

Confirmed Public minutes of the Council meeting on Thursday 8 April 2021

Taumata Kōrero – Council Chamber, Greater Wellington Regional Council
100 Cuba Street, Te Aro, Wellington, at 9.30am.

Members Present

Councillor Staples (Deputy Chair)
Councillor Blakeley
Councillor Brash
Councillor Connelly
Councillor Gaylor
Councillor Hughes (from 11.33am)
Councillor Kirk-Burnnand
Councillor Laban
Councillor Lamason
Councillor Lee
Councillor Nash

Councillor Staples presided at the meeting in the absence of the Council Chair.

A minute's silence was observed to acknowledge the bus fatality in central Wellington on Saturday evening.

Public Business

1 Apologies

Moved: Cr Nash / Cr Lamason

That Council accepts the apology for absence from Councillors Ponter and van Lier, and apology for lateness from Councillor Hughes.

The motion was carried.

2 Declarations of conflicts of interest

There were no declarations of conflicts of interest.

3 Public participation

Greg Pollock, on behalf of Transdev, Tranzurban and Uzabus, spoke to agenda item 9 – Bus drivers – addressing the Living Wage gap.

Graeme Clarke, Tramways Union, spoke to agenda item 9 – Bus drivers – addressing the Living Wage gap.

4 Confirmation of the Public minutes of the Council meeting of 25 February 2021 – Report 21.73

Moved: Cr Lamason / Cr Kirk-Burnnand

That the Council confirms the Public minutes of the Council meeting of 25 February 2021 - Report 21.73

The motion was **carried**.

5 Confirmation of the Public Excluded minutes of the Council meeting on 25 February 2021 – Report 21.75

Moved: Cr Lamason / Cr Brash

That the Council confirms the Public Excluded minutes of the Council meeting of 25 February 2021 - Report 21.73

The motion was **carried**.

6 Update on progress of action items from previous meeting – April 2021 – Report 21.102 [For Information]

Strategy, policy or major issues

Council accorded priority to agenda item 9 – Bus Drivers – addressing the Living Wage gap, in accordance with Standing Order 3.5.2.

7 Bus Drivers – address the Living Wage gap – Report 21.92

Scott Gallacher, General Manager Metlink, and Greg Campbell, Chief Executive, spoke to the report.

Moved: Cr Blakeley / Cr Nash

That Council:

- 1 Agrees that the matters for decision in the report have a medium degree of significance.
- 2 Having regard to both the significance of the matters for decision in this report and the matters in section 79 (2) of the Local Government Act 2002:

- a Agrees that the extent to which different options have been identified is appropriate
 - b Agrees that the degree to which advantages and disadvantages have been quantified is appropriate
 - c Agrees that the extent and detail of the information before Council is appropriate.
- 3 Notes that the Council's knowledge of the views and preferences of Public Transport Operating Model (PTOM) bus operators and other persons likely to be affected by, or have an interest in, the matters for decision in this report have been considered.
- 4 Notes the prior Council decisions relevant to the living wage and PTOM bus driver terms and conditions.
- 5 Notes the key principles of the draft funding proposal shared with PTOM bus operators.
- 6 Notes the target for the "Effective Date" is 19 April 2021, but this date may be extended.
- 7 Notes that PTOM bus operators will be eligible to claim the additional funding from the Effective Date subject to:
 - a confirmation to Greater Wellington that a change to employment terms has been made to enable the PTOM bus operator to pay its PTOM bus drivers at or above a wage floor that aligns with the living wage from the Effective Date, and
 - b completion of a supplementary deed between Greater Wellington and the PTOM bus operator to record the agreed terms and conditions relevant to claims for the additional funding.
- 8 Notes the risks and mitigations set out in the report, and acknowledges the points raised by public participants at this meeting.
- 9 Notes the written feedback received from two of the four PTOM bus operators.
- 10 Notes the estimated cost of the funding proposal (option two) on the basis of the existing Living Wage rate is between \$1.65 and \$1.85 million per annum and that the annual cost will increase as changes to the living wage occur.
- 11 Notes that the funding required to support additional payments to PTOM bus operators for a period between an Effective Date prior to 30 June 2021 and 30 June 2021 is not included in the FY21 Annual Plan budget, but the expected cost is not likely to be material and can be met within existing budgets.
- 12 Agrees that the funding required to support claims after 30 June 2021 will need to:
 - a be included in the 2021 – 2031 Long Term Plan when it is adopted, subject to the funding being evaluated as a non-significant change, and
 - b include co-funding (51% Financial Assistance Rate (FAR)) from Waka Kotahi NZ Transport Agency (Waka Kotahi).

- 13 Notes that Waka Kotahi formal approval to fund a 51% share of the cost of the funding proposal is still to be confirmed, but expected to be provided shortly.
- 14 Notes that the additional funding proposal cannot be implemented unless Council approves the additional funding required as a non-significant change to the 2021-31 Long Term Plan and the required addition to the budget is approved when the 2021- 31 Long Term Plan is adopted.
- 15 Agrees to the draft funding proposal described as option two in the report.
- 16 Authorises the Chief Executive, subject to receiving formal Waka Kotahi approval to fund a 51% share of the cost and confirming that the 49% share of the Council funding has been approved, to:
 - a consider feedback received so far on the draft funding proposal shared with PTOM bus operators
 - b consider any ongoing or further feedback from PTOM bus operators
 - c change the funding proposal, noting that Council approval must be sought for any significant change to the funding proposal or other matter that results in a significant increase of more than 10% to the estimated annual cost of the funding proposal
 - d finalise the funding proposal, including any change to the Effective Date
 - e negotiate and approve the terms and conditions of a supplementary deed between Greater Wellington and each relevant PTOM bus operator to record (including any agreed variations to the PTOM Partnering Contacts) the basis upon which PTOM bus operators will be entitled to claim the additional funding.
- 17 Agrees to the continued consideration being given to the actions that Greater Wellington could take to:
 - a support those PTOM bus operators that do not qualify for the additional funding to ensure that they are not materially disadvantaged,
 - b support all PTOM bus operators to improve the terms and conditions (other than driver wages) that are important for ensuring a stable and productive workforce, and
 - c enable those bus operators engaged by the PTOM rail operator to provide rail/ bus replacement services to lift the pay rates for bus drivers providing rail replacement services to a level at or above a wage floor that aligns with the living wage.
- 18 Notes that officers will provide quarterly updates to Council about:
 - a the financial implications for Council and Waka Kotahi related to the claims made by PTOM bus operators that are entitled to claim the additional funding,
 - b the steps being taken by Greater Wellington to support PTOM bus operators to improve the terms and conditions (other than driver wages) that are important to ensuring a stable and productive work force,

- c any further steps required to ensure that those PTOM bus operators that do not qualify for the additional funding are not materially disadvantaged, and
 - d whether any additional funding is required to allow rates paid to bus drivers providing alternative rail/ bus replacement services to be increased.
- 19 Approves the communication plan and next steps set out at paragraphs 46-47.
- 20 Requests that the Chair writes to the Minister of Transport and Minister for Workplace Relations, advocating again for Government coordination of a single national fair pay agreement for drivers.

The motion was **carried**.

The meeting adjourned at 10.30am and resumed at 10.49am.

8 Te Upoko o Te Ika a Māui commitment – Report 21.132

Te Puritanga Jefferies, Senior Māori Economic Advisor, spoke to the report.

Moved: Cr Nash / Cr Lamason

That Council agrees to the Te Upoko o Te Ika a Māui Commitment.

The motion was **carried**.

9 Three Waters Reform – key messages – Report 21.131

Samantha Gain, General Manager Corporate Services, spoke to the report. An updated Attachment 1 was tabled.

Moved: Cr Kirk-Burnnand / Cr Brash

That Council

- 1 Approves the key messages regarding Three Waters Reform as outlined in Attachment 1, as updated, with the addition of a reference to the provision of water services remaining under public ownership.
- 2 Notes in respect of ‘three waters or two’, that the scope of the stormwater component is still being considered by the Department of Internal Affairs (DIA) and may have an impact on regional council functions depending on the extent to which it includes ‘flood water’.
- 3 Notes that a key requirement for Greater Wellington will be Greater Wellington’s continued ownership of water supply catchments, which are part of the regional parks and forests network.
- 4 Notes that the rights and interests of mana whenua should help inform Greater Wellington’s orientation to the three waters reform.

The motion was **carried**.

Councillor Hughes arrived at the meeting at 11.33am, during the debate of the above item.

Governance

10 Wellington Regional Leadership Committee – remuneration for the Independent Chair and Iwi members – Report 21.114

Updated recommendations were tabled. Luke Troy, General Manager Strategy, spoke to the report.

Moved: Cr Lamason / Cr Blakeley

That Council:

- 1 Notes the intention for Council (as the Administering Authority under the Wellington Regional Leadership Committee Joint Agreement and Terms of Reference) to appoint an independent Chair and designated iwi members to the Wellington Regional Leadership Committee.
- 2 Notes that the Independent Chair is a pivotal leadership position to assist in the management of the Joint Committee and that iwi membership of the Joint Committee is essential to build the desired partnership and shared outcomes.
- 3 Approves, in principle, the remuneration for the independent Chair of the Wellington Regional Leadership Committee as an annual taxable honorarium of \$35,000 and Greater Wellington Regional Council's standard mileage allowance.
- 4 Approves the remuneration for iwi members of the Wellington Regional Leadership Committee as an annual taxable honorarium of \$2500, and Greater Wellington Regional Council's standard meeting fee of \$235, and our standard mileage allowance.
- 5 Notes that reports providing for the finalisation of the independent Chair's remuneration and the appointment of the independent Chair will be submitted to Council by June 2021.

The motion was **carried**.

11 Local Government New Zealand annual general meeting 17 July 2021: attendance – Report 21.112

Moved: Cr Blakeley / Cr Lamason

That Council:

- 1 Approves the attendance of Councillors Ponter, Staples and Brash, and Greg Campbell, Chief Executive, at the 2021 LGNZ AGM.
- 2 Appoints Councillor Ponter as the Presiding Delegate for voting on behalf of the Council at the 2021 LGNZ AGM.
- 3 Appoints Councillors Staples and Brash, and Greg Campbell, Chief Executive, as Alternate Delegates for voting on behalf of the Council at the 2021 LGNZ AGM if Councillor Ponter is absent from the AGM.

The motion was **carried**.

12 Appointment to the Regional Land Transport Plan 2021 Hearing Subcommittee – Report 21.135

Moved: Cr Lamason / Cr Brash

That Council:

- 1 Notes that on 24 November 2020, the Regional Transport Committee made appointments to the Regional Land Transport Plan 2021 Hearing Subcommittee, to hear submissions on the draft Regional Land Transport Plan 2021.
- 2 Notes that Council has the right to appoint or discharge any member of a subcommittee appointed by one of its committees.
- 3 Revokes the appointment of Mayor Wayne Guppy to the Regional Land Transport Plan 2021 Hearing Subcommittee.
- 4 Appoints Deputy Mayor Hellen Swales to the Regional Land Transport Plan 2021 Hearing Subcommittee.

The motion was **carried**.

13 Report on the Civil Defence Emergency Management Group meeting of 26 March 2021 – Report 21.126 [For Information]

Corporate

14 Wellington Regional Stadium Trust half yearly report – Report 21.94 [For Information]

Councillor Hughes spoke to the report and updated Council on the Stadium's position.

Resolution to exclude the public

15 Resolution to exclude the public – Report 21.127

Moved: Cr Lamason / Cr Lee

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

Confirmation of the Restricted Public Excluded minutes of the Council meeting on 25 February 2021 – Report RPE21.76

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 ground/s 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:

Confirmation of the Restricted Public Excluded minutes of the Council meeting on 25 February 2021 – Report RPE21.76	
<i>Reason/s 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 these minutes relates to the Chief Executive's performance for 2020/21; and the remuneration parameters and draft employment agreement, which will be applied in negotiations with the preferred candidate for the Chief Executive position.</p> <p>Release of this information would prejudice Greg Campbell's privacy by disclosing details of his performance agreement with Council. It would also be likely to prejudice or disadvantage the ability of Greater Wellington to carry on negotiations with the preferred candidate.</p> <p>Greater Wellington has not been able to identify a public interest favouring disclosure of this particular information in public proceedings of the meeting that would override the need to withhold the information.</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), and section 7(2)(i) of the Act (to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)).</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

The motion was **carried**.

The public part of the meeting closed at 12.02pm.



Councillor D Ponter

Chair

Date: 27/5/21

Confirmed Restricted Public Excluded minutes of the Council meeting on Thursday 8 April 2021

Taumata Kōrero – Council Chamber, Greater Wellington Regional Council
100 Cuba Street, Te Aro, Wellington, at 12.02pm.

Members Present

Councillor Staples (Deputy Chair)
Councillor Blakeley
Councillor Brash
Councillor Connelly
Councillor Gaylor
Councillor Hughes
Councillor Kirk-Burnnand
Councillor Laban
Councillor Lamason
Councillor Lee
Councillor Nash

Councillor Staples presided at the meeting in the absence of the Council Chair.

Restricted Public Excluded Business

1 Confirmation of the Restricted Public Excluded minutes of the Council meeting of 25 February 2021 - Report RPE21.76

Moved: Cr Lamason / Cr Lee

That Council confirms the Restricted Public Excluded minutes of the Council meeting of 25 February 2021 - Report RPE21.76.

The motion was **carried**.

The Public Excluded part of the meeting closed at 12.02pm.



Councillor D Ponter

Chair

Date: 27/5/21