

HUTT CITY COUNCILPOLICY AND REGULATORY COMMITTEE

Report of a meeting held in the Hutt City Council Chambers, 2nd Floor, 30 Laings Road,
Lower Hutt on

Monday 11 July 2016 commencing at 5.30pm

PRESENT:

Cr M Cousins (Chair)	Cr L Bridson
Deputy Mayor D Bassett	Cr C Barry
Cr B Branch	Cr A Finlayson
Cr T Lewis (until 7.50pm)	Cr M Lulich
Cr C Milne	Cr M Willard
Mayor WR Wallace	

APOLOGIES:

There were no apologies.

IN ATTENDANCE:

Mr T Stallinger, Chief Executive
 Ms K Kelly, General Manager, Strategic Services (part meeting)
 Ms J Raffills, General Manager, Governance and Regulatory
 (part meeting)
 Mr A Cummings, Divisional Manager Environmental Policy
 (part meeting)
 Ms W Moore, Divisional Manager, Strategy and Planning (part
 meeting)
 Ms K Crandle, Reserves Planner (part meeting)
 Mr G Sewell, Principal Policy Advisor (part meeting)
 Mr B Cato, Solicitor
 Mr J Ballantyne, City Safety Manager (part meeting)
 Ms A Wallace, Senior Communications and Marketing Advisor
 (part meeting)
 Ms K Glanville, Senior Committee Advisor

PUBLIC BUSINESS**1. APOLOGIES**

There were no apologies.

2. PUBLIC COMMENT

Comments are recorded under the item to which they relate.

MINOR ITEM NOT ON THE AGENDA

RESOLVED:

Minute No. PandR 16301

"That, in terms of Standing Order 25.10, the Committee:

- (i) *agrees that a minor matter relating to a presentation by the Seaview Working Group and the New Zealand Police regarding the Proposed Alcohol in Public Places Bylaw 2016 which was not included on the agenda be discussed at this meeting; and*
- (ii) *notes that no resolution, decision or recommendation may be made in respect of that item except to refer the item to a subsequent meeting of the local authority for further discussion."*

PRESENTATIONS

a) Presentation by Seaview Working Group regarding the Proposed Alcohol in Public Places Bylaw 2016

Claire Allan, Co-ordinator and Angus Kincaid, Chairperson of Seaview Working Group (SWG) asked that an alcohol ban be put in place for Seaview and Gracefield, excluding Seaview Road. They presented photos that showed damage to the area caused by individuals/groups due to the consumption of alcohol. Mr Kincaid noted the next step was a weighted vehicle bylaw similar to the one in place in Porirua.

In response to questions from members, Ms Allan said that the SWG excluded Seaview Road in the alcohol ban area as it was a main thoroughfare and there had been no documented issues about Seaview Road. She advised that Council's City Safety Manager had provided SWG with an 'Incidents of Alcohol Related Offending and Disorder' form for businesses to complete that assisted in maintaining accurate records of issues in the area. She stated that this was reliant on businesses reporting incidences.

In response to questions from members, Mr Kincaid advised that alcohol related issues occurred every weekend between 11.00pm and 5.00am.

The Chair asked the SWG to talk with their membership during the consultation period and ask them to keep records of alcohol related incidences via photos, diary notes and CCTV camera footage so a comprehensive picture could be reported to Council.

b) Presentation by the Police regarding the Proposed Alcohol in Public Places Bylaw 2016

Inspector Sean Hansen, Hutt Valley Area Commander, Inspector George Fa'alogo, Hutt Valley Area Crime Prevention Manager and Senior Sergeant Steve Sargent, Alcohol Harm Prevention Unit from New Zealand Police advised the Police had a national and local level focus on reducing harm caused by alcohol. They said that the Police preferred a city-wide alcohol ban

between 9.00pm to 6.00am that excluded Eastbourne and the Western Hills areas.

Inspector Fa'alogo noted that a city-wide alcohol ban between certain hours would prevent the displacement of alcohol drinkers from moving to another area within the city limits.

Senior Sergeant Sargent advised that both Porirua City and Kapiti Coast District Councils had introduced alcohol free zones within its city limits.

Mayor Wallace noted that a city-wide alcohol ban between certain hours would provide the Police with another tool to limit alcohol offences and it could be used to change attitude and behaviour.

In response to a question from a member, Inspector Fa'alogo advised that discretion was a big part of the Police's role in administering the law.

3. CONFLICT OF INTEREST DECLARATIONS

Deputy Mayor Bassett declared a conflict of interest in relation to item 6a, District Plan Update and took no part in discussion or voting on this matter.

Cr Finlayson declared a conflict of interest in relation to item 6a, District Plan Update and took no part in discussion or voting on this matter.

4. RECOMMENDATIONS TO COUNCIL - 2 August 2016

a) Review of Reserves Strategic Directions (16/769)

The Reserves Planner, Parks and Gardens elaborated on the report.

RECOMMENDED:

Minute No. PandR 16302

"That the Committee recommends that Council:

- (i) thanks submitters for contributing to the consultation process;*
- (ii) directs officers to amend the draft Reserves Strategic Directions document according to the nine proposed amendments attached as page 11;*
- (iii) agrees that once the draft Reserves Strategic Directions document, attached as Attachment 3 to the report, has been amended it will become final; and*
- (iv) agrees that the Reserves Strategic Directions will be reviewed in 2026 or when a review is required by Council, whichever is sooner."*

b) Proposed Control of Alcohol in Public Places Bylaw 2016 (15/1246)

Speaking under public comment, **Mr Mike Grigg** said it was important to generate debate about alcohol in public places to make a change at a community level. He noted that the Police were facing extra issues related to alcohol and this would continue to increase. He asked that the Control of Alcohol in Public Places Bylaw include reference to fetal alcohol syndrome.

The Chair invited Youth Infusion Executive Member, Ms Alex Bengree to participate in discussion on this item.

The Principal Policy Advisor elaborated on the report. He highlighted the new criteria Council needed to apply in establishing an alcohol ban area.

The Solicitor advised that the Committee was being asked to approve a draft bylaw for consultation and that there was no preferred option.

In response to questions from members, the Solicitor advised that the Policy and Regulatory Subcommittee, that heard the submissions on the draft bylaw, would need to assess the credibility of evidence provided by the community. He reiterated the new criteria required evidence of a high level of crime or disorder caused by alcohol consumption in an area.

In response to questions from members, the Principal Policy Advisor advised that reference to the Days Bay alcohol ban on 6 November, each year, had been omitted in error and would be included to the draft bylaw. He said that officers would work on a communication plan that included a focus on consulting with youth.

The Chair noted that the Porirua City and Kapiti Coast District Councils' bylaws were introduced prior to the new criteria being established.

Members agreed to amend the Petone map area to include a larger part of the east end.

Members discussed a city-wide ban excluding the Eastbourne and the Western Hills noting that there was not enough evidence of a high level of crime or disorder from the Police to include these areas. Members agreed to a time period of 9pm-5am as Police evidence showed this to be the timeframe of the highest level of alcohol related incidents.

Members further agreed to include reference to a possible alcohol ban in the Seaview area in the draft bylaw and asked officers to consult with the community.

RECOMMENDED:**Minute No. PandR 16303**

“That the Committee recommends Council:

- (i) *notes that changes made to the Local Government Act 2002 means the Control of Liquor in Public Places Bylaw 2004 lapsed in December 2011;*
- (ii) *notes that the draft Control of Alcohol in Public Places Bylaw 2016, attached as Attachment 6 to the report, has been developed in accordance with the provisions of the Local Government Act 2002;*
- (iii) *notes that a draft Summary and Statement of Proposal and draft Bylaw, attached as Attachments 5 and 6 to the report, has now been prepared for consideration;*
- (iv) *notes the outcome of the review of the previous bylaw is to propose a draft Bylaw as more particularly detailed in the statement of proposal attached as Attachment 5 to the report; and*
- (v) *that the following alcohol free zones be included in the proposed draft bylaw:*
 - a) *Norfolk Street shopping area, Wainuiomata (attached as Attachment 6, Appendix 2 to the report);*
 - b) *Homedale Village shops, Wainuiomata (attached as Attachment 6, Appendix 3 to the report);*
 - c) *Queen Street shops and Hugh Sinclair Park, Wainuiomata (attached as Attachment 6, Appendix 4 to the report);*
 - d) *Stokes Valley Shopping Centre and Speldhurst Park and Delaney Park, Stokes Valley (attached as Attachment 6, Appendix 5 to the report);*
 - e) *Petone area be amended so the alcohol free zone is now situated as follows: From the corner of Hutt Road and Jackson Street, along Jackson Street up Britannia Street, along Udy Street, down Cuba Street to Heretaunga Street, along Heretaunga Street and along the eastern end of Petone, along the length of Petone foreshore, along Hutt Road to the intersection with Jackson Street (attached as Attachment 6, Appendix 6 to the report);*
 - f) *Central Business District that includes the extension to the Hutt River bank as proposed by the Police (attached as Attachment 6, Appendix 7 to the report);*
 - g) *Taita shopping area be amended so the alcohol free zone is now situated as follows: the Taita shopping area including Taine Street, Reynolds Street, Tocker Street and High Street (attached as Attachment 6, Appendix 8 to the report);*

- h) Naenae area be amended by adding the Naenae Primary School property located at 27 Wheatley Street (attached as Attachment 6, Appendix 9 to the report;*
- i) a 9pm – 5am alcohol free zone apply city wide excluding Eastbourne and the Western Hills;*
- j) an alcohol free zone apply along Days Bay Beach, being the foreshore area between Marine Drive and Ferry Road to the north, and Waereanga Road to the south from 6.00pm to 6.00am on 6 November, each year; and*
- k) consideration be given to the Seaview/Gracefield area as an alcohol free area and asks officers to consult with the community;*
- (vi) agrees to consult on the Summary and Statement of Proposal and the proposed draft Bylaw, attached as Attachments 5 and 6 to the report, in accordance with the requirements of the Local Government Act 2002 by means of a special consultative procedure;*
- (vii) asks the Seaview Working Group to continue monitoring activity, in the Seaview/Gracefield area to further develop the level of evidence obtained to date and lodge a submission to the draft bylaw by 28 October 2016; and*
- (ix) asks officers to prepare a communications plan that includes ways to reach youth and involves Youth Infusion and Community Boards."*

- c) Review of Psychoactive substances - Local Approved Products Policy.
(16/727)

The Principal Policy Advisor elaborated on the report.

RECOMMENDED:

Minute No. PandR 16304

“That the Committee recommends that Council:

- (i) notes that Hutt City Council’s Local Approved Products Policy (LAPP) is due to be reviewed in July 2016, attached as Attachment 1 to the report;*
- (ii) notes that the Ministry of Health is yet to approve a testing regime that would allow psychoactive substances to be sold in New Zealand;*
- (iii) notes that until a psychoactive substance is approved by the Ministry of Health and then subject to the provisions of the Council LAPP, there is no ability to review the effectiveness of this policy to determine if the outcomes as anticipated are being met;*
- (iv) agrees that the current LAPP be adopted without amendment, attached as Attachment 1 to the report; and*
- (v) reviews the LAPP in five years’ time or once the Ministry of Health has approved a testing regime, whichever is sooner.”*

- d) Arts and Culture Policy 2016-2021 (16/756)

Mayor Wallace thanked officers for the work undertaken to date.

RECOMMENDED:	Minute No. PandR 16305
<i>"That the Committee recommends that Council:</i>	
<i>(i)</i>	<i>approves the final Arts and Culture Policy attached as Attachment 1 to the report;</i>
<i>(ii)</i>	<i>agrees to the development of an implementation plan for the Arts and Culture Policy 2016-2021;</i>
<i>(iii)</i>	<i>agrees to the establishment of a Public Art Advisory Group following the 2016 triennial elections;</i>
<i>(iv)</i>	<i>agrees that the Public Art Advisory Group be appointed by the Councillor appointed to the Arts Portfolio and the Chair of Policy and Regulatory Committee following the 2016 triennial elections;</i>
<i>(v)</i>	<i>agrees to consider recommendations from the Public Art Advisory Group regarding the level of specific funding the Dowse Art Museum will receive as an increase to its operational budget to oversee the maintenance work required for public art works during the 2017 Annual Plan process;</i>
<i>(vi)</i>	<i>agrees to the development of a Public Art Policy and Guidelines by the Public Art Advisory Group; and</i>
<i>(vii)</i>	<i>directs officers to proceed with the work to establish a Public Art Advisory Group."</i>

5. **GENERAL MANAGER'S REPORT - GOVERNANCE AND REGULATORY** (16/656)

Report No. PandR2016/3/141 by the General Manager, Governance and Regulatory

In response to questions from members, the General Manager, Governance and Regulatory agreed to follow up on the following issues: a discount for the registration of therapy dogs; the objection by Queen on Jackson to the additional fees charge on the resource consent application; and the possible regulation of cats in the City.

Cr Lewis left the meeting at 7.50pm.

RESOLVED:

Minute No. PandR 16306

"That the Committee notes the contents of the report."

6. **INFORMATION ITEMS**

a) **District Plan Update** (16/702)

Report No. PandR2016/3/118 by the Divisional Manager Environmental Policy

Deputy Mayor Bassett and Cr Finlayson declared a conflict of interest and took no part in discussion or voting on this matter.

The Divisional Manager Environmental Policy elaborated on the report. He tabled a draft submission on the consultation document for the Proposed National Policy Statement on Urban Development, attached as page 12.

In response to questions from members, the Divisional Manager Environmental Policy advised that the City Business District was included in the work for transport, Hutt River flood management and urban growth. He said a work programme was approved by the Committee and could be amended as members saw fit. He noted that Proposed Plan Change 36 Notable Trees was currently in the Environment Court appeal phase.

Members asked that officers report back on the District Plan work programme via email.

RESOLVED:

Minute No. PandR 16307

"That the Committee:

- (i) notes and receives the report; and*
- (ii) agrees that the draft submission on the consultation document for the Proposed National Policy Statement on Urban Development be submitted to the Ministry for the Environment."*

b) **Policy and Regulatory Committee Work Programme** (16/736)

Report No. PandR2016/3/45 by the Senior Committee Advisor

RESOLVED:

Minute No. PandR 16308

"That the report be noted and received."

7. **QUESTIONS**

There were no questions.

There being no further business the Chair declared the meeting closed at 8.20 pm.

Cr MJ Cousins
CHAIR

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

4. RECOMMENDATIONS TO COUNCIL - 2 August 2016

a) Review of Reserves Strategic Directions (16/769)

Submission	Location in document	Proposed amendment
SPG16/11	Direction 2, Policy 7 pest control	Amend Direction 2, Policy 7 to add additional text about communicating the serious effects of pest species
SPG16/11	Acquisition and Disposal Guidelines General Policy 2	Amend General Policy 2 by adding second sentence that states that some reserve acquisition or disposal proposals may require reporting from more than one profession, for example a landscape architect and an ecologist
SPG16/11	Direction 3, Policy 8, stream connectivity	Amend Direction 2, Policy 4 to include streams through reserves in the Western Hills
SPG16/11	Acquisition and Disposal Methodology, Assessment Criteria - attributes	Amend bullet list to include: <ul style="list-style-type: none"> • history and background to the acquisition and whether the reserve is or could fulfil the purpose for which it was acquired or reserved. • Protection of infrastructure or access or contribution to storm water management
SPG16/7	Reference to Sportsville and Petone Recreation Ground/North Park hub, pg 8	Amend text to explain that Petone Sportsville is an established working group which Council supports, but there is no firm plan to proceed with any physical change at this time. The 2003 concept of multi-use and shared facilities would remain in the document
SPG16/7	Harbour, Area Profile bullet 7	Check the Jackson Street statistics and amend sentence if required.
SPG16/7	Acquisition and Disposal Guidelines General Policy and Strategic Direction 1	Amend Priority 1 or 10 to include classification and reclassification of land held by HCC for reserve purposes.
SPG16/6 & SPG16/5	Strategic Direction 5	Expand Strategic Direction 5 to explain that the HCC reserve network hosts underground, above ground and overhead infrastructure and utilities operated by other organisations. Although hosting this infrastructure is not a priority for HCC's reserve management it is an important contribution that provides our community with significant benefits. Proposals for new non-reserve infrastructure to be placed in reserves will be considered on a case by case basis and may require consultation and decisions from elected members. Reserve Management Plan and District Plan policies will also be considered.
SPG16/3	Strategic Direction 5	Add text about promoting the benefits of volunteering in reserves widely to a range of audiences.

6. INFORMATION ITEMS

a) District Plan Update (16/702)

13 July 2016

NPS Urban Development
Ministry for the Environment
PO Box 106483
AUCKLAND 1143

Drew Cumming
Environmental Policy
04 5706828
andrew.cumming@huttcity.govt.nz

Dear Sir/Madam

Submission on Consultation Document for the Proposed National Policy Statement on Urban Development

Thank you for the opportunity to make a submission on the Proposed National Policy Statement on Urban Development.

Hutt City Council supports the submission made by Local Government New Zealand on the proposed NPS. Our key observations are:

- Overall we support the direction of the NPS – Council is already focused on ensuring sufficient land is available for development;
- We are concerned that the costs of compliance will be an added burden for our ratepayers;
- It is important that data used is reliable, accessible and not too costly for Councils to access. It would be preferable if central government provides both market and non-market information (where applicable); and
- Having each Council devise its own approach to the collection and management of data should be avoided.

Thank you once again for the opportunity to comment.

Yours sincerely

Cr Margaret Cousins
CHAIR, POLICY AND REGULATORY COMMITTEE

Cr Lisa Bridson
DEPUTY CHAIR, POLICY AND REGULATORY COMMITTEE