

HUTT CITY COUNCIL**DISTRICT PLAN COMMITTEE**

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

Wednesday 26 April 2017 commencing at 5.30pm

PRESENT: Cr L Bridson (Chair) Cr MJ Cousins (Deputy Chair)
Cr C Barry Cr J Briggs
Cr T Lewis Cr C Milne

APOLOGIES: There were no apologies.

IN ATTENDANCE: Mr T Stallinger, Chief Executive
Mr A Cumming, Divisional Manager, Environmental Policy
Ms C Tessendorf, Senior Environmental Policy Analyst
Mr N Geard, Environmental Policy Analyst
Mr J Hoyle, Communications and Marketing Advisor
Ms S Haniel, Committee Advisor

PUBLIC BUSINESS**1. OPENING FORMALITIES - KARAKIA**

The Chair read questions from Cr Milne querying the appropriateness of a religious item on the Committee's agenda, and also whether a Chair of a Council Committee could place a prayer for any faith on its agenda.

The Chair advised that options for opening a meeting or closing a meeting, where appropriate, were allowed under Standing Orders. She highlighted that there was no obligation by members to participate in saying the prayer. A karakia timatanga was said to open the meeting.

2. APOLOGIES

There were no apologies.

3. PUBLIC COMMENT

Comments are recorded under the item to which they relate.

4. CONFLICT OF INTEREST DECLARATIONS

There were no conflict of interest declarations.

PRECEDENCE OF BUSINESS**RESOLVED:** (Cr Bridson / Cr Milne)**Minute No. DPC 17101**

"That in terms of Standing Order 10.4, precedence be accorded to item 6 dealing with the District Plan Update."

The item is recorded in the order in which it is listed on the order paper.

5. RECOMMENDATION TO COUNCIL - 23 May 2017**Proposed District Plan Change 49****Copeland Street Reserve****Rezoning to General Residential Activity Area - Medium Density and General Recreation Activity Area (17/565)**

The Senior Environmental Policy Analyst elaborated on the report.

Cr Cousins requested the Chief Executive to ask officers from Council's Parks and Gardens division to work alongside the project and provide development plans for the residual reserve. She further requested that the Chief Executive involve Council's Communication Team in Plan Change 49.

The Chair said that in situations where Council sells surplus reserve land, consideration should be given to using the proceeds to buy reserve land in areas where it was required.

RECOMMENDED: (Cr Bridson/Cr Cousins)**Minute No. DPC 17202**

"That the Committee recommends that Council:

- (i) notes the proposed Plan Change which is attached as Appendix 1 to the report;*
- (ii) resolves to promulgate Proposed Plan Change 49 for consultation;*
- (iii) instructs officers to publicly notify Proposed Plan Change 49 as soon as practicable;*
- (iv) allows officers to make any non-policy related changes to the details of the proposed Plan Change should the need arise;*
- (v) asks the Parks and Gardens division to work in conjunction with officers to provide development details for the recreation area; and*
- (vi) asks Council's Communication Team be involved in the project."*

Councillors Barry and Briggs requested that their dissenting votes be recorded.

6. INFORMATION ITEM

District Plan Update (17/580)

Report No. DPC2017/2/68 by the Divisional Manager Environmental Policy

Speaking under public comment, **Mr T Baisden, representing the East Harbour Environmental Association (EHEA)**, said that Plan Change 36 was not fit for purpose because it was about notable trees and did not protect the native vegetation on steep hillsides. He further said that the East Harbour Hills would have a hazard risk of slipping. He advised that erosion control and coastal amenity needed to be clearly defined with regard to the Resource Management Act 1991 (RMA), sections 6 and 7. He added that RMA s.76 removed the protections for existing vegetation in some way which was not clearly defined, and there were no rules for sections under 4000m². He said that this created uncertainty for landowners whereas the intent of the legislation was to create certainty.

The Chair noted that court action from EHEA against Council regarding Plan Change 36 was currently before the High Court and cautioned members and public speakers to exercise care when discussing the item.

Speaking under public comment, **Ms L Mead, representing EHEA**, said that Plan Change 36 was called "Notable Trees". However, the main occurrence from the Plan Change was deletion of all vegetation protection, especially in the hill residential landscape protection zone. She reiterated that removal of native vegetation could result in soil instability which would mean that section 7 of the RMA would not be complied with. She proffered a solution which would be that trees over 3m high be identified in groups and protected lot by lot, and that vegetation clearance be limited to 500m² for areas over 4000m².

In response to questions from members, Ms Mead said that Council could go through the area lot by lot and identify lots on the District Plan. She further said that EHEA could withdraw its court action against Council at any time.

The Divisional Manager Environmental Policy elaborated on the report. He added that officers had an offer out to EHEA to work on the issues.

Cr Cousins requested further consideration about public comment on matters which were currently before the court and the risk to Council of entrapment. She further said that there were issues of natural justice and that the public speakers had achieved a further submission on Plan Change 36 whereas others had not.

In response to the issues raised by Cr Cousins, the Chair requested that training be organised for Councillors on these matters.

RESOLVED: (Cr Bridson/Cr Lewis)

Minute No. DPC 17203

"That the report be noted and received."

7. **QUESTIONS**

There were no further questions.

8. **CLOSING KARAKIA**

A karakia whakamutunga was said to close the meeting.

There being no further business the Chair declared the meeting closed at 6.30 pm.

Cr L Bridson
CHAIR

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