

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 11 December 2018 commencing at 6.00pm

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 (until 8.45pm)	Cr G McDonald
Cr C Milne	Cr L Sutton

APOLOGIES: There were no apologies.

IN ATTENDANCE:

Mr T Stallinger, Chief Executive (part meeting)
Ms K Kelly, General Manager, City Transformation (part meeting)
Mr B Kibblewhite, General Manager, Corporate Services (part meeting)
Mr L Allott, Chief Information Officer (part meeting)
Mr B Hodgins, Strategic Advisor, City and Community Services (part meeting)
Ms L Dalby, Senior Communications Advisor (part meeting)
Ms O Miller, Policy Advisor (part meeting)
Mr J Pritchard, Principal Research & Policy Advisor (part meeting)
Mr J Hoyle, Communications & Marketing Advisor (part meeting)
Mr M de Haast, Chief Financial Officer (part meeting)
Mr B Cato, General Counsel (part meeting)
Ms K Stannard, Divisional Manager, Democratic Services (part meeting)
Ms J Randall, Committee Advisor (part meeting)

PUBLIC BUSINESS1. **APOLOGIES**

There were no apologies.

MAJOR ITEM NOT ON THE AGENDA

Mayor Wallace advised that the Strategic Structure Review item would be considered while the public was excluded for the reason that it contained personal information.

RESOLVED: **Minute No. C 18501(2)**

"That in terms of Standing Order 10.12 Council:

(i) *notes that the matter of the Strategic Structure Review was not included in the agenda for*

the meeting, for the reason that the information was not available until after the agenda had been distributed; and

- (ii) *agrees that the recommendation be considered at this meeting for the reason that the matter needs to be addressed urgently and cannot be delayed until a subsequent meeting."*

2. PUBLIC COMMENT

Comments are recorded under the item to which they relate.

3. MAYORAL STATEMENT (18/1881)

Mayor Wallace read out the Mayoral Statement.

RESOLVED: (Mayor Wallace/Cr Barratt)

Minute No. C 18502(2)

"That the Mayoral Statement be noted and received."

4. CONFLICT OF INTEREST DECLARATIONS

Cr Cousins declared a conflict of interest in relation to Item 5b 4d) 'Establishment of Alcohol Hearings', and Item 15 'Sale Negotiations.'

5. COMMITTEE REPORTS WITH RECOMMENDED ITEMS

a) Traffic Subcommittee

12 November 2018

RESOLVED: (Cr Cousins/Cr Sutton)

Minute No. C 18503(2)

"That the report of the meeting held on 12 November 2018, with the exception of items 4i)-4viii), be adopted."

Recommended Items

Item 4i) Trafalgar Street - Proposed No Stopping At All Times Restrictions (18/1593)

RESOLVED: (Cr Cousins/Cr Sutton)

Minute No. C 18504(2)

"That Council approves the installation of No Stopping At All Times Restrictions on Trafalgar Street, Waterloo attached as Appendix 1 to Report TRS2018/5/298."

Item 4ii) Fraser Colman Grove - Proposed No Stopping At All Times Restrictions (18/1599)

RESOLVED: (Cr Cousins/Cr Sutton) **Minute No. C 18505(2)**

"That Council:

- (i) approves the installation of the proposed No Stopping At All Times Restrictions on Fraser Colman Grove, Wainuiomata for the non-legal carparks outside numbers 11 and 17 and 15 and 16 Fraser Colman Grove, attached as Appendix 1 to Report TRS2018/5/299; and*
- (ii) asks officers to review parking in Wise Street, Wainuiomata and after the implementation of any recommendations, will review other issues within Fraser Colman Grove."*

Item 4iii) Randwick Road - Proposed No Stopping At All Times Restrictions (18/1608)

RESOLVED: (Cr Cousins/Cr Sutton) **Minute No. C 18506(2)**

"That Council approves the installation of No Stopping At All Times Restrictions on Randwick Road, Moera attached as Appendix 1 to Report TRS2018/5/300."

Item 4iv) Brown Grove - Proposed P120 and No Stopping At All Times Parking Restrictions (18/1609)

RESOLVED: (Cr Cousins/Cr Sutton) **Minute No. C 18507(2)**

"That Council approves the installation of No Stopping At All Times restrictions, L and T bar parking bay markings and P120 parking restrictions on Brown Grove, Waterloo attached as Appendix 2 to Report TRS2018/5/301."

Item 4v) Bolton Street - Proposed No Stopping At All Times Restrictions (18/1659)

RESOLVED: (Cr Cousins/Cr Sutton) **Minute No. C 18508(2)**

"That Council:

- (i) approves the installation of the proposed Parking Bays (L and T bar markings) on Bolton Street, Petone, attached as Appendix 1 to Report TRS2018/5/302; and*
- (ii) approves the installation of the proposed No Stopping At All Times and markings on the corners of Bolton Street and Adelaide Street, Petone attached as Appendix 1 to Report TRS2018/5/302."*

Item 4vi) Cleary Street - Proposed No Stopping At All Times Restrictions (18/1660)

RESOLVED: (Cr Cousins/Cr Sutton) **Minute No. C 18509(2)**

"That Council approves the installation of the proposed No Stopping At All

Times restrictions on Cleary Street, Waterloo attached as Appendix 1 to Report TRS2018/5/303."

Item 4vii) High Street - Proposed School Bus Stop 3.00-3.30pm School Days Only (18/1717)

RESOLVED: (Cr Cousins/Cr Sutton) **Minute No. C 18510(2)**

"That Council approves the installation of a School Bus Stop during the hours of 3.00-3.30pm School Days only, outside St Oran's College on High Street, Lower Hutt attached as Appendix 1 to Report TRS2018/5/305."

Item 4viii) Fitzherbert Street - Proposed No Stopping At All Times Restrictions (18/1718)

RESOLVED: (Cr Cousins/Cr Sutton) **Minute No. C 18511(2)**

"That Council approves the installation of No Stopping At All Times Restrictions on Fitzherbert Street, Alicetown attached as Appendix 1 to Report TRS2018/5/304."

b) Policy and Regulatory Committee

26 November 2018

RESOLVED: (Cr Cousins/Cr Lewis) **Minute No. C 18512(2)**

"That the report of the meeting held on 26 November 2018, with the exception of items 4a)-4e), be adopted."

Recommended Items

Item 4a) Carbon Targets (18/1675)

Cr Milne highlighted that central government had not yet introduced its bill for setting carbon targets. He proposed a decision on the matter be delayed until legislation was passed. He advised that he would not be supporting the recommendations from the Policy and Regulatory Committee.

Cr Briggs considered the recommendations should go further and include carbon from closed landfills. He advised that he would not be supporting the recommendations from the Policy and Regulatory Committee.

Cr Bridson noted the recommendations asked officers to work on emissions from landfills in the future. She regarded climate change as an extreme danger and expressed support for the recommendations from the Policy and Regulatory Committee.

Cr Edwards considered that climate change would become irreversible

in the not too distance future. He noted the recommendations were an initial step only and expressed support for the recommendations from the Policy and Regulatory Committee.

Mayor Wallace reminded members the recommendations from the Policy and Regulatory Committee were just the beginning of the matter. He noted there was no date for central government to set its carbon targets and he wanted Council to show leadership on the issue. He added that officers would be asked for further reports on carbon emissions with regard to the landfill.

RESOLVED: (Cr Cousins/Cr Edwards) **Minute No. C 18513(2)**

“That Council:

- (i) sets an organisational target of Council reducing its greenhouse gas emissions to net zero, by no later than 2050;*
- (ii) notes that in order to put Council onto a low-carbon pathway, Council will need to make changes to its operations, including:*
 - (a) preventing the installation of high-carbon-emitting technology (eg, natural gas for heating) at any existing facilities at the time of renewal, or new facilities not already under construction, and utilising lower carbon emitting options instead;*
 - (b) increasingly electrifying its vehicle fleet; and*
 - (c) having more regard to climate change objectives in its procurement decisions;*
- (iii) agrees that officers will provide advice on recommended intermediate targets, and specific and measurable performance measures for Council activity areas and associated business units, such as existing buildings and facilities, the vehicle fleet, procurement, and waste management, toward achieving the target and any other relevant associated environmental objectives;*
- (iv) agrees that officers will provide advice on the indicative cost of displacing natural gas as a heating energy source with a lower carbon emitting option for key Council infrastructure, in line with the organisational target;*
- (v) requests that officers report to the Policy and Regulatory Committee annually on Council progress toward the target;*
- (vi) requests that officers will investigate how best to reflect the target in relevant accountability documents, to enable periodic reporting against this target and/or relevant key performance indicators;*
- (vii) agrees that Council’s organisational target should also apply to its wholly-owned or partly-owned Council Controlled Organisations, ie the Hutt City Community Facilities Trust, Urban Plus Ltd, Seaview Marina Ltd and Wellington Water Ltd;*
- (viii) requests that officers propose specific and measurable performance measures, in line with the target, for its wholly-owned and partly-owned Council Controlled Organisations, with a view to reflect these in the*

organisations' next Statements of Intent;

- (ix) invites other councils to consider adopting the same organisational target, including for their relevant wholly-owned or partly-owned Council Controlled Organisations;*
- (x) notes that if a New Zealand net Zero by 2050 target as proposed by the New Zealand Government is passed via the Zero Carbon Bill in 2019, then this will become the de-facto Lower Hutt community-wide emissions target;*
- (xi) agrees that officers will scope the development of a Lower Hutt Climate and Resilience Plan to identify relevant objectives and prioritised community focused actions, to assist in reducing greenhouse gas emissions in line with the proposed New Zealand net Zero by 2050 target; and*
- (xii) asks officers to report back on the feasibility of including old landfills, where practicable, in the organisational target to reduce greenhouse gas emissions to net zero, by no later than 2050."*

Crs Milne and Briggs requested their dissenting votes be recorded against the above matter.

Item 4b) Online Voting Trial (18/1736)

RESOLVED: (Cr Cousins/Deputy Mayor Bassett) Minute No. C 18514(2)

"That Council:

- (i) notes the information in the report;*
- (ii) agrees to take no further action, effectively agreeing not to participate in the online trial for the 2019 triennial local elections, on the basis that the tight timeframe for implementing the trial poses a relatively high cost in order to adequately manage risk; and*
- (iii) requests officers to report back to the new Council in 2020 on the online trial, should it proceed, so that the new Council can consider introducing online voting for the 2022 triennial local elections."*

Item 4c) Sale of Land - Bushey Way, Maungaraki (18/1722)

RESOLVED: (Cr Cousins/Cr Edwards) Minute No. C 18515(2)

"That Council agrees to sell the property known as Lot (ACC) 145 DP 25070, situated at the end of Bushey Way as shown shaded yellow attached as Appendix 1 to Report PRC2018/5/307, to the owners of the adjacent property at 26 Bushey Way."

Item 4d) Establishment of the Alcohol Hearings (18/1748)

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

RESOLVED: (Mayor Wallace/Deputy Mayor Bassett)

Minute No. C 18516(2)

"That Council approves the establishment of an Alcohol Hearings Subcommittee comprising Deputy Mayor Bassett (Chair), Cr Milne, Cr Sutton, Cr Barry (alternate) and Cr Barratt (alternate) for the purpose of hearing submissions on the pre-consultation to decide whether an Alcohol Fees Bylaw is needed and then make recommendations to Council."

Item 4e) Smokefree in Pavement Licence Areas (18/1772)

RESOLVED: (Cr Cousins/Cr Lulich)

Minute No. C 18517(2)

"That Council:

- (i) notes the work that has been done to date to implement the smokefree outdoor pavement dining clause of the Smokefree Outdoor Public Places Policy;*
- (ii) agrees to include a condition to the contract for businesses leasing public land from Council for the purposes of outdoor pavement dining that requires these businesses to:*
 - (a) display smokefree signage supplied by Council; and*
 - (b) not have ashtrays or other devices for collecting cigarette litter on or near tables or seating areas;*
- (iii) implements time-limited incentives (to a maximum of two years) to businesses leasing public land from Council, for the purposes of outdoor pavement dining through reducing or removing the charge for leasing that land;*
- (iv) agrees that where it assists a business owner to establish outdoor pavement dining for the premise, that assistance is provided on the condition that the outdoor dining area:*
 - (a) is actively promoted as a smokefree area; and*
 - (b) does not have ashtrays or other devices for collecting cigarette litter on or near tables or seating; and*
- (v) agrees that it will communicate with businesses about the new requirement and that it will provide smokefree signage, as led by Healthy Families Lower Hutt."*

Item 4f) Lower Hutt Homelessness – Homelessness Strategy report

Speaking under public comment, **Mr V Tamihere** expressed concern with the number of homeless sleeping outside in Naenae.

Speaking under public comment, **Ms K Brown** welcomed a Strategic Homelessness Plan to approach housing problems unique to Lower Hutt. She noted homelessness affected all ages. She expressed concern Lower Hutt had more homeless than Wellington and advised Council needed to take action.

In response to questions from members, the Principal Research and Policy Advisor confirmed that a list of names had been circulated to members so that additional Homelessness Strategy Working Group (working group) members could be identified. He suggested circulating an expanded list for further consideration. He said he was confident he could provide a range of people from an mixture of backgrounds. He would be recommending individuals working in the homelessness area who could take ideas and turn them into actions.

Members discussed the process of appointing external appointments to the working group.

Mayor Wallace noted there had already been considerable public input into the process so far. He agreed that officers should provide a list of suggested working group members for Council's consideration. He further agreed that the proposed numbers on the working group be changed to between two and four positions.

Cr Cousins expressed concern that Council was being pushed down a Wainuiomata/Labour Party point of view instead of a Citywide view.

Cr Briggs expressed concern regarding the comments made by Cr Cousins.

Cr Barry raised a point of order believing the comments made by Cr Cousins' were inappropriate. He asked for an apology.

Mayor Wallace provided Cr Cousins with a right of reply.

Cr Cousins highlighted that most of those with input to the Homelessness Strategy had been from one part of the City. She considered a broad vision from across the City was needed. She advised that she would not apologise for her comments.

In response to a question from a member, the General Counsel agreed that there was a possibility members of the working group could disqualify themselves from being able to submit in the event of a hearing on the matter. He further advised that members of organisations who were appointed to the working group in their personal capacity might avoid potential conflicts of interest.

RESOLVED: (Cr Cousins/Cr Briggs)

Minute No. C 18518(2)

"That Council:

(i) *agrees to the proposed strategic approach to homelessness:*

Summary:

Working together to end homelessness: Ending homelessness doesn't mean that no-one will lose their home again. It means that we have a response in-place to prevent homelessness whenever possible and that if homelessness occurs, it is rare, brief, and non-recurring;

Guiding principles:

Housing is a basic human right: everyone has the right to housing that is habitable, affordable, suitable, and secure;

Person centred: to give people control and enable them to set their own aims and goals for the future;

Culturally appropriate: an approach and service delivery that meets the needs of all our people;

Collaborative action: working together and taking action;

Priorities:

1. *Preventing homelessness;*
2. *Improving the supply of suitable accommodation and support for people experiencing homelessness;*
3. *Ending rough sleeping - help people who are street homeless or living in their cars move into and retain settled accommodation;*
4. *Increasing the supply of affordable homes to rent and buy; and*
5. *Improving data on homelessness in Lower Hutt;*

(ii) *agrees that officers consult on the strategic approach and priorities;*

(iii) *agrees to officers continuing working with partners to develop actions and options for the role of Council in contributing to the response to homelessness;*

(iv) *agrees to the development of a housing strategy to address housing needs in Lower Hutt;*

(v) *makes available between two and four positions on the Homelessness Strategy Working Group for between two and four community representatives; and*

(vi) *asks officers to provide a list of people for the positions of community representatives to the Homelessness Strategy Working Group for its consideration."*

c) **Finance and Performance Committee**

28 November 2018

RESOLVED: (Cr Milne/Deputy Mayor Bassett) **Minute No. C 18519(2)**

"That the report of the meeting held on 28 November 2018, with the exception of items 4i)-4ii), be adopted."

Recommended Items

Item 4i) 2019/20 Annual Plan (18/1720)

RESOLVED: (Cr Milne/Cr McDonald) **Minute No. C 18520(2)**

"That Council:

- (i) notes there is no legislative requirement of public consultation for the 2019/20 Annual Plan if there are no significant changes from the Long Term Plan;*
- (ii) notes no significant changes from Year 2 of the 2018-2028 Long Term Plan are proposed for the 2019/20 Annual Plan;*
- (iii) agrees that for the 2019/2020 Annual Plan, there is no need to use the special consultation procedure as has occurred in previous years but that an engagement process will be carried out which Council believes will give better outcomes for the community;*
- (iv) approves the high level budget assumptions outlined in Report No. FPC2018/5/325;*
- (v) approves the high level community engagement approach for the 2019/20 Annual Plan; and*
- (vi) provides any further direction and guidance required for the 2019/20 Annual Plan."*

Item 4ii) Formation of Innovative Young Minds Charitable Trust (18/1854)

RESOLVED: (Cr Milne/Cr Barratt) **Minute No. C 18521(2)**

"That Council:

- (i) approves the establishment of the Innovative Young Minds Trust as a Council Controlled Organisation (CCO) and a charitable trust;*
- (ii) approves an exemption from CCO requirements for the Innovative Young Minds Trust for the purposes of section 6(4)(i) of the Local Government Act 2002, for the following reasons:*
 - (a) due to its very small size and scope of activities (currently limited to one contractor and the management of one programme in Wellington and one alumnae programme in Silicon Valley); and*
 - (b) that being a CCO would place a large administrative burden on the charitable trust, and exempting it from this status will relieve it of that burden and therefore benefit the community, the charitable trust and Council by saving time and resources; and*

(iii) *approves not publically advertising for the founding trustees and approves the appointment of three officers: Mr Gary Craig, Divisional Manager City Growth; Dr Laura Sessions, STEMM Sector Development Manager and Dr Anne Ryan, Director of Hutt Science; as founding trustees for a period of two years."*

d) **Hearings Subcommittee**

15 November 2018

RESOLVED: (Cr Cousins/Cr Edwards) **Minute No. C 18522(2)**

"That the report of the meeting held on 15 November 2018, with the exception of items 3)-4), be adopted."

Recommended Items

Item 3) Control of Animals Bylaw: Hearing (18/1937)

RESOLVED: Cr Cousins/Cr Edwards) **Minute No. C 18523(2)**

"That Council:

- (i) *endorses Section 1 of the Control of Animals Bylaw with the following alteration: That the definition of Trapping Device be altered to add the following at the end of the proposed wording: "or other predator free devices (as approved by NAWAC)"; and*
- (ii) *endorses Sections 3 through to 8 inclusive, of the Control of Animals Bylaw."*

RESOLVED: (Cr Cousins/Cr Edwards) **Minute No. C 18524(2)**

"That Council

- (i) *requests officers to monitor the Control of Animals Bylaw in relation to its efficiency in dealing with bees, and provide a report after one year to assess if further controls are required; and*
- (ii) *requests officers to consider producing Guidelines for Keeping Bees in Urban Areas for inclusion on Council's website."*

RESOLVED: (Cr Cousins/Cr Edwards) **Minute No. C 18525(2)**

"That Council:

- (i) *endorses Section 2 of the Control of Animals Bylaw;*
- (ii) *acknowledges that cats are an issue in the City, and requests officers to provide a report to the Policy and Regulatory Committee concerning options available to Council in relation to the control of cats, including whether a specific bylaw relating to the control of cats in the City is required, given there is an existing issue; and*

- (iii) *requests officers to advise whether Council needs to ask Local Government New Zealand to take action in relation to obtaining a change in the law to give Councils more accountability around cats in the city including feral cats."*

RESOLVED: (Mayor Wallace/Deputy Mayor Bassett)

Minute No. C 18526(2)

"That Council:

- (i) *notes the Hearing Subcommittee has recommended that the proposed Control of Animals Bylaw be approved subject to some amendments;*
- (ii) *determines that, in accordance with section 155 of the Local Government Act 2002, the proposed bylaw-*
- (a) *is the most appropriate form of bylaw; and*
- (b) *does not give rise to any implications under the NZ Bill of Rights Act 1990; and*
- (iii) *agrees to revoke the existing Control of Animals Bylaw 2008 and adopts the amended Control of Animals Bylaw 2018, attached as Appendix 3 to Report HSC2018/5/143 effective from 19 December 2018. "*

Item 4) Prevention of Nuisance from Fires and Smoke Bylaw: Hearing (18/1939)

RESOLVED: (Cr Cousins/Cr Edwards) **Minute No. C 18527(2)**

"That Council endorses the Prevention of Nuisance from Fires and Smoke Bylaw attached as Appendix 1 to Report HSC2018/5/345."

RESOLVED: (Mayor Wallace/Deputy Mayor Bassett)

Minute No. C 18528(2)

"That Council:

- (i) *notes that the Hearing Subcommittee has recommended that the proposed Prevention of Nuisance from Fires and Smoke Bylaw be approved without any amendments;*
- (ii) *determines that, in accordance with section 155 of the Local Government Act 2002, the proposed bylaw -*
- (a) *is the most appropriate form of bylaw; and*
- (b) *does not give rise to any implications under the NZ Bill of Rights Act 1990; and*
- (iii) *agrees to revoke the existing Fire Prevention Bylaw 2008 and adopt the Prevention of Nuisance from Fires and Smoke Bylaw 2018, Appendix 1 to Report HSC2018/5/345 effective from 19 December 2018."*

6. MISCELLANEOUS

a) Protecting Lower Hutt's Biodiversity (18/1959)

Memorandum dated 6 December 2018 by the Mayor

Mayor Wallace elaborated on the memorandum.

Cr Milne noted the interpretation of a Significant Natural Area (SNA) as defined in the Regional Policy Statement, Policy 23 provided little discretion. He asked that further mapping was undertaken.

Cr Barry welcomed Council's decision to change the recommendations on SNAs. He looked forward to working with the community to protect biodiversity.

In response to questions from members, Mayor Wallace asked officers to report back on whether they would be enforcing or challenging Policy 23 under the Regional Policy Statement. He highlighted the damage caused to Council's relationship with its community.

RESOLVED: (Mayor Wallace/Deputy Mayor Bassett) **Minute No. C 18529(2)**

"That Council:

- (i) requests officers to report back on an action plan to implement Council's resolutions of 29 November 2018 to protect biodiversity and including any consequential changes to the District Plan; and*
- (ii) requests that the report shall specify any additional resources and funding required so that corresponding provisions can be considered for Council's draft Annual Plan for 2019/2020."*

b) District Plan Committee Restructure (18/1961)

Memorandum dated 6 December 2018 by the Mayor

Speaking under public comment, **Mr M Shierlaw** expressed support for the restructuring of the District Plan Committee. He noted two other Councils' decisions on Significant Natural Areas (SNAs) were being appealed through the Environment Court. He suggested Council waited until those revised District Plans were operative so Council could gauge other options before making a decision on the matter.

Speaking under public comment, **Mr M Young** expressed concern that the District Plan Committee (the Committee) was to be restructured without providing a clear recommendation. He noted there was no supporting information on how the Committee's Terms of Reference would be amended.

Mayor Wallace highlighted the need to regain the confidence of the community. He believed the Committee needed to be better aligned to the principles, strategic policies, goals and vision for the City.

In response to questions from members, Mayor Wallace considered the only way to rebuild confidence was for the City Development Committee (CDC) to provide

oversight for the Committee. He agreed the Terms of Reference for the CDC would be amended for this purpose at Council's first meeting in 2019. He said the additional layer of oversight from the CDC would enable a more thorough scrutiny of issues than the full Council could provide. He confirmed he had addressed concerns about officers with the Chief Executive. He also acknowledged the good work of officers.

Cr Bridson expressed concern that she had not been advised of any concerns with the way the Committee was operating. She considered the decision to restructure the Committee needed more reflection and suggested it would be more appropriate to defer the matter until Council's first meeting in 2019. She noted the CDC considered only the Economic Strategy as part of its Terms of Reference and excluded other key strategies. She expressed concern that the Chair of the CDC had openly opposed Council's Urban Growth Strategy, the Heritage District Plan Change and the Residential and Suburban Mixed Use Plan Change.

Mayor Wallace responded that he had communicated with Cr Bridson to voice his concerns.

In response to a question from a member regarding the distrust from the community, officers and members, Mayor Wallace advised that a number of members of the Committee had held a secret meeting without the Chair's knowledge resulting in the Chair being 'thrown under the bus'.

Cr Barry raised a point of order in response to comments made by Mayor Wallace and asked him to retract the comments.

Mayor Wallace withdrew his comments.

Cr Briggs proposed that a decision on the matter be deferred until the New Year. He suggested the Councillors planning session be used to discuss the matter further so members had time to consider what arrangement would provide the best outcome for the City. He advised he would be voting against the recommendations.

Cr Bridson advised that she was resigning as Chair of the Committee. Crs Briggs and Barry advised that they also were resigning from the Committee.

MOVED: (Cr Briggs/Cr Barry)

"That the item of business being discussed should lie on the table and not be further discussed at the meeting."

The motion was declared LOST by division with the voting as follows:

For

Cr Barry
Cr Bridson
Cr Briggs
Cr Edwards
Cr Lewis
Cr Lulich

Against

Mayor Wallace
Deputy Mayor Bassett
Cr Barratt
Cr Cousins
Cr Milne
Cr McDonald
Cr Sutton

Total: 6

Total: 7

RESOLVED: (Mayor Wallace/Deputy Mayor Bassett) (By Division) **Minute No. C 18530(2)**

"That Council:

- (i) restructures the District Plan Committee as a subcommittee reporting to the City Development Committee, chaired by Deputy Mayor Bassett to better align the District Plan to meet the Council's strategic goals, policy and vision; and*
- (ii) agrees to amend the terms of reference of the City Development Committee and District Plan Committee to reflect part (i) above."*

The motion declared CARRIED by division with the voting as follows:

For

Mayor Wallace
Deputy Mayor Bassett
Cr Barratt
Cr Cousins
Cr Milne
Cr McDonald
Cr Sutton

Total: 7

Against

Cr Barry
Cr Bridson
Cr Briggs
Cr Edwards
Cr Lewis
Cr Lulich

Total: 6

c) Updated Schedule of Meetings for 2019 (18/1790)

Memorandum dated 12 November 2018 by the Committee Advisor

In response to questions from a member, Mayor Wallace advised that a concern had been raised by the Petone Community Board that Community Panels (the Panels) had been listed on Council's Schedule of Meetings (the schedule). He noted he had no issue with the Panels being listed on the schedule. He also noted that he had no issue with Cr Barratt continuing to hold Community Services Committee meetings in the community.

Cr Cousins believed that the Petone Community Board was being precious about its concerns. She highlighted that Panels held statutory meetings when allocating funding and Councillors needed to be present at those meetings to legitimise the decisions made.

Cr Barry raised a point of order relating to the comments made Cr Cousins.

Cr Cousins apologised for her comment.

In response to a question from a member, Cr Lewis advised that while Community Boards were statutory bodies, Panels were quite separate and did not have the same regulatory status. She considered that if the Panels were included in Council's Schedule of Meetings for timetabling purposes only, their inclusion should be acceptable to the Petone Community Board.

RESOLVED: (Mayor Wallace/Deputy Mayor Bassett) **Minute No. C 18531(2)**

"That Council:

- (i) notes the recommendations from the Petone Community Board; and*
- (ii) adopts the amended schedule of meetings for 2019 attached as Appendix 1 to the memorandum."*

7. REPORT OF HEARINGS PANEL 18 SEPTEMBER 2018 TO COUNCIL (18/1789)

Report No. HCC2018/5/57 by the Committee Advisor

RESOLVED: (Cr Bridson/Cr Cousins) **Minute No. C 18532(2)**

"That the report of the meeting held on 18 September 2018 be received."

8. MINUTES - COUNCIL

RESOLVED: (Deputy Mayor Bassett/Cr Sutton) **Minute No. C 18533(2)**

"That the minutes of the meeting of the Hutt City Council held on Tuesday, 9 October 2018, be confirmed as a true and correct record."

RESOLVED: (Mayor Wallace/Cr Sutton) **Minute No. C 18534(2)**

"That the minutes of the meeting of the Hutt City Council held on Wednesday, 17 October 2018, be confirmed as a true and correct record."

RESOLVED: (Mayor Wallace/Deputy Mayor Bassett) **Minute No. C 18535(2)**

"That the minutes of the meeting of the Extraordinary Meeting of Council held on Thursday, 29 November 2018, be confirmed as a true and correct record."

9. COMMITTEE REPORTS WITHOUT RECOMMENDED ITEMS

a) Finance and Performance Committee

17 October 2018

RESOLVED: (Cr Milne/Deputy Mayor Bassett) **Minute No. C 18536(2)**

"That the report of the meeting held on 17 October 2018 be adopted."

b) Community Services Committee

21 November 2018

Cr Lewis asked that work undertaken by officers with the sector, issues progressed within the sector and the ways the strategies were assisting Council be included in future reports to the Accessibility and Inclusiveness Plan Subcommittee.

Cr Barratt agreed to ask officers to provide a separate report dealing with the matters raised by Cr Lewis.

RESOLVED: (Cr Barratt/Cr Lewis)

Minute No. C 18537(2)

"That the report of the meeting held on 21 November 2018 be adopted."

c) City Development Committee

27 November 2018

RESOLVED: (Deputy Mayor Bassett/Cr Sutton)

Minute No. C 18538(2)

"That the report of the meeting held on 27 November 2018 be adopted."

10. SEALING AUTHORITY (18/1715)

Report No. HCC2018/5/15 by the Executive Assistant, Corporate Services

RESOLVED: (Mayor Wallace/Deputy Mayor Bassett)

Minute No. C 18539(2)

"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

Subdivision related documents – including Easements to Council and Esplanade Strips

Standard easements and related requirements granting rights to Council as part of the subdivision process:

- a) Hutt City Council and Christopher John McNay and David William Hercus
Subdivision consent, 46 Stanley Street, Waiuiomata, Lower Hutt L18/88*
- b) Hutt City Council and David Robert Lewis
Subdivision consent, 23 Hawthorn Crescent, Stokes Valley, Lower Hutt L18/175*
- c) Hutt City Council and Tiller's Holdings Limited
Subdivision consent, 53-55 Hewer Crescent, Lower Hutt L18/184*
- d) Hutt City Council and T&T Leighton Avenue Development Limited
Part of subdivision of 54 Leighton Avenue, Lower Hutt (isolation strip) L18/206*
- e) Hutt City Council and Terence Michael Jordan, Julie Anne Jordan and Charles David
Ellesmere Lindsay, Subdivision consent, 214 Whites line East, Lower Hutt L18/200*
- f) Hutt City Council and Yu's Development Limited
Subdivision consent, 52 Copeland Street, Lower Hutt L18/203*
- g) Hutt City Council and Kevin William Beck and Julie Ann Beck and Deblanc Limited
Subdivision consent, 35 Main Road, Wainuiomata, Lower Hutt L18/224*

Agreement for Sale and Purchase

- h) *Hutt City Council and Urban Plus Limited*
Former reserve land adjacent to 132 Molesworth Street, Taita, Lower Hutt L18/192

Encumbrance and Transfer

- i) *Hutt City Council and Lower Hutt Health Limited*
135 Witako Street, Lower Hutt L18/204

Partial Cancellation of Building Line Restriction

- j) *Hutt City Council and Michael Francis Martin and Joanna Elizabeth Martin*
9 Nile Street, Waterloo, Lower Hutt L18/229

Warrants Approved

<p><i>Dipal Dhanani – HCC WARRANT-18-27</i></p>	<p><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)</i></p> <p><i>2. Health Act 1956 Environmental Health Officer pursuant to 128</i></p> <p><i>3. Hutt Valley Trade Wastes Bylaw 2016 Authorised Officer pursuant to 1.5 and 6.4 (including powers under Hutt Valley Drainage Act 1967)</i></p> <p><i>4. Litter Act 1979 Litter Control Officer pursuant to s5</i></p> <p><i>5. Resource Management Act 1991 Enforcement Officer pursuant to s38(1)</i></p> <p><i>6. Sale and Supply of Alcohol Act 2012 Inspector pursuant to s197(1)</i></p>
<p><i>David Kenneth Gallagher – HCC WARRANT-18-26</i></p>	<p><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)</i></p> <p><i>2. Health Act 1956 Environmental Health Officer pursuant to s128</i></p> <p><i>3. Hutt Valley Trade Wastes Bylaw 2016 Authorised Officer pursuant to 1.5 and 6.4 (including powers under Hutt Valley Drainage Act 1967)</i></p> <p><i>4. Litter Act 1979 Litter Control Officer pursuant to s5</i></p> <p><i>5. Resource Management Act 1991 Enforcement Officer pursuant to s38(1)</i></p> <p><i>6. Sale and Supply of Alcohol Act 2012 Inspector pursuant to s197</i></p>
<p><i>Tatana Junior Wharepapa – HCC WARRANT 18-028</i></p>	<p><i>1. Local Government Act 2002 Authorised person pursuant to ss171, 173 (powers of entry in general)</i></p> <p><i>2. Land Transport Act 1998 Parking Warden pursuant to s128D</i></p>

	3. Resource Management Act 1991 Enforcement Officer (noise control only) pursuant to s38(2)
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11. QUESTIONS

Cr Barry asked if members had been notified of the Naenae Learners Pool roof issue prior to the Councillors workshop on Monday 3 December 2018? He also asked why the roof issue was not prioritised and on the Council order paper for consideration at this meeting?

Mayor Wallace responded that he and the Eastern Ward Councillors had been notified on either Sunday, 2 December or the morning of Monday, 3 December 2018. He added that members had not been notified of the roof issue before the workshop as the roof issue was already a priority and work was progressing.

Cr Barry raised a point of order believing there were no grounds to reject his proposed Notice of Motion regarding the roof issue.

The Chief Executive responded that Cr Barry's proposed Notice of Motion was refused under Standing Order 27.2 (d).

Cr Briggs asked how action on the roof issue could be undertaken when Council had not made a decision on the matter? He also asked if the Chief Executive had taken into account the significance of the roof issue in Council's Long Term Plan and whether officers had been told to prioritise the roof issue?

Mayor Wallace responded that it was an operational decision made by Council's Strategic Leadership Team.

The Chief Executive responded that the roof issue was a top priority for officers.

12. EXCLUSION OF THE PUBLIC

RESOLVED: (Mayor Wallace/Deputy Mayor Bassett)

Minute No. C 18540(2)

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

13. *Committee Reports with Recommended Items*

- a) *Policy and Regulatory Committee - 26 November 2018*
- b) *Finance and Performance Committee - 28 November 2018*

14. *Land Purchase - Eastern Hills (18/1943)*

15. *Sale Negotiations (18/1944)*

16. *MINUTES – COUNCIL 9 October 2018*

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>Report of the Policy and Regulatory Committee held on 26 November 2018 – Purchase of Land Lowry Bay</i>	<i>The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)(s7(2)(i)).</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>Report of the Finance and Performance Committee held on 28 November 2018 – Hutt City CFT Board – Appointment of Director Strategic Portfolio 6 monthly update</i>	<i>The withholding of the information is necessary to protect the privacy of natural persons.(s7(2)(a)). 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>Land Purchase - Eastern Hills</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)). The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s7(2)(i)).</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>Sale Negotiations</i>	<i>The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage,</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</i>

	<i>negotiations (including commercial and industrial negotiations) (s7(2)(i)).</i>	<i>information for which good reason for withholding exist.</i>
<i>Minutes of the Hutt City Council held on 9 October 2018 – Appointment of District Licensing Committee Members and Process for the Recruitment of the Chief Executive</i>	<i>The withholding of the information is necessary to protect the privacy of natural persons. (s7(2)(a)).</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>

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 8.08pm, and the non-public portion of the meeting closed at 9.11pm.

WR Wallace
MAYOR

CONFIRMED as a true and correct record
Dated this 26th day of March 2019