.  Officers consider that this recommendation can be deferred for the new entity, which is likely to look to standardise customer feedback across a wider Region.		Note	
48	Support the benchmarking of cost and operations for three waters services against other comparable providers to better assess the performance of WWL, additional benchmarking of the condition of the assets to assess the performance of the network, and make these results publicly available where possible.	WCC	WWL is already undertaking some benchmarking. Officers do not consider further benchmarking a priority given the Government reforms and the physical work that must commence as soon as possible.		Note	



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## **NOTICE OF MOTION: MĀORI WARDS**

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### **Purpose**

1. This report fulfils the requirement under standing order 23.2 to include on the agenda of the meeting of the Strategy and Policy Committee on 11 March 2021 a notice of motion received by the Chief Executive from Councillor Jill Day.

### **Summary**

2. Councillor Jill Day has given a notice of a motion she wishes to propose.
3. The notice has been received in accordance with the requirements of standing order 23.1 and is appended to this report as attachment 1.

### **Motion**

That the Strategy and Policy Committee:

1. Resolve to establish a Māori ward at the next triennial election of the Wellington City Council.

### **Recommended Amended Motion**

That the Strategy and Policy Committee:

1. Agree in principle to establish a Māori ward at the next triennial election of the Wellington City Council subject to consideration of feedback from targeted engagement with mana whenua and Māori.
2. Direct officers to report back to the Strategy and Policy Committee on the results of the engagement by 13 May 2021.
3. Note that any decision to establish a Māori ward requires Council to subsequently conduct a representation review.

### **Background**

4. The notice of motion has been received in accordance with the Council's Standing Orders.
5. The notice of motion also noted that this motion was addition to the Council resolution to consider mana whenua representation on Council committees. A report on this will be considered at the Strategy and Policy Committee meeting of 25 March 2021.
6. Standing order 23.1 requires the notice of motion to be submitted to the Chief Executive not less than four weeks prior to the specified meeting it is to be considered at. This notice of motion was submitted to the Chief Executive on 2 February 2021.

7. Standing order 23.1 requires the notice of motion to be signed by at least one third of elected members. This notice of motion was signed by nine of the fifteen elected members.
8. Once the notice of motion has been accepted onto the agenda of the meeting, the procedure for resolving notices of motion is set through standing orders 23.4 – 23.7.
9. Under standing order 23.1, the Chief Executive shall arrange for a report on the item as appropriate. This report is set out below.

## **Officer's Report**

### **Background**

#### *Legislation change*

10. On 1 March 2021 amendments to the Local Electoral Act 2001 (the Act) changing the process for Councils establishing Māori wards received royal assent.
11. Specifically, the Act was amended to remove electors ability to demand a binding poll on establishing Māori wards, to remove the ability for Council to resolve to conduct a binding poll, and to provide for a 'transition period' ending on 21 May 2021 for Councils to consider or reconsider establishing Māori wards for the 2022 local elections.
12. The Government indicated further legislative changes would be introduced at a later date to change the way Māori wards work more broadly, and that this initial amendment was primarily to allow Councils to make decisions ahead of the 2022 local elections. At this stage, there are no details of what the further legislative changes might entail.
13. Under the amended Act, Council may resolve to establish Māori wards for the 2022 local elections at any time before 21 May 2021.
14. Any resolution to establish Māori wards applies for at least the next two general triennial elections. After that, Council would continue to have Māori wards unless the Council resolved to disestablish them.
15. If the Council does resolve to establish Māori wards, then it must subsequently conduct a representation review. The representation review process is explained later in this report.

#### *How Māori wards work*

16. Wards broadly are a way of dividing the city for elections to enable communities of interest to elect representatives. Wellington City is currently divided into 5 wards, Takapū/Northern Ward, Wharangi/Onslow Western Ward, Pukehīnau/Lambton Ward, Motukairangi/Eastern Ward, and Paekawakawa/Southern Ward.
17. A Māori ward is one way Council may choose to define a community of interest. Instead of grouping electors by geographic location like other wards, all electors who are on the Māori electoral roll vote in Māori wards.

18. If Wellington had a Māori ward, people on the Māori electoral roll would be able to vote for any candidates standing in the Māori ward, any candidates standing at large (Wellington currently does not elect any candidates at large), and the Mayor. They would also be able to vote for any appropriate community boards and other positions (such as the Hutt Mana Charitable Trust) based on their geographic location.
19. This is the same as electors in any of the other wards. The electors on the Māori roll simply vote for candidates standing in the Māori ward instead of the appropriate general ward. All other votes remain the same.
20. The number of Councillors elected by a Māori ward or wards is set by a formula in the Act. A ratio is found between the 'Māori electoral population' and the total population of the district, this is then multiplied by the number of Councillors (excluding the Mayor). The resulting number (rounded) is the number of Councillors that can be elected in Māori wards.

The Māori electoral population is determined by adding together those on the Māori electoral roll and a portion of non-enrolled Māori including children.

The general electoral population is the total population minus the Māori electoral population.

The full calculation is:

Māori electoral population / (Māori electoral population + general electoral population)  
x Councillors excluding Mayor = Number of Māori ward members

21. Any official calculation will be determined from population estimates provided by the Local Government Commission. The most recent estimates show that Wellington City has a Māori electoral population of 9,400 and a general electoral population of 206,800. If the number of Councillors remained the same as it is currently then this would allow for one Councillor elected from a Māori ward.

Māori electoral population / (Māori electoral population + general electoral population)  
x Councillors excluding Mayor = Number of Māori ward members

$$9,400 / (9,400 + 206,800) = 0.0435$$

$$0.0435 \times 14 \text{ Councillors} = 0.609 \text{ (rounds to 1)}$$

22. With the current statistics, Wellington cannot have more than one member elected from a Māori ward as even with the maximum allowed number of Councillors allowed under the Local Government Act 2002 (29) the calculation still results on one member elected from a Māori ward. This could change in the future if the Māori electoral population increases through demographic shifts or more Māori choosing to be on the Māori roll.

## **Engagement**

23. Officers recommend undertaking targeted engagement with Māori and mana whenua in Wellington to ensure their views and preferences are considered before determining to establish a Māori ward.

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24. The Local Electoral Act 2001 does not provide any specific engagement requirements for establishing Māori wards. Therefore the general decision-making requirements under the Local Government Act 2002 (LGA) and the Council's Significance and Engagement Policy are relevant to determining what level of engagement is required.
25. The LGA requires Council to analyse different options for achieving an objective, and its costs and benefits. The Council must be satisfied that consideration has been given to the views and preferences of persons likely to be affected or have an interest in the matter. This does not of itself require any consultation process or procedure to be undertaken.
26. Compliance with these requirements is a matter of discretion for the Council. The primary factor informing what sufficient compliance looks like is the significance of the matter, and the Council's Significance and Engagement policy. Also relevant are the s14 local government principles, Council resourcing, the nature of the decision and the circumstances, and any applicable legislative framework with decision-making requirements.
27. The Council must also ensure that significant alterations in policy are explained, Māori are provided with opportunities to contribute to the decision-making process, and any consultation is undertaken in accordance with the consultation principles.
28. Undertaking targeted engagement with Māori and mana whenua in Wellington would be the most appropriate way to engage with those affected by the proposal to establish Māori wards.
29. This would also ensure that Council meets its obligations under the LGA to provide opportunities for Māori to contribute to decision-making.
30. A suggested time frame for engagement is:
- |                                  |   |
|----------------------------------|---|
| 11 March 2021                    | Strategy and Policy Committee to consider notice of motion.   |
| 22 March 2021 –<br>19 April 2021 | Targeted engagement period  |
| 13 May 2021                      | Strategy and Policy Committee to consider results of engagement and make recommendation to Council. |
| 19 May 2021                      | Additional Council meeting to consider the recommendation from the Strategy and Policy Committee.   |
| 21 May 2021                      | Deadline to resolve to establish Māori wards (additional meeting).                                  |
31. Councillor Day's notice of motion is specifically a motion to establish Māori wards. To allow for an engagement period it must be altered.
32. Officers recommendation for an altered motion is as follows:
1. Agree in principle to establish a Māori ward at the next triennial election of the Wellington City Council subject to consideration of feedback from targeted engagement with mana whenua and Māori.
  2. Direct officers to report back to the Strategy and Policy Committee on the results of the engagement by 13 May 2021.

3. Note that any decision to establish a Māori ward requires Council to subsequently conduct a representation review.
33. Under standing order 23.5, a notice of motion may be altered only by the mover with the agreement of a majority of those present at the meeting. Once moved and seconded, no amendments may be made to a notice of motion. To alter the motion to allow for engagement, the above criteria must be met.

### **Representation Review**

34. If Council does resolve to establish Māori wards, then it must subsequently conduct a representation review. Legislative timeframes for this representation review are set by the Local Electoral Act:

31 August 2021	Deadline for Council to resolve an initial proposal.
8 September 2021	Deadline for public notification of initial proposal.
8 September 2021 – 8 October 2021	Submissions open (minimum period).
8 October 2021 – 19 November 2021	Consider submissions and amend proposal if required (within six weeks of the close of submissions).
19 November 2021	Deadline for public notification of proposal.
20 December 2021	Deadline for appeals and objections to the proposal.
15 January 2022	Deadline for appeals and objections to be forwarded to the Local Government Commission.
11 April 2022	Deadline for Local Government Commission to make determination if any appeals or objections are received.
35. In a representation review the Council would be required to determine:
  - The total number of Councillors.
  - Whether all Councillors will be elected from wards, or from a mixture of wards and at large.
  - The names and boundaries of any wards.
  - The number of Councillors elected in each ward, and the number elected at large (if any).
36. Notably, the representation review is not an opportunity to revisit the question of Māori wards. Any proposal and consultation would be on the basis that Māori wards have been established.
37. If Māori wards have been established, then within the representation review Council cannot propose to elect all Councillors at large. It can propose to have some Councillors elected at large but there must be at least one Māori ward and one general ward.
38. Council last considered undertaking a representation review at the Council meeting of 28 August 2020 and did not resolve to conduct a representation review at that time.

Council did resolve to conduct a representation review ahead of the 2025 local elections.

## Options

### 39. Option 1 (recommended)

Alter the notice of motion to the following to allow for targeted engagement with Māori on whether Council should establish Māori wards:

1. Agree in principle to establish a Māori ward at the next triennial election of the Wellington City Council subject to consideration of feedback from targeted engagement with mana whenua and Māori.
2. Direct officers to report back to the Strategy and Policy Committee on the results of the engagement by 13 May 2021.
3. Note that any decision to establish a Māori ward requires Council to subsequently conduct a representation review.

### 40. Option 2

Resolve to establish Māori wards, noting that this decision would have to be recommended to Council for final approval and that there is an implied decision not to engage.

### 41. Option 3

Delay the consideration of establishing Māori wards until the second tranche of legislation has been passed, noting that any decision made later would not have any effect until the 2025 local elections.

## Next Actions

42. If the committee agrees with the recommended option then engagement will begin with Māori on the question of whether Wellington City Council should establish a Māori ward. See the following indicative timeline:

11 March 2021	Strategy and Policy Committee to consider notice of motion.
22 March 2021 – 19 April 2021	Targeted engagement period
13 May 2021	Strategy and Policy Committee to consider results of engagement and make recommendation to Council.
19 May 2021	Additional Council meeting to consider the recommendation from the Strategy and Policy Committee.
21 May 2021	Deadline to resolve to establish Māori wards (additional meeting).

## Attachments

Attachment 1. Councillor Day's notice of motion [↓](#)

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Author	Sean Johnson, Democracy Advisor
Authoriser	Stephen McArthur, Chief Strategy & Governance Officer Karepa Wall, Head of Maori Strategic Relations

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## **SUPPORTING INFORMATION**

### **Engagement and Consultation**

It is a matter for Council as to whether it is satisfied it is aware of the view and preferences of Māori.

Undertaking targeted engagement with Māori and mana whenua in Wellington is the most appropriate way to engage on whether Wellington should have Māori wards and ensure these views have been considered prior to making a decision that impacts directly upon the scope of their democratic rights in the Wellington City local election.

This would also ensure that Council it meets its obligations under the LGA to provide opportunities for Māori to contribute to decision-making.

### **Treaty of Waitangi considerations**

The establishment of Māori wards will directly impact on the democratic rights of Māori in Wellington City. Officers recommend engagement with Māori and mana whenua before making any decision to establish Māori wards. Council has an obligation to engage with mana whenua on issues that are significant to them.

### **Financial implications**

Resolving to establish a Māori ward requires the Council to subsequently conduct a representation review. Conducting a representation review will require approximately \$30,000 of unbudgeted expenditure.

### **Policy and legislative implications**

This decision follows recent changes to the Local Electoral Act 2001. Council has until 21 May 2021 to resolve to establish Māori wards, if it chooses to do so. Any resolution to establish Māori wards must be followed by a representation review, as explained in the paper.

### **Risks / legal**

Resolutions to establish Māori wards have historically been controversial. There is a risk that any decision to establish a Māori ward could provoke vocal opposition.

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

N/A

### **Communications Plan**

N/A

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

N/A

**NOTICE OF MOTION**

In accordance with Standing Order 23.1 and 23.2, it is proposed to move the following motion at the meeting of the Strategy and Policy Committee on the 2<sup>nd</sup> March 2021.

Notice of Motion

That the Council:

1. Resolves to establish a Māori Ward at the next triennial election of the Wellington City Council.

NB: For the avoidance of doubt, this is in addition to the representation of mana whenua at Council committees.

Mover:

Name: Councillor Jill Day  
Date: 2 February 2021



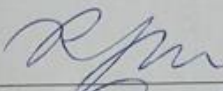
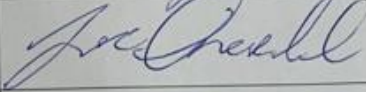
Seconder:

Name: Councillor Fleur Fitzsimons  
Date: 2 February 2021

**Attachments**

Nil

**Signatures of Elected Members of Council:**

Mayor Foster	
Cr Calvert	
Cr Condie	JD Condie
Cr Day	J Day
Cr Fitzsimons	Ben Fitzsimons
Cr Foon	
Cr Free	
Cr Matthews	
Cr O'Neill	
Cr Pannett	D Pannett
Cr Paul	J Paul
Cr Rush	
Cr Sparrow	
Cr Woolf	
Cr Young	

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### 3. Public Excluded

#### Recommendation

That the Strategy and Policy Committee:

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 Update on the parking activity	<p>7(2)(b)(ii) The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>7(2)(i) The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>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.</p>

2. Agree to the public release of the information by 30 April 2021.
-