



If calling, please ask for Democratic Services

Council

Thursday 24 November 2022, 09.30am (Reconvened from 28 October 2022)

Taumata Kōrero, Council Chamber, Greater Wellington Regional Council,
100 Cuba St, Te Aro, Wellington

Members

Cr Ponter (Chair)

Cr Staples (Deputy Chair)

Cr Bassett

Cr Connelly

Cr Duthie

Cr Gaylor

Cr Kirk-Burnnand

Cr Laban

Cr Lee

Cr Nash

Cr Ropata

Cr Saw

Cr Woolf

Recommendations in reports are not to be construed as Council policy until adopted by Council

Council

Thursday 06 October 2022, 9.30am

Taumata Kōrero, Council Chamber, Greater Wellington Regional Council,
100 Cuba St, Te Aro, Wellington

Public Business

No.	Item	Report	Page
1.	Apologies		
2.	Conflict of interest declarations		
3.	Proposed committee and advisory group structure for the 2022-2025 triennium	22.457	3
4.	Councillor appointments	22.480	11
5.	Appointment of directors to Council companies	22.490	19
6.	Establishment of the Regional Transport Committee	22.474	26
7.	Revised elected member remuneration 2022/23	22.481	34
8.	Meeting schedule for the remainder of 2022	22.469	38

Resolution to Exclude the Public

9.	Resolution to Exclude the Public	22.493	42
----	----------------------------------	--------	----

Public Excluded Business

10.	Appointments to the Whaitua Kāpiti Committee	PE22.477	43
-----	--	----------	----

Council
24 November 2022
Report 22.457



For Decision

PROPOSED COMMITTEE AND ADVISORY GROUP STRUCTURE FOR THE 2022–25 TRIENNIUM

Te take mō te pūrongo

Purpose

1. To advise Council on the proposed committee and advisory group structure for the 2022–25 triennium.

He tūtohu

Recommendations

That Council:

1. **Adopts** the following committee structure (Attachment 1):
 - a Climate Committee (Committee of the Whole)
 - b Environment Committee (Committee of the Whole)
 - c Te Tiriti o Waitangi Komiti (Committee of the Whole)
 - d Transport Committee (Committee of the Whole)
 - e Chief Executive Employment Review Committee
 - f Finance, Risk and Assurance Committee
 - g Regional Transport Committee
 - h Te Upoko Taiao – Natural Resources Plan Committee
 - i Hutt Valley Flood Management Subcommittee (as a subcommittee of the Environment Committee).
2. **Adopts** the following advisory group structure (Attachment 1):
 - a Ara Tahi (reports to Council)
 - b Farming Reference Group (reports to the Environment Committee)
 - c Lower Ruamahanga Valley Floodplain Management Advisory Committee (reports to the Wairarapa Committee)
 - d Public Transport Advisory Group (reports to the Transport Committee)
 - e Upper Ruamahanga River Management Advisory Committee (reports to the Wairarapa Committee)

- f Whaitua Kāpiti Committee (reports to Council).
- 3 **Notes** that the terms of reference for these bodies will be prepared for adoption by Council at its meeting on 15 December 2022.
- 4 **Notes** that the appointment of Councillors (including as chairs and deputy chairs) is the subject of separate reports to this meeting, as follows:
 - a Regional Transport Committee (Establishment of the Regional Transport Committee – Report 22.474)
 - b Other committees and advisory groups (Councillor Appointments – Report 22.480).
- 5 **Notes** that the establishment of, and terms of reference for, a Long Term Plan Committee will be a matter for consideration at Council’s meeting on 15 December 2022.
- 6 **Notes** the continuance of the following joint committees for the 2022–25 triennium:
 - a Wellington Civil Defence Emergency Management Group
 - b Wellington Regional Leadership Committee
 - c Wellington Water Committee.

Te tāhū kōrero

Background

Council committees

- 2. Clause 30(1)(a) of Schedule 7 to the Local Government Act 2002 (the LGA) empowers Council to establish committees, subcommittees, and other decision-making bodies that it considers appropriate (e.g. advisory groups). Non-elected members may be appointed to these committees, subcommittees, and advisory groups¹.
- 3. For the 2022–25 triennium, I propose that Council appoints:
 - a Four ‘committees of the whole’ to consider matters related to climate, the environment, Te Tiriti o Waitangi, and transport. These committees of the whole (Climate Committee, Environment Committee, Te Tiriti o Waitangi Komiti, and Transport Committee) will enable all Councillors to participate and vote on all issues within the jurisdiction of those committees
 - b A number of additional committees to oversee specific matters including finance, audit and risk; and Wairarapa matters.

¹ Clause 31(3) of Schedule 7 to the LGA.

4. In addition, Council is required to:
 - a Establish a regional transport committee². A separate report to establish, set the terms of reference for, and make appointments to the Wellington Regional Transport Committee is being considered at this meeting (Establishment of the Regional Transport Committee – Report 22.474)
 - b Maintain a Te Upoko Taiao – Natural Resources Plan Committee (first established in 2009).
5. I recommend that Council adopts the committee structure outlined in **Attachment 1**.

Advisory groups

6. Council has traditionally established a number of advisory groups to provide advice and recommendations to inform the consideration of matters and decision-making by Council and committees.
7. On 6 October 2022, Council resolved (Report 22.345) that the following advisory bodies shall not be deemed to be discharged on the coming into office of the members elected at the 2022 triennial general election of the Council:
 - a Ara Tahi
 - b Farming Reference Group
 - c Lower Ruamahanga Valley Floodplain Management Advisory Committee
 - d Upper Ruamahanga River Management Advisory Committee
 - e Whaitua Kapiti Committee.
8. I suggest that Council also establishes a Public Transport Advisory Group and recommend Council adopts the proposed advisory group structure outlined in **Attachment 1**.

Terms of reference

9. Terms of reference are an important mechanism by which Council allocates responsibilities to committees, subcommittees, and advisory groups. Specific terms of reference will need to be prepared for each of the proposed committees, subcommittees, and advisory groups in **Attachment 1**.
10. I have asked the Chief Executive, in consultation with Committee Chairs and Councillors, to prepare these terms of reference, and propose that Council will adopt the terms of reference (including any related delegations of functions, powers, and duties) at its meeting on 15 December 2022.

² Under section 105(1) of the Land Transport Management Act 2004.

Appointments to committees, subcommittees, and advisory groups

11. The appointment of Councillors (including as chairs and deputy chairs) is the subject of separate reports to this meeting, as follows:
 - a Regional Transport Committee (Establishment of the Regional Transport Committee – Report 22.474)
 - b Other committees and advisory groups (Councillor appointments – Report 22.480).
12. Local government and external appointments to committees, subcommittees, and advisory groups will be considered at Council’s meeting on 15 December 2022 and as required.

Long Term Plan Committee

13. I further propose that we consider establishing a Long Term Plan Committee to support the development of Greater Wellington’s 2024–34 Long Term Plan. I have asked the Chief Executive to prepare draft terms of reference for discussion with Councillors, with the view that a report for Council’s consideration will be prepared for the Council meeting on 15 December 2022.

Joint committees

14. Council has established, under clause 30A of Schedule 7 to the LGA, the following joint committees with other local authorities:
 - a Wellington Civil Defence Emergency Management Group (Report 03.232)
 - b Wellington Regional Leadership Committee (Reports 21.21 and 21.432)
 - c Wellington Water Committee (Reports 14.327 and 19.118).
15. The joint committees continue for the 2022–25 triennium as:
 - a Council has resolved previously (in the same reports stated above) that the Wellington Regional Leadership Committee and the Wellington Water Committee shall not be deemed to be discharged following each triennial general election
 - b Section 12(2) of the Civil Defence Management Act 2002 provides that the Wellington Civil Defence Emergency Management Group cannot be discharged following each triennial election.
16. Related appointments to these joint committees are the subject of a separate report to this meeting (Councillor appointments 2022–2025 triennium – Report 22.480).

Ngā hua ahumoni
Financial implications

17. There are no financial implications arising from the matters for decision in this report.

Ngā Take e hāngai ana te iwi Māori

Implications for Māori

18. The proposal to establish Te Tiriti o Waitangi Komiti provides a mechanism for Council to oversee and review Greater Wellington’s strategic priority of:

Improving outcomes for mana whenua and Māori – proactively engage mana whenua in decision making, and incorporate te ao Māori and mātauranga Māori perspectives, so we can achieve the best outcomes for Māori across all aspects of our region.

More specific implications for Māori will be considered in developing the related terms of reference.

Ngā tikanga whakatau

Decision-making process

19. I have considered the matters requiring decision in this report against the decision-making requirements of Part 6 of the Local Government Act 2002.

Te hiranga

Significance

20. I have also considered the significance of the matters for decision, taking into account Council’s *Significance and Engagement Policy* and Greater Wellington’s *Decision-making Guidelines*. Due to the administrative nature of these decisions, I recommend that these matters are considered to have low significance.

Te whakatūtakitaki

Engagement

21. Given the low significance of the matters for decision, I did not consider that external engagement was necessary.

Ngā tūāoma e whai ake nei

Next steps

22. I have asked the Chief Executive to prepare terms of reference for most committees and advisory groups for Council’s consideration and adoption at its meeting on 15 December 2022.

Ngā āpitihanga
Attachment

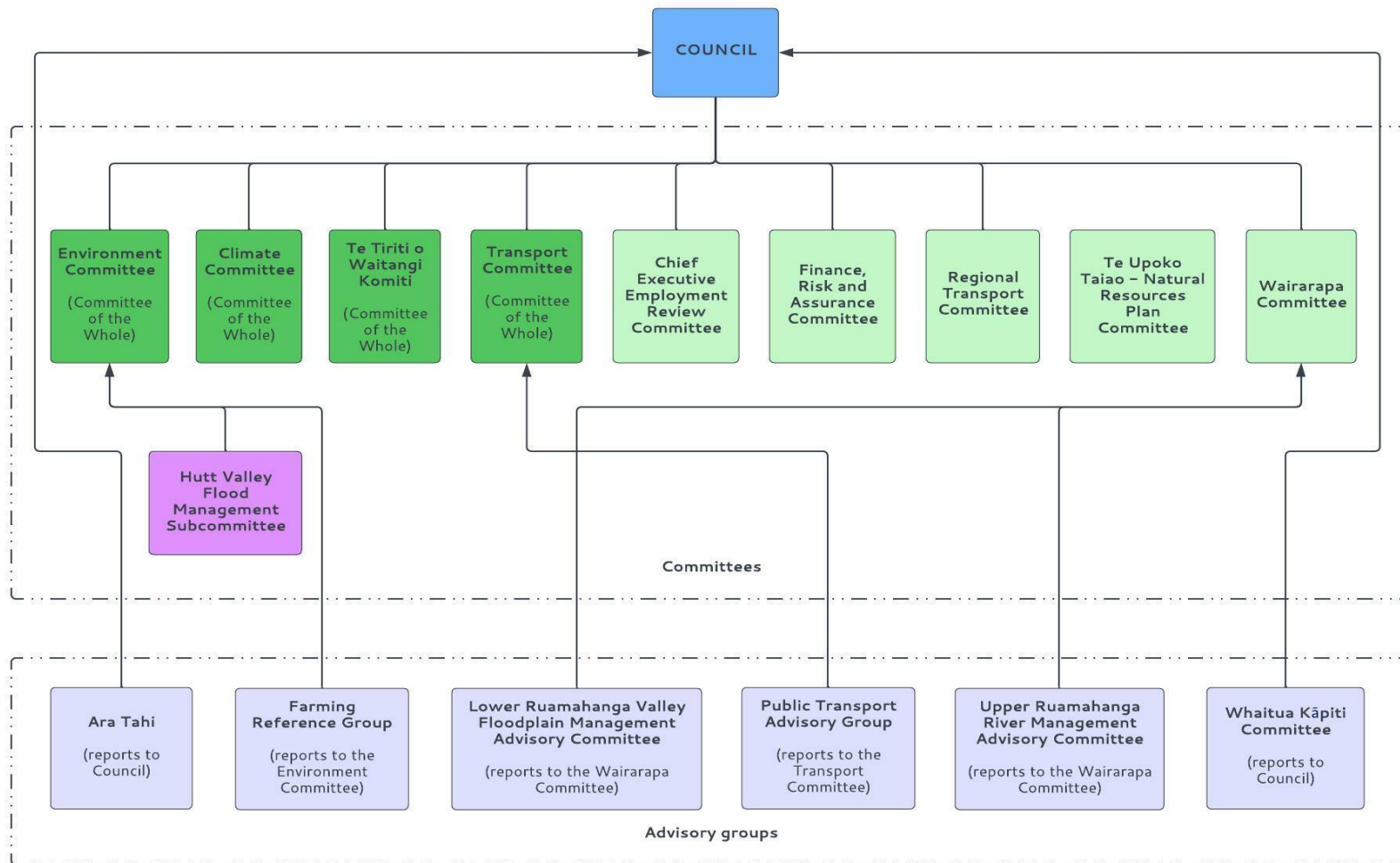
Number	Title
1	Proposed committee and advisory group structure

Ngā kaiwaitohu
Signatory

Writer	Councillor Daran Ponter - Council Chair
--------	---

<p style="text-align: center;">He whakarāpopoto i ngā huritaonga Summary of considerations</p>
<p><i>Fit with Council's roles or with Committee's terms of reference</i></p> <p>This proposal is consistent with Council's responsibilities under clauses 30(1)(a) and 30A of Schedule 7 to the LGA.</p>
<p><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></p> <p>There are no known contributions to Council's strategies, policies, and plans.</p>
<p><i>Internal consultation</i></p> <p>Consultation was undertaken with Councillors.</p>
<p><i>Risks and impacts - legal / health and safety etc.</i></p> <p>There are no known risks or impacts arising from the matters for decision.</p>

Proposed committee and advisory group structure - 2022–25



Council
24 November 2022
Report 22.480



For Decision

COUNCILLOR APPOINTMENTS

Te take mō te pūrongo

Purpose

1. For the Council to appoint Councillors to committees, advisory groups, and external organisations.

He tūtohu

Recommendation

That Council **appoints** Councillors to committees, advisory groups, and external organisations, as set out in Attachment 1 to this report.

Te horopaki

Context

2. Subject to the Council resolving the matters for decision in the report on the proposed committee and advisory group structure for the 2022-2025 triennium (Report 22.457), this report provides for the appointment of Councillors to committees and advisory groups, and also for appointments to external organisations.
3. The proposed appointments are set out in [Attachment 1](#).

Ngā hua ahumoni

Financial implications

4. There are no financial implications.

Ngā Take e hāngai ana te iwi Māori

Implications for Māori

5. There are no implications for Māori arising from this specific report. Mana whenua appointments to Council committees and advisory groups will be considered by Council at a later date.

Ngā tikanga whakatau
Decision-making process

6. The matters requiring decision in this report have been assessed against the decision-making requirements of Part 6 of the Local Government Act 2002.

Te hiranga
Significance

7. The significance (as defined by Part 6 of the Local Government Act 2002) of the matters for decision has been considered, taking into account Council's *Significance and Engagement Policy* and Greater Wellington's *Decision-making Guidelines*. Due to the administrative nature of these decisions, it is recommended that these matters are of low significance.

Te whakatūtakitaki
Engagement

8. Given the low significance of these matters, no engagement was considered to be required.

Ngā āpitihanga
Attachment

Number	Title
1	Proposed Councillor appointments to committees, advisory groups, and external organisations

Ngā kaiwaitohu
Signatory

Writer	Councillor Daran Ponter, Council Chair
--------	--

He whakarāpopoto i ngā huritaonga Summary of considerations
<i>Fit with Council's roles or with Committee's terms of reference</i> The Council is responsible for making appointments to committees, advisory groups and external organisations.
<i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i> There are no implications for Council's strategies, policies and plans.
<i>Internal consultation</i> Consultation was undertaken with Councillors.
<i>Risks and impacts - legal / health and safety etc.</i> There are no risks.

PROPOSED COUNCILLOR APPOINTMENTS TO COMMITTEES, ADVISORY GROUPS, AND EXTERNAL ORGANISATIONS

Committees

Climate Committee (Committee of the whole)

- Cr Gaylor (Chair)
- Cr Saw (Deputy Chair)
- Cr Bassett
- Cr Connelly
- Cr Duthie
- Cr Kirk-Burnnand
- Cr Laban
- Cr Lee
- Cr Nash
- Cr Ponter
- Cr Ropata
- Cr Staples
- Cr Woolf

Environment Committee (Committee of the whole)

- Cr Gaylor (Chair)
- Cr Duthie (Deputy Chair)
- Cr Bassett
- Cr Connelly
- Cr Kirk-Burnnand
- Cr Laban
- Cr Lee
- Cr Nash
- Cr Ponter
- Cr Ropata
- Cr Saw
- Cr Staples
- Cr Woolf

Proposed Councillor Appointments 2022-2025

Attachment 1 to Report 22.480

Te Tiriti o Waitangi Komiti (Committee of the whole)

- Cr Ropata (Chair)
- Cr Ponter (Deputy Chair)
- Cr Bassett
- Cr Connelly
- Cr Duthie
- Cr Gaylor
- Cr Kirk-Burnnand
- Cr Laban
- Cr Lee
- Cr Nash
- Cr Saw
- Cr Staples
- Cr Woolf

Transport Committee (Committee of the whole)

- Cr Nash (Chair)
- Cr Woolf (Deputy Chair)
- Cr Bassett
- Cr Connelly
- Cr Duthie
- Cr Gaylor
- Cr Kirk-Burnnand
- Cr Laban
- Cr Lee
- Cr Ponter
- Cr Ropata
- Cr Saw
- Cr Staples

Chief Executive Employment Committee

- Cr Laban (Chair)
- Cr Bassett (Deputy Chair)
- Cr Gaylor
- Cr Ponter
- Cr Staples

Finance, Risk and Assurance Committee

- Cr Bassett (Deputy Chair)
- Cr Connelly
- Cr Kirk-Burnnand
- Cr Ropata
- Cr Saw
- Cr Woolf

Proposed Councillor Appointments 2022-2025

Attachment 1 to Report 22.480

Regional Transport Committee

- Cr Staples (Chair)
- Cr Ponter (Deputy Chair)

Te Upoko Taiao – Natural Resources Plan Committee

- Cr Lee (Co-Chair)
- Cr Duthie
- Cr Gaylor
- Cr Ropata
- Cr Saw
- Cr Staples

Wairarapa Committee

- Cr Staples (Chair)
- Cr Gaylor
- Cr Ponter
- Cr Lee (Alternate)

Sub-Committees

Hutt Valley Flood Management Subcommittee

- Cr Connelly (Chair)
- Cr Duthie (Deputy Chair)
- Cr Lee
- Cr Laban

Joint Committees

Wellington Civil Defence Emergency Management Group

- Cr Ponter

Wellington Regional Leadership Committee

- Cr Ponter
- Cr Staples (Alternate)

Wellington Water Committee

- Cr Connelly
- Cr Kirk-Burnnand (Alternate)

Proposed Councillor Appointments 2022-2025

Attachment 1 to Report 22.480

Council Companies

WRC Holdings and subsidiaries

- Cr Kirk-Burnnand (Chair)
- Cr Nash (Deputy Chair)
- Cr Bassett
- Cr Lee

Advisory Groups

Ara Tahi

- Cr Ponter
- Cr Staples

Farming Reference Group

- Cr Gaylor
- Cr Staples

Lower Ruamahanga Valley Flood Management Advisory Committee

- Cr Bassett
- Cr Staples

Upper Ruamahanga River Management Advisory Committee

- Cr Duthie
- Cr Staples

Whaitua Kāpiti Committee

- Cr Gaylor

Proposed Councillor Appointments 2022-2025**Attachment 1 to Report 22.480****Other Appointments**

Organisation	Appointee
Accessibility Advocate	Cr Lee
Friends of the Otaki River Group	Cr Gaylor
Friends of the Waikanae River Group	Cr Gaylor
Friends of the Waiwhetu Stream Group	Cr Duthie
Kāpiti Ecological Restoration Maintenance Trust	Cr Gaylor
Let's Get Wellington Moving Governance Reference Group	To be determined
University of Otago, Wellington Animal Ethics Committee	Cr Staples
Wairarapa Moana Wetlands Project Governance Group	Cr Staples (Chair) Cr Lee
Wellington Region Waste Management and Minimisation Plan Joint Committee	Cr Duthie
Wellington Region Healthy Homes Steering Group	Cr Saw
Wellington Regional Stadium Trust	Cr Gaylor
Whitireia Park Board	Cr Duthie Cr Kirk-Burnnand Cr Ropata

Council
24 November 2022
Report 22.490



For Decision

APPOINTMENT OF DIRECTORS TO COUNCIL COMPANIES

Te take mō te pūrongo

Purpose

1. To appoint Councillors as directors of WRC Holdings Limited and to remove certain existing directors from WRC Holdings Limited.

He tūtohu

Recommendations

That Council:

1. **Resolves** as a special resolution, by way of written resolutions contained in Attachment 1 – Shareholder Resolutions, to:
 - a. appoint David Bassett, Chris Kirk-Burnnand, David Lee, and Thomas Nash as directors of WRC Holdings Limited;
 - b. appoint Chris Kirk-Burnnand the Chair of WRC Holdings Limited;
 - c. remove Roger Blakeley, Glenda Hughes and Prue Lamason as directors of WRC Holdings Limited.
2. **Consents** to WRC Holdings Limited, as the sole shareholder of Greater Wellington Rail Limited, passing its shareholder resolutions to give effect to the director changes, and appointment of the Chair, in Attachment 1.
3. **Appoints** Thomas Nash the Deputy Chair of WRC Holdings Limited and Greater Wellington Rail Limited.
4. **Authorises** the Chair of Council to sign the written resolutions as the authorised person.

Te horopaki

Context

2. Council, as the sole shareholder, is required under section 57(1) of the Local Government Act 2002 to have a policy on the appointment and remuneration of directors to council organisations.
3. Council's "Policy on the appointment and remuneration of directors of council organisations" allows for a balance between independent directors and Councillors on the board of WRC Holdings Limited.

4. WRC Holdings Limited's constitution provides for a minimum of four, and a maximum of seven, directors. There must be a minimum of two directors who are not Councillors.
5. WRC Holdings Limited holds all shares in Greater Wellington Rail Limited. These companies have the same set of directors and Chair.

Te tātaritanga Analysis

6. WRC Holdings Limited currently has seven directors, of which three are independent (external) directors. These directors are:
 - a Nick Leggett, appointed in October 2017 (second three-year term ends December 2023)
 - b Helen Mexted and Nancy Ward, both appointed in June 2019 for three-year terms (extended by one year through to June 2023).
7. It is proposed to re-appoint Chris Kirk-Burnnand, and to appoint David Bassett, David Lee and Thomas Nash as directors of the WRC Holdings group of companies. These appointments would be effective from 24 November 2022, for a term until 31 December 2025.
8. It is also proposed to remove Roger Blakeley, Glenda Hughes and Prue Lamason as directors of the WRC Holdings group of companies, effective from 24 November 2022.
9. It is proposed that Council appoints Chris Kirk-Burnnand as the new Chair effective from 24 November 2022, for a term until 31 December 2025.
10. There is no requirement under the Companies Act 1993 (the Act) or WRC Holdings Limited's Company Constitution for a Deputy Chair, however it is proposed that Thomas Nash be appointed the Deputy Chair for WRC Holdings Limited effective from 24 November 2022, for a term until 31 December 2025.
11. As the directors and Chair appointments and removals are made under the Act, there is a formal process for the appointments by way of special resolutions, as set out in [Attachment 1](#).
12. Council needs to authorise a person to sign the resolutions on its behalf, and it is recommended that the Council Chair be the authorised person.
13. Under the Act, the Council, as sole shareholder in WRC Holdings Limited, is required to:
 - a Resolve by special resolution to appoint each of the directors to WRC Holdings Limited.
 - b Consent to WRC Holdings Limited passing special resolutions to appoint the same directors to Greater Wellington Rail Limited.
 - c Resolve, by special resolution, to appointment the Chair to WRC Holdings Limited.
 - d Consent to WRC Holdings Limited passing special resolutions to appoint the Chair of Greater Wellington Rail Limited.
 - e Resolve by special resolution to remove certain directors of WRC Holdings Limited.

- f Consent to WRC Holdings Limited passing special resolutions to remove certain directors of Greater Wellington Limited.

Ngā hua ahumoni
Financial implications

14. Councillors appointed as directors do not receive payment for their roles on these company boards. As such, there are no financial implications of these decisions.

Ngā Take e hāngai ana te iwi Māori
Implications for Māori

15. There are no specific impacts for Māori arising from this report.

Ngā tikanga whakatau
Decision-making process

16. The matters requiring decision in this report were considered by officers against the decision-making requirements of Part 6 of the Local Government Act 2002.

Te hiranga
Significance

17. Officers considered the significance (as defined by Part 6 of the Local Government Act 2002) of the matters, taking into account Council's *Significance and Engagement Policy* and *Decision-making Guidelines*. Officers recommend that the matters are of low significance, due to their administrative nature.

Te whakatūtakitaki
Engagement

18. Given the low significance of this matter, no engagement was undertaken.

Ngā tūāoma e whai ake nei
Next steps

19. Once signed, officers will send the shareholder resolutions to the board of WRC Holdings Limited.
20. WRC Holdings Limited will meet on 29 November 2022 to confirm the positions. The new directors will be sent induction information prior to that meeting.

Ngā āpitihanga
Attachment

Number	Title
1	Shareholder Resolutions

**Ngā kaiwaitohu
Signatories**

Writer	Sarah Allen - Kaitohutohu Matua / Principal Advisor, Company Portfolio and Economic Development
Approver	Luke Troy – Kaiwhakahaere Matua, Rautaki / General Manager, Strategy

He whakarāpopoto i ngā huritaonga Summary of considerations
<i>Fit with Council's roles or with Committee's terms of reference</i> Council, as the sole shareholder, is legally responsible for making these appointments to council organisations.
<i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i> These appointments are made in line with Council's "Policy on the appointment and remuneration of directors of council organisations".
<i>Internal consultation</i> Democratic Services were consulted.
<i>Risks and impacts - legal / health and safety etc.</i> No risks are identified from this decision.

Attachment 1 to Report 22.490

Shareholder resolutions

WELLINGTON REGIONAL COUNCIL
(the Shareholder)

W R C HOLDINGS LIMITED
(the Company)

Written resolutions of the sole shareholder and agreement of entitled person of the Company pursuant to clauses 20, 21, 23, and 28 of the Company's Constitution and dated 24 November 2022

1. Wellington Regional Council, being the sole shareholder and entitled person of the Company, resolves as a special resolution and agrees:
 - 1.1 That David Bassett be appointed as a director of WRC Holdings Limited with effect from and including 24 November 2022;
 - 1.2 That Chris Kirk-Burnnand be appointed as a director of WRC Holdings Limited with effect from and including 24 November 2022;
 - 1.3 That David Lee be appointed as a director of WRC Holdings Limited with effect from and including 24 November 2022;
 - 1.4 That Thomas Nash be appointed as a director of WRC Holdings Limited with effect from and including 24 November 2022;
 - 1.5 That Chris Kirk-Burnnand be appointed as Chairperson of WRC Holdings Limited with effect from and including 24 November 2022 until 31 December 2025;
 - 1.6 That Roger Blakeley be removed as a director of WRC Holdings Limited with effect from and including 24 November 2022;
 - 1.7 That Glenda Hughes be removed as a director of WRC Holdings Limited with effect from and including 24 November 2022;
 - 1.8 That Prue Lamason be removed as a director of WRC Holdings Limited with effect from and including 24 November 2022.
2. Wellington Regional Council, being the sole shareholder and entitled person of the Company consents to WRC Holdings Limited, as the sole shareholder of Greater Wellington Rail Limited, passing shareholder resolutions:
 - 2.1 Appointing David Bassett, Chris Kirk-Burnnand, David Lee, and Thomas Nash as directors of Greater Wellington Rail Limited and removing Roger Blakeley, Glenda Hughes and Prue Lamason as directors of Greater Wellington Rail Limited;

- 2.2 Appointing Chris Kirk-Burnnand as Chairperson of Greater Wellington Rail Limited.

Signed by **Wellington Regional Council**, being the sole shareholder and entitled person of the Company, by:

Authorised Person

Council
24 November 2022
Report 22.474



For Decision

ESTABLISHMENT OF THE REGIONAL TRANSPORT COMMITTEE

Te take mō te pūrongo

Purpose

1. To advise Council on the establishment of, terms of reference for, and membership of the Regional Transport Committee.

He tūtohu

Recommendations

That Council:

1. **Establishes**, under section 105(1) of the Land Transport Management Act 2003, the Regional Transport Committee for the Wellington Region.
2. **Adopts** the proposed Terms of Reference for the Regional Transport Committee (Attachment 1).
3. **Appoints** to the Regional Transport Committee:
 - a Councillors Adrienne Staples and Daran Ponter as the Councillor members
 - b Councillor Adrienne Staples as the Chair
 - c Councillor Daran Ponter as the Deputy Chair.
4. **Appoints** to the Regional Transport Committee, as territorial authority representatives:
 - a Hon Mayor Ron Mark to represent Carterton District Council, and Deputy Mayor Dale Williams as alternate
 - b Councillor Simon Edwards to represent Hutt City Council, and Councillor Brady Dyer as alternate
 - c Mayor Janet Holborow to represent Kapiti Coast District Council, and Deputy Mayor Lawrence Kirby as alternate
 - d Mayor Gary Caffell to represent Masterton District Council, and Deputy Mayor Bex Johnson as alternate
 - e Mayor Anita Baker to represent Porirua City Council, and Councillor Ross Leggett as alternate
 - f Mayor Martin Connelly to represent South Wairarapa District Council

- g Mayor Wayne Guppy to represent Upper Hutt City Council, and Deputy Mayor Hellen Swales as alternate
 - h Mayor Tory Whanau to represent Wellington City Council, and Deputy Mayor Laurie Foon as alternate.
- 5 **Notes** KiwiRail’s appointment of David Gordon, and Helen Rogers as alternate, to the Committee.
- 6 **Notes** that the Waka Kotahi/New Zealand Transport Agency nomination for appointment has yet to be received.

Te horopaki

Context

Timing of these decisions

2. Council’s intention is to:
- a Adopt its committee structure, including the Wellington Regional Transport Committee (the RTC), at its 24 November 2022 meeting
 - b Appoint Councillor, territorial authority, and external members to those committees at its 15 December 2022 meeting.
3. However, the RTC is scheduled to meet on 6 December 2022 to consider and make decisions on the ‘front end’ for the regional speed management plan. This decision will assist the territorial authorities to then develop their local plans. Any deferral of these decisions until February or March 2023 will delay this important development work.
4. To enable the 6 December 2022 meeting to occur, officers propose that Council establishes the RTC, adopts its terms of reference, and appoints available members at today’s meeting.

Establishment of the Regional Transport Committee

5. Section 105(1) of the Land Transport Management Act 2003 (the LTMA) provides that “as soon as practicable after each triennial election, every regional council must establish a regional transport committee under this section for its region.”

Terms of reference

6. When establishing the RTC, Council adopts a terms of reference that reflects the statutory functions of, and procedures for, a regional transport committee¹, with some minor additions (e.g. the provision for alternate members).

Appointments

7. Sections 105(2) and (4) of the LTMA state that each regional council must appoint, only on the nomination of the relevant entity, to its regional transport committee –
- a Two persons to represent the regional council; and

¹ See sections 106 and 107 of the LTMA.

- b One person from each territorial authority in the region to represent that territorial authority; and
 - c One person to represent the New Zealand Transport Agency.
8. In addition, section 105(6) states that “each regional council must appoint from its representatives the chair and deputy chair of the committee”.
9. The proposed terms of reference for the RTC provide for each territorial authority and the New Zealand Transport Agency to nominate the appointment of an alternate member; and for KiwiRail to appoint an alternate KiwiRail member.
10. Section 105A of the LTMA further provides, in relation to KiwiRail, that:
- a The regional transport committee for the Wellington Region must include one additional member to represent KiwiRail (section 105(2))
 - b This member is appointed directly by KiwiRail, rather than by the regional council (section 105(3))
 - c The KiwiRail member has no voting rights at any meeting of the regional transport committee and must not be appointed as the chairperson or deputy chairperson (or by any other process preside at any meeting) (section 105A(4)).

Te tātaritanga Analysis

Establishment of the Regional Transport Committee

11. Officers recommend that Council establishes the RTC, as this is required under the LTMA after each triennial election.

Terms of reference

12. Officers have developed a proposed terms of reference (**Attachment 1**) based on the terms of reference for the 2019–22 triennium and which reflect the related LTMA requirements. We propose a number of changes to recognise the:
- a New statutory function for regional transport committees “to prepare and review speed management plans in accordance with the Land Transport Rule: Setting of Speed Limits 2022”²
 - b Change in focus and relationships within the Wellington Region since 2019, including the establishment of the Wellington Regional Leadership Committee.
13. Officers recommend that Council adopts these proposed terms of reference (**Attachment 1**).

Appointments

14. It is proposed that Councillors Adrienne Staples and Daran Ponter are appointed as the Councillor members, and as the Chair and Deputy Chair respectively, of the RTC. This continues the arrangements from the 2019–22 triennium.

² Section 3 of the Land Transport Management (Regional Transport Committees) Regulations 2022.

15. The following table summarises the nominations received from the territorial authorities:

Territorial authority	Nomination	Alternate (if any)
Carterton District Council	Hon Mayor Ron Mark	Deputy Mayor Dale Williams
Kapiti Coast District Council	Mayor Janet Holborow	Deputy Mayor Lawrence Kirby
Hutt City Council	Councillor Simon Edwards	Councillor Brady Dyer
Masterton District Council	Mayor Gary Caffell	Deputy Mayor Bex Johnson
Porirua City Council	Mayor Anita Baker	Councillor Ross Leggett
South Wairarapa District Council	Mayor Martin Connelly	No alternate proposed
Upper Hutt City Council	Mayor Wayne Guppy	Deputy Mayor Hellen Swales
Wellington City Council	Mayor Tory Whanau	Deputy Mayor Laurie Foon

16. In accordance with Section 105A of the LTMA, KiwiRail has advised that they have appointed David Gordon as KiwiRail representative, and Helen Rogers as alternate.
17. We expect to receive the Waka Kotahi/New Zealand Transport Agency nomination in the coming weeks.
18. If the Waka Kotahi/New Zealand Transport Agency nomination is received before the 24 November 2022 meeting, officers will propose revised recommendations to reflect these at that meeting.

Ngā hua ahumoni
Financial implications

19. The anticipated costs of operating the Regional Transport Committee are provided for in the related Greater Wellington budget.

Ngā Take e hāngai ana te iwi Māori
Implications for Māori

20. There are no known implications for Māori arising from this report and its decisions, as these give effect to the LTMA's statutory requirements.

Ngā tikanga whakatau
Decision-making process

21. The matters requiring decision in this report were considered by officers against the decision-making requirements of section 105 of the LTMA (establishment and appointments) and Part 6 of the Local Government Act 2002 (terms of reference).

**Te hiranga
Significance**

22. Officers considered the significance of these matters, taking into account Council’s *Significance and Engagement Policy* and Greater Wellington’s *Decision-making Guidelines*. Officers recommend that these matters are of low significance, due to the statutory requirements for, and administrative nature of, establishing the Regional Transport Committee.

**Te whakatūtakitaki
Engagement**

23. Officers engaged with the territorial authorities in the Wellington Region, and Waka Kotahi/New Zealand Transport Agency to obtain their nominations for members and alternates. Officers also engaged with KiwiRail to obtain their appointment and alternate.

**Ngā tūāoma e whai ake nei
Next steps**

24. Waka Kotahi, KiwiRail, and the relevant territorial authorities will be informed of Council’s decisions, including the approved Terms of Reference. In addition, Greater Wellington’s website will be updated to state the establishment, terms of reference, and appointments for the Regional Transport Committee.

**Ngā āpitihanga
Attachment**

Number	Title
1	Terms of Reference for the Regional Transport Committee

**Ngā kaiwaitohu
Signatories**

Writer	Will Ogier – Kaitohutohu Matua Principal Advisor, Democratic Services
Approvers	Francis Ryan – Kaiwhakahaere Matua Manager, Democratic Services Luke Troy – Kaiwhakahaere Matua Rautaki General Manager, Strategy

He whakarāpopoto i ngā huritaonga Summary of considerations
<p><i>Fit with Council's roles or with Committee's terms of reference</i></p> <p>Under section 105 of the Land Transport Management Act 2003, Council must establish a regional transport committee, and appoint the Councillor, territorial authority, and New Zealand Transport Agency members.</p> <p>Under the RTC's proposed terms of reference, Council may appoint alternates for the above members.</p>
<p><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></p> <p>Not applicable.</p>
<p><i>Internal consultation</i></p> <p>The Regional Transport department was consulted in preparing this report.</p>
<p><i>Risks and impacts - legal / health and safety etc.</i></p> <p>There are no known risks arising from the decisions in this report.</p>

Attachment 1 to Report 22.474

Terms of Reference for the Regional Transport Committee

Regional Transport Committee

1 Purpose

To exercise the legislative functions and powers of a regional transport committee under the Land Transport Management Act 2003 (the LTMA).

2 Specific responsibilities

- 2.1 Prepare, for approval by Council, the Wellington Regional Land Transport Plan and any variations to it.
- 2.2 Adopt a policy that determines significance for variations made to, and activities included in, the Wellington Regional Land Transport Plan.
- 2.3 Review the implementation and delivery of the Wellington Regional Land Transport Plan.
- 2.4 Prepare and review speed management plans in accordance with the Land Transport Rule: Setting of Speed Limits 2022.
- 2.5 Advocate for investment in the Wellington Region's rail infrastructure.
- 2.6 Provide Council with any advice and assistance it may request in relation to its transport responsibilities.
- 2.7 Approve submissions to external organisations on matters that support contribution to the Wellington Regional Land Transport Plan's strategic objectives and direction.
- 2.8 Work closely with the Wellington Regional Leadership Committee to improve alignment and integration of regional transport and land use planning.

3 Members¹

- 3.1 Council shall appoint:
 - a Two persons to represent Council
 - b One person from each territorial authority in the region (to represent that territorial authority)
 - c One person to represent the New Zealand Transport Agency.
- 3.2 KiwiRail must appoint the KiwiRail member².
- 3.3 To assist the Committee in its decision-making, Council may appoint other non-local government advisors³.

¹ Section 105(2) of the LTMA.

² Section 105A(3) of the LTMA.

³ Clause 31(3) of Schedule 7 to the Local Government Act 2002.

4 Voting entitlement

- 4.1 The KiwiRail member has full speaking rights, but no voting rights at any meeting of the Committee⁴.
- 4.2 The advisors appointed to the Committee have full speaking rights, but no voting entitlement on any matter.

5 Alternate members

- 5.1 The New Zealand Transport Agency and each territorial authority are each entitled to nominate an alternate member. This alternate may sit at the table, speak and vote at Committee meetings; but only if the appointed member is unable to attend.
- 5.2 KiwiRail may appoint an alternate KiwiRail member. This alternate may sit at the table and speak at Committee meetings, but only if the appointed KiwiRail member is unable to attend.

6 Quorum

The Chair or Deputy Chair, and at least 50 percent of the remaining voting members.

7 Chair and Deputy Chair

- 7.1 Council must appoint, from its representatives, the Chair and Deputy Chair⁵.
- 7.2 The Chair, or any other person presiding at the meeting, has a deliberative vote; and, in the case of an equality of votes, does not have a casting vote (and therefore the act or question is defeated, and the status quo is preserved)⁶.
- 7.3 The KiwiRail member must not be appointed as the Chair or Deputy Chair (or by any other process preside at any meeting)⁷.

8 Remuneration and expenses

The advisors appointed to the Committee (who are not otherwise being remunerated) may claim Greater Wellington's standard daily meeting fee and mileage allowances and expenses.

⁴ Section 105A(4) of the LTMA.

⁵ Section 105(6) of the LTMA.

⁶ Section 105(7) of the LTMA.

⁷ Section 105A(4) of the LTMA.

Council
24 November 2022
Report 22.481



For Decision

REVISED ELECTED MEMBER REMUNERATION 2022/23

Te take mō te pūrongo

Purpose

1. For Council to resolve its proposal for the allocation of the 2022/23 Governance Remuneration Pool to positions of additional responsibility in the Council's governance structure for the 2022-2025 triennium.

He tūtohu

Recommendation

That Council resolves that the Governance Remuneration Pool available for positions of additional responsibility shall be allocated as follows:

Position	Number of position-holders	Annual remuneration	Percentage of base Councillor remuneration
Deputy Chair, with Committee Chair responsibility: <ul style="list-style-type: none"> - Regional Transport Committee - Wairarapa Committee 	1	\$96,800	140%
Committee Chair : <ol style="list-style-type: none"> 1. Environment Committee, and Climate Committee 2. Transport Committee 	2	\$86,154	125%
Committee Chair: <ol style="list-style-type: none"> 1. Chief Executive Employment Review Committee 2. Te Titiri o Waitangi Komiti 3. Te Upoko Taiao – Natural Resources Plan Committee 4. Hutt Valley Flood Management Subcommittee 	4	\$83,027	120%
Councillor	5	\$69,200	100%

Te horopaki**Context**

- The Remuneration Authority sets remuneration for elected positions in individual local authorities; sets the remuneration for the Council Chair and a minimum base rate for Councillors; and then allows for councils to set Councillor remuneration based on additional responsibilities.

Te tātaritanga**Analysis**

- The 2022/23 Governance Remuneration Pool (the pool) is \$947,216. This pool provides the total amount that can be paid in remuneration to Councillors, excluding the Council Chair. The pool does not have any relation to the number of Councillors. Council will need to decide how to allocate its pool according to its priorities and circumstances. The whole pool must be used.
- Council will need to decide on a “base remuneration” for Councillors who have no additional responsibilities. This could be higher than the minimum set by the Remuneration Authority (currently \$63,237).
- Council is required to agree to roles with additional responsibility which attract remuneration above the base rate set by Council.
- Taking the remuneration framework into account, I propose that the Governance Remuneration Pool is allocated as follows:

Position	Number of position-holders	Annual remuneration	Percentage of base Councillor remuneration
Deputy Chair, with Committee Chair responsibility: <ul style="list-style-type: none"> - Regional Transport Committee - Wairarapa Committee 	1	\$96,800	140%
Committee Chair: <ol style="list-style-type: none"> 1. Environment Committee, and Climate Committee 2. Transport Committee 	2	\$86,154	125%
Committee Chair: <ol style="list-style-type: none"> 1. Chief Executive Employment Review Committee 2. Te Titiri o Waitangi Komiti 3. Te Upoko Taiao – Natural Resources Plan Committee 4. Hutt Valley Flood Management Subcommittee 	4	\$83,027	120%
Councillor	5	\$69,200	100%

Ngā hua ahumoni
Financial implications

7. The total cost of Councillor remuneration is mandated by the Remuneration Authority. This cost is budgeted for in Greater Wellington’s operating budget.

Ngā Take e hāngai ana te iwi Māori
Implications for Māori

8. There are no specific implications for Māori arising from this report.

Ngā tikanga whakatau
Decision-making process

9. The process for deciding these matters is explicitly prescribed by Schedule 7 to the Local Government Act 2002 and section 18 and 18A of the Remuneration Authority Act 1977.

Te hiranga
Significance

10. The significance (as defined by Part 6 of the Local Government Act 2002) of the matters for decision has been considered, taking into account Council’s *Significance and Engagement Policy and Decision-making Guidelines*. Due to the procedural nature of these decisions, it is recommended that these matters are of low significance.

Te whakatūtakitaki
Engagement

11. Given the low significance of these matters, no engagement was considered necessary.

Ngā tūāoma e whai ake nei
Next steps

12. Council’s decision will be communicated to the Remuneration Authority for inclusion in its amending determination for 2022/23, which will be issued in February/March 2023.
13. Once the determination is issued all remuneration will be appropriately backdated: for all Councillors backdating of Councillor remuneration will be to date that Councillors commenced office for the 2022-25 triennium on 15 October 2022, and for positions of additional responsibility backdating will be to the day following the date of appointment.

Ngā kaiwaitohu
Signatory

Writer	Councillor Daran Ponter, Council Chair
--------	--

He whakarāpopoto i ngā huritaonga Summary of considerations
<i>Fit with Council's roles or with Committee's terms of reference</i> The remuneration proposal was developed in accordance with Council's obligations under the remuneration procedures set by the Remuneration Authority.
<i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i> There are no implications for Council's strategies, policies and plans.
<i>Internal consultation</i> Consultation was undertaken with Councillors.
<i>Risks and impacts - legal / health and safety etc.</i> There are no risks.

Council
24 November 2022
Report 22.469



For Decision

MEETING SCHEDULE FOR THE REMAINDER OF 2022

Te take mō te pūrongo

Purpose

1. To advise Council of the meeting schedule for the remainder of the 2022 calendar year.

He tūtohu

Recommendations

That Council:

1. **Notes** that meetings for joint committees in the Wellington Region have already been set, as follows:
 - a. the Wellington Civil Defence Emergency Management Group on 6 December 2022 at 9.00am
 - b. the Wellington Regional Leadership Committee on 6 December at 3.00pm
 - c. the Wellington Water Committee on 16 December at 10.00am.
2. **Adopts** the meeting schedule for the remainder of 2022 as follows:
 - a. Council, on 1 December 2022, at 9.30am
 - b. Regional Transport Committee on 6 December 2022 at 10.30am.
 - c. Council, on 15 December 2022 at 9.30am.
3. **Authorises** the Manager, Democratic Services, to circulate the adopted meeting schedule to key stakeholders and to amend the schedule as necessary.

Te horopaki

Context

2. Council adopts a schedule for Council and committee meetings. This is usually done in September for the following year. Due to the triennial local government elections in October 2022, the previous Council adopted a schedule of meetings through to 7 October 2022 only.
3. Following the election, an indicative schedule for the remainder of the 2022 calendar year was provided to Councillors.
4. Under the Local Government Act 2002, Council is required to adopt a schedule of meetings at its inaugural meeting of the new triennium.

Te tātaritanga Analysis

5. The proposed schedule for the remainder of the 2022 calendar year is:
 - a Council, on 1 December 2022, at 9.30am (to adopt the Annual Report for 2021/22, and any other urgent matters)
 - b Regional Transport Committee, on 6 December 2022, at 10.30am
 - c Council, on 15 December 2022, at 9.30am.
6. The joint committees in which Council is formally represented have already adopted a schedule for 2022:
 - a Wellington Civil Defence Emergency Management Group, on 6 December 2022, at 9.00am
 - b Wellington Regional Leadership Committee, on 6 December 2022, at 3.00pm
 - c Wellington Water Committee, on 16 December 2022, at 10.00am.
7. The proposed schedule does not include committees that Council establishes at this meeting (Proposed Committee and Advisory Group Structure for 2022-25 Triennium – Report 22.457). These committees will begin to meet from February 2023, with the proposed schedule for 2023 to be presented at Council’s meeting on 15 December 2022. This is to allow Council to establish its standing committee structure, determine the standing committees’ terms of reference, and appointments to be made (including from mana whenua and territorial authorities).

Ngā hua ahumoni Financial implications

8. There are no financial implications arising from this report.

Ngā Take e hāngai ana te iwi Māori Implications for Māori

9. There are no implications for Māori arising from this report.

Ngā tikanga whakatau Decision-making process

10. The matters requiring decision in this report were considered by officers against the decision-making requirements of Part 6 of the Local Government Act 2022.

**Te hiranga
Significance**

11. Officers considered the significance (as defined by Part 6 of the Local Government Act 2022) of the matters for decision, taking into account Council’s *Significance and Engagement Policy* and Greater Wellington’s *Decision-making Guidelines*.

**Te whakatūtakitaki
Engagement**

12. The Wellington Region’s territorial authorities have been advised of the proposed meeting date and time for the Regional Transport Committee.

**Ngā tūāoma e whai ake nei
Next steps**

13. Once Council has adopted its committee structure for the 2022-25, officers will develop a meeting schedule for 2023. Council will adopt the meeting schedule for 2023 at its next meeting, on 15 December 2022.

**Ngā kaiwaitohu
Signatories**

Writer	Lucas Stevenson – Kaitohutohu Advisor, Democratic Services
Approvers	Alex Smith – Kaitohutohu Matua Senior Advisor, Democratic Services Francis Ryan – Kaiwhakahaere Matua Manager, Democratic Services Luke Troy – Kaiwhakahaere Matua Rautaki General Manager Strategy

<p style="text-align: center;">He whakarāpopoto i ngā huritaonga Summary of considerations</p>
<p><i>Fit with Council's roles or with Committee's terms of reference</i></p> <p>Council adopts a schedule for its own meetings, including standing committees.</p>
<p><i>Contribution to Annual Plan / Long Term Plan / Other key strategies and policies</i></p> <p>The proposed schedule provides for the adoption of the 2021/22 Annual Report.</p>
<p><i>Internal consultation</i></p> <p>The Regional Transport and Strategic and Corporate Planning departments, Wellington Regional Leadership Committee Secretariat and the Wellington Region Emergency Management Office were consulted.</p>
<p><i>Risks and impacts - legal / health and safety etc.</i></p> <p>There are no risks or impacts.</p>

Council
 24 November 2022
 Report 22.493



For Decision

RESOLUTION TO EXCLUDE THE PUBLIC

That the Council excludes the public from the following parts of the proceedings of this meeting, namely:

Appointments to the Whaitua Kāpiti Committee – Report PE22.477

The general subject of each matter to be considered while the public is excluded, the reasons for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 (the Act) for the passing of this resolution are as follows:

Appointments to the Whaitua Kāpiti Committee – Report PE22.477	
<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<p>The information contained in this report includes personal and identifying information about the proposed appointees. Withholding this information prior to Council’s decision is necessary to protect the privacy of those natural persons (section 7(2)(a) of the Act) as releasing this information would disclose their consideration for membership of the Whaitua Kāpiti Committee.</p> <p>Greater Wellington has not been able to identify a public interest favouring disclosure of this partic</p>	<p>The public conduct of this part of the meeting is excluded as per section 7(2)(a) of the Act, to protect the privacy of natural persons.</p>

This resolution is made in reliance on section 48(1)(a) of the Act and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.