

HUTT CITY COUNCIL**POLICY AND REGULATORY COMMITTEE**

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

Monday 26 February 2018 commencing at 5.30pm

PRESENT:

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

APOLOGIES: There were no apologies.

IN ATTENDANCE:

Mr T Stallinger, Chief Executive
 Mr M Reid, General Manager, City and Community Services (part meeting)
 Mr B Kibblewhite, General Manager, Corporate Services (part meeting)
 Mr B Hodgins, Divisional Manager Parks and Gardens (part meeting)
 Ms H Oram, Divisional Manager Environmental Consents
 Mr G Stuart, Divisional Manager Regulatory Services and Emergency Management
 Mr B Cato, General Counsel (part meeting)
 Mr J Pritchard, Principal Policy and Research Advisor (part meeting)
 Mr G Sewell, Principal Policy Advisor (part meeting)
 Mr J Hoyle, Communications and Marketing Advisor
 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.

3. CONFLICT OF INTEREST DECLARATIONS

There were no conflict of interest declarations.

4. RECOMMENDATIONS TO COUNCIL - 13 March 2018

i) **Miscellaneous Property Sales (18/20)**

The Divisional Manager Parks and Gardens elaborated on the report. He said that the owners of the neighbouring properties had requested to purchase the strips. Two of the neighbours proposed to purchase the additional land in order to subdivide their properties.

In response to questions from a member, the Divisional Manager Parks and Gardens advised that the affected strips of land were not currently used for public access and the reserves were accessed via other entry points.

RECOMMENDED: (Cr Briggs/Cr Barry)	Minute No. PRC 18101
<i>"That the Committee recommends that Council:</i>	
<i>(i) agrees to publicly notify a proposal to revoke the reserve status of the property at 20N Mataura Grove, attached as Appendix 1 to the report, on the basis that it serves no useful reserve purpose and would be sold to the owners of the adjoining property at 20 Mataura Grove;</i>	
<i>(ii) agrees to sell the property at 55N Wellington Road, attached as Appendix 2 to the report, being Lot 145 DP 14784, subject to the creation of an appropriate drainage easement in favour of Council on the property title; and</i>	
<i>(iii) agrees to sell the property at 64N Moohan Street, attached as Appendix 3 to the report, being Lot 16, DP 20616, subject to the creation of an appropriate drainage easement in favour of Council on the property title."</i>	

ii) **Naming Policy 2018-2028 (18/60)**

The Principal Policy and Research Advisor elaborated on the report.

In response to a question from a member, the Principal Policy and Research Advisor said that the list of names provided information to the decision makers and did not prohibit other names being taken into account.

Mayor Wallace expressed concern that a lot of names on the Wainuiomata list seemed to be outdated English names with little relevance to Wainuiomata today. He raised concern that the names of living people could not be considered, resulting in Council not being able to recognise someone who had made a significant contribution to a community while they were still alive eg, Betty van Dowling or Tana Umaga. He added that other local authorities had this ability.

Cr Barry commented that the names on the Wainuiomata list were specifically for northern Wainuiomata areas and agreed the list needed updating.

The Principal Policy and Research Advisor agreed to investigate the process for updating and localising the names on the list.

Members noted that the issue of a living person becoming embroiled in a scandal had previously been debated. The Naming Policy provided for a name of a living person only to be used in exceptional circumstances.

MOVED: (Mayor Wallace/Deputy Mayor Bassett)

"That the name of a living person could be used if decision makers agree it is appropriate in the circumstances."

The motion was declared LOST on a show of hands.

MOVED: (Cr Cousins/Cr Bridson)

"That the Committee recommends that Council approves the Naming Policy 2018-2023 attached as Appendix 1 to the report: and

- (a) notes that Council should review and update the lists of names that communities have recorded as being important to them, along with community boards and community panels so that these could be referred to during the naming process; and
- (b) notes that Council will work with the New Zealand Poppy Places Trust to ensure that Council identifies names and places that are directly related to people and events from our overseas military and uses the poppy flower head to permanently mark these places."

The motion was declared CARRIED on a show of hands.

RECOMMENDED: (Cr Cousins/Cr Bridson) **Minute No. PRC 18102**

"That the Committee recommends that Council approves the Naming Policy 2018-2023 attached as Appendix 1 to the report: and

- (c) notes that Council should review and update the lists of names that communities have recorded as being important to them, along with community boards and community panels so that these could be referred to during the naming process; and*
- (d) notes that Council will work with the New Zealand Poppy Places Trust to ensure that Council identifies names and places that are directly related to people and events from our overseas military and uses the poppy flower head to permanently mark these places."*

For the reasons outlined in the officer's report.

iii) **Representation Review (18/66)**

Speaking under public comment, **Mr Max Shierlaw** requested Council to undertake a review of the process for electing councillors. He expressed concern that the ward councillor system was not working. He cited a recent survey which showed only 12% of residents had made contact with their local ward

Councillor (as compared to the 20% national average) and only 6% made contact with their Community Board Member. He further said that an “at large” election system could manage city wide issues more effectively than the current system.

In response to a question from a member, the Divisional Manager Parks and Gardens, in his capacity of Electoral Officer, advised that Council opted not to investigate the Single Transferable Vote vs First Past The Post debate in 2017 and that the deadline for doing so (providing for a public referendum) was 28 February 2018.

The Chair advised there was research concerning linkages between voter turnout and size of electorate and that an upcoming workshop would discuss the appropriateness of having the same voting systems across the region.

In general discussion, members noted that Community Boards could make submissions to the document. Therefore, two separate workshops were required in order to have a clear distinction between decision makers and submitters. Members considered that an independent survey should be undertaken asking what type of representation communities preferred before Council made its final decision.

Members asked officers to investigate whether a new voting system could be approved but not implemented immediately.

The Chair asked officers to send Councillors the link to the NRB survey. She further asked officers to investigate whether an independent survey was required to find out what type of representation the community wanted, with the information to be presented to the upcoming workshops.

RECOMMENDED: (Cr Cousins/Mayor Wallace) Minute No. PRC 18103	
<i>“That the Committee recommends that Council:</i>	
<i>(i) agrees to the proposed timeline for the Representation Review 2018-19 as follows:</i>	
<i>Date</i>	<i>Action</i>
<i>16 January to 22 May 2018</i>	<i>Initial proposal developed and approved by Policy and Regulation Committee (30 April) and Council (22 May). Workshops to be held during the period 1 February to 31 March.</i>
<i>23 May to 22 June 2018</i>	<i>Public notice of initial proposal notified through public notice. Submissions called for.</i>
<i>25 June to 27 July 2018 Council meeting 24 July 2018</i>	<i>Submissions considered and amendments (where agreed to) made to initial proposal and final proposal agreed at Council meeting 24 July</i>
<i>30 July 2018</i>	<i>Final proposal notified through public notice</i>
<i>1 August to 31 August 2018</i>	<i>Appeals and objections. Close 31 August 2018 and appeals and objections forwarded to Local Government Commission</i>
<i>1 September 2018</i>	<i>Public Notice final (if no appeals or objections) <u>OR</u></i>
<i>1 September 2018 to 31 October 2018</i>	<i>Appeals and objections considered by Local Government Commission</i>

1 November 2018	Local Government Commission makes determination	
February 2019	Appeals to High Court	
12 October 2019	Local government elections	
<p>(ii) notes that officers will complete further work on possible forms of representation for the city for Council's consideration; and</p> <p>(iii) directs officers to arrange separate workshops with Councillors (as they are the decision makers), and with Community Board and Community Panel members (as they could be submitters) as soon as practicable."</p>		

iv) Proposed Trading in a Public Place Bylaw (18/43)

The Principal Policy Advisor elaborated on the report.

In response to questions from members, the Principal Policy Advisor advised busking was not covered under the proposed bylaw. He added that busking was covered by acquiring a Busking Licence from Council, and that could cover a series of locations. He further added that busking was not actively soliciting, whereas hawking was.

Mayor Wallace left the meeting at 6.17pm.

In response to a further question from a member, the Principal Policy Advisor said that he could find out how many busking licences were issued each year.

In response to a question from a member, the General Counsel advised that groups who used public spaces were regulated under the Lower Hutt District Plan, which covered such effects as noise and traffic. He agreed there may be instances where groups could be regulated by both the Lower Hutt District Plan and the proposed bylaw.

Mayor Wallace rejoined the meeting at 6.20pm.

RECOMMENDED: (Cr Edwards/Cr Lewis)	Minute No. PRC 18104
<i>"That the Committee recommends that Council:</i>	
(i) notes that section 159 of the Local Government Act 2002 (LGA 2002) requires Council to review its bylaws no later than 10 years after they were last reviewed;	
(ii) notes that the Trading in Public Places Bylaw 2008 has been reviewed in accordance with section 155 of the LGA 2002;	
(iii) notes the outcome of the s155 review of the Trading in Public Places Bylaw is to propose one amendment to the bylaw, as more particularly detailed in the statement of proposal, attached as Appendix 2 to the report;	
(iv) notes there are no significant impacts on the public due to the proposed bylaw;	
(v) agrees pursuant to s156 of the Local Government Act 2002 to adopt the proposed Trading in a Public Place Bylaw 2018, attached as Appendix 3 to the report,	

effective 1 April 2018."

For the reason that the current Trading in Public Places Bylaw 2008 needs to be reviewed.

v) Avalon Park - Dog Controls (18/70)

The Divisional Manager, Regulatory Services and Emergency Management elaborated on the report.

In response to questions from members, the Divisional Manager, Regulatory Services and Emergency Management advised that Council supplied litter bags for dog owners. Initially officers would be regularly patrolling the new dog area to help educate dog owners to be responsible. He added officers observed that when dogs were on leads, their owners were more responsible than when dogs roamed freely. He added that on Petone Beach officers had engaged volunteers to help enforce dogs on leads, and that owners pick up their dog litter.

In response to questions from a member regarding the make-up of the consultation panel, the Divisional Manager, Regulatory Services and Emergency Management advised that two consultation methods had been employed: Facebook page and Hutt City Council Views Community Panel (the Panel). He also advised that approximately 2,300 residences were contacted and 962 responses were received, with two thirds from the Panel and one third from Facebook. He said that the Facebook data presented views from strong interest groups.

Members discussed that dog areas needed to be away from children's playground areas. Members expressed concern that families with children would take their dog over to the playground equipment when their children were playing there.

Councillors requested officers to inform them immediately should any dog incidents occur.

RECOMMENDED: (Cr Sutton/Cr Cousins) **Minute No. PRC 18105**

"That the Committee recommends that Council:

- (i) notes at its meeting held on 23 May 2017 it approved the consultation process and appointment of a Subcommittee to hear submissions for Dog Controls for Avalon Park (Minute No. C17212); and*
- (ii) revokes Minute No. C17212 and considers the survey results outlined in the report and resolves that Avalon Park remains a Dog Prohibition Area, except on designated sealed walkways and the identified area at the northern end of Avalon Park,*
- (iii) notes that Animal Services will regularly patrol the prohibited area; and*
- (iv) requests officers to provide a six month update report and a 12 month review*

report on any incidents and any actions or changes which may be required."

For the reasons that a Citizens' Panel Survey has been undertaken and the results indicate that little extra would be gained from further consultation.

Cr Barry requested that his dissenting vote be recorded against the above matter.

5. GENERAL MANAGER'S REPORT (18/95)

Report No. PRC2018/1/30 by the Divisional Manager Environmental Consents and the Divisional Manager Regulatory Services and Emergency Management

The Divisional Manager Environmental Consents explained that in the Environmental Consents area business had increased approximately 9-11%, compared to 2017 at the same time, and the increase in building work was 21%. She added the building team had passed their accreditation and that the work with unreinforced masonry buildings was increasing due to the impending deadline date. She further added that all but two buildings had work completed on them.

In response to a question from a member, the Divisional Manager Environmental Consents agreed to alert Councillors if any unreinforced masonry buildings were within their wards.

In response to questions from members, the Divisional Manager, Regulatory Services and Emergency Management advised the value of parking infringements issued for the previous 12 months was \$3.2M. With regard to emergency management, the Divisional Manager, Regulatory Services and Emergency Management explained the area was under review, with liaison work continuing with Upper Hutt City Council Emergency Management officers. He added there was a desire that in the event of a natural disaster, officers from each respective Council would be able to remain in their home area and work.

RESOLVED: (Deputy Mayor Bassett/Cr Sutton)

Minute No. PRC 18106

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

6. INFORMATION ITEM

Policy and Regulatory Committee Work Programme (18/114)

Report No. PRC2018/1/9 by the Committee Advisor

RESOLVED: (Cr Cousins/Deputy Mayor Bassett)

Minute No. PRC 18107

"That the information item be noted and received."

7. QUESTIONS

There were no questions.

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

Cr MJ Cousins
CHAIR

CONFIRMED as a true and correct record
Dated this 13th day of March 2018