

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 16 February 2016 commencing at 4.30 pm

PRESENT:

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

APOLOGIES: There were no apologies.

IN ATTENDANCE:

Mr T Stallinger, Chief Executive
 Ms K Kelly, General Manager, Strategic Services
 Mr B Sherlock, General Manager, City Infrastructure
 Ms J Raffills, General Manager, Governance and Regulatory
 Mr M Reid, General Manager, Community Services
 Mr P Blacker, Chief Financial Officer
 Mr Allen Yip, Manager Strategic Projects
 Mr S Keatley, Community Facilities Manager
 Ms K Stannard, Divisional Manager Secretariat Services
 Mrs H Clegg, Minute Taker

PUBLIC BUSINESS**1. APOLOGIES**

There were no apologies.

2. PUBLIC COMMENT

Comments are recorded under the item to which they relate.

3. CONFLICT OF INTEREST DECLARATIONS

There were no conflict of interest declarations.

4. PROPOSED ANNUAL PLAN 2016-2017 (16/119)

Cr Cousins highlighted the importance of Council understanding that this year was not the year to be surprised by ad hoc decisions when Council meets in June to make decisions on the Annual Plan. She advised that Council needed a very clear consultation process around the Annual Plan.

Mayor Wallace advised that Council was working within a tight budget and this had been raised with the Community Board and Community Committee members. He highlighted that Council was not expecting a 'wish list' from members. He added that the Ward Councillors needed to make this clear to their Community Boards and Community Committees.

Cr Milne expressed the need for the consultation document to ask straightforward questions and ensure sufficient background information was provided.

Cr Shierlaw observed that a balanced approach was required. He highlighted the importance of consulting with ratepayers and Council holding an open mind about any cuts to the budget.

Mayor Wallace advised officers that the document needed to be written in plain language. He asked members to give feedback on the consultation document to Council's Corporate Planner by tomorrow.

RESOLVED:

Minute No. C 16101

"That Council:

- (i) adopts the underlying information for the proposed Annual Plan 2016-2017; and*
- (ii) notes that the Subcommittee appointed by Council on 15 December 2015, comprising of Mayor Wallace, Chair of the City Development Committee, Deputy Mayor Bassett, Chair of the Policy and Regulatory Committee, Cr Cousins and the Chair of the Finance and Audit Committee, Cr Shierlaw, to provide guidance on the Annual Plan process will be asked to provide ongoing guidance on the Consultation Document including approving this for typesetting."*

5. MISCELLANEOUS

a) **Proposed Plan Change 34 - Network Utilities and Renewable Energy Generation Decision** (15/1674)

Report No. HCC2016/1/5 by the Senior Environmental Policy Analyst

Cr Cousins advised that there was a spelling mistake under section 4.13 of the decision.

Deputy Mayor Bassett expressed concern on behalf of an individual submitter and sought reassurance from the Joint Hearings Panel that all submissions to proposed Plan Change 34 were taken into account when making its decision.

Cr Bridson assured members that all submissions received for proposed Plan Change 34 were taken into account by the Joint Hearings Panel of Commissioners.

Cr Cousins advised that it was important for members to understand that submitters who felt disappointed with Commissioners' decisions could not reiterate these decisions at Council meetings.

Mayor Wallace advised that the appropriate place for submitters to speak to their submissions was at the actual hearing.

RESOLVED:

Minute No. C 16102

"That Council:

- (i) notes the process undertaken under the Resource Management Act ('RMA') 1991 for Proposed Plan Change 34;*
- (ii) notes that Proposed Plan Change 34 was prepared, notified and heard in a joint process with Upper Hutt City Council (Proposed Plan Change 38 to the Upper Hutt District Plan);*
- (iii) notes that a total of 11 original submissions and two further submissions were received to Proposed Plan Change 34;*
- (iv) accepts the proposed amendments to the publicly notified text of Proposed Plan Change 34 as recommended by the hearing panel and outlined in Appendix 1 attached to the report;*
- (v) adopts the further evaluation of Proposed Plan Change 34 contained within Appendix 1 attached to the report and its conclusion that the plan change is an appropriate way of achieving the purpose of the RMA;*
- (vi) adopts Proposed Plan Change 34 as recommended in Appendix 1 attached to the report (pursuant to clause 10 of the First Schedule of the Act); and*
- (vii) rejects and accepts in full or in part the decisions requested by submissions for the reasons outlined in Appendix 1 attached to the report."*

6. QUESTIONS

There were no questions.

7. EXCLUSION OF THE PUBLIC

RESOLVED:

Minute No. C 16103

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

8. *Town Hall and Events Centre (16/143)*

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:

(A)	(B)	(C)
<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>Town Hall and Events Centre.</i>	<p><i>The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities (s7(2)(h)).</i></p> <p><i>The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s7(2)(i)).</i></p>	<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."

RESOLVED:**Minute No. C 16105**

“That Ms Tracey Andrews-Smith, Project Director, from RDT Pacific be permitted to remain after the public has been excluded during consideration of the item dealing with the Town Hall and Events Centre, as she has knowledge of the matter to be discussed that will assist Council in relation to this item.”

There being no further business the Chair declared the meeting closed at 5pm. The non public portion of the meeting finished at 5.30pm.

WR Wallace
MAYOR

CONFIRMED as a true and correct record
Dated this 24th day of May 2016

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PUBLIC EXCLUDED BUSINESS**8. TOWN HALL AND EVENTS CENTRE (16/143)**

Report No. HCC2016/1/28 by the General Manager, City Infrastructure

The General Manager, City Infrastructure elaborated on the report. He highlighted that option 2 was the preferred option highlighting that portions of the work to be tendered out in April would be withdrawn from that tender process and awarded immediately to Naylor Love. He advised that Council would have assurance that Naylor Love's price was competitive by use of an independent Quantity Surveyor to review its price and enter into negotiation with Naylor Love as necessary.

Ms Andrews-Smith, Project Director, from RDT Pacific express support for the General Manager, City Infrastructure's comments.

Deputy Mayor Bassett, speaking as Chair of the Civic Precinct Working Group, expressed support for option 2 highlighting that a considerable amount of time had been spent arriving at this point.

In response to questions from Cr Shierlaw, the General Manager, City Infrastructure advised that he could not give 100% guarantee that there would be no further cost increases if Council continued to earthquake strengthen the Town Hall. Ms Andrews-Smith advised that currently the construction phase was in its interim time period. She noted that the Town Hall was in its skeletal phase so there was no 'unknowns' with the hall. She also noted that the cost risk balance had been mitigated. She reassured members that the Civic Precinct Working Group would meet at any time to discuss any problems.

Cr Branch congratulated the relevant parties for the work completed to date. She considered Cr Shierlaw's repeating of the same question as bullying.

Cr Shierlaw raised a point of order and asked for a ruling as to whether or not Cr Branch could withdraw her expression. Cr Branch advised that she would retract her expression if Cr Shierlaw withdrew his previous email correspondence. The Chair ruled that Cr Branch would no longer have speaking rights at the meeting.

In response to a question from a member, the Project Director, RDT Pacific elaborated on the tender process. She advised on that it was an open tender process with all sub-contractors prices being scrutinised. She highlighted that the lowest tender price was not always the right way and that all factors were taken into account.

Deputy Mayor Bassett advised that the additional costs were unexpected. He noted that he was assured everything possible had been completed to ensure the correct outcome for the buildings.

Cr Barry believed that errors had been made and in hindsight the Town Hall should have been demolished. He advised that he did not support option 2.

Cr Shierlaw expressed support for option 2 advising that the hotel would bring economic benefits to the City and Council could not do anything to put that at risk.

Mayor Wallace expressed support for option 2. He acknowledged that everyone was concerned that additional funds were required for the project. He advised that he was confident that in two to three years' time the City will have a civic precinct that the people of the city would be proud of.

RESOLVED:

Minute No. C 16101

"That Council:

- (i) notes the information contained in this report;*
- (ii) notes further investigations are ongoing into discrepancies between the estimate provided and tender prices; and*
- (ii) approves Option 2 as detailed in the report."*

Cr Barry requested that his dissenting vote be recorded against the above matter.

The motion was declared CARRIED by division with the voting as follows:

<u>For</u>	<u>Against</u>
Mayor Wallace	Cr Barry
Deputy Mayor Bassett	
Cr Cousins	
Cr Lulich	
Cr Milne	
Cr McDonald	
Cr Lewis	
Cr Shierlaw	
Cr Willard	
Cr Bridson	
Cr Finlayson	
Cr Branch	
Total: 12	Total: 1

CONSEQUENTIAL MOTION

RESOLVED:

Minute No. C 161012

"That Council:

- (i) authorises the Chief Executive to contact the hotel operator and update him on developments covered under item 8 in the public excluded section of the meeting; and*
- (ii) authorises Mayor Wallace or the Chief Executive to issue a press release on the matter covered under item 8 in the public excluded section of the meeting should they decide it is necessary to do so."*

There being no further business the Chair declared the meeting closed at 5.30pm.

WR Wallace
MAYOR

CONFIRMED as a true and correct record
Dated this 24th day of May 2016