

HUTT CITY COUNCIL

Minutes of an extraordinary meeting of The Hutt City Council held in the Council Chambers, 2nd Floor, 30 Laings Road, Lower Hutt on
Thursday 29 November 2018 commencing at 11.21pm

PRESENT:

Mayor WR Wallace (Chair)	
Cr G Barratt	Cr C Barry
Deputy Mayor D Bassett	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, City Transformation
 Mr B Kibblewhite, General Manager, Corporate Services
 Mr L Allott, Chief Information Officer
 Mr B Cato, General Counsel
 Ms H Oram, Divisional Manager Environmental Consents (part meeting)
 Mr A Cumming, Divisional Manager, District Plan
 Mr J Jeffries, Environmental Policy Analyst
 Ms K Stannard, Divisional Manager, Democratic Services
 Ms S Haniel, Committee Advisor

PUBLIC BUSINESS

1. **APOLOGIES**

There were no apologies.

2. **PUBLIC COMMENT**

Speaking under public comment, **Ms Collins** stressed the importance of ensuring that proactive engagement occurred. She expressed disappointment that officers had stated that it was their job to identify Significant Natural Areas (SNAs) and they could not take into account any policy considerations as those considerations came later. She believed that was not a true statement. She considered the best way forward was to work together to identify areas of value and then work together to co-design something together.

3. **CONFLICT OF INTEREST DECLARATIONS**

There were no conflict of interest declarations.

4. RECOMMENDATION FROM THE DISTRICT PLAN COMMITTEE

PROPOSED DISTRICT PLAN CHANGE 46 SIGNIFICANT NATURAL AREAS, OUTSTANDING NATURAL LANDSCAPES, OUTSTANDING NATURAL FEATURES AND COASTAL NATURAL CHARACTER (18/1858)

RECOMMENDED: (BY DIVISION)

"That the Committee:

(i) recommends that Council:

- (a) takes a partnership approach in identifying and protecting Significant Natural Areas (SNAs) across Lower Hutt, without mandatory restrictions, and instead provide for incentives for the protection and conservation of SNAs and the flora and fauna that live within them;*
- (b) notes that this would allow for stakeholders, and mana whenua (including Te Runanganui o Taranaki Whanui ki te Upoko o Te Ika a Maui and Waiwhetu Marae), to work together in good faith, and on a case by case basis, towards the enhancement of our biodiversity in Lower Hutt; and*
- (c) asks officers to amend the proposed plan change to give effect to this resolution, and that it be reported back to full Council as soon as practicable; and*

(ii) recommends that the Community Plan Committee:

- (a) notes the report "Non-regulatory Support Measures for Indigenous Biodiversity on Private Land," attached as Appendix 2 to the report;*
- (b) supports the funding of the following non-regulatory support measures that are complementary to Proposed Plan Change 46 as follows:*

<i>Support Measure</i>	<i>Annual Budget (additional to existing)</i>
<i>Information and Advice</i>	<i>\$10,000</i>
<i>Rates rebates for land protected in perpetuity by legal instrument on Record of Title</i>	<i>\$10,000</i>
<i>Land use consent assistance including ecological assessments and consent fee remission</i>	<i>\$120,000</i>
<i>SNA Grants 1 (small grants for traps, sprays, trees)</i>	<i>\$25,000</i>
<i>SNA Grants 2 (large grants for covenants, ecological assessments, management plans)</i>	<i>\$80,000</i>
<i>Total</i>	<i>\$245,000"</i>

For

Cr Barry

Cr Briggs

Cr Lewis

Cr Milne

Cr Edwards

Total: 5

Against

Cr Bridson

Cr Cousins

Total: 2

Mayor Wallace advised that this was one of the most emotional issues that Council had faced in his time. He acknowledged the hard work undertaken by the Chair of the District Plan Committee, Cr Bridson.

Mayor Wallace acknowledged the issues with maps, the SNA process and Council's District Plan. He also acknowledged that the Chair of the District Plan Committee was trying to assist the situation by deferring the matter. He believed that deferral of the issue would put further uncertainty in the minds of the people adversely affected by the issue. He stated that his recommendations enhanced the opportunity to try and restore the confidence of the community that had been lost during the process.

In response to a question from a member, Mr Quinn from DLA Piper advised that the Resource Management Act did not distinguish between private and public land. He noted that the only obligation on Council was to protect and enhance SNAs.

In response to a question from a member, the Divisional Manager, District Plan advised that Greater Wellington Regional Council (GWRC) managed the control of deer in the forest through its Regional Pest Management Strategy.

Mayor Wallace advised that he would ensure the concerns raised by residents about deer damaging the forests would be reinforced to GWRC.

MOVED: (Mayor Wallace/Deputy Mayor Bassett)

That Council:

- (i) acknowledges the distress this issue has caused in the community and unreservedly apologises for that;
- (ii) acknowledges that the majority of Significant Natural Area's (SNAs) have been well maintained by Landowners in Lower Hutt City;
- (iii) acknowledges the extensive work the Council officers have undertaken on this SNA issue over the past twelve months;
- (iv) acknowledges the work of Landowners, Forest and Bird, DOC and other interested community groups in this process;
- (v) introduces a plan to protect and enhance all SNAs on publicly owned land;
- (vi) requires officers to work with private landowner who wish to further enhance SNA's on their land or further information with professional advice and guidance;
- (vii) establishes a fund and criteria to assist landowners who wish to further protect and enhance SNAs on their properties; and
- (viii) establishes a communication strategy with involvement from GWRC, mana

whenua, Landowners, Forest and Bird , and other interest groups to further highlight and lift awareness of the benefits to SNAs to community and environment.

Cr Milne advised that he would be happy to look at some sort of SNA process to enhance the protection of the biodiversity in the city if he believed it would work. He believed the original proposal was the wrong approach.

Cr Barratt advised that two public speakers speaking in the District Plan Committee had struck a chord with her. One speaker was Ms Gerrard and the other speaker was Ms Dentice. She noted that Ms Dentice had talked about the value of the land and all that it meant to her. Cr Barratt acknowledged the ancestry of that land. She also acknowledged the apologies given to the people affected throughout the whole process.

Cr Barry expressed concern regarding the extent of being proactive as essentially that would be where Council may be legally challenged. He noted that if Council was not doing enough in that space then it might be imposed by the Court in a year's time.

Mayor Wallace advised that Council would be proactive and that the residents liked the idea of working progressively together in an advisory capacity. He elaborated on his meetings with Forest and Bird and environmental groups and would be continuing the dialogue with those groups.

Cr Briggs suggested that in part (viii) of the motion the word 'communication' be replaced with the word 'engagement'. He also suggested that in part (viii) of the motion the following words be included "including the Runanga and the Waiwhetu Marae". He also suggested that in part (viii) of the motion the following words be included "and the wider community". Members agreed to amend part (viii) of the motion with the agreement of the mover and seconder.

Deputy Mayor Bassett advised that he had real difficulty with the issue right from the start. He elaborated on the heritage issue that occurred four years ago where Council would be asking property owners to apply for a consent in order to paint their houses or alter their houses. He expressed strong support for the motion. He acknowledged Mayor Wallace's leadership and vision dealing with the issue.

Mayor Wallace acknowledged the work of the officers. He stated that Council had heard the views of the community loud and clear.

RESOLVED: (By Division) (Mayor Wallace/Deputy Mayor Bassett) **Minute No. C 18501**

"That Council:

- (i) acknowledges the distress this issue had caused in the community and unreservedly apologises for that;*
- (ii) acknowledges that the majority of SNAs have been well maintained by landowners in Lower Hutt City;*

- (iii) *acknowledges the extensive work the officers have undertaken on this SNA issue over the past 12 months;*
- (iv) *acknowledges the work of landowners, Forest and Bird, DOC and other interested community groups in this process;*
- (v) *introduces a plan to protect and enhance all SNAs on publically owned land;*
- (vi) *requires officers to work with private landowners who wish to further enhance SNAs on their land or further information with professional advice and guidance;*
- (vii) *establishes a fund and criteria to assist Landowners who wish to further protect and enhance SNAs on their properties; and*
- (viii) *establishes an Engagement Strategy with involvement from GWRC, landowners, Forest and Bird, mana whenua including Te Runanganui o Taranaki Whanui ki te Upoko o Te Ika a Maui and Waiwhetu Marae, other interest groups and the wider community to further highlight and lift awareness of the benefits to SNAs to community and environment."*

The motion was declared CARRIED by Division with the voting as follows:

For	Against
Mayor Wallace	
Deputy Mayor Bassett	
Cr Barratt	
Cr Barry	
Cr Briggs	
Cr Edwards	
Cr Lewis	
Cr Lulich	
Cr Milne	
Cr McDonald	
Cr Sutton	
Total: 11	-

5. QUESTIONS

There were no questions.

There being no further business the Chair declared the meeting closed at 11.58pm.

WR Wallace
MAYOR

**CONFIRMED as a true and correct record dated this
11th day of December 2018**