

**HUTT CITY COUNCIL**

Minutes of an ordinary meeting of The Hutt City Council  
held in the Hutt City Council Chambers, 2nd Floor, 30 Laings Road, Lower Hutt on  
**Tuesday 20 September 2016 commencing at 6.00pm**

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**PRESENT:**

Mayor WR Wallace (Chair)	
Deputy Mayor D Bassett	Cr B Branch
Cr C Barry (until 7.35pm)	Cr L Bridson
Cr MJ Cousins	Cr A Finlayson
Cr T Lewis	Cr M Lulich
Cr C Milne	Cr M Shierlaw
Cr M Willard	

**APOLOGIES:** An apology was received from Cr McDonald via email that was overlooked.

**IN ATTENDANCE:**

Mr T Stallinger, Chief Executive  
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  
Mr A Cumming, Divisional Manager Environmental Policy (part meeting)  
Mr G Stuart, Divisional Manager, Regulatory Services (part meeting)  
Mr N Geard, Environmental Policy Analyst (part meeting)  
Ms S Simcox, Communications and Marketing Team Leader (part meeting)  
Ms K Crandle, Reserves Planner (part meeting)  
Ms K Stannard, Divisional Manager Secretariat Services  
Mrs A Doornebosch, Committee Advisor

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

There were no apologies received at the time this item was considered.

**2. PUBLIC COMMENT**

Comments are recorded under the items to which they relate.

### 3. MAYORAL STATEMENT

Mayor Wallace delivered the Mayoral Statement.

Cr Cousins noted the passing of Ms Valerie Smith in July 2016. Ms Smith was founder of the Friends of Belmont Regional Park. Mayor Wallace acknowledged Ms Smith's contributions to the City.

RESOLVED:

**Minute No. C 16401(2)**

*"That the Mayoral Statement be received."*

### 4. CONFLICT OF INTEREST DECLARATIONS

Cr Cousins declared a conflict of interest in relation to item 5 of the Policy and Regulatory Committee Minutes of 5 September 2016 regarding the issuing of new leases.

Deputy Mayor Bassett and Cr Finlayson declared conflicts of interest in relation to item 5a)3) the Reserve Revocation Proposal – Holborn, Stokes Valley and took no part in discussions or voting on this matter.

### 5. COMMITTEE REPORTS WITH RECOMMENDED ITEMS

#### a) Policy and Regulatory Subcommittee

29 August 2016

RESOLVED:

**Minute No. C 16402(2)**

*"That the report of the meeting held on 29 August 2016 with the exception of item 3) Reserve Revocation Proposal – Holborn, Stokes Valley, be adopted."*

**Recommended Item****Item 3) Reserve Revocation Proposal - Holborn, Stokes Valley (16/911)**

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

**RESOLVED:****Minute No. C 16403(2)**

*"That Council:*

- (i) notes that the proposal to revoke the reserve status of approximately 6.2 hectares of recreation reserve at the top end of Shaftesbury Grove in Holborn was publicly notified in the Hutt News on 14 June 2016;*
- (ii) notes that the proposal attracted four submissions/objections, attached as Appendix 2 to Report PRSub2016/4/210;*
- (iii) considers the matters raised by the submitters/objectors, noting that Council is required to determine whether objections to the proposed reserve revocation will be allowed/accepted or disallowed/not accepted, in part or in whole, and the reasons for Council's decision;*
- (iv) agrees that the objections be not accepted for the following reasons;*
  - (a) that the land was originally purchased by Council for housing development and is now required for that purpose;*
  - (b) the effect of the loss of the land as reserve in regard to the wider reserve network is not considered to be significant; and*
  - (c) that the revocation and disposal of the land for residential development will provide greater benefit the City by helping to meet a forecasted demand for future housing;*
- (v) agrees that, subject to the Department of Conservation ratifying the revocation and Council achieving a successful plan change, the land be declared surplus and made available for transfer to UrbanPlus Limited for a residential housing development, attached as Appendices 1 and 3 to Report PRSub2016/4/210;*
- (vi) directs officers to explore options with the Crown in respect of protection of its land, within the Taita College property, which forms part of the ecological corridor on the Eastern Hill slopes; and*
- (vii) asks officers to refer the Boffa Miskell and PAO's reports to UrbanPlus Limited and Council's Environmental Consents Division to consider the suggestions contained therein as part of the resource consent plan change applications."*

b) Traffic Subcommittee

31 August 2016

RESOLVED:

Minute No. C 16404(2)

*“That the report of the meeting held on 31 August 2016 with the exception of item 4a) Muritai Road – Proposed Bus Stop Relocation and No Stopping At All times Restrictions, item 4b) Dublin Street/Wellington Road – Proposed Stop Control, item 4c) High Street – Proposed P120 Mobility Park and P120 Parking Restrictions, item 4d) Knights Road – Proposed No Stopping At All Times Restrictions, item 4e) Penrose Street – Proposed P120 Parking Restrictions, item 4f) Naenae Road – Proposed No Stopping At All Times Restrictions, item 4g) Eastern Hutt Road (Pomare Station) – Proposed No Stopping At All Times Restrictions, item 4h) Wagon Road – Proposed No Stopping At All Times Restrictions, item 4i) Eastern Hutt Road (Eldon Grove) – Proposed No Stopping At All Times Restrictions, item 4j) Dowse Drive – Proposed No Stopping At All Times Restrictions, item 4k) Mulberry Street – Proposed No Stopping At All Times Restrictions, item 4l) Belmont School – Proposed P5 Pick Up Drop Off, No Parking On Grass & No Stopping At All Times Restrictions, item 4m) Block Road – Proposed Refuge Island and No Stopping At All Times Restrictions, item 4n) Dowse Drive – Proposed P15 Parking Restrictions, item 4o) Dowse Drive – Proposed No Stopping At All Times Restrictions, be adopted.”*

**Items 4a)-4o) Item4a) Muritai Road - Proposed Bus Stop Relocation and No Stopping At All Times Restrictions (16/884), item4b) Dublin Street/Wellington Road – Proposed Stop Control (16/937), item 4c) High Street - Proposed P120 Mobility Park and P120 Parking Restrictions (16/653), item 4d) Knights Road – Proposed No Stopping At All Times Restrictions (16/704), item 4e) Penrose Street – Proposed P120 Parking Restrictions (16/723), item 4f) Naenae Road – Proposed No Stopping At All Times Restrictions (16/937), item 4g) Eastern Hutt Road (Pomare Station) – Proposed No Stopping At All Times Restrictions (16/405), item 4h) Wagon Road – Proposed No Stopping At All Times Restrictions (16/655), item 4i) Eastern Hutt Road (Eldon Grove) – Proposed No Stopping At All Times Restrictions (16/743), item 4j) Dowse Drive – Proposed No Stopping At All Times Restrictions (16/780), item 4k) Mulberry Street – Proposed No Stopping At All Times Restrictions (16/786), item 4l) Belmont School – Proposed P5 Pick Up Drop Off, No Parking On Grass & No Stopping At All Times Restrictions (16/907), item 4m) Block Road – Proposed Refuge Island and No Stopping At All Times Restrictions (16/937), item 4n) Dowse Drive – Proposed P15 Parking Restrictions (16/908) and item 4o) Dowse Drive – Proposed No Stopping At All Times Restrictions (16/930)**

Cr Milne referred to page 143 of the agenda. He noted building 105 included in this map at the bottom of Dowse Drive no longer existed, and officers were to investigate if this land could be developed for park and ride car parking. He said that park and ride parking was under considerable pressure throughout the city, and highlighted this should be a focus for the new triennium.

**RESOLVED:****Minute No. C 16405(2)**

*"That Council*

- (i) approves the relocation of a Bus Stop and installation of the associated No Stopping At All Times Restrictions in Muritai Road, Eastbourne as shown in Appendix 1 attached to Report TRS/16/4/171;*
- (ii) approves the installation of a Stop Control at the intersection of Dublin Street and Wellington Road, Wainuiomata as attached as Appendix 1 to Report TRS/16/4/172;*
- (iii) approves the installation of a P120 Mobility Park Restriction in High Street, Lower Hutt as shown in Appendix 1 attached to Report TRS/16/4/173;*
- (iv) approves the installation of P120 Parking Restrictions in High Street, Lower Hutt as shown in Appendix 1 attached to Report TRS/16/4/173;*
- (v) asks officers to provide a report to the relevant Committee regarding the feasibility of establishing and maintaining a register of mobility parks in Lower Hutt to determine if they are still required*
- (vi) approves the installation of No Stopping At All Times Restrictions in Knights Road, Lower Hutt as shown in Appendix 1 attached to Report TRS/16/4/174;*
- (vii) approves the installation of P120 Parking Restrictions, 8.00am – 5.00pm from Monday to Friday only, in Penrose Street, Lower Hutt as shown in Appendix 1 to Report TRS/16/4/175;*
- (viii) approves the installation of No Stopping At All Times Restrictions in Naenae Road as shown in Appendix 1 attached to Report TRS/16/4/176;*
- (ix) approves the installation of No Stopping At All Times Restrictions in Eastern Hutt Road, outside Pomare Station, as shown in Appendix 1 attached to Report TRS/16/4/177;*
- (x) approves the installation of No Stopping At All Times Restrictions in Wagon Road, Stokes Valley as shown in Appendix 1 attached to Report TRS/16/4/178;*
- (xi) approves the installation of No Stopping At All Times Restrictions in Eastern Hutt Road, in the vicinity of the intersection with Eldon Grove, as shown in Appendix 1 attached to Report TRS/16/4/179;*
- (xii) approves the extension of No Stopping At All Times Restrictions in Dowse Drive as shown in Appendix 1 attached to Report TRS/16/4/180*
- (xiii) approves the installation of No Stopping At All Times Restrictions in Mulberry Street, Maungaraki as shown in Appendix 3 (1C) attached to Report TRS/16/4/181;*
- (xiv) approves the installation of No Stopping At All Times Restrictions in Mulberry Street, Maungaraki as shown in Appendix 2 (1B) attached to Report TRS/16/4/181;*

- (xv) *approves the proposed P5 Parking Restriction, 8.15am – 9.00am and 2.45pm – 3.15pm, school days only, outside Belmont School as shown in Appendix 1 to Report TRS/16/4/209;*
- (xvi) *approves the proposed No Parking On Grass Restrictions outside Belmont School as shown in Appendix 1 to Report TRS/16/4/209;*
- (xvii) *approves the proposed No Stopping At All Times restrictions outside Belmont School as shown in Appendix 1 to Report TRS/16/4/209,*
- (xviii) *approves the existing Mini Roundabout outside Belmont School as shown in Appendix 1 to Report TRS/16/4/209,*
- (xix) *approves the existing Give Way control outside Belmont School as shown in Appendix 1 to Report TRS/16/4/209,*
- (xx) *approves the existing No Stopping At All Times restrictions outside Belmont School as shown in Appendix 2 to Report TRS/16/4/209;*
- (xxi) *approves the installation of a Refuge Island and the associated No Stopping At All Times Restrictions in Block Road as attached as Appendix 1 to Report TRS/16/4/182;*
- (xxii) *approves the installation of P15 Parking Restrictions from 8:30am to 3:30pm, School Days Only, in Dowse Drive, Maungaraki as attached as Appendix 1 to Report TRS/16/4/183;*
- (xxiii) *approves No Stopping At All Times restrictions at the intersection of Dowse Drive and the access to Percy Scenic Reserve, Maungaraki as attached as Appendix 1 to Report TRS/16/4/184;*
- (xxiv) *asks officers to review the No Stopping At All Times Restrictions at the intersection of Dowse Drive and the access to Percy Scenic Reserve, Maungaraki in one year's time; and*
- (xxv) *asks officers to investigate options for the use of the land at 105 Dowse Drive, Maungaraki and report back to the relevant Committee."*

**c) Hutt Valley Services Committee**

2 September 2016

**RESOLVED:**

**Minute No. C 16406(2)**

*"That the report of the meeting held on 2 September 2016 with the exception of item 4) Proposed Hutt Valley Trade Wastes Bylaw 2016, be adopted."*

**Recommended Item****Item 4) Proposed Hutt Valley Trade Wastes Bylaw 2016 (16/1043)****RESOLVED:****Minute No. C 16407(2)***"That Council:*

- (i) notes that one submission from Transpower, attached as Appendix 4 to ReportHVSC/2016/4/216, was received with respect to the proposal to replace the existing Hutt Valley Trade Wastes Bylaw 2006 with a new Hutt Valley Trade Wastes Bylaw 2016;*
- (ii) notes that Transpower no longer considered an exclusion specific to substations was necessary to be included in the proposed Hutt Valley Trade Wastes Bylaw;*
- (iii) resolves, pursuant to s155 of the Local Government Act 2002, that the proposed Hutt Valley Trade Wastes Bylaw 2016, and associated documents, attached as Appendices 1-3 to ReportHVSC/2016/4/216;*
  - a) is the most appropriate way of addressing the perceived problem;*
  - b) is the most appropriate form of Bylaw; and*
  - c) does not give rise to any implications under the New Zealand Bill of Rights Act 1990; and*
- (iv) agrees to revoke the existing Hutt Valley Trade Wastes Bylaw 2006 and replace it with the Hutt Valley Trade Wastes Bylaw 2016, attached as Appendix 3 to ReportHVSC/2016/4/216, effective 1 November 2016."*

Mayor Wallace acknowledged Cr Finlayson's contribution as Chair of the Hutt Valley Services Committee over the many years.

**d) Policy and Regulatory Committee**

5 September 2016

**RESOLVED:****Minute No. C 16408(2)**

*"That the report of the meeting held on 5 September 2016 with the exception of item 4a) Wainuiomata Hill Shared Path – Proposed Land Purchase, item 4b) Public Places Bylaw 2016, item 4c) Earthquake-Prone Building Policy, item 4d) Draft Dangerous and Insanitary Buildings Policy 2016, item 4e) Proposed Plan Change 42 – 38 Manor Park Road, Zoning of Stopped Road as General Residential Activity Area, item 4f) Proposed Plan Change 44 Korimako Road/Pitoitoi Road, Days Bay Zoning as Hill Residential Activity Area, item 4g) Delegation for CEO of Wellington Water Limited to approve warrants, item 4h) Days Bay Dog Trial Area and item 6) Electronic District Plan as the Official Legal Version, be adopted."*

## Recommended Items

### Item 4a) Wainuiomata Hill Shared Path - Proposed Land Purchase (16/936)

**RESOLVED:**

**Minute No. C 16409(2)**

*"That Council:*

- (i) approves the proposed land purchases of Lot 1 DP 28783, Lot 1 DP90119 and Pt Section 1 SO 37082, attached as Appendix 1 to Report PandR2016/4/192, for the Wainuiomata Hill Shared Path; and*
- (ii) approves the proposed land purchase of Pt Sbdn 1 Sec 14 Hutt District (SO 18305), attached as Appendix 2 to Report PandR2016/4/192, for the Wainuiomata Hill Shared Path."*

### Item 4b) Public Places Bylaw 2016 (16/920)

**RESOLVED:**

**Minute No. C 16410(2)**

*"That Council:*

- (i) notes that no public submissions were received with respect to the proposal to replace the existing Hutt City Council Public Places Bylaw 2006 with a new Public Places Bylaw 2016;*
- (ii) agrees that the heading for Clause 13 of the new 2016 Bylaw be changed to read: 'Display and Advertising in Public Places', attached as Appendix 2 to Report PandR2016/4/203;*
- (iii) agrees that the 2006 Bylaw be replaced with the proposed new Public Places Bylaw 2016, attached as Appendix 2 to Report PandR2016/4/203;*
- (iv) agrees that, pursuant to s155 of the Local Government Act 2002, the proposed new Public Places Bylaw 2016:*
  - (a) is the most appropriate way of addressing the perceived problem;*
  - (b) is the most appropriate form of Bylaw; and*
  - (c) does not give rise to any implications under the New Zealand Bill of Rights Act 1990; and*
- (v) agrees to revoke the existing Public Places Bylaw 2006 and replace it with the Public Places Bylaw 2016, attached as Appendix 2 to Report PandR2016/4/203, effective 4 October 2016."*

Mayor Wallace extended his congratulations to the officers for their ongoing commitment to managing and updating Council documents.



**Item 4c) Earthquake-Prone Building Policy (16/923)**

Cr Cousins noted this would be an ongoing issue for Council as Wellington was a seismic area. She said she was unaware what regulations the Ministry of Business, Innovation and Employment would require local authorities to follow to meet policy requirements.

Cr Milne noted the estimated 2,500 buildings which would need assessment within the City and the likelihood of a shortage of available assessors. He highlighted Council would need to monitor the situation and advise central government early on if legislative requirements could not be met.

Cr Branch suggested Local Government New Zealand be asked to monitor the situation and provide support to Councils.

**RESOLVED:****Minute No. C 16411(2)**

*“That Council:*

- (i) notes the Building (Earthquake-Prone Buildings) Amendment Act 2016 received royal assent on 13 May 2016 and is set to come into force in May 2018 or a date appointed by the Governor-General by Order in Council;*
- (ii) notes the Building (Earthquake-Prone Buildings) Amendment Act 2016 amends the Building Act 2004 to change the system for managing earthquake-prone buildings and has a transition phase needing to be followed by Council to meet the new legal requirements;*
- (iii) notes that most of the legislated process is dependent on the Chief Executive of the Ministry of Business Innovation and Employment or the Governor-General setting various methodologies and regulations which are yet to be completed and enacted;*
- (iv) notes that Hutt City Council’s Earthquake-Prone Building Policy 2011 is due for review in 2016 under current legislation but that the Ministry of Business Innovation and Employment has advised all territorial local authorities that as part of the transition phase all such policies can be rolled over without the need to consult; and*
- (v) agrees to adopt the Earthquake-Prone Building Policy, attached as Appendix 1 to the report, on the same terms as the current policy;*
- (vi) notes that the Ministry of Business, Innovation and Employment is now consulting on the (Earthquake-Prone Buildings) Amendment Act 2016; and*
- (vii) notes that officers will be preparing an appropriate response in the form of a submission.”*

**Item 4d) Draft Dangerous and Insanitary Buildings Policy 2016 (16/1026)****RESOLVED:****Minute No. C 16412(2)***"That Council:*

- (i) notes that the current Dangerous and Insanitary Buildings Policy is due for review;*
- (ii) notes the outcome of the review of the current Policy is to propose a draft Policy with no changes;*
- (iii) notes that, subject to any amendments the Committee may wish to make, a draft Statement of Proposal and draft Policy has now been prepared for consideration; and*
- (iv) agrees to consult on the Statement of Proposal and the proposed draft Policy, attached as Appendices 1 and 2 to Report PandR2016/4/205, in accordance with the requirements of the Local Government Act 2002 by means of a special consultative procedure."*

**Item 4e) Proposed Plan Change 42 - 38 Manor Park Road, Zoning of Stopped Road as General Residential Activity Area (16/978)****RESOLVED:****Minute No. C 16413(2)***"That Council:*

- (i) notes that a part of Manor Park Road at the corner of Manor Park Road and Ford Road was stopped;*
- (ii) notes that the road stopped area is proposed to be zoned as General Residential Activity Area;*
- (iii) resolves to promulgate Proposed Plan Change 42 for consultation, attached as Appendix 1 to Report PandR2016/4/201;*
- (iv) instructs officers to publicly notify Proposed Plan Change 42 as soon as possible; and*
- (v) allows officers to make any non-policy changes to the details of the proposed Plan Change should the need arise."*

**Item 4f) Proposed Plan Change 44 Korimako Road/Pitoittoi Road, Days Bay Zoning as Hill Residential Activity Area (16/1030)**

**RESOLVED:**

**Minute No. C 16414(2)**

*"That Council:*

- (i) notes that a part of Korimako/Pitoittoi Roads are proposed to be stopped;*
- (ii) notes that the subject site is proposed to be zoned as Hill Residential Activity Area;*
- (iii) resolves to promulgate Proposed Plan Change 44 for consultation, attached as Appendix 1 to Report PandR2016/4/206;*
- (iv) instructs officers to publicly notify Proposed Plan Change 44 as soon as practicable; and*
- (v) allows officers to make any non-policy changes to the details of the proposed Plan Change should the need arise."*

**Item 4g) Delegation for CEO of Wellington Water Limited to approve warrants (16/1031)**

**RESOLVED:**

**Minute No. C 16415(2)**

*"That Council:*

- (i) grants the Chief Executive Officer (CEO) of Wellington Water Limited (Wellington Water) the delegation to issue Council warrants to Wellington Water staff;*
- (ii) grants to the CEO of Wellington Water the delegation to issue warrants to enforcement officers;*
- (iii) makes the above delegations subject to the conditions, limits and restrictions outlined in the attached proposed letter, attached as Appendix 1 to Report PandR2016/4/207 Report PandR2016/4/203, with necessary modifications, to be sent to the CEO of Wellington Water;*
- (iv) makes the above delegations further conditional on all staff being granted a warrant for Lower Hutt having first signed that they understand and will adhere to the Council Warrant Holders Policy;*
- (v) makes the above delegations subject to any other conditions the Chief Executive of Council deems necessary, from time to time; and*
- (vi) confirms the delegations made to the CEO of Wellington Water in the Service Level Agreement between Wellington Water and Council dated 31 October 2013."*

**Item 4h) Days Bay Dog Trial Area (16/1126)****RESOLVED:****Minute No. C 16416(2)***"That Council:*

- (i) agrees that when daylight savings starts that dogs are only permitted off leash north of the Days Bay Wharf, Eastbourne after 8.00pm until 9.00am, and at all other times must be on a leash; and*
- (ii) notes that this is in line with the rest of the City's beach areas, where dogs are required to be leashed between those respective times."*

**Item 6) Electronic District Plan as the official legal version (16/918)****RESOLVED:****Minute No. C 16417(2)***"That Council:*

- (i) notes that officers will provide hard copies of the Hutt City District Plan (whole or in part) in Council's Libraries and Customer Service Centre;*
- (ii) agrees that the electronic version of the Hutt City District Plan becomes the official legal version of the Hutt City District Plan, including a Hutt City District Plan GIS layer as the official legal version of the Hutt City District Plan maps; and*
- (iii) agrees that the electronic version of the Hutt City District Plan becomes the official legal version from 3 October 2016."*

Mayor Wallace extended his gratitude to Cr Cousins for her commitment as Chair of the Policy and Regulatory Committee and the support provided from Cr Bridson as Deputy Chair. He further thanked Committee members and acknowledged the large amount of work that had been achieved over the triennium.

**e) City Development Committee**

6 September 2016

**RESOLVED:****Minute No. C 16418(2)**

*"That the report of the meeting held on 6 September 2016 with the exception of item 5) Riddiford Garden Upgrade, Phase 3, be adopted."*

## Recommended Item

### Item 5) Riddiford Garden Upgrade, Phase 3 (16/872)

Speaking under public comment, **Mr Graeme Ross** considered the new site for the fountain was too obscure to the passing public from Queens Drive. He asked if Keep Hutt City Beautiful had been included in any discussions regarding this proposal. He acknowledged any delay would put work back but considered more discussion was needed. He asked if more thought could be given to a water feature using the original fountain.

Deputy Mayor Bassett noted the recommendations from the Civic Precinct Steering Group (the Group) had been considered by the City Development Committee who recommended a design to Council. He noted the agreed direction and design were as a result of workshops held in the community. Mayor Wallace asked officers to follow up with Keep Hutt City Beautiful and the Historical Society during the development of the water feature.

In response to a question from a member, Deputy Mayor Bassett said there were no dates set for further meetings of the Group. He added that this would be the responsibility of the incoming Council.

#### RESOLVED:

**Minute No. C 16419(2)**

*"That Council:*

- (i) notes that the proposed Phase 3 design for the upgrade of Riddiford Garden, attached as Appendix 2 to Report DCD016/4/2017, has been presented to Riddiford Garden stakeholders and there was general support for the design principles and the plans;*
- (ii) notes that the Civic Precinct Steering Group supports the proposed Phase 3 design, attached as Appendix 2 to Report DCD016/4/2017; and*
- (iii) directs officers to proceed with detail design and procurement according to the Isthmus landscape design."*

Mayor Wallace acknowledged the work of the Deputy Mayor as Chair of the City Development Committee in moving Council through the biggest rejuvenation plan for the City in over 60 years. He also thanked the Deputy Chair and Committee members for their work.

**6. MISCELLANEOUS****a) Proposed Plan Change 39 - Transport (16/1105)**

Report No. HCC2016/4/222 by the Environmental Policy Analyst

The Environmental Policy Analyst elaborated on the report.

In response to questions from members, the Divisional Manager, Environmental Policy advised that officers had not yet considered providing for mobility scooters. He noted if Council wished to affect existing user rights for vehicles, this would need to be completed with the agreement of affected businesses. He said the proposal relaxed parking requirements both in residential and commercial areas which would be a step towards future technology changes requiring less use of vehicles. He noted the public submission period would run for a month and the final draft would be submitted back to Council in 2017.

Mayor Wallace thanked the Divisional Manager Environmental Policy and the Environmental Policy Analyst for their work on this proposal.

**RESOLVED:****Minute No. C 16420(2)**

*"That Council:*

- (i) resolves to promulgate Proposed Plan Change 39 Transport attached as Appendix 1 to the report;*
- (ii) instructs officers to publicly notify Proposed Plan Change 39 Transport as soon as practicable; and*
- (iii) allows officers to make any minor non-policy changes to the details of the proposed plan change should the need arise."*

b) **Functions, Duties and Powers Delegated to Council's Policy and Regulatory Committee and District Licensing Committee** (16/938)

Report No. HCC2016/4/221 by the Divisional Manager, Secretariat Services

**RESOLVED:**

**Minute No. C 16421(2)**

*"That Council:*

- (i) *appoints the members of the Policy and Regulatory Committee who have current certification under the Making Good Decisions Training Assessment and Certification Programme for RMA Decision-Makers, as Hearings Commissioners for the period after the members of the Committee vacate office and up to the appointment of the relevant Standing Committee by the Council to be elected on Saturday 8 October 2016;*
- (ii) *delegates to the Hearings Commissioners the functions, duties or powers that relate to any matters which may arise and require a hearing that were delegated to the Policy and Regulatory Committee as at November 2013 with power to act during the period described in part (i) above;*
- (iii) *appoints Cr Bridson as Chair of the Hearings Commissioners and agrees that the quorum for any hearing will be three;*
- (iv) *appoints Cr Bridson as Chair of the District Licensing Committee as she has the necessary knowledge, skill and experience relating to licensing matters and agrees that the quorum for any hearing will be three;*
- (v) *delegates to the Chair of the District Licensing Committee all functions, duties or powers that were delegated to the District Licensing Committee as at December 2013 with the power to act during the period described in part (i) above*
- (vi) *notes that fees payable to chair and members sitting on resource consent hearings are set out in the Local Government Elected Members (2016/17) (Certain Local Authorities) Determination being \$100 per hour for the Chair and \$80 per hour for members;*
- (vii) *notes that remuneration of members of the District Licensing Committee is determined by the Ministry of Justice under the Cabinet fees framework being \$624 per day (\$78 per hour for part days) for the Chair and \$408 per day (\$51 per hour for part days) for members; and*
- (viii) *agrees to pay a meeting fee of \$80 per hour to any of the Hearings Commissioners who are not declared elected to Council or a Community Board following the 8 October 2016 election, and who are required for hearings other than resource consent and licensing hearings between 7 October 2016 and the appointment of the relevant Standing Committee at the first ordinary meeting of the incoming Council (tentative date being 22 November 2016)."*

Mayor Wallace acknowledged Cr Shierlaw's contributions as Chair of the Finance and Audit Committee and the support provided by Cr Milne as Deputy Chair. He noted the stewardship and management provided by Cr Shierlaw and Committee members.

## 7. MINUTES

RESOLVED:

**Minute No. C 16422(2)**

*"That the minutes of the meeting of the Hutt City Council held on Tuesday, 2 August 2016, Public and Non Public, be confirmed as a true and correct record."*

RESOLVED:

**Minute No. C 16423(2)**

*"That the minutes of the meeting of the Hutt City Council held on Tuesday, 13 September 2016, be confirmed as a true and correct record."*

## 8. COMMITTEE REPORTS WITHOUT RECOMMENDED ITEMS

### Hutt Valley Services Committee

5 August 2016

Cr Finlayson noted the recent shared services developments including the paint collection facilities to protect storm-water drains and storm-water developments at Akatarawa Cemetery.

The Chief Executive noted there had been a gradual increase in shared services at officer level between Hutt City and Upper Hutt City Councils.

Mayor Wallace highlighted the Taita Cemetery was now closed. He said Council may need to consider the development of gardens of remembrance and internment gardens for residents in Hutt City.

Members asked officers to report to the incoming Council on potential new sites throughout the City for memorial gardens or internments.

RESOLVED:

**Minute No. C 16424(2)**

*"That the report of the meeting held on 5 August 2016 be adopted."*

## 9. QUESTIONS

Cr Shierlaw asked the following question:

*"In view of the Mayor's publicly aired concerns about the non-compliance of a proposed hotel in Petone due to District Plan height restrictions, is he prepared to commence immediate action to overturn the height restrictions imposed by the Petone West District Plan change, noting that prior to that change no height restrictions existed?"*

Mayor Wallace advised he was not prepared to commence immediate action to overturn the height restrictions. He considered the incoming Council should be



requested to review height restrictions within this area of commercial land on the Petone foreshore.

Cr Shierlaw asked the following question:

“Has the Council received a decision from the Independent Commissioners who heard the Summerset Private District Plan Change? If so, why can it not be released to Councillors now, given it is scheduled to be considered by Council on 29 September 2016? This would give more time for Councillors to analyse the decision.”

The Divisional Manager, Environmental Policy advised officers had received the report and recommendations of the Independent Commissioners relating to the Summerset Villages plan change application. He highlighted that the correct process was for officers to review the recommendations and report to Council. He said officers had sought legal advice that would set the framework for Council to ensure any risk to Council was managed correctly and options submitted to Council would be based on this legal advice.

Cr Cousins highlighted Council would be considering a recommended administrative decision, not the substantive decision which would be determined through the Resource Management Act (RMA) process. She further noted review processes were available for any parties within the RMA process.

Cr Barry left the meeting at 7.35pm.

10. **SEALING AUTHORITY** (16/929)

Report No. HCC2016/4/13 by the Committee Administrator

**RESOLVED:**

**Minute No. C 16425(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:*

*SCHEDULE 1 - General Sealing Authority*

*Authority and Instruction for Discharge of Encumbrance*

- a) *The Hutt City Council and J Roil and R Roil  
1/69 and 2/69 Walters Street, Avalon  
(Record Number L16/83)*

*Removal of a now redundant encumbrance allowing a gap to be temporarily made in a fire wall. Officers have inspected and confirmed the encumbrance is no longer needed.*

*Deed of Covenant*

- b) *The Hutt City Council  
In relation to Encumbrances at Queensgate  
37 Bloomfield Terrace, Lower Hutt  
(Record Number L16/167)*

*A deed from the new owner of Queensgate, agreeing to observe the terms and conditions of the existing encumbrance on the property title.*

*Discharge of Encumbrance*

- c) *The Hutt City Council and Ihaka Family Trust  
15 Hamerton Street, 661561.4  
(Record Number L16/166)*

*Removal of an encumbrance relating to earthworks. The encumbrance is no longer necessary as the District Plan controls this activity.*

*Encumbrance*

- d) *The Hutt City Council and Geoff Martin  
5 Atherstone Lane, Belmont  
(Record Number L16/145)*

*Encumbrance allowing property owner to build over or in the vicinity of a drain, subject to certain conditions allowing Council access.*

*Easement*

- e) *The Hutt City Council and RA Property & Maintenance Ltd  
282 Oxford Terrace, Lower Hutt*

*(Record Number L16/162)*

*Easements in gross granted to Council.*

*Withdrawal Caveat*

- f) The Hutt City Council  
138 Waddington Drive and 6 Seddon Street, Naenae  
(Record Number L16/82)*

*Withdrawal of a Public Works Act caveat after an assessment by the Property Group Limited.*

*Warrants Approved*

<p><i>Jon Henare Tane RECON – WARRANT-16-15</i></p>	<p><i>1. Local Government Act 2002 Authorised person pursuant to ss171, 173 (powers of entry in general) 10. Land Transport Act 1988 Parking Warden pursuant to s128D 13. Resource Management Act 1991 (Enforcement Officer (Noise Control only) pursuant to s38(2))”</i></p>
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## 11. VALEDICTORIES

Cr Branch noted her last term in Council had been an unusual term and a number of issues had not been as resolved as she would have liked. She noted the many highlights such as the upgrade of the Civic Centre and the development of the Stokes Valley Hub and Walter Nash Centre. She said it had been exciting to see less wealthy suburbs in the City receiving some of these beneficial developments. She highlighted the large amount of issues achieved for Naenae and her focus on developments with Grey Power, Senior Citizens, Friends of Hutt City Library, the Country Womens' Institute and the Little Theatre. She said the highlight had been the development of the Menz Shed in Naenae. She thanked members for their support during the triennium. She further thanked the Chief Executive and staff for their support and professionalism.

The Chief Executive, on behalf of the senior managers, wished Cr Branch all the very best. He noted the passion Cr Branch brought to many issues. He said Cr Branch had contributed to the City in areas such as the Naenae Computer Clubhouse, the Little Theatre, Naenae Menz Shed and the developments in the CBD and Jackson Street.

Mayor Wallace noted Cr Branch had been the Co-ordinator for the Jackson Street Programme and could take a lot of credit for the facilities available in the area today. He further noted Cr Branch's contributions to events at the Hutt Valley Chamber of Commerce. He highlighted successes such as the passing of the Naenae Computer Clubhouse resolution on Christmas Eve to ensure it would be established and the Menzshed in Naenae. He said he would miss Cr Branch's contribution to Council meetings and the passion she had brought.

Cr Finlayson outlined how he was once in the Merchant Navy, then settled in New Zealand after meeting his wife, Sue. He noted he had lived in Stokes Valley for over 35 years, raising his family. Over this time he had instigated the Stokes Valley Residents Association, assisted in the build of Stokes Valley Swimming Pool, the tennis pavillion, assisted in the community on school committees and with prisoner aid and rehabilitation. He noted during his time at Council he had been the President of Stokes Valley Rotary and had been involved in the development of the first roundabouts at the entry to Stokes Valley as well as the building of Stokes Valley Library. He acknowledged the commitment from the General Manager City Infrastructure and the Contracts Division during his time in Council. He extended his thanks to all staff for their assistance.

The Chief Executive noted Cr Finlayson would be greatly missed and he wished him all the best for the future. He said he would always associate the Walter Nash Stadium with Cr Finlayson. He highlighted Cr Finlayson's kind heart and the work he had provided in the community for those with higher needs.

Mayor Wallace noted Cr Finlayson had always been highly regarded around the Council table. He said Cr Finlayson often assisted in behind the scenes work, and knew he had personally assisted many in the community. He noted Cr Finlayson could leave the Council table with a sense of pride and achievement, especially the development of the Walter Nash Stadium and the Stokes Valley Hub. He wished Cr Finlayson well in his retirement and noted he would be greatly missed.

**12. EXCLUSION OF THE PUBLIC****RESOLVED:****Minute No. C 16426(2)***"That the public be excluded from the following parts of the proceedings of this meeting, namely:*13. *Minutes - 13 September 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 13 September 2016 – Chief Executive's Performance and Remuneration 2015/2016 Review and Chief Executive's End of Term Review</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 8.15pm. The non public portion of the meeting finished at 8.25pm.

WR Wallace  
**MAYOR**

**CONFIRMED as a true and correct record  
Dated this 29th day of September 2016**