
ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

MINUTES

Time: 9:30am
Date: Wednesday, 28 April 2021
Venue: Ngake (16.09)
Level 16, Tahiwī
113 The Terrace
Wellington

PRESENT

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

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1 Meeting Conduct

1.1 Karakia

The Chairperson opened the meeting at 9:31am with the following karakia.

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

1.2 Apologies

No apologies were received.

1.3 Announcements by the Mayor

The Mayor made the following announcement:

"I want to congratulate our arts and cultural sector for its flexibility, durability and mutual support. The last 14 months have been very hard on many people, but particularly for those parts of our community which rely on gathering together, like arts and culture. In the last few days we've had the pleasure of attending a number of events including community based Kauri Theatre Company's hilarious production of Shortland Street at the Gryphon Theatre and the Wellington Opera Company's season of Don Giovanni at the Wellington Opera House. I particularly want to highlight Wellington Opera because it is a brand new organisation, established through a lot of hard work – despite all the restrictions of the last year. The intent had been to perform Don Giovanni last August. I particularly want to pay tribute to Artistic Director Matthew Ross, and to Trust Chair Kerry Prendergast. While there are multiple funders of Wellington Opera, it is one of the many arts, culture and events activities that would not happen without Council's support. That is what we do. It's good for arts and culture, and good for activity in the heart of our city. To the best of our knowledge Wellington Opera is the only new opera company in the world since the arrival of COVID-19.

I am a strong believer in the local government family, and today I want to recognise that our family has just lost a special and significant member. Dave Cull sadly passed away this week. He was elected to Dunedin City Council in 2007, and served as Mayor of Dunedin from 2010 to 2019 – a period that included dealing with the financial impacts of the Forsyth Barr stadium and the Global Financial Crisis.

Dave became the head of our local government family. He was elected President of Local Government New Zealand in 2017, and stood down just a few months ago in August 2020. In

that role he championed among other things a coherent response to climate change. Before becoming Mayor, Dave was a TV presenter, mostly on home improvement, and an author of several books and contributor to many magazines. Those books included 'Icebergs The Antarctic Comes to Town' and 'Big Weather South Dunedin.'

I always enjoyed working with Dave. He was pragmatic, thoughtful, visionary, just a thoroughly decent bloke. We build on the shoulders of those who have gone before. There will be much that we build on Dave's shoulders.

I want to express my condolences to Dave's wife Joan, and his family and friends. I would appreciate it if you would stand with me for a few moments silence to recognise Dave Cull and his service to local government in New Zealand."

1. 4 Conflict of Interest Declarations

No conflicts of interest were declared. Mayor Foster advised of his previous conflict of interest during the Gambling Venues Policy hearings, and his intention to vacate the chair at the beginning of item 3.3 Report of the Strategy and Policy Committee Meeting of 15 April 2021: Gambling Venues Policy 2021.

1. 5 Confirmation of Minutes

Moved Mayor Foster, seconded Deputy Mayor Free, the following motion

Resolved

That the Council:

1. Approves the minutes of the Ordinary Council Meeting held on 31 March 2021, having been circulated, that they be taken as read and confirmed as an accurate record of that meeting.

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

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

Against:

None

Majority Vote: 15:0

Carried

1.6 Items not on the Agenda

There were no items not on the agenda.

1.7 Public Participation

1.7.1 BGI and Te Ahi o Ngā Rangatahi

Representing BGI and Te Ahi o Ngā Rangatahi, Eddy Davis-Rae, Ross Davis and Ailsa Krefft spoke to item 3.2 Report of the Strategy and Policy Committee Meeting of 8 April 2021: Mana Whenua Representation on Council Committees.

1.7.2 Emily Beausoleil

Emily Beausoleil spoke to item 3.2 Report of the Strategy and Policy Committee Meeting of 8 April 2021: Mana Whenua Representation on Council Committees.

1.7.3 Dr Lorena Gibson

Dr Lorena Gibson spoke to item 3.2 Report of the Strategy and Policy Committee Meeting of 8 April 2021: Mana Whenua Representation on Council Committees.

1.7.4 Wellington City Youth Council

Representing Wellington City Youth Council, Ella Flavell and Brad Olsen spoke to item 2.1 Advisory Group Terms of Reference.

Secretarial note: In accordance with standing order 19.1, the chairperson accorded precedence to some items of business and announced that the agenda would be considered in the following order:

- Item 3.4 Report of the Strategy and Policy Committee Meeting of 22 April 2021:
Independent Wellington City Council Governance Review
- Item 3.2 Report of the Strategy and Policy Committee Meeting of 8 April 2021:
Mana Whenua Representation on Council Committees
- Item 2.1 Advisory Group Terms of Reference
- Item 3.1 Report of the Regulatory Processes Committee Meeting of 14 April 2021:
Proposed Road Stopping – Land Adjoining 12 Endeavour Street, Lyall Bay
- Item 3.3 Report of the Strategy and Policy Committee Meeting of 15 April 2021:
Gambling Venues Policy 2021

3. Committee Reports

3.4 Report of the Strategy and Policy Committee Meeting of 22 April 2021

Independent Wellington City Council Governance Review

Moved Mayor Foster, seconded Deputy Mayor Free, the following motion

Resolved

That the Council:

1. Adopt the final report on the Wellington City Council Governance Review.

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

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

Against:

None

Majority Vote: 15:0

Carried

The meeting adjourned for morning tea at 10:28am and reconvened at 10:50am with following members present: Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Young.

3.2 Report of the Strategy and Policy Committee Meeting of 8 April 2021

Mana Whenua Representation on Council Committees

Secretarial note: Helmut Modlik, Huia Puketapu, John Coffey, Taku Parai, Naomi Solomon, Koro Karaka and other kaumātua spoke prior to debate on the item.

Moved Councillor Day, seconded Councillor Paul, the following motion

Resolved

That the Council:

1. Agree to adopt the preferred option of appointing one representative from each of Taranaki Whānui ki Te Upoko o Te Ika and Ngāti Toa Rangatira to sit on all Council committees and subcommittees (except the CEO Performance Review Committee, noting that this also excludes Community Boards, the Appointment Group, and the District Licencing Committee) with full voting rights from 1 July 2021.
2. Agree to reimburse each of Taranaki Whānui ki Te Upoko o Te Ika and Ngāti Toa Rangatira for the contribution of their representatives as set out in recommendation 1 ~~2~~ above, by paying each iwi an annual fee, equivalent to the remuneration of a full time elected member, which is currently \$111,225.
3. Note that while one person will be appointed to each committee and subcommittee from each of Taranaki Whānui ki Te Upoko o Te Ika and Ngāti Toa Rangatira, the relevant person nominated by iwi may be different for different committees / subcommittees.
4. Adopt the proposed changes to the Terms of Reference and Delegations for the 2019-22 Triennium (as adopted by Wellington City Council on 20 November 2019, latest update 20 January 2021) as is set out in Attachment 2.
5. Note that a number of actions will be undertaken by the Chief Executive in order to implement the above resolutions (which includes an agreement to be signed between Council and iwi and preparation of a declaration to be signed by the representatives).
6. Note that the representatives nominated by mana whenua for each committee and subcommittee will be brought to Council for endorsement and formal appointment to the relevant committee.
7. Agree that these resolutions relating to mana whenua representation on committees will endure until otherwise resolved by Council. This does not limit Council's ability to make changes to its overall committee structure (either at the next triennium or otherwise), including any external appointments.

Carried

Secretarial note: The motion moved by Councillor Day and seconded by Councillor Paul was decided part by part, the divisions for which are as follows:

Clause 1:

For:

Mayor Foster, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush

Against:

Councillor Calvert, Councillor Sparrow, Councillor Young

Absent:

Councillor Woolf

Majority Vote: 11:3

Carried

Clauses 2-7:

For:

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

Against:

None

Absent:

Councillor Woolf

Majority Vote: 14:0

Carried

Attachments

1 Letter from Ngā Aho - Councillor Day tabled document

The meeting adjourned at 12:03 and reconvened at 12:16pm with with following members present: Mayor Foster, Councillor Calvert, Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free, Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul, Councillor Rush, Councillor Sparrow, Councillor Young.

2. General Business

2.1 Advisory Groups Terms of Reference

Moved Councillor Matthews, seconded Councillor O'Neill, the following motion

Resolved

That the Council:

1. Receive the information.
2. Adopt the revised Advisory Group Terms of Reference, subject to the funding for the Rainbow Community Advisory Group being agreed as part of the Long-term Plan at the 30 June 2021 Council meeting.
3. Agree to ~~review~~ **evaluate** the Advisory Groups Terms of Reference before May 2022.
4. Note that careful and considerate attention will be given to ensure that the Rainbow Communities Advisory Group contains a diverse range of representatives from the rainbow community.
5. **Appoint Councillor O'Neill as Liaison Councillor, and Councillor Fitzsimons as Alternate Liaison Councillor, to the Rainbow Communities Advisory Group.**
6. **Agree that the section relating to media contact in Appendix B be redrafted to reflect more positive and enabling tone, and that the Environmental Reference Group membership section be redrafted to refer to diversity of gender, with approval of the final wording delegated to the Chief Executive.**

Carried

Secretarial note: Councillor Matthews moved the original motion with amendments (supported by officers) as marked in red.

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

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

Against:

None

Absent:

Councillor Woolf

Majority Vote: 14:0

Carried

3. Committee Reports (continued)

3.1 Report of the Regulatory Processes Committee Meeting of 14 April 2021

Proposed Road Stopping – Land Adjoining 12 Endeavour Street, Lyall Bay

Moved Councillor Sparrow, seconded Deputy Mayor Free, the following motion

Resolved

That the Council:

1. Declare that approximately 70m² (subject to survey) of unformed legal road land in Endeavour Street adjoining 12 Endeavour Street (being Lot 1 DP 7067 held on ROT WN320/156, the Land) is not required for a public work and is surplus to Council's operational requirements.
2. Agree to dispose of the Land.
3. Delegate to the Chief Executive Officer the power to conclude all matters in relation to the road stopping and disposal of the Land, including all legislative matters, issuing relevant public notices, declaring the road stopped, negotiating the terms of the sale or exchange, imposing any reasonable covenants, and anything else necessary.

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

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

Against:

None

Absent:

Councillor Woolf

Majority Vote: 14:0

Carried

Mayor Foster left the meeting at 12:35pm.

Secretarial note: The chair being vacant, the Deputy Mayor assumed the chair.

3.3 Report of the Strategy and Policy Committee Meeting of 15 April 2021 Gambling Venues Policy 2021

Moved Councillor Paul, seconded Councillor Fitzsimons, the following motion

Resolved

That the Council:

1. Adopt the Gambling Venues Policy as agreed by this committee.

Carried

A division was required under Standing Order 27.6(d), voting on which was as follows:

For:

Councillor Condie, Councillor Day, Councillor Fitzsimons, Councillor Foon, Deputy Mayor Free (Deputy Chair), Councillor Matthews, Councillor O'Neill, Councillor Pannett, Councillor Paul,

Against:

Councillor Calvert, Councillor Rush, Councillor Sparrow, Councillor Young

Absent:

Mayor Foster, Councillor Woolf

Majority Vote: 9:4

Carried

The meeting concluded at 12:41pm with the reading of the following karakia:

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

Authenticated: _____

Chair

ORDINARY MEETING
OF
WELLINGTON CITY COUNCIL
MINUTE ITEM ATTACHMENTS

Time: 9:30am
Date: Wednesday, 28 April 2021
Venue: Ngake (16.09)
Level 16, Tahiwī
113 The Terrace
Wellington

Business

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3.2 Report of the Strategy and Policy Committee Meeting of 8 April 2021

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Tēnā koe Mayor Foster,

We are writing in support of ensuring mana whenua included as paid members on Council committees. We are a national network of Māori designers, architects, planners etc. who engage with local government entities across the country, mostly in the urban design and planning space. Our experience across the country suggest that mana whenua sidelined in democratic processes which favour an approach that privileges and gives voice to the majority. We suggest this is just one aspect of democracy and taken to its full conclusion results in an inequitable system that doesn't wholly respect the principles and obligations government hold as partners in Te Tiriti o Waitangi. The Tiriti offers mana whenua particular and unique rights as partners to the Crown for which local government is an agent.

The 2002 Local Government Act sets out Wellington City Council's obligations under the Treaty. Section 4 states:

In order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the [Treaty of Waitangi](#) and to maintain and improve opportunities for Māori to contribute to local government decision-making processes, [Parts 2](#) and [6](#) provide principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes. (New Zealand Parliament (n.d.) Local Government Act 2002, <https://www.legislation.govt.nz/act/public/2002/0084/latest/DLM170880.html>)

Supporting the inclusion and remuneration of mana whenua representatives on key Council committees then is a small step towards more fully responding to these obligations. We would encourage you and your fellow Councillors to vote for this motion.

Ngā mihi

Dr Rebecca Kiddle (Co-chair Pōneke), Whare Timu, Matt Ritani, Keriata Stuart, Amelia Blundell, Keri Whaitiri (Co-chair Ōtautahi), Desna Whaanga Schollum (Chair – Ngā Aho), Nick Denton, Jahmayne Robin-Middleton, David Hakaraia, Jade Wikaira.