

ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

AGENDA

Time: 9:30 am
Date: Wednesday, 1 November 2017
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

MEMBERSHIP

Mayor Lester
Councillor Calvert
Councillor Calvi-Freeman
Councillor Dawson
Councillor Day
Councillor Foster
Councillor Free
Councillor Gilbert
Councillor Lee
Councillor Marsh
Councillor Pannett
Councillor Sparrow
Councillor Woolf
Councillor Young

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 803-8334, emailing public.participation@wcc.govt.nz or writing to Democratic Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number and the issue you would like to talk about.

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1 Meeting Conduct

1.1 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.

1.2 Announcements by the Mayor

1.3 APW Awards

1.4 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.

1.5 Confirmation of Minutes

The minutes of the meeting held on 30 September 2017 will be put to the Council for confirmation.

1.6 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

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.

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

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.

1.7 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 3.23.3 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

BY-ELECTION 2017 SOUTHERN WARD: ORDER OF CANDIDATES NAMES

Purpose

1. To seek a decision on the order in which the candidate's names appear on the voting documents

Summary

2. The Southern Ward By-election 2017 will be held on Friday 22 December 2017.
3. In 2016, the Council agreed that the names would be listed in random order on the voting document for the 2016 triennial election.
4. The Single Transferrable Vote (STV) voting system will be used for the Southern Ward By-Election 2017.
5. Warwick Lampp from Electionz.com is the Council's Electoral Officer. Penny Langley is the Deputy Electoral Officer.

Recommendation/s

That the Council:

1. Receive the information.
2. Agree that the names of the candidates standing in the Southern Ward By-Election 2017 be listed in random order on the voting documents.

Background

6. The election will be held on Friday 22 December 2017. The Local Electoral Act 2001 (the Act) and the Local Electoral Regulations 2001 (the Regulations) set out the rules the Electoral Officer is required to comply with when running a local authority election.
7. The By-election will be conducted by postal voting together with arrangements for people who need to cast a special vote. Voting papers will be sent out starting from 30 November 2017.

Options for Order of Candidates Names

8. Clause 31(1) of the Local Electoral Regulations allows the Council to decide whether the candidates' names are to be listed in alphabetical order of surname, pseudo-random order or random order on the voting documents. In the absence of any Council resolution the candidates' names must be arranged in alphabetical order. The features of each option are described as follows:

Option 1 Alphabetical order of surname

9. This is the order in which all candidates were listed in all local authority elections prior to 2004 and is self-explanatory.

Option 2 Pseudo-random order

10. Under this arrangement, the candidates' names for each election are drawn out with the candidates' names being listed on all voting documents for that election in the order in which they are drawn. If a local authority decides that this order is to be used the electoral officer must state in the public notice required to be given, the date, time and place at which the order of candidates' names will be drawn. Any person is entitled to attend and witness the draw take place.

Option 3 Random order

11. This is the preferred option and has been used by Wellington City Council since 2007. Under this option, the names of the candidates for each election are shown in a different order on each voting document.
12. The cost of printing the voting documents under any of the options will be the same.

Comments on the Options

Alphabetical Order

13. This has been said to be the simplest method for the elector. It is used for parliamentary elections. However, it has been assumed that candidates with a surname starting at the top end of the alphabet have an unfair advantage over others with a "lower" alphabetic ranking.

Pseudo-random order

14. The candidate names appear in mixed order (not alphabetical) on the voting document. This could cause possible confusion as specific candidate names are not easily found especially if there are a large number of candidates standing for election. The order of candidates on the voting document do not match the order of candidates listed in the candidate profile book.

Random order

15. This option presents the similar concerns for the elector as described under the pseudo-random method.
16. However, it is generally agreed that it is the fairest to candidates. It ensures that each candidate has an equal chance to be listed at the top or near the top of the voting document.
17. The Council has used the random order since 2007. The fact that the candidates were not listed in alphabetic order did not appear to cause any voter confusion and no complaints were received against its use.
18. It is therefore recommended that the names of the candidates standing for the By-Election 2017 for the Southern Ward be listed in random order on the voting document.

Attachments

Nil

Author	Penny Langley, Manager Democracy Services
Authoriser	Kane Patena, Director Governance and Assurance

SUPPORTING INFORMATION

Engagement and Consultation

No general consultation has been undertaken or required for this report.

Treaty of Waitangi considerations

There are no Treaty of Waitangi implications.

Financial implications

Provision for running the By-election is provided for in the 2017/18 Annual Plan.

Policy and legislative implications

This decision fulfils the requirements as noted in clause 31(1) of the Local Electoral Regulations 2001.

Risks / legal

The By-election will meet the requirements of the Local Electoral Act 2001 and the Local Electoral Regulations.

Climate Change impact and considerations

Not Applicable

Communications Plan

Not applicable.

Health and Safety Impact considered

There are no health and safety implications for this report.

Communications Plan

The Council's decision regarding order of names will be communicated to the public as part of the Communications Plan for the By-election.

ELECTED MEMBER APPOINTMENTS TO COUNCIL CONTROLLED ORGANISATIONS, COUNCIL ORGANISATIONS, EXTERNAL COMMITTEES AND OTHER ORGANISATIONS

Purpose

1. To make elected member appointments to Council Controlled Organisations (CCOs), Council Organisations (COs) and a number of external or joint committees and organisations.

Summary

2. A number of vacancies have resulted from the resignation of Councillor, Paul Eagle, which came into effect Wednesday 26 September 2017 following New Zealand's General Election, where he was successfully elected into Parliament.
3. Some of these vacancies can be appointed by the Mayor pursuant to Section 41A of the Local Government Act 2002. Other vacancies, however, require a Council resolution.
4. Attached to this report is a Memo from Mayor Justin Lester which outlines those appointments which have already been made, without the need for a resolution of Council.
5. This report outlines those positions which require a resolution of Council.

Recommendation/s

That the Council:

1. Receive the information.
2. Note the appointments made by the Mayor, pursuant to Section 41A of the Local Government Act 2002. These are contained in the Memo attached to this report.
3. Appoint Councillor Simon Marsh to be the Councillor representative on the Board of the Basin Reserve Trust. This is a Council Controlled Organisation.
4. Appoint Councillor Peter Gilberd to be the Councillor representative on the Board of Te Wharewaka o Pōneke. This is a Council Organisation.
5. Appoint Deputy Mayor Jill Day (in addition to Councillor Brian Dawson) to be a Councillor representative to the Pacific Advisory Group.
6. Appoint Deputy Mayor Jill Day as a Councillor representative on the Wellington Regional Strategy Committee and the Wellington Regional Amenities Fund Joint Committee (as an alternate). These are joint external committees.
7. Agree that the councillors appointed to these organisations and advisory groups will report back to an appropriate forum on an annual basis.
8. Agree that the term of the appointments to each of the above positions will commence immediately. Unless otherwise specified the appointments will terminate at the earlier of the time the positions are refilled following the 2019/2022 triennial election or 31 December 2019.

Background

6. 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.
7. Exceptions and/or special cases are the Basin Reserve Trust – which, on establishment, created the opportunity for the Council to approve up to two Councillor appointments. The Council currently appoints one Councillor and one independent trustee to the Trust.
8. In accordance with the Appointments Policy, Councillors can be appointed to more than one CCO or CO.

Remuneration

9. At the Council meeting of 29 November 2012, it was agreed that Council's Policy on the Appointment and Remuneration of Directors and Trustees would be amended to specify that elected members appointed to CCOs by Council not be remunerated in addition to their Council remuneration.

Next Actions

10. Terms of Reference and Delegations will be updated appropriately.

Attachments

- Attachment 1. Elected member appointments following the resignation of Paul Eagle Page 14

Author	Angela Sopp, Senior Democracy Advisor
Authoriser	Kane Patena, Director Governance and Assurance Penelope Langley, Manager Democracy Services

SUPPORTING INFORMATION

Engagement and Consultation

No engagement or consultation was undertaken in accordance with the significance and engagement policy for Wellington City Council (2014) – due to the low impact and significance of these appointments. Mayoral powers to make appointments under the Local Government Act 2002 allow for the Mayor to make appointments without consultation.

Treaty of Waitangi considerations

None

Financial implications

None

Policy and legislative implications

These have been considered, there are none that are applicable in this case.

Risks / legal

None identified at this time

Climate Change impact and considerations

None

Communications Plan

None.

Health and Safety Impact considered

Balanced workloads for Councillors were considered as part of the process of making these appointments.

Memorandum

Date: Friday 20 October 2017 File ref:

To: **The Council**

From: **The Mayor**

Subject: **Elected member appointments following the resignation of Paul Eagle**

Purpose

This memorandum provides updated information about changes to Committee membership and portfolio leaders as a result of new appointments made following the resignation of former Deputy Mayor Paul Eagle (which came into effect on Wednesday 26 September 2017).

The Memorandum also provides information about the positions still vacant. It is my intention to appoint these once we have a result for the by-election for the Southern Ward.

Committees of Council

Committee	Chairperson	Membership
Long-term and Annual Plan Committee	Deputy Mayor Jill Day	Mayor and all Councillors
CEO Performance Review Committee	Deputy Mayor Jill Day	Mayor Justin Lester Cr Andy Foster Cr Iona Pannett Cr Diane Calvert Vacant

Subcommittees reporting to City Strategy Committee

Subcommittee	Chairperson	Membership
Council Controlled Organisations Subcommittee	Cr Simon Woolf	Mayor Justin Lester Vacant Cr Simon Marsh Cr David Lee

Portfolio Leaders

Leaders	Previous appointments	Current appointments
Mayor Justin Lester	Arts and Culture, Major City Projects, Governance	Arts and Culture, Major City Projects
Deputy Mayor Jill Day	Maori partnerships, Children and Young People	Maori partnerships, Children and Young People, Governance, Recreation
Former Deputy Mayor Paul Eagle	Housing, Recreation, Events	N/A
Cr Iona Pannett	Infrastructure and Sustainability	Infrastructure and Sustainability
Cr Andy Foster	Urban development, Finance, Predator Free Wellington, Karori Framework	Urban development, Finance, Predator Free Wellington, Karori Framework
Cr Simon Marsh	Economic Development, Small Business (joint)	Economic Development, Small Business (joint), Events
Cr Simon Woolf	Wellington Ambassador Tourism, Small Business (joint), Sport	Wellington Ambassador Tourism, Small Business (joint), Sport
Cr Malcolm Sparrow	Community Resilience	Community Resilience
Cr Nicola Young	Central City Projects, Education Partnerships	Central City Projects, Education Partnerships, Arts and Culture (associate)
Cr David Lee	Technology, Innovation, Enterprise (TIE), Climate Change	Technology, Innovation, Enterprise (TIE), Climate Change
Cr Peter Gilberd	Natural Environment, City Scientist	Natural Environment, City Scientist, Community Facilities
Cr Brian Dawson	Social Development, Living Wage	Housing, Social Development, Living Wage
Cr Diane Calvert	Community Planning and Engagement	Community Planning and Engagement
Cr Chris Calvi-Freeman	Transport strategy and operations	Transport strategy and operations
Cr Sarah Free	Public Transport, Cycling and Walking	Public Transport, Cycling and Walking

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Justin Lester
Mayor of Wellington

3. Committee Reports

REPORT OF THE CITY STRATEGY COMMITTEE MEETING OF 22 JUNE 2017

Members: Mayor Lester, Councillor Calvert, Councillor Calvi-Freeman, Councillor Dawson, Councillor Day, Councillor Foster, Councillor Free, Councillor Gilbert, Councillor Lee, Councillor Marsh, Councillor Pannett (Chair), Councillor Sparrow, Councillor Woolf, Councillor Young.

The Committee recommends:

DEVELOPMENT PROPOSAL FOR SITE 9 - NORTH KUMUTOTO

Recommendation/s

That the Council:

1. Note that a full report will include:
 - a. results, analysis and report on the public consultation process;
 - b. details of the developed concept design for the Site 9 building development proposal;
 - c. details of the legal and commercial terms of the Development and Lease Agreement; and
 - d. recommendations to Council on the development proposal, taking into account community views.

Attachments

Nil

REPORT OF THE CITY STRATEGY COMMITTEE MEETING OF 1 NOVEMBER 2017

Members: Mayor Lester, Councillor Calvert, Councillor Calvi-Freeman, Councillor Dawson, Councillor Day, Councillor Foster, Councillor Free, Councillor Gilberd, Councillor Lee, Councillor Marsh, Councillor Pannett (Chair), Councillor Sparrow, Councillor Woolf, Councillor Young.

Development Proposal for Site 9 Kumutoto Wellington Waterfront

The recommendations will be made available after 1 November 2017 City Strategy Committee meeting.

Attachments

Nil

4. Public Excluded

Resolution to Exclude the Public:

THAT the Council :

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

General subject of the matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
4.1 Local Government Funding Agency AGM matters	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.
4.2 Report of the City Strategy Committee Meeting of 1 November 2017	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).	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.
