

HUTT CITY COUNCIL

Minutes of an ordinary meeting of The Hutt City Council held in the Council Chambers,
2nd Floor, 30 Laings Road, Lower Hutt on
Tuesday 14 March 2017 commencing at 6.00pm

PRESENT:

Mayor WR Wallace (Chair)	Deputy Mayor D Bassett
Cr G Barratt	Cr C Barry
Cr L Bridson	Cr J Briggs
Cr MJ Cousins	Cr S Edwards
Cr T Lewis	Cr M Lulich
Cr G McDonald	Cr C Milne
Cr L Sutton	

APOLOGIES: There were no apologies.

IN ATTENDANCE:

Mr T Stallinger, Chief Executive
Ms K Kelly, General Manager, Strategic Services
Mr B Sherlock, General Manager, City Infrastructure (part meeting)
Ms J Raffills, General Manager, Governance and Regulatory
Mr M Reid, General Manager, Community Services (part meeting)
Mr B Kibblewhite, Chief Financial Officer (part meeting)
Ms J Beck, Human Resources Manager (part meeting)
Mr S Keatley, Huia Pool Manager (part meeting)
Ms M Laban, Community Projects and Relationship Manager (part meeting)
Mr B Cato, City Solicitor (part meeting)
Mr S Simcox, Communications and Marketing Team Leader (part meeting)
Ms K Stannard, Divisional Manager Secretariat Services
Ms H Clegg, Minute Taker

PUBLIC BUSINESS**1. APOLOGIES**

There were no apologies.

2. PUBLIC COMMENT

Comments are recorded under the item to which they relate.

PRECEDENCE OF BUSINESS

That, in terms of Standing Order 10.4, precedence be accorded to item 6 e) 4a) dealing with the Living Wage.

3. MAYORAL STATEMENT

The Mayor delivered his Mayoral Statement.

RESOLVED: (Mayor Wallace/Deputy Mayor Bassett)

Minute No. C 17101(3)

"That the Mayoral Statement be noted and received."

4. CONFLICT OF INTEREST DECLARATIONS

Cr Cousins and Cr Bridson declared a conflict of interest in item 6c) 4c) dealing with the Local Alcohol Policy: Proposed Amendments and took no part in discussion or voting on the item.

Cr Cousins declared a conflict of interest in item 6 e 4b) dealing with the Hutt City Community Facilities Trust and took no part in discussion or voting on the item.

Deputy Mayor Bassett declared a conflict of interest in items 6 e 4d), 7b) and 14 dealing with the Review of Draft Statement of Intent 2017/2018 for UrbanPlus Limited, Proposed District Plan Change 38 and the Appointment of Directors for Seaview Marina Ltd and UrbanPlus Ltd and took no part in discussion or voting on the item.

Cr Sutton declared a conflict of interest in item 6 c) 4j) dealing with Public Art – Opportunities and Gaps and took no part in discussion or voting on the item.

Cr Milne declared a conflict of interest in items 6 e 4c) and 14 dealing with the Review of Draft Statement of Intent 2017-2020 for Seaview Marina Limited and the Appointment of Directors for Seaview Marina Ltd and UrbanPlus Ltd and took no part in discussion or voting on the item.

5. **RECOMMENDATION TO COUNCIL FROM THE COMMUNITY PLAN COMMITTEE MEETING HELD ON 14 MARCH 2017**

Annual Plan 2017-2018

RESOLVED: (Mayor Wallace/Deputy Mayor Bassett) **Minute No. C 17102(3)**

"That Council:

- (i) notes that the underlying information for the Annual Plan 2017-2018 was adopted by Council following the 21 February 2017 Community Plan Committee meeting;*
- (ii) approves the budget as outlined by the Chief Executive and the Strategic Leadership Team; and*
- (iii) adopts the Consultation Document attached as Appendix 1 to the report for public consultation between 28 March and 28 April 2017."*

6. **COMMITTEE REPORTS WITH RECOMMENDED ITEMS**

a) **Traffic Subcommittee**

13 February 2017

RESOLVED: **Minute No. C 17103(3)**

"That the report of the meeting held on 13 February 2017 be adopted."

Recommended Items

Items 4a) 4a) Buick Street, Petone – Proposed P180 Mobility Parking Restriction,
-4o) item 4b) Burnham Street and Plunket Ave, Petone - Proposed Give Way Controls, item 4c) Tennyson Street, Petone - Proposed Roundabouts, Associated Give Way Controls, Traffic Island and No Stopping At All Times Restrictions, item 4d) John Street and Richmond Street, Petone - Proposed P120 Parking Restrictions, item 4e) 288 Jackson Street, Petone - Proposed P15 Parking Restriction, item 4f) Te Whiti Grove, Korokoro - Proposed No Stopping At All Times Restrictions, item 4g) Marine Parade, Eastbourne - Proposed Bollards, item 4h) Proposed School Zones 40km/h Variable Speed Limits 2016/2017, item 4i) Waterloo Road - Proposed P120 Parking Restrictions, item 4j) Vincent Street - Proposed P180 Parking Restrictions, item 4k) 22 Kings Crescent - Proposed P30 Parking Restriction, item 4l) Onehuka Road, Tirohanga - Proposed No Stopping At All Times Restrictions, item 4m) Mulberry Street, Maungaraki - Proposed No Stopping At All Times Restrictions, item 4n) 191 Dowse Drive, Maungaraki - Proposed No Stopping At All Times Restrictions, item 4o) 108 Dowse Drive, Maungaraki - Proposed No Stopping At All Times Restrictions and Buick Street, Petone - Proposed P180 Mobility Parking Restriction (16/1220)

RESOLVED:**Minute No. C 17104(3)**

"That Council:

- (i) approves the installation of a P180 Mobility Park Restriction in Buick Street, Petone, as shown in Appendix 1 attached to Report TRS2016/5/238;*
- (ii) approves the installation of a Give Way Control and associated No Stopping At All Times Restrictions at the intersection of Burnham Street with Plunket Avenue, Petone as shown in Appendix 1 attached to TRS2016/5/236;*
- (iii) approves the installation of a Give Way Control and associated No Stopping At All Times Restrictions at the intersection of Plunket Avenue with South Street, Petone as shown in Appendix 2 attached to Report TRS2016/5/236;*
- (iv) approves the installation of two Roundabouts, the associated Give Way controls, a traffic island and No Stopping At All Times Restrictions in Tennyson Street, Petone as shown in Appendix 1 attached to Report TRS2016/5/237;*
- (v) approves the installation of P120 Parking Restrictions in John Street and Richmond Street, Petone as shown in Appendix 1 attached to Report TRS2017/1/4;*
- (vi) approves the replacement of a P60 Parking Restriction with a P15 Parking Restriction outside N° 288 Jackson Street, Petone as shown in Appendix 1 attached to Report TRS2017/1/5;*
- (vii) approves the installation of No Stopping At All Times Restrictions in Te Whiti Grove, Korokoro as shown in Appendix 1 attached to Report TRS2017/1/6;*
- (viii) prohibits vehicular through traffic in Marine Parade South between Hinau Street and Kauri Street, Eastbourne by the installation of Bollards and appropriate signage, as attached as Appendix 1 to Report TRS2017/1/40;*
- (ix) notes the specified parts of High Street and Ropata Street (for St Oran's College), High Street and De Menech Grove (for Avalon Intermediate School), Marine Drive and Ferry Road (for Wellesley College), and Waddington Drive, Burke Grove and Cole Street (for Naenae Primary School) meet the New Zealand Transport Agency warrant conditions for 40km/h Variable Speed Limits in School Zones;*
- (x) notes the results of the submissions process referred to in paragraphs 12-16 in Report TRS2017/1/41;*
- (xi) 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 13 February 2017 for areas around the following schools:

- (a) St Oran’s College, attached as Appendix 1 to Report TRS2017/1/41;*
- (b) Avalon Intermediate School, attached as Appendix 2 to Report TRS2017/1/41;*
- (c) Wellesley College attached as Appendix 3 to Report TRS2017/1/41;*
- (d) Naenae Primary School attached as Appendix 4 to Report TRS2017/1/41; and*
- (xii) requests officers to undertake all necessary actions to give effect to these resolutions under the provisions of the Rule;*
- (xiii) approves the installation of P120 Parking Restrictions in Waterloo Road attached as Appendix 1 to Report TRS2016/5/239;*
- (xiv) approves the installation of P180 Parking Restrictions in Vincent Street attached as Appendix 1 to Report TRS2016/5/240;*
- (xv) approves the replacement of two Pay and Display P120 Parking Restrictions parks with P30 Parking Restriction outside N° 22 Kings Crescent attached as Appendix 1 to Report TRS2017/1/7;*
- (xvi) approves the installation of No Stopping At All Times Restrictions in Onehuka Road, Tirohanga attached as Appendix 1 to Report TRS2017/1/2;*
- (xvii) approves the installation of No Stopping At All Times Restrictions in Mulberry Street, Maungaraki attached as Appendix 1 to Report TRS2017/1/3;*
- (xviii) approves the installation of No Stopping At All Times Restrictions outside N° 191 Dowse Drive, Maungaraki attached as Appendix 1 to Report TRS2017/1/1; and*
- (xix) approves the installation of No Stopping At All Times Restrictions in Dowse Drive, Maungaraki attached as Appendix 1 to Report TRS2016/5/241.”*

b) District Plan Committee

20 February 2017

RESOLVED: (Cr Bridson/Cr Briggs)

Minute No. C 17105(3)

“That the report of the meeting held on 20 February 2017 with the exception of item 4, Ecosites, Landscapes and Coastal Natural Character, be adopted.”

Recommended Item**Item 4) Ecosites, Landscapes and Coastal Natural Character (16/1442)****RESOLVED:** (Cr Bridson/ Cr Briggs)**Minute No. C 17106(3)***"That Council:*

- (i) approves the management of significant ecosites, landscape areas and coastal natural character areas involves a whole-of-Council approach including regulatory management in the District Plan complemented by non-regulatory methods including:
 - (a) a new Parks and Gardens Division role to work on biodiversity and landscape matters on Council land and to work with private landowners on property management plans and access to funding and information;*
 - (b) a fund for land management and enhancement works including planting, fencing, weed and pest management, and covenanting assistance;*
 - (c) consent fee remission including where consent requirements are triggered solely by ecosite, landscape or coastal natural character District Plan provisions or activities are being carried out in accordance with an agreed management plan; and*
 - (d) amendment (via Special Consultative Procedure) of the existing rates remission policy for protected culturally significant sites, historic buildings, structures and places, and archaeological sites to address significant ecosites, landscape areas and coastal natural character areas;**
- (ii) recommends to the Community Plan Committee that an additional \$87,000 per year for Parks and Gardens work and consent fee remission is provided for in the Long Term Plan; and*
- (iii) notes that the additional \$87,000 per year provision is for five years."*

c) **Policy and Regulatory Committee**

27 February 2017

RESOLVED: (Cr Cousins/Cr Edwards)

Minute No. C 17107(3)

“That the report of the meeting held on 27 February 2017 with the exception of item 4a) Wellington Region Natural Hazards Management Strategy, item 4b) Regional Sport and Recreation Plan for the Wellington Region, item 4c) Local Alcohol Policy: Proposed amendment, item 4d) Triennial Agreement, item 4e) Local Governance Statement, item 4f) Future of Bell Park, item 4g) Training Policy for Community Boards and Community Committees, item 4h) Accessibility and Inclusiveness Plan 2017-2027, item 4i) Dog Control Bylaw Dog Trial Feedback and Recommendations, item 4j) Public Art – Opportunities and Gaps, be adopted.”

Recommended Items

Item 4a) Wellington Region Natural Hazards Management Strategy (17/35)

RESOLVED: (Cr Cousins/Cr Briggs)

Minute No. C 17108(3)

“That Council endorses the Wellington Region Natural Hazards Management Strategy, attached as Appendix 1 to Report No PRC2017/1/29.”

Item 4b) Regional Sport and Recreation Plan for the Wellington Region (17/88)

RESOLVED: (Cr Cousins/Cr Edwards)

Minute No. C 17109(3)

“That Council:

- (i) endorses the ‘Wellington Sport and Active Recreation Strategy’, attached as Appendix 1 to Report No PRC2017/1/48;*
- (ii) agrees that all future significant Council decisions relating to Sport and Active Recreation should be made in the context of the new regional strategy; and*
- (iii) appoints Cr Edwards as its political champion for the ‘Regional Sport and Recreation Strategy for the Wellington Region’.”*

Item 4c) Local Alcohol Policy: Proposed amendment (16/1338)

Crs Bridson and Cousins declared a conflict of interest and left the table for the duration of the item.

RESOLVED: (Cr Edwards/Cr Lewis) **Minute No. C 17110(3)**

"That Council:

- (i) notes the evidence presented from the Medical Officer of Health and Police, attached as Appendix 2 to Report No PRC2017/1/58;*
- (ii) notes that Council's Licensing Inspectors have also been consulted as required by section 78(4) of the Sale and Supply of Alcohol Act 2012 (the Act);*
- (iii) notes the other evidence presented to Council as part of the process to produce a draft amendment to the current Local Alcohol Policy (LAP), as attached as Appendix 1 to Report No PRC2017/1/58;*
- (iv) has regard to the mandatory criteria contained in section 78(2) of the Act;*
- (v) based on the information provided and the consideration of the mandatory criteria, agrees to produce a draft LAP amendment that adds the following words to clause 1.2 of the LAP:*
 - a. the maximum number of off-licences permitted in the following areas:
Naenae; Stokes Valley; Taita; Avalon; Hutt Central; Wainuiomata;*
 - b. shall be the number of off-licences in the area, at the time this policy is adopted, and*
 - c. the areas are outlined on the map, as attached as Appendix 5 to Report No PRC2017/1/58;*
- (vi) notes that, during consultation, Council's Licensing Inspectors raised two types of on-licence that are not dealt with by the current LAP;*
- (vii) agrees to produce a draft LAP amendment that adds the following words to clause 1.1 of the LAP:*
 - a. add the words "Function Centres" to both sections dealing with Taverns/Hotels/Nightclubs;*
 - b. add the words:*

Cinemas:

7.00am- 3.00am the following day, Monday to Sunday;

Licensed on the condition that their on-licences are linked to the

business activity of a cinema; and

(viii) asks that the subcommittee also consider, if it believes it can lawfully do so, whether there is any evidence to support caps on the number of off-licences:

- a. only applying to stand-alone bottle stores; or*
- b. excluding supermarkets; and/or*
- c. excluding premises operating as a brewery offering complimentary samples; and/or*
- d. excluding boutique shops selling only craft beer and imported wine."*

Item 4d) Triennial Agreement (17/148)

RESOLVED: (Cr Cousins/Cr Edwards) **Minute No. C 17111(3)**

"That Council:

- (i) approves entry into the Triennial Agreement (a draft of which is attached as Appendix 1 to Report No PRC2017/1/47); and*
- (ii) authorises the Chief Executive to undertake any further negotiations to finalise the agreement and authorises the Mayor to execute the agreement on the Council's behalf."*

Item 4e) Local Governance Statement (17/63)

RESOLVED: (Cr Cousins/Cr Sutton) **Minute No. C 17112(3)**

"That Council:

- (i) agrees that the Council's current Local Governance Statement, amended to bring it up-to-date, attached as Appendix 1 to Report No PRC2017/1/59, be made publicly available; and*
- (ii) authorises the Chief Executive to make modifications to the document during the course of this triennium, which reflect any changes to Council policies, practices or structures."*

Item 4f) Future of Bell Park (17/9)**RESOLVED:** (Cr Cousins/Cr Barry)**Minute No. C 17113(3)***"That Council:*

- (i) notes that historically Bell Park has been managed as a formal sports park but has not been used for this purpose for two seasons and will not be required for such use in the future;*
- (ii) notes that an independent assessment of reserve values has been undertaken which considers Bell Park has a medium rating, contributing to the local and wider reserve network;*
- (iii) requests officers to undertake consultation with the community about the future of Bell Park; and*
- (iv) requests officers to report back to Council with options after consultation."*

Item 4g) Training Policy for Community Boards and Community Committees (16/1207)**RESOLVED:** (Cr Cousins/Cr Briggs)**Minute No. C 17114(3)***"That Council approves the revised Training Policy for Community Boards and Community Committees (should Community Committees be established), attached as Appendix 1 to Report No PRC2017/1/51."*

Item 4h) Accessibility and Inclusiveness Plan 2017-2027 (17/138)

Cr Lewis thanked officers for their work on the Accessibility and Inclusiveness Plan.

RESOLVED: (Cr Cousins/Cr Edwards) **Minute No. C 17115(3)**

"That Council:

- (i) approves the changes made to the Accessibility and Inclusiveness Plan 2017-2027 as a result of the engagement forum held with the disability community;*
- (ii) agrees to the establishment of an Accessibility and Inclusiveness Plan (AIP) Advisory Group of up to five members as a subcommittee of Council reporting to the Community Services Committee;*
- (iii) agrees that the AIP Advisory Group will meet quarterly with the first meeting being 1 July 2017;*
- (iv) agrees to the payment of an honorarium for members of \$60 per meeting to cover costs of attending the meeting;*
- (v) directs officers to work with the AIP to assist to develop a Terms of Reference for the group and a work programme including formal induction on the role of Council and its fiscal responsibilities;*
- (vi) adopts the Accessibility and Inclusiveness Plan 2017-2027, attached as Appendix 1 to Report No PRC2017/1/52; and*
- (vii) agrees that the Accessibility and Inclusiveness Plan Advisory Group reports to the Community Services Committee."*

Item 4i) Dog Control Bylaw Dog Trial Feedback and Recommendations
(17/122)

Members thanked officers for their work on the dog trial feedback.

RESOLVED: (Cr Cousins/Cr Edwards) **Minute No. C 17116(3)**

"That Council:

- (i) *agrees to delete maps 41, 44 and 51 attached to the Dog Control Bylaw 2015;*
- (ii) *agrees to end the 12 month trial period "Dogs On Leash Exercise Areas" associated with maps 41, 44 and 51. This will mean these areas are simply public areas where dogs can be exercised on leash. For completeness, these trial areas contained the following descriptions:*
 - (a) *allows dogs on leash on the footpaths and berms, on the road frontages of the commercial properties located on the corner of Maire Street and Wainuiomata Road, Wainuiomata outlined in the map attached as Appendix 1 to Report No PRC2017/1/53;*
 - (b) *allows dogs on leash on the entire road reserve, footpaths and berms on the road frontage of the commercial properties of Jackson Street, Petone, between its intersections with Cuba Street and Hutt Road, outlined in the map attached as Appendix 2 to Report No PRC2017/1/53; and*
 - (c) *allows dogs on leash on the entire road reserve, footpaths and berms on the road frontage of the commercial properties of Rimu and Oroua Streets, Eastbourne, outlined in the map attached as Appendix 3 to Report No PRC2017/1/53;*
- (iii) *agrees to delete map 54 attached to the Dog Control Bylaw 2015 and directs officers to make the necessary amendments to the remaining maps to give effect to the recommendation below; and*
- (iv) *resolves that the area in Days Bay on the beach north of the wharf, outlined in map 54, attached as Appendix 4 to Report No PRC2017/1/53, will be:*
 - (a) *a Dog Exercise Area between 7.00pm and 10.00am from 1 December to 31 March every year;*
 - (b) *a Dog Exercise Area at all times from 1 April to 30 November; and*
 - (c) *a Dog Prohibition Area between 10.00am and 7.00pm from 1 December to 31 March every year."*

Item 4j) Public Art - Opportunities and Gaps (16/1219)

Cr Sutton declared a conflict of interest and took no part in discussion or voting on the matter.

In response to a question from a member, Mayor Wallace advised that the audit on Council's existing public art works would be undertaken as soon as practicable.

In response to questions from members regarding the proposed Public Arts Manager role, the General Manager, Strategic Services advised that she was comfortable with employing a contractor to undertake the audit before the Public Arts Manager's role was filled permanently. She also advised that there was no in-house public art expertise.

Mayor Wallace advised that the matter would be reported back to the Arts and Culture Subcommittee.

MOVED: (Cr Cousins/Mayor Wallace)

"That Council:

- (i) agrees to an audit and condition report on Council's existing public art works and the development of a ten year plan for remedial and ongoing maintenance work to come from existing budgets; and
- (ii) agrees to delay the establishment of a part time public art position within Council until the outcome of part (i) above is known."

AMENDMENT MOVED: (Cr Lulich/Barry)

That Council:

- (i) agrees to an audit and condition report on Council's existing public art works and the development of a ten year plan for remedial and ongoing maintenance work to come from existing budgets;
- (ii) agrees to delay the establishment of a part time public art position within Council until the outcome of part (i) above is known; and
- (iii) agrees in principle that a Public Arts Manager be appointed to continue to develop the public arts guidelines and policy in consultation with the Chair of the Arts and Culture Subcommittee.

Mayor Wallace put the motion to the vote in its separate parts. Parts (i) and (ii) were declared CARRIED on the voices and part (iii) was declared CARRIED on a show of hands.

RESOLVED: (Cr Cousins/Mayor Wallace) **Minute No. C 17117(3)**

"That Council:

- (i) agrees to an audit and condition report on Council's existing public art works and the development of a ten year plan for remedial and ongoing maintenance work to come from existing budgets;*
- (ii) agrees to delay the establishment of a part time public art position within Council until the outcome of part (i) above is known; and*
- (iii) agrees in principle that a public arts manager be appointed to continue to develop the Public Art Policy and Guidelines in consultation with the Chair of the Arts and Culture Subcommittee."*

d) City Development Committee

28 February 2017

RESOLVED: (Deputy Mayor Bassett/Cr Sutton) **Minute No. C 17118(3)**

"That the report of the meeting held on 28 February 2017 be adopted with the exception of item 5a) Terms of Reference for the Review of Making Places and item 5b) Review of Rates and Development Charges Remissions Policies and subject to an amendment to item 5 a) to remove the word 'view' and replace it with 'review'."

Recommended Items

Item 5a) Terms of Reference for the Review of Making Places (16/1209)

RESOLVED: (Deputy Mayor Bassett/Cr Milne) **Minute No. C 17119(3)**

"That Council approves the Terms of Reference for a review of Making Places, attached as Appendix 1 to Report No CDC2017/1/60."

Item 5b) Review of Rates and Development Charges Remissions Policies
(17/96)

RESOLVED: (Deputy Mayor Bassett/Cr Sutton) **Minute No. C 17120(3)**

“That Council:

- (i) *approves the draft Part 5 of the Rates Remission Policy “Rates Remission and Grants for Economic Development Policy” attached as Appendix 1 to Report No CDC2017/1/62 for consultation in the 2017/18 Proposed Annual Plan with the following amendments on page 3 under the Grants for Economic Development, Conditions and Criteria, Part A, 3. General Criteria, third bullet point:*

‘The business is likely to be in direct competition with existing businesses. Generally the applicant will be required to demonstrated that the business will create little or no competition with existing businesses. ~~or that there is unfulfilled demand in the market for the type of business to be undertaken.~~’; and

Part B, Additional Guidelines, second bullet point to be deleted:

- ~~• The business has minimal impact on the environment in terms of air, water or soil.~~*

- (ii) *approves the draft Part 6 of the Rates Remission Policy “Hutt City Development Charges and Rates Remission Policy” attached as Appendix 2 to Report No CDC2017/1/62 for consultation in the 2017/18 Proposed Annual Plan;*
- (iii) *notes the new budget allocation of \$1M per annum for each of 2017/18, 2018/19 and 2019/20 be included in the 2017/18 Proposed Annual Plan for the remissions; and*
- (iv) *notes that the role of Development Liaison Manager and the marketing of the remissions be continued for a further three years and that a budget allocation of \$390,000 in total for the three years be included in the 2017/18 Proposed Annual Plan for these purposes.”*

e) **Finance and Performance Committee**

1 March 2017

RESOLVED: (Cr Milne/Cr Barratt)

Minute No. C 17121(3)

“That the report of the meeting held on 1 March 2017 be adopted with the exception of item 4a) Living Wage Considerations for Hutt City Council, item 4b) Review of Draft Statement of Intent 2017/2018 for the Hutt City Community Facilities Trust, item 4c) Review of Draft Statement of Intent 2017/2020 for Seaview Marina Limited, item 4d) Review of Draft Statement of Intent 2017/2018 for UrbanPlus Limited and item 4e) Review of Draft Statement of Intent 2017/2018 for the New Zealand Local Government Funding Agency and subject to an amendment to item 9 to read as follows:-

‘In response to a question from.....were reviewed by the Mayor and, in his absence, the Chair of the Finance and Performance Committee’.”

Recommended Item

Item Living Wage Considerations for Hutt City Council (17/264)
4a)

Speaking under public comment, **Mr Archie Kerr** elaborated on how a living wage would contribute greatly to improve the living situation of many families.

Speaking under public comment, **Mr Peter Cranney** elaborated on Section 10; Schedule 7, Clause 36 and Section 59 legislation of the Local Government Act 2002. He acknowledged there were conflicting legal opinions regarding the legislation. He highlighted that local government was obliged to be a good employer, which included providing for the fair and proper treatment of employees. He maintained that providing a living wage fulfilled this obligation.

Speaking under public comment, **Mr Devon Craig** explained how he currently earned less than the living wage, but held numerous responsibilities, including training other custodians. He asked Council to recognise the value of all employees and to adopt a Living Wage Policy.

Speaking under public comment, **Ms Prue Hyman** explained the positive cycle of money and how a living wage benefited the local economy, productivity and cost efficiencies. She maintained that increased productivity had not been matched by increased wages and that Council should adopt the living wage for efficiency and equity reasons.

Speaking under public comment, **Mr Neville Hyde, President, Hutt Valley Chamber of Commerce**, explained that increased services must eventuate from an increase in wages and that wages should be based on the requirements of a job and the performance of the employee. He questioned whether a living wage would produce the desired result, believing wages should not be an arbitrary figure adjusted for relativity. He further explained that Council had a legal requirement to deliver services in the most cost effective way.

Speaking under public comment, **Mr Jordan Williams representing the New Zealand Taxpayers Union Inc** explained why the Union opposed the living wage. He stated that Council must employ people on merit and questioned whether the living wage helped to alleviate poverty. He suggested there were better methods to achieve this.

Mayor Wallace reminded members that the matter had been robustly debated at length at the Finance and Performance Committee meeting.

Members noted that Council was now seeking independent legal advice on the living wage.

In response to a question from a member, the Chief Executive advised that, as part of the legal advice sought, Council Controlled Organisations would be assessed as to whether the organisations would form part of the draft remuneration and employment policy. He highlighted that it would be reported back to Council.

The motion was taken in parts as follows:

RESOLVED: (BY DIVISION) Minute No. C 17122(3)

"That Council agrees in principle to the Living Wage."

For	Against
Mayor Wallace	Cr Cousins
Deputy Mayor Bassett	Cr Milne
Cr Barratt	Cr Sutton
Cr Barry	
Cr Bridson	
Cr Briggs	
Cr Edwards	
Cr Lewis	
Cr Lulich	
Cr McDonald	
Total: 10	Total: 3

RESOLVED: (BY DIVISION) Minute No. C 17123(3)

"That Council instructs the Chief Executive to produce a draft remuneration and employment policy under the Local Government Act 2002 that addresses paying the living wage to Council employees, for consideration by Council by 1 July 2017."

<u>For</u>	<u>Against</u>
Mayor Wallace	Cr Cousins
Deputy Mayor Bassett	Cr Milne
Cr Barratt	Cr Sutton
Cr Barry	
Cr Bridson	
Cr Briggs	
Cr Edwards	
Cr Lewis	
Cr Lulich	
Cr McDonald	
Total: 10	Total: 3

RESOLVED: (BY DIVISION)**Minute No. C 17124(3)**

"That Council requests that the Chief Executive continues to work with the Living Wage - Hutt Group to investigate further how Council contractors can apply the Living Wage to its workers by 1 July 2017."

ForAgainst

Mayor Wallace

Cr Cousins

Deputy Mayor Bassett

Cr Milne

Cr Barratt

Cr Sutton

Cr Barry

Cr Bridson

Cr Briggs

Cr Edwards

Cr Lewis

Cr Lulich

Cr McDonald

Total: 10

Total: 3

Item 4b) Review of Draft Statement of Intent 2017/2018 for the Hutt City Community Facilities Trust (17/60)

Cr Cousins declared a conflict of interest and took no part in discussion or voting on the matter.

RESOLVED: (Cr Milne/Cr Sutton)**Minute No. C 17125(3)***"That Council:*

- (i) notes that the Board of the Hutt City Community Facilities Trust (CFT) has submitted a draft Statement of Intent (SOI) 2017-2018, attached as Appendix 1 to Report No FPC2017/1/66 to Council, in accordance with the Local Government Act 2002;*
- (ii) notes that officers have reviewed the draft SOI for compliance with the Local Government Act 2002 and provided their analysis;*
- (iii) reviews the draft SOI and considers if any modifications should be made;*
- (iv) receives the draft SOI; and*
- (v) provides comment for the Board of the Trust to consider in finalising its SOI (including any modifications suggested by the Finance and Performance Committee arising under part (iii) above)."*

Item 4c) Review of Draft Statement of Intent 2017-2020 for Seaview Marina Limited (17/193)

Cr Milne declared a conflict of interest and took no part in discussion or voting on the matter.

RESOLVED: (Cr Barry/Cr Briggs)

Minute No. C 17126(3)

“That Council:

- (i) notes that the Board of Seaview Marina Limited (SML) has submitted a draft Statement of Intent (SOI) 2017-2020, attached as Appendix 1 to Report No FPC2017/1/67 to Council, in accordance with the Local Government Act 2002;*
- (ii) notes that officers have reviewed the draft SOI for compliance with the Local Government Act 2002 and provided their analysis;*
- (iii) reviews the draft SOI and considers if any modifications should be made;*
- (iv) receives the draft SOI; and*
- (v) provides comment for the Board of the company to consider in finalising its SOI (including any modifications suggested by the Finance and Performance Committee arising under part (iii) above).”*

Item 4d) Review of Draft Statement of Intent 2017/2018 for UrbanPlus Limited (17/194)

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

RESOLVED:

Minute No. C 17127(3)

“That Council:

- (i) notes that the board of UrbanPlus Limited (UPL) has submitted a draft Statement of Intent (SOI) 2017-2018, attached as Appendix 1 to Report No FPC2017/1/68 to Council, in accordance with the Local Government Act 2002;*
- (ii) notes that officers have reviewed the draft SOI for compliance with the Local Government Act 2002 and provided their analysis;*
- (iii) reviews the draft SOI and considers if any modifications should be made;*
- (iv) receives the draft SOI; and*
- (i) provides comment for the Board of the company to consider in finalising its SOI (including any modifications suggested by the Finance and Performance*

Committee arising under paragraph (iii) above)."

Item 4e) Review of Draft Statement of Intent 2017/2018 for the New Zealand Local Government Funding Agency (17/195)

RESOLVED:

Minute No. C 17128(3)

"That Council:

- (i) notes that the Board of the New Zealand Local Government Funding Agency Limited has submitted a draft Statement of Intent (SOI) 2017-2018, attached as Appendix 3 to Report No FPC2017/1/69, in accordance with the Local Government Act 2002;*
- (ii) notes that officers have reviewed the draft SOI and provided their analysis;*
- (iii) reviews the draft SOI and considers if any modifications should be made;*
- (iv) receives the draft SOI; and*
- (v) provides comment for the board of the company to consider in finalising its SOI (including any modifications suggested by the Finance and Performance Committee arising under part (iii) above)."*

f) Community Services Committee

2 March 2017

RESOLVED: (Cr Barratt/Cr Briggs)

Minute No. C 17129(3)

"That the report of the meeting held on 2 March 2017 with the exception of item 5) A Second Electric Vehicle Car Park at Stevens Grove, be adopted."

Recommended Item

Item 5) A Second Electric Vehicle Car Park at Stevens Grove (17/238)

RESOLVED: (Cr Barratt/Cr Briggs)

Minute No. C 17130(3)

"That Council approves the installation of a second Electric Vehicle Park in Stevens Grove, attached as Appendix 1 to Report No CSC2017/1/81."

7. **MISCELLANEOUS**

a) **Local Alcohol Policy: Proposed amendment** (17/415)

Memorandum dated 6 March 2017 by the Principal Policy Advisor

Cr Bridson and Cr Cousins declared a conflict of interest and took no part in discussion or voting on the matter.

RESOLVED: (Cr Edwards/Cr Briggs)

Minute No. C 17131(3)

“That Council:

- (i) considers the Summary and Statement of Proposal attached as Appendix 1 to the memorandum; and*
- (ii) adopts the Summary and Statement of Proposal, subject to any amendments Council thinks appropriate, after considering the recommendations of the Policy and Regulatory Committee concerning the proposed amendments to the Local Alcohol Policy.”*

b) **Proposed District Plan Change 38 - Taita Drive, North of Avalon Park - Rezoning to General Residential and General Recreation Activity Area Final Approval and Operative Date** (17/379)

Report No. HCC2017/1/85 (2) by the Senior Environmental Policy Analyst

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

RESOLVED: (Mayor Wallace/Cr Bridson)

Minute No. C 17132(3)

“That Council:

- (i) resolves, pursuant to clause 17 of the First Schedule of the Resource Management Act 1991, to approve Plan Change 38 to the City of Lower Hutt District Plan, as outlined in Appendix 1 attached to the report;*
- (ii) approves the affixing of the Common Seal to Plan Change 38 in accordance with Standing Order 8.2, as set out in Appendix 2 attached to the report; and*
- (iii) notes that a public notice will be included in the Hutt News on 21 March 2017 advising the operative date of Plan Change 38.”*

c) **2017 Local Government Conference** (17/351)

Memorandum dated 27 February 2017 by the Divisional Manager, Secretariat Services

Mayor Wallace highlighted that Council had received an invitation to attend the Te Marua Ata Committee to be held on 22 July 2017. He recommended that Cr Lewis attend as the Maori and Cultural portfolio holder.

RESOLVED: (Mayor Wallace/Deputy Mayor Bassett) **Minute No. C 17133(3)**

"That Council:

- (i) *notes the 2017 Local Government Conference programme attached as Appendix 1 to the memorandum;*
- (ii) *nominates the Mayor, Deputy Mayor and Cr Barratt to represent Hutt City Council at the 2017 Local Government New Zealand Conference to be held in Auckland from 23-25 July 2017;*
- (iii) *notes that Cr Barry will be attending a conference in Australia; and*
- (iv) *nominates Cr Lewis to represent Hutt City Council at the Te Maruata Committee Conference to be held in Auckland."*

8. **MINUTES**

RESOLVED: (Mayor Wallace/Cr McDonald)

Minute No. C 17134(3)

"That the minutes of the meetings of the Hutt City Council held on Thursday, 15 December 2016, Tuesday, 21 February 2017 and the extraordinary meeting held on Tuesday, 21 February 2017 be confirmed as a true and correct record."

9. **COMMITTEE REPORTS WITHOUT RECOMMENDED ITEMS**

a) **Hearings Panel**

7 December 2016

RESOLVED: (Cr Bridson/Cr Barry)

Minute No. C 17135(3)

"That the report of the meeting of the Hearings Panel held on 7 December 2016 be adopted."

9 December 2016

RESOLVED: (Cr Cousins/Cr Bridson)

Minute No. C 17136(3)

"That the report of the meeting of the Hearings Panel held on 9 December 2016 be adopted."

b) **Hutt Valley Services Committee**

16 December 2016

RESOLVED: (Cr McDonald/Cr Lulich)

Minute No. C 17137(3)

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

3 March 2017

Cr McDonald congratulated the General Manager City Infrastructure on the quick response in regard to the issue of odour at the landfill.

RESOLVED: (Cr McDonald/Deputy Mayor Bassett)

Minute No. C 17138(3)

"That the report of the meeting held on 3 March 2017 be adopted."

10. **QUESTIONS**

There were no questions.

11. **SEALING AUTHORITY** (17/3)

Report No. HCC2017/1/10 (2) by the Committee Administrator

RESOLVED: (Mayor Wallace/Cr Sutton)

Minute No. C 17139(3)

“That Council:

- (i) *approves the affixing of the Common Seal to all relevant documents in connection with the items set out in Schedule 1 contained in the report; and*
- (ii) *approves the deeds executed under Power of Attorney set out in Schedule 2 contained in the report.*

SCHEDULE 1 - General Sealing Authority

Agreement for Sale and Purchase

- a) *The Hutt City Council and Urban Plus Limited
Part of 20 Shaftesbury Grove, Stokes Valley
(Record Number L16/248)*

A sale of land from Council to Urban Plus.

Easement

- b) *The Hutt City Council and Paresh Rama and Thakor Rama
Right to drain water (A&B), right to drain sewage
21 Randwick Crescent, Moera, Lower Hutt
(Record Number L16/227)*

Standard easement terms on subdivision.

- c) *The Hutt City Council and Paresh Rama and Thakor Rama
124 Randwick Road, Moera
(Record Number L16/260)*

Standard easement terms on subdivision.

- d) *The Hutt City Council and DJ Cowden, PK McLaughlin, CA Peters, KP Peters, Straco Trustees Ltd, M Malivuk and D Malivuk, BM Chapman, D Markland Waters, SAK Thwaite, MG Te Hiko, DE Te Hiko and DMAC Homes Limited
Discharge of Encumbrance
Road Reserve Adjacent to STR 11331 Wise Street, Wainuiomata
(Record Number L16/264)*

Removal of legal interests over a road set to become public road.

- e) *The Hutt City Council and J Walsh and MJ Walsh
Surrender of Easement
Subdivision 80 85-93 95-145 and 153-201 Parkway, Wainuiomata
RM 150336 Land Transfer Plan 502921
(Record Number L16/241)*

Standard easement terms on subdivision

- f) *The Hutt City Council and St Columbans Mission Trust Board – MSSC 2017 Ltd
Subdivision, 8 St Columbans Grove, Boulcott, Lower Hutt*

(Record Number L17/15)

Standard easement terms on subdivision

Memorandum of Agreement

Taking land for cycle or pathways project.

- g) *The Hutt City Council and Institute of Geological and Nuclear Sciences Limited
Land required for Wainuiomata Hill Pathway Project – 30 Gracefield Road, Gracefield (4
Gracefield Road Gracefield)
(Record Number L16/251)*
- h) *The Hutt City Council and Institute of Geological and Nuclear Sciences Ltd –
Compensation Certificate
4-6 Gracefield Road, Gracefield
(Record Number L17/14)*
- i) *The Hutt City Council
Wainuiomata Hill Pathway Project – 1-3 Parkway Wainuiomata – Assembly of God
Property
(Record Number L16/199)*
- j) *The Hutt City Council and CM Poihipi
Pursuant to the Public Act 1981
108 Gracefield Road, Lower Hutt
Road for Wainuiomata Hill Pathway Project
(Record Number L16/195)*
- k) *The Hutt City Council and DG Hall and P Hall
For Road Stopping, 203 Marine Drive, Lowry Bay
(Record Number L16/206)*

Memorandum of Encumbrance

- l) *The Hutt City Council
216 Wise Street, Wainuiomata
(Record Number L17/29)*

Council approval as “mortgage” to registration of a private encumbrance

SCHEDULE 2

Deed of Lease

- m) *The Hutt City Council and Upper Hutt City Council and Royalwolf Trading New
Zealand Limited
Land Area 1 – 17 Wareham Place, Seaview
(Record Number L16/243)*

A lease of Council land

Warrants Approved

<i>Martin Vercoe – HCC WARRANT-16-19</i>	<i>10. Land Transport Act 1988 Parking Warden pursuant to s128D</i>
<i>Kerry Louise Wynne – HCC WARRANT-17-1</i>	<i>1. Local Government Act 2002 Authorised person pursuant to ss171, 173 (powers of entry in general) Enforcement Officer pursuant to s177 (including additional powers of entry) 2. Building Act 2004 Enforcement Officer pursuant to s371B 4. Fencing of Swimming Pools Act 1987 Territorial Authority Officer pursuant to s11 13. Resource Management Act 1991 Enforcement Officer pursuant to s38(1)</i>
<i>Michael Alexander Humphrey – HCC WARRANT-17-2</i>	<i>1. Local Government Act 2002 Authorised person pursuant to ss171, 173 (powers of entry in general) Enforcement Officer pursuant to s177 (including additional powers of entry) 2. Building Act 2004 Authorised Officer pursuant to s222 Enforcement Officer pursuant to s371B 4. Fencing of Swimming Pools Act 1987 Territorial Authority Officer pursuant to s11</i>
<i>David Cano – HCC WARRANT-17-3</i>	<i>1. Local Government Act 2002 Authorised person pursuant to ss171, 173 (powers of entry in general) Enforcement Officer pursuant to s177 (including additional powers of entry) 2. Building Act 2004 Authorised Officer pursuant to s222 Enforcement Officer pursuant to s371B</i>
<i>Ellie Stevens – HCC WARRANT-17-4</i>	<i>1. Local Government Act 2002 Authorised person pursuant to ss171, 173 (powers of entry in general) Enforcement Officer pursuant to s177 (including additional powers of entry) 2. Building Act 2004 Authorised Officer pursuant to s222 Enforcement Officer pursuant to s371B</i>
<i>Shane Edward Forrest – HCC WARRANT-17-5</i>	<i>1. Local Government Act 2002 Authorised person pursuant to ss171, 173 (powers of entry in general) Enforcement Officer pursuant to s177 (including additional powers of entry) 2. Building Act 2004 Authorised Officer pursuant to s222 Enforcement Officer pursuant to s371B</i>
<i>Bradley Derek Greening – HCC WARRANT-17-6</i>	<i>1. Local Government Act 2002 Authorised person pursuant to ss171, 173 (powers of entry in general)</i>

	<p><i>Enforcement Officer pursuant to s177 (including additional powers of entry)</i></p> <p><i>2. Building Act 2004</i></p> <p><i>Authorised Officer pursuant to s222</i></p> <p><i>Enforcement Officer pursuant to s371B</i></p> <p><i>13. Resource Management Act 1991</i></p> <p><i>Enforcement Officer pursuant s38(1)</i></p>
<p><i>Richard Vincent Mead – HCC WARRANT-17-8</i></p>	<p><i>1. Local Government Act 2002</i></p> <p><i>Authorised person pursuant to ss171, 173 (powers of entry in general)</i></p> <p><i>Enforcement Officer pursuant to s177 (including additional powers of entry)</i></p> <p><i>8. Health Act 1956</i></p> <p><i>Environmental Health Officer pursuant to s28</i></p> <p><i>9. Hutt Valley Trade Wastes Bylaw 2006</i></p> <p><i>Authorised Officer pursuant to 1.5 and 6.4 (including powers under Hutt Valley Drainage Act 1967)</i></p> <p><i>11. Litter Act 1979</i></p> <p><i>Litter Control Officer pursuant to s5</i></p> <p><i>13. Resource Management Act 1991</i></p> <p><i>Enforcement Officer pursuant to s38(1)</i></p> <p><i>Enforcement Officer (Noise Control only) pursuant to s38(2)</i></p> <p><i>14. Sale and Supply of Alcohol Act 2012</i></p> <p><i>Inspector pursuant to s197(1)</i></p>
<p><i>Jade Spiers-Allan – HCC WARRANT-17-9</i></p>	<p><i>1. Local Government Act 2002</i></p> <p><i>Authorised person pursuant to ss171, 173 (powers of entry in general)</i></p> <p><i>Enforcement Officer pursuant to s177 (including additional powers of entry)</i></p> <p><i>2. Building Act 2004</i></p> <p><i>Authorised Officer pursuant to s222</i></p> <p><i>Enforcement Officer pursuant to s371B”</i></p>

12. EXCLUSION OF THE PUBLIC

RESOLVED: (Mayor Wallace/Deputy Mayor Bassett)

Minute No. C 17140(3)

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

13. *Minutes - 15 December 2016*

14. *Appointment of Directors - Seaview Marina Limited and UrbanPlus Limited (17/470)*

15. *Finance and Performance Committee Minutes - 1 March 2017 (17/482)*

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 15 December 2016 – Huia Fitness Suite and Appointment of Directors: Seaview Marina Limited, UrbanPlus Limited and Hutt City Community Facilities Trust</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>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>Appointment of Directors - Seaview Marina Limited and UrbanPlus Limited</i>	<i>The withholding of the information is necessary to protect the privacy of natural persons. (s7(2)(a)).</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exist.</i>
<i>Appointment of Directors – Seaview Marina Limited and UrbanPlus Limited</i>	<i>The withholding of the information is necessary to protect the privacy of natural persons. (s7(2)(a)).</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exist.</i>
<i>Finance and Performance Committee minutes - 1 March 2017 – Living Wage Considerations for Hutt City Council</i>	<i>The withholding of the information is necessary to maintain legal professional privilege (s7(2)(g)).</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exist.</i>

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 8pm and the non public portion of the meeting finished at 8.15pm.

WR Wallace
MAYOR

CONFIRMED as a true and correct record
Dated this 23rd day of May 2017