

**HUTT CITY COUNCIL****POLICY AND REGULATORY COMMITTEE**

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

**Monday 15 July 2019 commencing at 5.30pm**

**PRESENT:**

Cr MJ Cousins (Chair)	Cr C Barry (until 6.50pm)
Deputy Mayor D Bassett	Cr L Bridson
Cr J Briggs	Cr S Edwards (Deputy Chair)
Cr T Lewis	Cr M Lulich
Cr C Milne	Cr L Sutton
Mayor WR Wallace	

**APOLOGIES:** There were no apologies

**IN ATTENDANCE:** Ms H Oram, Acting General Manager, City Transformation  
Mr G Stuart, Divisional Manager, Regulatory Services and  
Emergency Management  
Mr L Dalton, Regional Manager, Animal Services  
Mr D Burt, Senior Advisor, Sustainability and Resilience  
Ms H Stewart, Youth Council Facilitator  
Ms J Randall, Committee Advisor

**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. RECOMMENDATION TO COUNCIL - 30 July 2019****Management of Cats in Lower Hutt (19/766)**

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 reports focussing on ecology and biodiversity had been used to inform the report. He added officers had also consulted with Wellington City Council and the SPCA. He advised Council would do further consultation on sensitive areas. He agreed the focus should be on cats' impact on ecology and biodiversity rather than their nuisance value. He advised the intent was to use education before enacting a bylaw. He recognised there was an opportunity to learn from the educator role in Wellington but that a budget would be required for a shared Hutt-Wellington employee.

In response to a question from a member, the Regional Manager, Animal Services advised residents could contact the SPCA when stray kittens were found but added it did not take adult cats. He explained Council did not have a policy that included re-homing stray cats but worked alongside other agencies to resolve issues that were reported to them.

Cr Bridson proposed waiting until the survey results were available before deciding on actions. She suggested that a requirement be included in the bylaw to de-sex cats sold in Lower Hutt, whether from shops or online. She asked if an incentive to be a responsible cat owner should be offered and a policy for the management of cats be investigated before a bylaw was implemented.

**RESOLVED:** (Cr Cousins/Cr Bridson) **Minute No. PRC 19301**

*"That the Committee receives and considers the 'Position Paper Concerning Cats in Lower Hutt 2019' attached as Appendix 1 to the report."*

For the reason that Council asked officers to report back on a number of questions and issues concerning cats.

**RECOMMENDED:** (Cr Cousins/Cr Bridson) **Minute No. PRC 19302**

*"That Council:*

- (i) asks officers to use Public Voice to seek opinions from the public as an initial action on the options in the position paper attached as Appendix 1 to the report and reports the results to the incoming Council; and*
- (ii) asks officers to circulate the wording of the survey prior to that happening."*

## 5. **ACTIVITY 12 REVIEW - REGULATORY SERVICES** (19/464)

Report No. PRC2019/3/3 by the Divisional Manager, Regulatory Services and Emergency Management

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

In response to questions from members, the Regional Manager, Animal Services said he had not heard of dog attacks at Avalon Park since Council had decided to allow dogs in some areas of the park. He added there was a plan to stencil paths for dogs and divert them around the play area to make it clear where dogs were allowed. He understood that a report back on dog issues at Avalon Park was due later in the year. He advised

Kiwi Avoidance dog training was conducted under contract by the Department of Conservation.

In response to questions from members, the Divisional Manager, Regulatory Services and Emergency Management advised that health and safety incidents were reported monthly. He said there had been no significant incidents this year. He noted the data was reported through the Policy and Regulatory Committee. He said cameras worn by parking and animal services staff had significantly reduced the abuse towards staff. He advised Council had a fully funded contract with Wellington City Council (WCC) to supply service. He said the contract with Upper Hutt City Council (UHCC) was for dog boarding and microchipping only and was fully funded by UHCC. He acknowledged WCC dog fees were generally more expensive than Hutt City Council (HCC) due to assets including dog parks and more patrolling of sensitive areas. He noted the contract with WCC would be renewed next year for a further three years and then HCC would need to reapply. He added that cameras, experienced staff and training knowledge had helped reduce safety issues.

**RESOLVED:** (Cr Cousins/Cr Lulich)

**Minute No. PRC 19303**

*"That the Committee:*

- (i) notes the information contained in this report;*
- (ii) notes that this review also meets the intent of section 17A of the Local Government Act 2002; and*
- (iii) notes that reasonably practicable options for the governance, funding and delivery of this Activity, as outlined in section 37 of the report, are being considered by officers and will be reported to Council in due course."*

6.

**ACTIVITY 12 REVIEW - ENVIRONMENTAL CONSENTS** (19/826)

Report No. PRC2019/3/135 by the Acting Divisional Manager, Environmental Consents

The Acting General Manager, City Transformation elaborated on the report. She advised that teams had not been meeting some KPIs during the past year due to heavy workloads, emissions policy work and changes to the food act. She said Council continued to have issues with staff recruitment for building and resource consents. She noted the Building Team and the Environmental Health Team had been successfully accredited. She added the areas of building Warrant of Fitnesses, fencing of swimming pools and unreinforced masonry had all performed well in audits.

In response to questions from members, the Acting General Manager, City Transformation advised the primary reason for the Environmental Health Team key performance indicator levels was resignations from within the team and the difficulty recruiting skilled staff. She noted this had not impacted customers or the city's health levels. She said resource consents were still being issued within the 20 day target. She confirmed there were still a number of resource consents sitting with external consultants due to the heavy workload. She advised technically qualified staff were needed for the work though a building cadet could be considered to assist. She explained an external company and an internal electronic survey surveyed customers on their experience but the number of responses was statistically insignificant. She advised both surveys were anonymous and provided mostly positive feedback. She acknowledged some negative feedback had been received recently due to a backlog of building consent processing. She

noted external verifiers for Environmental Health were more expensive and needed to be accredited by a Council so mostly worked in areas where Council staff were not available. She said Council did have contact with schools and BCITO to encourage career choices in planning and would consider engaging with Local Government New Zealand. She recognised that remuneration rates and the stress of work overload could contribute to staff turnover rates. She advised Greater Wellington Regional Council (GWRC) charged for Resource Management Act enforcement while other Councils did not. She highlighted that charges were an option being considered by officers.

RESOLVED: (Cr Cousins/Mayor Wallace)

**Minute No. PRC 19304**

*“That the Committee:*

- (i) notes the information contained in the report;*
- (ii) notes that this review also meets the intent of section 17A of the Local Government Act 2002; and*
- (iii) notes that reasonably practicable options for the governance, funding and delivery of this Activity, as outlined in section 44 of the report, are being considered by officers and will be reported to Council in due course.”*

**7. UPDATE ON THE WORK TO ADAPT TO CLIMATE CHANGE IMPACTS (19/872)**

Report No. PRC2019/3/152 by the Manager, Sustainability and Resilience

In terms of Standing Order 21.16, Ms B Jensen, a representative of Hutt City Youth Council, was invited to participate in discussion on this item.

Speaking under public comment, **Mr M Young** noted climate change was the most significant issue facing Lower Hutt. He believed that consulting on adaptation was most important since it had more effect on people’s lives than mitigation. He said adaptation could be contentious if not done properly and he expressed a wish to see it community led. He noted if initial engagement was done well then adaptation would be less contentious. He recognised that funding was an issue but also noted Council was spending \$2 billion on infrastructure that would become unusable as climate change progressed. He suggested rewording the officer’s recommendation as he did not agree that a community panel approach was not viable. He suggested that engagement work should be focussed on getting the best result rather than being dependent on money available in the Long Term Plan.

In response to questions from members, Mr Young explained consultation would assist towards a less contentious and more community-led adaptation plan. He did not think residents would expect Council to keep the sea out of their properties once the sea rose by a metre or more. He considered at a height of 25cm Council action would be expected. He also considered mitigation was urgent but that adaptation could be worked on over a longer period to allow time to get it right. He was not opposed to holding workshops on the matter provided they were done well. He acknowledged the key successes from the community panel process elsewhere had been the community support it had generated. He agreed to send his recommendations on community engagement through to members.

The Senior Advisor, Sustainability and Resilience elaborated on the report. He considered that the Makara and Hawkes Bay consultation processes could have been improved by

better linkages to the District Plan and the implementation phase. He highlighted that the cost of the proposed works in Hawkes Bay had been estimated at \$213M – \$285M which was currently unaffordable irrespective of the consultation process. He noted that the Hon James Shaw MP had announced a forthcoming cabinet paper on climate change adaptation. He added this would be useful for informing officers on the matter.

Deputy Mayor Bassett expressed concern that funding for climate change impacts would become an issue. He believed coordination with other Councils and central government was necessary.

Cr Barry left the meeting at 6.50pm.

Mayor Wallace expressed concern that not all Councils in the region had committed funds to a regional plan after committing to working together on the issue. He asked for more information on how the collaboration was working. He supported officers' work on the matter and looked forward to a proposal reported back to the Committee later in 2019.

Cr Bridson agreed that discussion with central government and residents was needed to fund the plan. She noted Council had learned from the Makara and Hawkes Bay models of consultation and had the opportunity to create its own approach. She agreed that while Council should not breach targets in the Long Term Plan it also needed to aim for the best outcome on the matter. She noted the Earthquake Commission would provide financial assistance in earthquakes but there would be no assistance for residents when sea level rise occurred. She agreed there was no urgency to act but that discussions on funding were required urgently. She added that Community Boards needed to be included in the decision making process.

Cr Briggs endorsed changes to the officer's recommendations as proposed by the public speaker. He noted quality work and engagement was required rather than hasty decisions. He recognised the importance of engaging using an open model to bring the community alongside and avoid litigation and antagonism.

Cr Edwards considered the officer's recommendations provided enough scope for Councillors to advise on the best way forward on the matter. He agreed that while the message was urgent there was time to plan for action. He suggested workshops should not be discounted as an option for engagement.

Cr Milne noted Council did not have any ability to keep sea water out of the suburbs and buyers of property in areas prone to sea level rise should be made aware of the hazards. He said they should understand that compensation would not be available in the event of sea level rise. He did not understand why Council needed to contribute to the Wellington Region Climate Change Working Group to do this. He suggested informing building owners of the risk was sufficient so that they could make their own decisions.

Cr Lulich expressed support for open community engagement and a financial commitment to the issue of climate change. He said it was important to consider those living in coastal areas of Lower Hutt and commit to being part of regional work.

Cr Lewis agreed community engagement and continued financial support for regional

work on climate change was needed.

In response to questions from members, the Senior Advisor, Sustainability and Resilience explained climate changes could be estimated and planned for while tectonic movements were unable to be predicted and happened suddenly. He agreed that officers would report back to the Committee by the end of 2019 with more detail on planned community engagement. He provided assurance that a regional climate change working group did exist and would continue to coordinate actions so that resources were shared in the most efficient way. He said he was not aware of any financial commitment to climate change mitigation from central government but noted a cabinet paper was due for release on the matter. He noted the Zero Carbon bill was open for submissions and Local Government New Zealand (LGNZ) had requested a commitment from central government in its submission.

In response to questions from members, the Acting General Manager, City Transformation said environmental hazards other than climate change would be included within a single spatial plan. She advised that those purchasing property could access a Land Information Memorandum for information on the faultline and subsidence risk in an earthquake. She noted the effect of future earthquakes was unknown while sea level rise had been mapped and modelled so residents could be consulted on it. She acknowledged regional councils were at different stages of financial commitment to climate change, but expected more alignment by 2020 as the pressure to act increased. She provided assurance that Wellington Water Ltd was involved in discussions on climate change and sea level rise. She noted Council had sent a joint submission on the Zero Carbon Bill along with Greater Wellington Regional Council and also had supported LGNZ's submission. She added that Mayor Wallace had also sent a submission. She agreed to send a copy of LGNZ's submission to members.

**RESOLVED:** (Cr Cousins/Cr Edwards)

**Minute No. PRC 19305**

*"That the Committee:*

- (i) *notes that a number of coastal areas in Lower Hutt are at risk of forecast sea level rise and associated climate change impacts;*
- (ii) *notes two alternative approaches to begin engagement with Lower Hutt communities to prepare for the forecast impacts of climate change, in line with guidance provided by the Ministry for the Environment;*
- (iii) *notes that the community panel approach as implemented in Hawkes Bay and Makara Beach does not appear easily implementable at this stage, due to a number of constraints, including lack of funding and resourcing to support such a process;*
- (iv) *notes that a workshop approach appears to be a viable and more cost-effective alternative to undertake community engagement;*
- (v) *agrees that officers report back later in 2019 with more detail including funding requests for next year's Long Term Plan on project scope, phases and timeframes to carry out community engagement regarding climate change impacts, in alignment with Council's upcoming work to review its four strategies;*
- (vi) *agrees that in principle, engagement work should principally be funded from within funding already set aside in the Long Term Plan for the 2019/20 financial year for adaptation work with communities; and*
- (vii) *notes that given the long-term impacts arising from climate change, it is likely that there*

*will be further costs in the future regarding (a) community engagement on climate change impacts, and (b) potential response measures."*

For the reasons outlined in the report.

**RESOLVED:** (Mayor Wallace/Cr Cousins)

**Minute No. PRC 19306**

*"That the Committee:*

- (i) requests that officers report back on the Wellington Region Climate Change Working Group's progress and efforts in coordinating climate change efforts in this region; and*
- (ii) asks officers to report back on any consequences for Council with regard to the proposed cabinet paper on climate change."*

**8. GENERAL MANAGER'S REPORT (19/760)**

Report No. PRC2019/3/136 by the General Manager, City and Community Services

The Divisional Manager, Regulatory Services and Emergency Management elaborated on the report. He advised the Wellington Regional Emergency Management Office (WREMO) managed a regional response plan for earthquakes using evidence from GNS Science. He noted Councils also organised their own response plans. He indicated an earthquake could push Petone either down or up but agreed discussion was needed on how to manage these possibilities.

In response to questions from members, the Acting General Manager, City Transformation explained Council Building Inspectors had been carrying out swimming pool inspections as required under the Building Act to ensure pools were fenced and safe. She said a replacement swimming pool inspector was currently being trained. She advised that swimming pools were only inspected every three years and recent staff shortages had not compromised their safety. She agreed to find out more about the process officers would be undertaking to educate vendors on legislation concerning the sale of alcohol to minors. She added that the consequences of local licence suspensions and cancellations tended to be a good reminder to all alcohol licence holders.

**RESOLVED:** (Cr Cousins/Deputy Mayor Bassett)

**Minute No. PRC 19307**

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

**9. INFORMATION ITEM**

**Policy and Regulatory Committee Work Programme** (19/808)

Report No. PRC2019/3/70 by the Committee Advisor

**RESOLVED:** (Cr Cousins/Deputy Mayor Bassett)

**Minute No. PRC 19308**

*"That the programme be noted and received."*

**10. QUESTIONS**

There were no questions.

There being no further business the Chair declared the meeting closed at 7.40 pm.

Cr MJ Cousins  
**CHAIR**

**CONFIRMED as a true and correct record**  
**Dated this 30<sup>th</sup> day of July 2019**