

**HUTT CITY COUNCIL**

Minutes of an ordinary meeting of The Hutt City Council held in the Hutt City Council Chambers, Level 2, 30 Laings Road, Lower Hutt on **Tuesday 24 May 2016 commencing at 6.00pm**

---

**PRESENT:** Mayor WR Wallace (Chair)  
 Deputy Mayor D Bassett Cr B Branch (until 7.45pm)  
 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 Willard

**APOLOGIES:** An apology was received from Cr Shierlaw.

**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 (part meeting)  
 Mr M Reid, General Manager, Community Services  
 Mr B Kibblewhite, Chief Financial Officer  
 Mr B Cato, Solicitor (part meeting)  
 Mr A Cumming, Divisional Manager Environmental Policy (part meeting)  
 Mr G Sewell, Principal Policy Advisor  
 Mr S Keatley, Community Facilities Manager (part meeting)  
 Mr J Pritchard, Senior Research/Policy Advisor (part meeting)  
 Ms C Tessendorf, Senior Environmental Policy Analyst (part meeting)  
 Ms M Laban, Community Projects and Relationship Manager (part meeting)  
 Ms A Wallace, Senior Communications & Marketing Advisor (part meeting)  
 Mr T Cardy, Communications Advisor (part meeting)  
 Ms K Stannard, Manager Secretariat Services  
 Mrs A Doornebosch, Committee Advisor

**PUBLIC BUSINESS****1. APOLOGIES**

**RESOLVED:** Minute No. C 16201(2)

*"That the apology received from Cr Shierlaw be accepted and leave of absence be granted."*

## 2. PUBLIC COMMENT

Comments are recorded under the item to which they relate.

## 3. MAYORAL STATEMENT

Mayor Wallace delivered his Mayoral Statement. He noted the recent passing of Mr Chris Clifton and Mr David Skipper.

### RESOLVED:

**Minute No. C 16202(2)**

*"That the Mayoral Statement be received."*

### RESOLVED: (UNANIMIOUS)

**Minute No. C 16203(2)**

*"That Council congratulates the Hutt Valley Sports Awards organising panel for arranging a superior event."*

## 4. CONFLICT OF INTEREST DECLARATIONS

Deputy Mayor Bassett and Cr Finlayson declared conflicts of interest in relation to item 5 b) Proposal to revoke Reserve Status of Council Land in Holborn and took no part in discussion or voting on this matter.

## 5. COMMITTEE REPORTS WITH RECOMMENDED ITEMS

### a) Traffic Subcommittee

27 April 2016

### RESOLVED:

**Minute No. C 16204(2)**

*"That the report of the meeting held on 27 April 2016 with the exception of item 4a) Stevens Grove - Proposed P180 Electric Vehicle Parking Restriction, item 4b) Hutt Road/Petone Avenue - Proposed Traffic Signals, item 4c) Marine Drive - Proposed Additional School Bus Stop, item 4d) The Strand - Proposed Mobility and P15 Parking Restrictions, item 4e) Proposed School Zones 40km/h Variable Speed Limits, item 4f) Vincent Street - Proposed No Stopping At All Times, item 4g) High Street - Proposed P60 Parking Restrictions, item 4h) St Albans Grove - Proposed P15 Parking Restrictions, item 4i) Tirohanga Road - Proposed No Stopping At All Times, item 4j) Block Road - Proposed No Stopping At All Times Restrictions and item 4l) Wakefield Street - Proposed Loading zone, be adopted."*

### **Recommended Items**

<b>Items</b>	<b>Stevens Grove - Proposed P180 Electric Vehicle Parking Restriction</b>
<b>4a), 4b),</b>	<b>(16/284), Hutt Road/Petone Avenue - Proposed Traffic Signals</b>
<b>4c), 4d),</b>	<b>(16/206), Marine Drive - Proposed Additional School Bus Stop</b>
<b>4e), 4f),</b>	<b>(16/187), The Strand - Proposed Mobility and P15 Parking Restrictions</b>

- 4g), 4h) (16/225), Proposed School Zones 40km/h Variable Speed Limits (16/330), Vincent Street – Proposed No Stopping At All Times Restrictions (16/303), High Street - Proposed P60 Parking Restrictions (16/170), St Albans Grove - Proposed P15 Parking Restrictions (16/194), Tirohanga Road - Proposed No Stopping at All Times (16/123), Block Road - Proposed No Stopping At All Times Restrictions (16/311)

RESOLVED:

Minute No. C 16205(2)

“That Council:

- (i) *approves the installation of a P180 Electric Vehicle Parking Restriction in Stevens Grove, stating ‘Reserved for Electric Vehicles on charge only, for a maximum of 180 minutes at all times’, attached as Appendix 1 to Report TRS2016/2/89;*
- (ii) *approves the car park for Electric Vehicles be free of charge;*
- (iii) *asks officers to report back to the Traffic Subcommittee at the end of a six month trial for the P180 Electric Vehicle Parking Restriction in Stevens Grove regarding the proposed time limit and any further initiatives required for the facility;*
- (iv) *approves the installation of Traffic Signals and associated No Stopping At All Times restrictions and Cycle Lanes at the intersection Hutt Road and Petone Avenue attached as Appendix 1 to Report TRS2016/2/91;*
- (v) *approves an addition to the existing School Bus Stop 8.45am - 9.15am and 2.30pm – 3.15pm, school days only, in Marine Drive, Eastbourne adding to a total of 27.5 metres as attached as Appendix 1 to Report TRS2016/2/92;*
- (vi) *approves the installation of two new mobility parks and the installation of P15 parking restrictions in The Strand, Wainuiomata, as attached as Appendix 1 to Report TRS2016/2/93;*
- (vii) *asks officers to monitor the use of the mobility car parks on the north side of The Strand over a six month period;*
- (viii) *notes the specified parts of High Street, Athlone Crescent, Frederick Street, Walters Street, Garden Road, Tennyson Avenue and Gordon Street (for Naenae College), Naenae Road, Rata Street and Strand Crescent (for Rata Street Primary School), and Burden Avenue, Coast Road, Hine Road, Homedale Road, Main Road and Poole Crescent (for Wainuiomata Primary School) meet the New Zealand Transport Agency warrant conditions for 40km/h Variable Speed Limit in School Zones;*
- (ix) *notes the results of the submissions process referred to in the report (relating to part (viii) above);*
- (x) *resolves that in accordance with s7.2(3) of the Land Transport Rule – Setting of Speed Limits 2003 (the “Rule”), and after taking account of section 6 of the Rule and submissions received, and for the periods of operation stipulated in the New Zealand Gazette, 21/4/2011, N°55, p1284 – Variable Speed Limits in School Zones, that 40km/h variable speed limits be set from 25 May 2016 for areas around the following schools:*

- (a) Naenae College as attached as Appendix 1 to Report TRS2016/2/94;
  - (b) Rata Street Primary School as attached as Appendix 2 to Report TRS2016/2/94; and
  - (c) Wainuiomata Primary School as attached as Appendix 3 to Report TRS2016/2/94;
- (xi) requests officers to undertake all necessary actions to give effect to these resolutions under the provisions of the Rule;
  - (xii) approves the installation of No Stopping At All Times Restrictions in Vincent Street, Waterloo attached as Appendix 1 to Report TRS2016/2/95;
  - (xiii) approves the removal of existing No Stopping At All Times Restrictions and the installation of P60 Parking Restrictions in High Street and Brunswick Street as attached as Appendix 1 to Report TRS2016/2/96;
  - (xiv) approves the installation of a P15 Parking Restriction, between the times of 8.00am – 8.45am and 3.30pm – 5.00pm on school days only, in St Albans Grove as attached as Appendix 1 to Report TRS2016/2/97;
  - (xv) approves the installation of No Stopping At All Times Restrictions between No.133 and No. 143 Tirohanga Road attached as Appendix 1 to Report TRS2016/2/99;
  - (xvi) approves the installation of No Stopping At All Times Restrictions in Block Road attached as Appendix 1 to Report TRS2016/2/100;
  - (xvii) asks officers to investigate additional parking opportunities in the Block Road area; and
  - (xviii) approves the proposed loading zone in Wakefield Street attached as Appendix 1 to Report TRS2016/2/98."

**b) Policy and Regulatory Committee**

2 May 2016

**RESOLVED:**

**Minute No. C 16206(2)**

*"That the report of the meeting held on 2 May 2016 with the exception of item 4a) Local Alcohol Policy, item 4b) Proposed Public Places Bylaw 2016, item 4c) Smokefree outdoor public places policy, item 4d) Proposal to revoke Reserve Status of Council Land in Holborn, item 4e) Proposed Road Stopping and Sale of legal road fronting 17 Pitoitoi Road, Days Bay, item 4f) Proposed Road Stopping and Sale of legal road fronting 69 Waione Street, Petone and item 4g) Proposed Road Stopping and Sale of legal road fronting 203 Marine Drive, Lowry Bay, be adopted."*

**Recommended Items****Item 4a) Local Alcohol Policy (16/258)**

Speaking under public comment **Ms Gilane Khilal representing the Eastbourne Community Board (ECB)** noted ECB's disappointment that the recommendation for a cap for off licence premises was not part of the Local Alcohol Policy (LAP) plan for Council.

Speaking under public comment **Ms Bronwyn White representing the Te Awakairangi Health Network** said she shared the concerns expressed by residents. She asked Council to consider areas such as Wainuiomata, Naenae and Stokes Valley when reviewing the LAP.

Speaking under public comment **Ms Kerry Dougall** noted the associated risks with alcohol use including family violence, and asked Council to consider its social conscience when reviewing the LAP.

Speaking under public comment **Ms Te Paea Morgan** said the local community group 'Hashtags' had asked for capping for on and off licences in Wainuiomata. She highlighted residents wanted to facilitate positive initiatives in the community.

Speaking under public comment **Ms Kim Barnden** introduced her daughters Shannon and Brooke, and noted that her family was long term residents of Stokes Valley. She advised both her daughters were Controlled Purchase Operators (CPOs). She said she was a Team Leader at Attendance Services for the Hutt Valley, and one of the main reasons for non attendance at school was alcohol issues.

In response to questions from members, Ms Barnden said as a result of a controlled purchase operation, a shopkeeper had banned her daughter from entering the store. Mayor Wallace asked Cr Cousins, as Chair of the District Licensing Committee, to investigate this matter and report back.

Speaking under public comment, **Ms Twiggy Welsh** noted she was saddened to hear Taita and Pomare had not been included in the Mayor's recommendations regarding the review of the LAP. She said Taita had approximately eight alcohol outlets and the community did not need any more.

Speaking under public comment, the **Hon Trevor Mallard** acknowledged progress made on the LAP since Council's Policy and Regulatory Committee meeting held on 2 May 2016. He said he had received a clear wish from the community for a cap and sinking lid policy. He noted he would support a policy that allowed for supermarkets to sell alcohol, if this promoted business and community growth. He said he had sought legal advice and considered Council did not have to wait three months to initiate all elements of the LAP. He urged Council to partially adopt the LAP immediately and then amend the partially in force LAP.

In response to questions from members, Mr Mallard said specific changes to the Sale and Supply of Alcohol Act 2012 (the Act) could be requested when reviews were conducted for that Act.

Mayor Wallace highlighted that Council had also taken legal advice which was reflected in his recommendations.

The Solicitor noted that the Act allowed for some items to be brought into force as soon as specified by a Council resolution. However, some elements such as one way door restrictions and default trading hours required three months' notice.

In response to questions from members, the Solicitor highlighted Council's responsibility was to ensure a transparent amendment process for both licence applicants and the community. He highlighted that this process could take a period of months. He considered the best course of action would be to formally adopt the LAP effective from 1 September 2016, and commence any amendment process after that. He said that the Mayor's recommendation (v) as it currently was proposed did not provide options for Council to limit where alcohol outlets were located to manage locations and prevent clustering of outlets in one area. It was purely to look at a cap on licence numbers.

Mayor Wallace asked the Solicitor to consider what broader resolutions Council could make to provide for an amendment to the LAP which would allow more than just a cap on licences to be considered. The General Manager Governance and Regulatory and the Solicitor left the meeting to consider the broader resolutions .

The General Manager Governance and Regulatory and the Solicitor rejoined the meeting. The Solicitor proposed an amendment to the Mayor's recommendation (v) including reference to Section 77 (1) (a), (b), (c) or (d) of the Act, subject to confirmation from Council's specialist external legal advisors.

In response to a question from a member, Mayor Wallace noted the Eastbourne Community Board could provide a further submission asking for a cap during the LAP amendment process.

Cr Cousins highlighted there had been a successful history of compliance within the city with CPOs. She could not recall any time that a licence had been cancelled as the result of a CPO exercise.

Mayor Wallace considered that the LAP was one tool available to address community concerns. He highlighted the importance of working with all social and health agencies.

**RESOLVED:****Minute No. C 16207(2)***"That Council:*

- (i) notes the Alcohol Regulatory and Licensing Authority has advised that it has not received any objections to the proposed changes to the Hutt City Council Provisional Local Alcohol Policy;*
- (ii) resolves that the effective date of the Local Alcohol Policy (LAP) be 1 September 2016, to allow a three month period from when public notice of the adopted LAP is given;*
- (iii) acknowledges the significant public feedback on the LAP, especially the concern around the number of off-licences around the City;*
- (iv) on the basis of that feedback, directs officers to prepare and consult on an amendment to the LAP, using the process in the Sale and Supply of Alcohol Act 2012;*
- (v) resolves that the proposed amendment is the introduction of an element to the LAP, considering the tools outlined in Section 77 (1) (a), (b), (c) and (d) of the Sale and Supply of Alcohol Act 2012;*
- (vi) resolves that the formal amendment process begin around the City as soon as practicable after the LAP becomes effective;*
- (vii) notes that the amendment process will involve consultation with the public and further reporting and decisions to be made by Council, in light of the findings and evidence; and*
- (viii) authorises Council's Solicitor to obtain legal advice to confirm its decision is not ultra vires and, if necessary, refer the matter to its meeting to be held on 2 June 2016."*

**Item 4b) Proposed Public Places Bylaw 2016 (16/434)****RESOLVED:****Minute No. C 162078(2)***"That Council:*

- (i) notes that the Local Government Act 2002 ('the Act') requires Council to review its bylaws to ensure that they comply with the matters set out in sections 155 and 159 of the Act;*
- (ii) notes that the Public Places Bylaw 2006 has been reviewed in accordance with section 155 of the Act;*
- (iii) notes the outcome of the section 155 review of the Public Places Bylaw is to propose some amendments to the bylaw, as more particularly detailed in the statement of proposal (attached as Appendix 1 to Report PandR2016/2/70); and*
- (iv) agrees to consult on the summary of information, statement of proposal, proposed bylaw (attached as Appendices 1-2 to Report PandR2016/2/70) in accordance with the requirements of the Act by means of a special consultative procedure."*



**Item 4c) Smokefree Outdoor Public Places Policy (16/424)**

Speaking under public comment, **Ms Hayley Goodwin representing Healthy Families Lower Hutt** congratulated Council's leadership regarding the Smokefree Policy and creating a healthier city. She noted this also linked in with Council's vision as a great place to live, work and play. She said this policy would be a focus for the next generation, and increased smokefree outdoor areas would make smoking less visible in the community.

Speaking under public comment, **Mr Barry Gall representing Healthy Families Lower Hutt** read out a letter addressed to the editor of the Hutt News from a pupil of Hutt Intermediate congratulating Council on the initiative.

Speaking under public comment, **Ms Melanie Puka** noted the policy would provide a disincentive to smoke in public, and would assist in making smoking an activity viewed as unusual by the next generation.

The Chief Executive highlighted that a remit was likely to be submitted to the Local Government New Zealand Annual General Meeting regarding Palmerston North City Council advocating to central government to support their smoke-free policy.

**RESOLVED:****Minute No. C 162089(2)***"That Council:*

*(i) agrees to increase the number of smokefree areas as follows:*

*In addition to playgrounds and swimming pool complexes, from 2016 the following areas would become smokefree:*

- a) Parks and sports grounds, including skate parks – the focus for signage would be on the most popularly used parks and parks in areas where smoking rates are high;*
- b) Bus shelters – officers will work with GWRC on signage and promotion for smokefree bus shelters in the city;*
- c) Train stations;*
- d) Beaches;*
- e) Outdoor public areas around Council buildings and facilities;*
- f) Smokefree Council run and funded events;*
- g) Outdoor pavement dining; and*
- h) Explore designating areas in town centres as smokefree areas;*

- (ii) *agrees that, led by Healthy Families Lower Hutt, Council will develop an action plan to deliver the proposed Smokefree Outdoor Public Places Policy;*
- (iii) *notes that Healthy Families Lower Hutt will work with City Promotions and partners across the City to promote a Smokefree Lower Hutt;*
- (iv) *agrees to work with Local Government New Zealand to lobby central government for changes to legislation that better enables Councils to enforce smokefree areas;*
- (v) *recommends that the Community Plan Committee make provision for a budget of \$14,000 per year for the three years from 1 July 2016 to 30 June 2019 to provide for bilingual signage/stickers; and*
- (vi) *notes that Lower Hutt is taking a leadership role in healthy living."*

**Item 4d) Proposal to Revoke Reserve Status of Council Land in Holborn  
(16/440)**

Deputy Mayor Bassett and Cr Finlayson declared conflicts of interest and took no part in discussions or voting on this matter.

**RESOLVED:**

**Minute No. C 16209(2)**

*"That Council:*

- (i) *notes the proposal to revoke the reserve status of approximately 6.2 hectares of recreation reserve being Lot 2 DP 346171 (CFR 244450) situated at the top end of Shaftesbury Grove, Holborn, attached as Appendix 2 to Report PandR2016/2/71, with the intent that this land be amalgamated with the adjacent residential zoned land for development;*
- (ii) *agrees to publicly notify the proposal in accordance with the requirements of the Reserves Act 1977; and*
- (iii) *notes this wonderful opportunity for the development of the City."*

**Item 4e) Proposed Road Stopping and Sale of legal road fronting 17 Pitoitoi Road, Days Bay (16/443)**

**RESOLVED:**

**Minute No. C 162101(2)**

*"That Council:*

- (i) receives the report;*
- (ii) notes that the owners of 17 Pitoitoi Road, Days Bay are interested in purchasing the legal road fronting their property from Council;*
- (iii) notes that Council's Road and Traffic Division sees no need to retain the area of legal road shown on the aerial photograph attached as Appendix 1 to Report PandR2016/2/72, (approximately 147m<sup>2</sup>) fronting 17 Pitoitoi Road, Days Bay for roading purposes now or in the future;*
- (iv) notes that Council would need to follow the road stopping procedures within the Public Works Act 1981 or Local Government Act 1974 in order to be able to sell the land to the adjoining owners;*
- (v) notes that officers intend to undertake the road stopping process in accordance with Section 116 of the Public Works Act 1981. However, if this is not approved by the Minister of Lands officers will follow the road stopping process set out in Section 342 and the Tenth Schedule of the Local Government Act 1974;*
- (vi) notes that due to the size, shape and situation of this portion of legal road, this land could not be sold to anyone but the adjoining owner and therefore this area of land is exempt from offer back to any former owners or successors in title in accordance with S40 (4) of the Public Works Act 1981;*
- (vii) agrees to stop the portion of legal road adjoining 17 Pitoitoi Road, Days Bay shown on the aerial photograph attached as Appendix 1 to Report PandR2016/2/72; and*
- (viii) sells the stopped road to the owner of 17 Pitoitoi Road, Days Bay."*

**Item 4f) Proposed Road Stopping and Sale of legal road fronting 69 Waione Street, Petone (16/445)**

**RESOLVED:**

**Minute No. C 162112(2)**

*"That Council:*

- (i) receives the report;*
- (ii) notes that the owners of 69 Waione Street, Petone are interested in purchasing the legal road fronting their property from Council;*
- (iii) notes that Council's Road and Traffic Division sees no need to retain the area of legal road shown on the aerial photograph, attached as Appendix 1 to Report PandR2016/2/35, (approximately 83m<sup>2</sup>) fronting 69 Waione Street, Petone for roading purposes now or in the future;*
- (iv) notes that Council would need to follow the road stopping procedures within the Public Works Act 1981 or Local Government Act 1974 in order to be able to sell the land to the adjoining owners;*
- (v) notes that officers intend to undertake the road stopping process in accordance with Section 116 of the Public Works Act 1981. However, if this is not approved by the Minister of Lands officers will follow the road stopping process set out in Section 342 and the Tenth Schedule of the Local Government Act 1974;*
- (vi) notes that due to the size, shape and situation of this portion of legal road, this land could not be sold to anyone but the adjoining owner and therefore this area of land is exempt from offer back to any former owners or successors in title in accordance with S40 (4) of the Public Works Act 1981;*
- (vii) agrees to stop the portion of legal road adjoining 69 Waione Street, Petone shown on the aerial photograph attached as Appendix 1 to Report PandR2016/2/35; and*
- (viii) sells the stopped road to the owner of 69 Waione Street, Petone."*

**Item 4g) Proposed Road Stopping and Sale of legal road fronting 203 Marine Drive, Lowry Bay (16/450)**

**RESOLVED:**

**Minute No. C 162123(2)**

*"That Council:*

- (i) receives the report;*
- (ii) notes that the owners of 203 Marine Drive, Lowry Bay are interested in purchasing the legal road fronting their property from Council;*
- (iii) notes that Council's Road and Traffic Division sees no need to retain the area of legal road shown on the aerial photograph attached as Appendix 1 to Report PandR2016/2/36, (approximately 14m<sup>2</sup>) fronting 203 Marine Drive, Lowry Bay for roading purposes now or in the future;*
- (iv) notes that Council would need to follow the road stopping procedures within the Public Works Act 1981 or Local Government Act 1974 in order to be able to sell the land to the adjoining owners;*
- (v) notes that officers intend to undertake the road stopping process in accordance with Section 116 of the Public Works Act 1981. However, if this is not approved by the Minister of Lands officers will follow the road stopping process set out in Section 342 and the Tenth Schedule of the Local Government Act 1974;*
- (vi) notes that due to the size, shape and situation of this portion of legal road, this land could not be sold to anyone but the adjoining owner and therefore this area of land is exempt from offer back to any former owners or successors in title in accordance with S40 (4) of the Public Works Act 1981;*
- (vii) agrees to stop the portion of legal road adjoining 203 Marine Drive, Lowry Bay shown on the aerial photograph attached as Appendix 1 to Report PandR2016/2/36;*
- (viii) sells the stopped road to the owner of 203 Marine Drive, Lowry Bay."*

**c) City Development Committee**

3 May 2016

Deputy Mayor Bassett advised that he had asked officers for a report on the Walter Nash Stadium for the City Development Committee at the end of the financial year. He noted the Committee wanted to introduce similar reporting for other new facilities in the community, once projects were completed.

**RESOLVED:**

**Minute No. C 162134(2)**

*"That the report of the meeting held on 3 May 2016 with the exception of item 4) Proposed Cycling Steering Group be adopted."*

## Recommended Item

### Item 4) Proposed Cycling Steering Group (16/406)

The General Manager City Infrastructure noted the Cycling Subcommittee had been in existence for some time with no formal terms of reference. He said it was deemed appropriate to set up a new steering group to manage the increased capital spend and rejuvenation projects. He noted this steering group would report to the City Development Committee.

Cr Branch left the meeting at 7.45pm.

#### RESOLVED:

**Minute No. C 162145(2)**

*"That Council:*

- (i) approves the disestablishment of the Cycling Subcommittee as a subcommittee of Council;*
- (ii) agrees that a Cycling Steering Group consisting of Mayor Wallace (Chair), Deputy Mayor Bassett (Chair of the City Development Committee), Cr Milne and Cr Bridson and Cr Lewis (Alternate), the Senior Project Engineer and the Traffic Asset Manager be appointed to facilitate the implementation of the Urban Cycleway Network;*
- (iii) agrees that the Cycling Steering Group will report to:*
  - (a) the Traffic Subcommittee on cycling matters requiring the hearing of submissions and making recommendations to Council via the City Development Committee; and*
  - (b) the City Development Committee on the implementation and monitoring of cycleway projects and strategy;*
- (iv) adopts the Cycling Steering Group's Terms of Reference attached as Appendix 1 to Report CDC2016/2/77; and*
- (v) amends the Terms of Reference for the Traffic Subcommittee and the City Development Committee to reflect part (iii) above."*

Deputy Mayor Bassett left the meeting at 7.50pm and rejoined the meeting at 8pm.

### d) Hutt Valley Services Committee

6 May 2016

**RESOLVED:**

**Minute No. C 162156(2)**

*"That the report of the meeting held on 6 May 2016 with the exception of item 5) Proposed Hutt Valley Trade Waste Bylaw 2016 be adopted."*

**Recommended Item**

**Item 5) Proposed Hutt Valley Trade Waste Bylaw 2016 (16/324)**

**RESOLVED:**

**Minute No. C 162167(2)**

*"That Council:*

- (i) notes that Upper Hutt City and Hutt City Councils resolved at their meetings held on 6 April 2016 and 15 March 2016, respectively, to approve the Hutt Valley Services Committee establishing a subcommittee to hear submissions on the proposed amendments to the Hutt Valley Trade Wastes Bylaw 2016 and recommend the appropriate action to both Councils for consideration and approval;*
- (ii) establishes and appoints the membership of the Hutt Valley Services Committee to the Hutt Valley Trade Wastes Bylaw Subcommittee;*
- (iii) agrees to set a date for the Hutt Valley Trade Wastes Bylaw Subcommittee to hear submissions in consultation with the Chair and Chief Executives of the two Councils; and*
- (ii) agrees to consult on the Summary of Information and Statement of Proposal, attached as Appendix 1 to Report HVSC2016/2/65, and the proposed Hutt Valley Trade Wastes Bylaw 2016, attached as Appendix 3 to Report HVSC2016/2/65, in accordance with the requirements of the Local Government Act 2002 by means of a special consultative procedure."*

**6. MISCELLANEOUS**

a) **Plan Change 34 - Network Utilities and Renewable Energy Generation**  
**Final Approval and Operative Date** (16/490)

Report No. HCC2016/2/103 by the Senior Environmental Policy Analyst

**RESOLVED:**

**Minute No. C 162178(2)**

*“That Council:*

- (i) resolves, pursuant to Clause 17 of the First Schedule of the Resource Management Act 1991, to approve Plan Change 34 to the City of Lower Hutt District Plan as attached as Appendix 1 to the report;*
- (ii) approves the affixing of the Common Seal to Plan Change 34 in accordance with Standing Order 18.2, as attached as Appendix 2 to the report;*
- (iii) notes that a Public Notice will be included in the Hutt News on 31 May 2016 advising the operative date of Plan Change 34;*
- (iv) thanks Cr Bridson for her contribution as Hutt City Council’s representative; and*
- (v) notes that Plan Change 34 updates the network utilities provisions of the District Plan to reflect best practice, provide greater consistency between District Plans across the region and give effect to several National Policy Statements and National Environmental Standards as well as the Regional Policy Statement for the Wellington Region.”*



b) **Proposed Plan Change 36 - Notable Trees and Vegetation Removal Provisions Decision** (16/597)

Report No. HCC2016/2/105 by the Senior Environmental Policy Analyst

**RESOLVED:**

**Minute No. C 162189(2)**

*"That Council:*

- (i) notes the process undertaken under the Resource Management Act 1991 for Proposed Plan Change 36;*
- (ii) notes that a total of 21 original submissions, two late submissions and three further submissions were received to Proposed Plan Change 36;*
- (iii) accepts the proposed amendments to the publicly notified text of Proposed Plan Change 36 as recommended by the hearing panel and outlined in Appendix 1 to this report;*
- (iv) adopts the further evaluation of Proposed Plan Change 36 contained within Appendix 1 to this report and its conclusion that the plan change is the most appropriate means of giving effect to the objectives of the City of Lower Hutt District Plan;*
- (v) adopts Proposed Plan Change 36 as recommended in Appendix 1 to this report (pursuant to clause 10 of the First Schedule of the Act);*
- (vi) rejects and accepts in full or in part the decisions requested by submissions for the reasons outlined in Appendix 1 to this report; and*
- (vii) thanks the submitters, parties and members of the public for submitting to the process."*

c) **Elected Members Remuneration 2016/2017** (16/524)

Report No. HCC2016/2/104 by the Budgeting and Reporting Manager

**RESOLVED:** **Minute No. C 16222(2)**

*"That Council:*

- (i) *notes the proposed remuneration for elected members for 2016/2017 as set by the Remuneration Authority prior to making its determination;*
- (ii) *notes the remuneration is set by an independent body, and Council and individual Councillors have no authority to alter or refuse the level of remuneration;*
- (iii) *agrees that for 2016/2017 the additional responsibilities allowances for the Deputy Mayor and Committee Chairs be as follows:*
  - a) *Deputy Mayor: 40% of the Councillor's base salary (remains at 40%);*
  - b) *Hutt Valley Services Committee Chair: 7.5% of the Councillor's base salary; and*
  - c) *Other Committee Chairs: 15% of the Councillor's base salary (remains at 15%);*
- (iv) *agrees that for 2016/2017 the total allowance for payments to Councillors undertaking additional work arising from the District Plan be set at \$20,000 with \$100/hr paid to the Chair and \$80/hr paid to members; and*
- (v) *agrees that for 2016/2017 the remuneration for the Community Committee members be as follows:*
  - a) *Chair: \$15,300; and*
  - b) *Members: \$7,650."*

Cr Finlayson abstained from voting on the above matter.

7. **MINUTES**

**RESOLVED:** **Minute No. C 16219(2)**

*"That the minutes of the meeting of the Hutt City Council held on Tuesday, 16 February 2016, be confirmed as a true and correct record."*

**RESOLVED:** **Minute No. C 16220(2)**

*"That the minutes of the meeting of the Hutt City Council held on Tuesday, 15 March 2016, be confirmed as a true and correct record subject to an amendment on page 10 amending the words "\$16M in assets" to "\$26M in assets and \$16M in equity..."."*

**RESOLVED:** **Minute No. C 16221(2)**

*"That the minutes of the meeting of the Extraordinary Meeting of Council held on Monday, 18 April 2016, be confirmed as a true and correct record."*

**8. COMMITTEE REPORTS WITHOUT RECOMMENDED ITEMS****a) Community Plan Committee**

16 February 2016

RESOLVED:

**Minute No. C 16222(2)**

*"That the report of the meeting held on 16 February 2016 be adopted."*

15 March 2016

RESOLVED:

**Minute No. C 16223(2)**

*"That the report of the meeting held on 15 March 2016 be adopted."*

**b) Hearings Subcommittee/Panel**

RESOLVED:

**Minute No. C 16224(2)**

*"That the report of the meeting held on 18 February 2016 be adopted."*

16 March 2016

RESOLVED:

**Minute No. C 16225(2)**

*"That the report of the meeting held on 16 March 2016 be adopted."*

**c) Finance and Audit Committee**

4 May 2016

RESOLVED:

**Minute No. C 16226(2)**

*"That the report of the meeting held on 4 May 2016 be adopted."*

**9. QUESTIONS**

There were no questions.

10. **SEALING AUTHORITY** (16/379)

Report No. HCC2016/2/11 by the Committee Administrator

**RESOLVED:**

**Minute No. C 16227(2)**

*"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 as follows:*

*SCHEDULE 1 - General Sealing Authority*

*Authority and Instruction for Sale and Purchase*

- a) *The Hutt City Council and S Sinclair and JFM Morgan and SM Morgan  
For subdivision at 14 Te Whiti Grove, Korokoro  
(Record Number L16/20)*

*Sale of reserve land that had an encroachment on it. The encroaching land had its reserve status removed, was subdivided and sold. This was reported to Council in 2015.*

*Discharge of Encumbrance*

- b) *The Hutt City Council and LL Cancian, BI Cancian & Gibson Sheat Trustees Ltd  
98 Taita Drive, Lower Hutt  
(Record Number L16/66)*

*Removal of an encumbrance allowing a second kitchen. The owners had applied for and been granted resource consent allowing the kitchen, making the encumbrance redundant.*

*Easements*

*All easements on standard terms granting Council rights to provide infrastructure to developed sites.*

- c) *The Hutt City Council and Wallace Development Company Limited  
49 Seaview Road, Petone  
(Record Number L16/35)*

- d) *The Hutt City Council and Michael Wi  
Right to Drain Sewage  
215 Marine Drive, Eastbourne  
(Record Number L16/59)*

- e) *The Hutt City Council and Cobra Properties Ltd  
270 Oxford Terrace, Avalon (RM150036)  
(Record Number L16/32)*

- f) *The Hutt City Council and IH McDonald & HF McGregor  
Sewage Drainage in favour of Hutt City Council  
130E & F Woburn Road, Lower Hutt  
(Record Number L16/63)*

- g) *The Hutt City Council and Field Investment Ltd*

293 Jackson Street, Petone & Flat 2 – 6/3 Kensington Avenue, Petone  
 GEN9005533  
 (Record Number L15/209)

- h) *The Hutt City Council and RA Property & Maintenance Ltd*  
*Including partial surrender of Easement*  
 270 Oxford Terrace, Avalon (RM150036)  
 (Record Number L16/37)

*Removal of Encumbrance*

- i) *The Hutt City Council*  
 250 Park Road, Belmont  
 (Record Number L15/209)

*Withdrawal of Caveat*

- j) *The Hutt City Council and David James Hector*  
 Title to Section at 3 Richmond Road, Mahina Bay  
 (Record Number L16/53)

*The removal of a caveat requiring property access to be provided at the time of building a dwelling house. The same terms have been replaced and contained in an encumbrance registered on the title. This allowed the property to be sold and the obligations to be taken on by the purchaser.*  
*Warrants Approved*

<p><i>Paul Anthony Derek Conroy – RECON WARRANT-16-4</i></p>	<p><i>1. Local Government Act 2002          Authorised Person pursuant to ss171, 173 (powers of entry in general)          11. Land Transport Act 1998          Parking Warden pursuant to s128D          14. Resource Management Act 1991          Enforcement Officer (Noise Control only) pursuant to s38(2))</i></p>
<p><i>Harpreet Singh – RECON WARRANT-16-6</i></p>	<p><i>1. Local Government Act 2002          Authorised Person pursuant to ss171, 173 (powers of entry in general)          11. Land Transport Act 1998          Parking Warden pursuant to s128D          14. Resource Management Act 1991          Enforcement Officer (Noise Control only) pursuant to s38(2))</i></p>
<p><i>Samual Nicholas Roger Toms – RECON WARRANT-16-5</i></p>	<p><i>1. Local Government Act 2002          Authorised Person pursuant to ss171, 173 (powers of entry in general)          11. Land Transport Act 1998          Parking Warden pursuant to s128D          14. Resource Management Act 1991          Enforcement Officer (Noise Control only) pursuant to s38(2))</i></p>
<p><i>Ryan Wayne Dudley – RECON WARRANT-16-8</i></p>	<p><i>1. Local Government Act 2002          Authorised Person pursuant to ss171, 173 (powers of entry in general)          11. Land Transport Act 1998          Parking Warden pursuant to s128D          14. Resource Management Act 1991</i></p>

	<i>Enforcement Officer (Noise Control only) pursuant to s38(2))"</i>
--	----------------------------------------------------------------------

## 11. EXCLUSION OF THE PUBLIC

### RESOLVED:

**Minute No. C 16228(2)**

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

### 12. *Minutes - 16 February 2016 and 15 March 2016*

*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>Minutes of the Hutt City Council held on 16 February 2016 – Town Hall and Events Centre</i>	<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>  <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>	<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 15 March 2016</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 8.25pm. The non public portion of the meeting finished at 8.30 pm.

WR Wallace  
MAYOR

**CONFIRMED as a true and correct record**  
**Dated this 2nd day of August 2016**

**HUTT CITY COUNCIL**

Minutes of an ordinary meeting of The Hutt City Council held in the Hutt City Council Chambers, Level 2, 30 Laings Road, Lower Hutt on  
**Tuesday 24 May 2016 commencing at 6.00pm**

---

**PRESENT:** Mayor WR Wallace (Chair)  
Deputy Mayor D Bassett Cr B Branch (until 7.45pm)  
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 Willard

**APOLOGIES:** An apology was received from Cr Shierlaw.

**IN ATTENDANCE:** Mr T Stallinger, Chief Executive  
Ms K Kelly, General Manager, Strategic Services  
Mr B Sherlock, General Manager, City Infrastructure  
Mrs J Raffills, General Manager, Governance and Regulatory  
Mr M Reid, General Manager, Community Services  
Mr B Kibblewhite, Chief Financial Officer  
Ms A Wallace, Senior Communications & Marketing Advisor  
Ms K Stannard, Manager Secretariat Services  
Ms A Doornebosch, Committee Advisor

**PUBLIC EXCLUDED BUSINESS****12. MINUTES**

**RESOLVED:** **Minute No. C 16229(2)**

*"That the minutes of the meeting of the Public Excluded Meeting of Council held on Tuesday 16 February 2016, be confirmed as a true and correct record and released to the public."*

**RESOLVED:** **Minute No. C 16230(2)**

*"That the minutes of the meeting of the Public Excluded Meeting of Council held on Tuesday, 15 March 2016, be confirmed as a true and correct record."*

There being no further business the Chair declared the non-public part of the meeting closed at 8.30pm.

WR Wallace  
**MAYOR**

**CONFIRMED as a true and correct record**  
**Dated this 2<sup>nd</sup> day of August 2016**