

HUTT CITY COUNCIL

Minutes of an ordinary meeting of The Hutt City Council held in the Wainuiomata Chambers, Wainuiomata Library, Queen Street, Wainuiomata on
Tuesday 12 May 2015 commencing at 6.00pm

PRESENT:

Mayor WR Wallace (Chair)	
Deputy Mayor D Bassett	Cr C Barry
Cr L Bridson	Cr MJ Cousins
Cr A Finlayson	Cr T Lewis
Cr M Lulich	Cr G McDonald
Cr M Shierlaw	Cr M Willard

APOLOGIES: Apologies were received from Cr B Branch and Cr C Milne.

IN ATTENDANCE:

Mr T Stallinger, Chief Executive
 Mr B Sherlock, General Manager, City Infrastructure
 Mrs J Raffills, General Manager, Governance and Regulatory (part meeting)
 Mr M Reid, General Manager, Community Services
 Ms E McCleary, Senior Communications and Marketing Advisor
 Ms K Stannard, Manager Secretariat Services
 Ms S Haniel, Committee Advisor

PUBLIC BUSINESS**1. APOLOGIES****RESOLVED:****Minute No. C 15201(6)**

"That the apologies received from Cr B Branch and Cr C Milne be accepted and leave of absence be granted."

2. PUBLIC COMMENT

There was no public comment.

3. MAYORAL STATEMENT

Mayor Wallace delivered the Mayoral Statement. He highlighted that the ANZAC Lawn and Cenotaph had been completed and rededicated in April, and that record numbers had attended ANZAC Day ceremonies. He expressed appreciation to the Returned Services Association for organising the services.

RESOLVED:

Minute No. C 15202(6)

"That the Mayoral Statement be received."

4. CONFLICT OF INTEREST DECLARATIONS

Cr Shierlaw declared a conflict of interest in item 12 'Directors to Hutt City Community Facilities Trust' and took no part in discussion or voting on the matter.

5. COMMITTEE REPORTS WITH RECOMMENDED ITEMS

a) Policy and Regulatory Committee

28 April 2015

RESOLVED:

Minute No. C 15203(6)

"That the report of the meeting held on 28 April 2015 with the exception of item 4a) Hugh Sinclair Park, Wainuiomata – Rezoning of Part of the Site as General Residential Activity Area with Provision for a retirement Village and item 4b) Port Road Land – Reserve Revocation, be adopted."

Recommended Items

Item 4a) Hugh Sinclair Park, Wainuiomata - Rezoning of Part of the Site as General Residential Activity Area with Provision for a Retirement Village (15/423)

Cr Cousins advised that the rezoning of part of the site of Hugh Sinclair Park would be for the purposes of a retirement village only. She further advised that if the developer withdrew from the project, then another party could build a retirement village in accordance with the resource consent, but not develop the site for any other purpose.

RESOLVED:

Minute No. C 15204(6)

"That Council:

- (i) notes the Proposed Plan Change to rezone part of Hugh Sinclair Park in Wainuiomata to General Residential Activity Area (attached as Appendix 1 to Report PandR2015/2/122);*

- (ii) resolves to promulgate Proposed Plan Change 37;*
- (iii) instructs officers to publicly notify Proposed Plan Change 37 as soon as possible;*
- (iv) allows officers to make any minor non-policy changes to the details of the Proposed Plan Change should the need arise; and*
- (v) notes that this will allow for full public consultation on the Proposed Plan Change."*

Item 4b) Port Road Land - Reserve Revocation (15/566)

RESOLVED:

Minute No. C 15205(6)

"That Council:

- (i) notes that the proposal to revoke the reserve status of approximately 554m² of recreation reserve adjacent to 5 Port Road Seaview, attached as Appendix 1 to Report PandR2015/2/123, was publicly notified on 20 January 2015;*
- (ii) notes that only one submission was received, from the owner of 5 Port Road, Seaview in support of the proposal;*
- (iii) notes that the owners of 7 Port Road, Seaview have separately approached Council asking to purchase the land once it was revoked, citing a need for off-street parking;*
- (iv) notes that the reserve is most likely to be Crown derived, (though the Department of Conservation's legal team is yet to confirm this), which means that the LINZ agent would run the disposal process in accordance with the Crown's disposal procedures, without certainty that the party encroaching would be able to acquire the land; and*
- (v) requests, through the Minister of Conservation, urgent advice from her Department as to the ownership status of the land, before making a final decision on whether or not to proceed with the proposed revocation."*

b) City Development Committee

29 April 2015

RESOLVED:

Minute No. C 15206(6)

"That the report of the meeting held on 29 April 2015 with the exception of item 4 Sportsville and Sport Infrastructure Strategic Discussion, be adopted."

Recommended Item

Item 4 Sportsville and Sport Infrastructure Strategic Discussion (15/581)

In response to a question from a member, the General Manager, Community Services advised that he would report back to her on the cost of the field and turf.

RESOLVED:

Minute No. C 15207(6)

"That Council adopts a 30% cost recovery policy on Council owned artificial turfs in line with the current 'Level 1' classification of grass fields."

c) Finance and Audit Committee

30 April 2015

RESOLVED:

Minute No. C 15208(6)

"That the report of the meeting held on 30 April 2015 with the exception of item 4a) Council Activity Reviews and item 6) Report on Breakwater Sale to Seaview Marina Limited, be adopted."

Recommended Items

Item 4a) Council Activity Reviews (15/627)

RESOLVED:

Minute No. C 15209(6)

"That Council:

- (i) notes the timetable for the current triennium for regular Council reviews of Council activities;*
- (ii) notes the existing terms of reference for the reviews attached as Appendix 1 to Memorandum FandA2015/2/131;*
- (iii) notes the revised draft terms of reference for the reviews attached as Appendix 2 to Memorandum FandA2015/2/131, to reflect the decision of Council's Strategic Leadership Team to condense the requirements to those activities of greatest importance; and*
- (iv) approves the draft terms of reference for the reviews attached as Appendix 2 to Memorandum FandA2015/2/131."*

Item 6) Report on Breakwater Sale to Seaview Marina Limited (15/226)

Cr Shierlaw advised that the breakwater initiative would enable the water berths to be completed. He added that Seaview Marina Ltd's Statement of Intent would be altered to include the higher debt limit and

that this would not place any onerous demands on the company.

Mayor Wallace commended Councillor Shierlaw for working with representatives from Seaview Marina to achieve an excellent outcome. He urged Councillors to attend Council's Finance and Audit Committee meetings when Council Controlled Organisations were presenting to the Committee.

RESOLVED:

Minute No. C 15210(6)

"That Council:

- (i) notes the business case for the completion of the in-water development attached as Appendix 1 to Report FandA2015/2/138;*
- (ii) agrees to increase the Seaview Marina Limited (SML) borrowing limit from \$3.5M to \$6M in order to facilitate the in-water development noting that the business case envisages that all debt will be paid off by June 2025;*
- (iii) agrees that the breakwater will be transferred to SML in 2017/18 at a purchase price to be confirmed prior to the 2017/18 budget being agreed;*
- (iv) instructs SML to alter its draft Statement of Intent in light of the in-water development business case; and*
- (v) requests the Community Plan Committee/Council to build the asset sale agreed in part (ii) into Council's Long Term Plan."*

d) Traffic Subcommittee

22 April 2015

Cr Bridson highlighted that the regulatory process for authorising traffic control matters under the Traffic Bylaw involved a considerable amount of time from Councillors and expense. She considered that the process for these traffic control matters should be delegated to officers if central government agreed to it.

Mayor Wallace highlighted that there would be a Rules Reduction Taskforce meeting at the Angus Inn on Friday, 15 May 2015 where Council would be represented by a representative from the Mayor's office and officers.

RESOLVED:

Minute No. C 15211(6)

"That Council

- (i) adopts the report of the meeting held on 22 April 2015;*
- (ii) approves the broken yellow No Stopping At All Times restrictions in Rakeiora Grove as attached as Appendix 1 to Report TRS2015/2/98;*
- (iii) approves 16 metres of P30 Parking Restrictions outside 15 Port Road as attached as Appendix 1 to Report TRS2015/2/99;*
- (iv) rescinds 30 metres of Broken Yellow Lines outside 55 Port Road as attached as Appendix 1 to Report TRS2015/2/99;*
- (v) approves the broken yellow No Stopping At All Times restrictions in Port Road as*

attached as Appendix 1 to Report TRS2015/2/100;

- (vi) rescinds nine metres of P15 parking on Hutt Road as shown in Appendix 1 attached to Report TRS2015/2/101;*
- (vii) approves nine metres of P15 Loading Zone outside 5 Hutt Road as shown in Appendix 1 attached to report TRS2015/2/101;*
- (viii) rescinds the existing Bus Stop in Barnes Street as attached as Appendix 1 to Report TRS2015/2/102;*
- (ix) approves the proposed School Bus Stop in Barnes Street as attached as Appendix 1 to report TRS2015/2/102 operating between the hours 8.00am - 9.00am and 3.00pm-4.00pm on school days only;*
- (x) approves the Broken Yellow No Stopping At All Times Restrictions outside 33 Jackson Street as attached as Appendix 1 to Report TRS2015/2/103;*
- (xi) approves a P15 parking restriction, 8.00am - 5.30pm, Monday to Friday on Muritai Road outside No. 199 as attached as Appendix 1 to Report TRS2015/2/104;*
- (xii) approves the proposed traffic calming speed cushions in Muritai Road as attached as Appendix 1 to Report TRS2015/2/105;*
- (xiii) approves the proposed no stopping at all times restrictions in Muritai Road as attached as Appendix 1 to Report TRS2015/2/105 ;*
- (xiv) approves the proposed shared path in Muritai Road as attached as Appendix 1 to Report TRS2015/2/105;*
- (xv) approves the proposed No Stopping At All Times restriction in Willis Grove, Wainuiomata as attached as Appendix 1 to Report TRS2015/2/106;*
- (xvi) approves 11 metres of parallel P120 Mobility Parking Restriction in Queen Street, Wainuiomata as attached as Appendix 1 to Report TRS2015/2/107;*
- (xvii) retains the existing angled Mobility Parking Restriction space in Queen Street, Wainuiomata as attached as Appendix 1 to Report TRS2015/2/107;*
- (xviii) asks officers to monitor the Mobility Parking Restriction spaces in Queen Street, Wainuiomata for six months and report back on any issues;*
- (xix) approves the installation of No Stopping At All Times and Mobility Parking Restrictions in Hathaway Avenue as attached as Appendix 1 to Report TRS2015/2/108;*
- (xx) approves the installation of No Stopping At All Times Restrictions in Troon Crescent as attached as Appendix 2 to Report TRS2015/2/108;*
- (xxi) approves the installation of No Stopping At All Times Restrictions in Military Road as attached as Appendix 3 to Report TRS2015/2/108;*
- (xxii) approves the proposed P180 Parking Restriction in Glen Iris Grove as attached as Appendix 1 to Report TRS2015/2/109;*
- (xxiii) rescinds five Pay and Display (Zone HC4) unrestricted parking restrictions in the Riverbank Car Park as attached as Appendix 1 to Report TRS2015/2/110;*
- (xxiv) approves four Mobility Parking Restrictions in the Riverbank Car Park as attached as Appendix 1 to Report TRS2015/2/110;*
- (xxv) rescinds two Pay and Display (Zone HC2) two hour max parking restrictions in Daly Street as attached as Appendix 2 to Report TRS2015/2/110;*

- (xxvi) *approves 12 metres of Mobility Parking Restrictions in Daly Street as attached as Appendix 2 to Report TRS2015/2/110;*
- (xxvii) *approves a P5 Pick Up Drop Off Restriction operating during the times of 8.15am - 9.00am and 2.45pm - 3.15pm on school days only in Kings Crescent as attached as Appendix 1 to Report TRS2015/2/111;*
- (xxviii) *approves the No Stopping At All Times restrictions in High Street as attached as Appendix 1 to Report TRS2015/2/112;*
- (xxix) *approves P15 Parking Restrictions in Mills Street outside No. 32 Connolly Street as attached as Appendix 1 to Report TRS2015/2/113;*
- (xxx) *rescinds four metres of No Stopping At All Times restriction outside No. 3 Rutherford Street as attached as Appendix 1 to Report TRS2015/2/114;*
- (xxxi) *approves the installation of a P120 parking restriction outside No. 3 Rutherford Street as attached as Appendix 1 to Report TRS2015/2/114;*
- (xxxii) *approves the broken yellow No Stopping At All Times restrictions in Pharazyn Street as attached as Appendix 1 to Report TRS2015/2/115;*
- (xxxiii) *approves the P180 parking restrictions in Bridge Street as attached as Appendix 1 to Report TRS2015/2/116; and*
- (xxxiv) *approves the broken yellow No Stopping At All Times restrictions in Bridge Street as attached as Appendix 1 to report TRS2015/2/116."*

6. MISCELLANEOUS

Town Hall/Events Centre (15/687)

Report No. HCC2015/2/143 (2) by the General Manager, City Infrastructure

Deputy Mayor Bassett elaborated on the report. He advised that Council had undertaken a thorough consultation process and following considerable debate, had altered the plans so as to retain the Town Hall rather than demolish it. He added that the date for completion of the halls would be September 2016, which had been extended from April 2016, as a result of the lengthened consultation time.

Members noted that after the developed design was completed, the Architects would design the detailed drawings which would then go out to tender. Members considered that the extensive consultation process had collaboratively worked with the concerns of the community to achieve a result which the majority of citizens would support.

RESOLVED:

Minute No. C 15212(6)

"That Council endorses the Developed Design for the Town Hall/Events Centre."

7. MINUTES

RESOLVED:

Minute No. C 15213(6)

"That the minutes of the meeting of the Hutt City Council held on 19 March 2015 be confirmed as a true and correct record."

RESOLVED:

Minute No. C 15214(6)

"That the minutes of the meeting of the Hutt City Council held on 24 March 2015, be confirmed as a true and correct record."

8. SUBCOMMITTEE REPORTS WITHOUT RECOMMENDED ITEMS

Hearings Subcommittee

13 February 2015, 13 March 2015 and 9 April 2015

Cr Cousins elaborated on the reports.

In response to a question from a member, the General Manager, City Infrastructure said that companies and trusts were separate legal entities with status similar to natural persons.

Cr Cousins advised that the resource consent application submitted by Summerset Group at 10, 12 and 14 Hathaway Avenue, would be following a judicial process. She highlighted that it was important for natural justice to be observed and the process to be allowed to run its course. She asked members to refrain from forming and voicing opinions on the issue, before hearing all of the information. She highlighted that any member voicing an opinion, at this stage of the process, could compromise their ability to be a part of any later decision making in respect of Summerset's applications.

RESOLVED:

Minute No. C 15215(6)

"That the reports of the meetings held on 13 February 2015, 13 March 2015 and 9 April 2015 be adopted."

9. QUESTIONS

There were no questions.

10. SEALING AUTHORITY (15/550)

Report No. HCC2015/2/14 (2) by the Committee Administrator

RESOLVED:

Minute No. C 15216(6)

"That Council approves the affixing of the Common Seal to all relevant documents in connection with the items specified in Schedule 1 in accordance with Standing Order 18.2."

SCHEDULE 1 - General Sealing Authority

Agreement of Renewal

- a) *The Hutt City Council and Vodafone New Zealand Limited*
Rona Bay
DIV/14/3689
(Record Number L15/50)

This is a "deemed" extension of an existing licence to Vodafone by a further 3 years to 16 May 2018. It continues the grant of a licence for Vodafone to install and maintain equipment including a telecommunications base station, antennas, masts and mounts.

Easement

- b) *The Hutt City Council and Inmotion Research Limited*
13 Cooper Street, Taita LT 482623
GEN926903
(Record Number L15/14)

Inmotion Research Limited is subdividing land. As part of this subdivision the developer is required to grant Council the right to drain sewage and storm water from the site. This document creates the easement allowing Council to do this. It includes the standard terms officers require.

Warrants Approved

<p><i>Adam Richard Wheeler – HCC WARRANT-15-8</i></p>	<p><i>1. Local Government Act 2002 Authorised Person pursuant to ss171, 173 (powers of entry in general)</i></p> <p><i>Enforcement Officer pursuant to s177 (including additional powers of entry)</i></p> <p><i>2. Building Act 2004 Authorised Officer pursuant to s222 Enforcement Officer pursuant to s371B</i></p> <p><i>4. Fencing of Swimming Pools Act 1987 Territorial Authority Officer pursuant to s11</i></p>
<p><i>Tania Anne Speers – RECON – WARRANT-15-9</i></p>	<p><i>1. Local Government Act 2002 Authorised Person pursuant to ss171, 173 (powers of entry in general)</i></p> <p><i>11. Land Transport Act 1998 Parking Warden pursuant to s128D</i></p> <p><i>14. Resource Management Act Enforcement Officer (Noise Control only) pursuant to s38(2)</i></p>

11. EXCLUSION OF THE PUBLIC

RESOLVED:

Minute No. C 15217(6)

"That the public be excluded from the following parts of the proceedings of this meeting, namely:

12. *Committee Report with Recommended Item*

Finance and Audit Committee - 30 April 2015 – (item 16) Appointment of Directors to Hutt City Community Facilities Trust

13. *Provisional Local Alcohol Policy (15/698)*14. *Council Minutes - 24 March 2015*

The general subject of each matter to be considered while the public is excluded, the reason 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 for the passing of this resolution are as follows:

<i>(A)</i>	<i>(B)</i>	<i>(C)</i>
<i>General subject of the matter to be considered.</i>	<i>Reason for passing this resolution in relation to each matter.</i>	<i>Ground under section 48(1) for the passing of this resolution.</i>
<i>Report of the Finance and Audit Committee held on 30 April 2015 – Appointment of Directors to Hutt City Community Facilities Trust</i>	<i>The withholding of the information is necessary to protect the privacy of natural persons.(s7(2)(a)).</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exist.</i>
<i>Provisional Local Alcohol Policy</i>	<i>The withholding of the information is necessary to maintain legal professional privilege (s7(2)(g)).</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exist.</i>
<i>Minutes of the Hutt City Council held on 24 March 2015 – Appointment of Directors – Seaview Marina Limited and Urban Plus Limited</i>	<i>The withholding of the information is necessary to protect the privacy of natural persons. (s7(2)(a)).</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exist.</i>

This resolution is made in reliance on section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as specified in Column (B) above."

There being no further business the Chair declared the meeting closed at 6.45 pm. The non-public portion of the meeting finished at 7.00pm.

WR Wallace
MAYOR

CONFIRMED as a true and correct record
Dated this 28th day of July 2015