

HUTT CITY COUNCILPOLICY AND REGULATORY COMMITTEE

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

Monday 1 May 2017 commencing at 5.30pm

PRESENT:

Cr MJ Cousins (Chair)	Cr C Barry (until 6.45pm)
Cr L Bridson	Cr L Sutton
Cr J Briggs	Cr S Edwards (Deputy Chair)
Cr T Lewis	Cr M Lulich (until 6.45pm)
Cr C Milne	
Deputy Mayor D Bassett (until 6.25pm)	

APOLOGIES: An apology was received from Mayor Wallace.
Apologies for early departure were received from Deputy Mayor Bassett, Cr Lulich and Cr Barry.

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 B Cato, Solicitor (part meeting)
Ms W Moore, Divisional Manager, Strategy and Planning (part meeting)
Mr G Stuart, Divisional Manager, Regulatory Services (part meeting)
Mr G Sewell, Principal Policy Advisor (part meeting)
Ms M Laban, Community Projects and Relationship Manager (part meeting)
Mr J Hoyle, Communications and Marketing Advisor
Ms S Haniel, Committee Advisor

PUBLIC BUSINESS1. **APOLOGIES**

RESOLVED: (Cr Cousins/Cr Sutton)

Minute No. PRC 17201

"That the apology received from Mayor Wallace, and the apologies received from Councillors Bassett, Barry and Lulich for early departure, be accepted and leave of absence be granted."

2. PUBLIC COMMENT

Comments are recorded under the item to which they relate.

3. CONFLICT OF INTEREST DECLARATIONS

Crs Cousins and Bridson declared a conflict of interest in item 6, Code of Practice – District Licensing Committee 2017, and took no part in discussion or voting on the matter.

PRECEDENCE OF BUSINESS

RESOLVED: (Cr Cousins/Cr Milne)

Minute No. PRC 17102

“That in terms of Standing Order 10.4, precedence be accorded to item 4 d) dealing with the Future of Molesworth Street Reserve Pomare, and item 4 f) dealing with Dog Controls for Avalon Park.”

The items are recorded in the order in which they are listed on the order paper.

4. RECOMMENDATIONS TO COUNCIL - 23 May 2017

a) **Overseas Travel Approval - Policy Change (17/651)**

The Chief Executive elaborated on the report.

RECOMMENDED: (Cr Cousins/Deputy Mayor Bassett) **Minute No. PRC 17203**

“That the Committee recommends that Council;

- (i) approves the Chief Executive be given delegated authority to approve overseas travel for staff; and*
- (ii) approves the ‘tracked’ changes in the Sensitive Expenditure Policy attached as Appendix 1 to the report.”*

b) **Redrafted Gift Policy for Elected Members (17/587)**

The Chief Executive elaborated on the report.

RECOMMENDED: (Cr Cousins/Deputy Mayor Bassett) **Minute No. PRC 17204**

“That the Committee recommends that Council approves the proposed Gift Policy for Elected Members (changes as underlined) attached as Appendix 1 to the report.”

c) **Reserve Reclassification - Wainuiomata (17/252)**

The Chair elaborated on the report.

RECOMMENDED: (Cr Barry/Cr Briggs) **Minute No. PRC 17205**
"That the Committee recommends that Council reclassify the Local Purpose Reserve (Community Use) located at the end of Hinau Grove, Wainuiomata, being Lot 1 DP 83036 (WN49C/742), as a Recreation Reserve in terms of section 19(1)(b) of the Reserves Act 1977."

d) **Future of Molesworth Street Reserve Pomare (17/536)**

Speaking under public comment, **Ms S Ah Young, representing Empower Management Limited (the Company)**, said that the Company had originally met with the Ministry of Education (MOE) and the Pomare School representatives over the Early Childhood Education Centre (ECE). However, the Company had not been involved in the issues which lead to the cancellation of the previous pre-school's licence. She further said that the Company would operate an ECE for the Pasifica community.

In response to questions from members, Ms Ah Young said that the Company had a building in storage which could be moved to the site. She added that the previous ECE operator had approximately 45 people using the facility and consultation had revealed that people were not accessing it.

Speaking under public comment, **Ms N Saluni, representing Empower Management Limited**, said that the Molesworth Street Reserve provided an opportunity for the community to have an ECE centre. She added that the Company had a pick-up and drop-off service. She advised that the Company provided quality learning and other social services. She further said that the Company would make a difference to families in the low decile areas of Pomare and Taita.

The Community Projects and Relationship Manager elaborated on the report.

Members queried the reason that the fences were in place around the reserve. They discussed the suitability of the site for an ECE, and the MOE approval process.

RECOMMENDED: (Cr Barry/Cr Sutton) **Minute No. PRC 17206**
"That the Committee recommends that Council:
 (i) *notes that as a result of the Valley Floor Review officers were directed to*

- undertake a review of the reserve property at 132A Molesworth Street for the purpose of considering its future;*
- (ii) notes that an independent assessment of reserve values has been undertaken which considers that the property has a low reserves value;*
 - (iii) notes that an application has been received from Empower Management Limited seeking to use the property to establish an Early Childhood Education (ECE) centre;*
 - (iv) asks officers to work with Empower Management Limited to assist it to find a suitable location for an ECE centre;*
 - (v) asks officers to undertake general consultation with the community about the future of the property and report back on the options; and*
 - (vi) notes that a decision on an alternative use of the property would be a matter for further consideration should Council decide, following due process, to revoke the reserve status of the property."*

e) Proposed Road Stopping and Sale of Legal Road on the corner of Knights Road and Birch Street Waterloo (17/600)

The Chair elaborated on the report.

- RECOMMENDED:** (Cr Edwards/Deputy Mayor Bassett) **Minute No. PRC 17207**
- "That the Committee recommends that Council:*
- (i) notes that the owner of 227 Knights Road is interested in acquiring a small area of legal road of approximately 35m² which is situated between the legal boundary and existing fence as shown in Appendix 1 to the report;*
 - (ii) notes that the Road and Traffic Division see no need to retain this area of legal road for roading purposes now or in the future;*
 - (iii) agrees to stop the portion of legal road adjoining 227 Knights Road as depicted on the aerial photograph attached as Appendix 1 to the report; and*
 - (iv) agrees to sell the stopped road to the owner of 227 Knights Road, noting that the owner has agreed to meet all costs associated with the road stopping process and subsequent boundary adjustment, as well as the assessed market value of the land."*

f) Dog controls for Avalon Park (17/632)

Speaking under public comment, **Ms M Miller** said that she supported public consultation on the issue. She respectfully requested if Cr Edwards, Central Ward Councillor, could be on the Hearings Panel and also for a member of the public to be on the Panel. She said that the neighbourhood dogs currently being walked in Avalon Park were family pets which were friendly to people, children and bikes. She further said

that there were people who visited the park with their whole family, including the dog, and were disappointed when the dog had to stay in the car.

Speaking under public comment, **Ms V Jenness** said that she supported public consultation on the issue. She further said that walking dogs in the riverbank area was difficult or impossible due to bikes, wandering willie, poisonous river algae, and the presence of native birds. She added that the slope of the bank was a problem for disabled people. She requested that Council build a small dog park in Hikoikoi Reserve.

The Divisional Manager Regulatory Services elaborated on the report.

In response to a question from a member, the Divisional Manager Regulatory Services said that the consultation form would include the officers' options and a space to write additional ideas. He further said that the consultation timetable would be; 1 June 2017 – letter sent to affected parties; and June 2017 – consultation period.

Members agreed that Cr Edwards be on the Hearings Subcommittee and that the meeting be held during the daytime.

RECOMMENDED: (Cr Cousins/Deputy Mayor Bassett) **Minute No. PRC 17208**

"That the Committee recommends that Council:

- (i) approves the public consultation process; and*
- (ii) appoints a subcommittee consisting of Councillors Cousins, Lewis, Bridson, Briggs and Edwards, to hear submissions on the proposed dog controls for Avalon Park and make recommendations to Council."*

g) **Easter Sunday Shop Trading Policy (17/575)**

The Principal Policy Advisor elaborated on the report.

Deputy Mayor Bassett left the meeting at 6.25pm.

Members agreed that any change to the Easter Sunday Shop Trading Hours would best be done with consideration to what the Metropolitan Councils in the region were undertaking.

RECOMMENDED: (Cr Milne/Cr Edwards)	Minute No. PRC 17209
<i>"That the Committee recommends that Council:</i>	
<i>(i) notes the report on Easter Sunday Shop Trading Policy that includes results of a pre-consultation phase;</i>	
<i>(ii) agrees to not take any further action and therefore not develop an Easter Sunday Shop Trading Policy at this time; and</i>	
<i>(iii) asks officers to keep the matter under review and bring it back to Council if there is any change in the position of the regional Metropolitan Councils."</i>	

5. **URBAN DEVELOPMENT AUTHORITIES (17/634)**

Report No. PRC2017/2/117 by the Divisional Manager, Strategy and Planning

Crs Lulich and Barry left the meeting at 6.45pm.

The Divisional Manager, Strategy and Planning elaborated on the report.

In response to a question from a member, the Divisional Manger, Strategy and Planning said that she would seek clarification whether a local authority had full buy back provisions.

The Chair said that she would forward emails from the Resource Management Law Association to the Divisional Manager, Strategy and Planning.

RESOLVED: (Cr Cousins/Cr Lewis)

Minute No. PRC 17210

"That the Committee approves the draft submission on the Government's proposal to introduce legislation to create Urban Development Authorities to support and fast track urban development projects."

6. **CODE OF PRACTICE - DISTRICT LICENSING COMMITTEE 2017** (17/636)

Report No. PRC2017/2/119 by the Solicitor

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

Cr Edwards assumed the Chair.

The Solicitor elaborated on the report.

RESOLVED: (Cr Lewis/Cr Sutton)

Minute No. PRC 17211

"That the Committee:

- (i) receives the Code of Practice for the Hutt City District Licensing Committee (COP), attached as Appendix 1 to the report;*
- (ii) notes the amendments to the COP; and*
- (iii) endorses the COP."*

7. **GENERAL MANAGER'S REPORT** (17/592)

Report No. PRC2017/2/120 by the Divisional Manager Environmental Consents

The General Manager Governance and Regulatory elaborated on the report. She asked that members email her any questions about the report in advance of the meeting to ensure that their queries could be answered.

Cr Briggs thanked officers for their co-operation regarding a church in Parkway and said that the community was thankful for the work done.

RESOLVED: (Cr Cousins/Cr Edwards)

Minute No. PRC 17212

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

8. **INFORMATION ITEM**

Policy and Regulatory Committee Work Programme (17/505)

Report No. PRC2017/2/7 by the Committee Advisor

RESOLVED: (Cr Cousins/Cr Sutton)

Minute No. PRC 17213

"That the report be received."

9. QUESTIONS

There were no questions.

There being no further business the Chair declared the meeting closed at 6.50 pm.

Cr MJ Cousins
CHAIR

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