



## TE KAUNIHERA O TE AWA KAIRANGI

11 May 2022

Order Paper for Council meeting to be held in the  
Council Chambers, 2nd Floor, 30 Laings Road, Lower Hutt,  
on:

### **Wednesday 18 May 2022 commencing at the conclusion of the Long Term Plan/Annual Plan Subcommittee**

The meeting will be livestreamed on Council's Facebook page.  
Members of the public wishing to speak to an item on the agenda are asked to contact  
[democraticserviceteam@huttcity.govt.nz](mailto:democraticserviceteam@huttcity.govt.nz)

### **Membership**

	Mayor C Barry (Chair)
	Deputy Mayor T Lewis
Cr G Barratt	Cr J Briggs
Cr K Brown	Cr B Dyer
Cr S Edwards	Cr D Hislop
Cr C Milne	Cr A Mitchell
Cr S Rasheed	Cr N Shaw
Cr L Sutton	

For the dates and times of Council Meetings please visit [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

#### **Have your say**

You can speak under public comment to items on the agenda to the Mayor and Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this by emailing [DemocraticServicesTeam@huttcity.govt.nz](mailto:DemocraticServicesTeam@huttcity.govt.nz) or calling the Democratic Services Team on 04 570 6666 | 0800 HUTT CITY

## **COUNCIL**

**Membership:** 13

**Meeting Cycle:** Council meets on an eight weekly basis (Extraordinary Meetings can be called following a resolution of Council; or on the requisition of the Chair or one third of the total membership of Council)

**Quorum:** Half of the members

### **POWER TO (BEING A POWER THAT IS NOT CAPABLE OF BEING DELEGATED)<sup>1</sup>:**

- Make a rate.
- Make bylaws.
- Borrow money other than in accordance with the Long Term Plan (LTP).
- Purchase or dispose of assets other than in accordance with the LTP.
- Purchase or dispose of Council land and property other than in accordance with the LTP.
- Adopt the LTP, Annual Plan and Annual Report.
- Adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the LTP or developed for the purpose of the Local Governance Statement.
- Appoint the Chief Executive.
- Exercise any powers and duties conferred or imposed on the local authority by the Local Government Act 1974, the Public Works Act 1981, or the Resource Management Act 1991, that are unable to be delegated.
- Undertake all other actions which are by law not capable of being delegated.
- The power to adopt a Remuneration and Employment Policy for Council employees.

### **DECIDE ON:**

#### **Policy & Bylaw issues:**

- Adoption of all policy required by legislation.
- Adoption of strategies, and policies with a city-wide or strategic focus.
- Approval of draft bylaws prior to consultation.
- Adoption of new or amended bylaws.

#### **District Plan:**

- Approval to call for submissions on any Proposed District Plan, Plan Changes and Variations.

<sup>1</sup> Work required prior to the making of any of these decisions may be delegated.

- Prior to public notification, approval of recommendations of District Plan Hearings Subcommittees on any Proposed Plan, Plan Changes (including private Plan Changes) and Variations.
- The withdrawal of Plan Changes in accordance with clause 8D, Part 1, Schedule 1 of the Resource Management Act 1991.
- Approval, to make operative, District Plan and Plan Changes (in accordance with clause 17, Part 1, Schedule 1 of the Resource Management Act 1991).
- Acceptance, adoption or rejection of private Plan Changes.

**Representation, electoral and governance matters:**

- The method of voting for the Triennial elections.
- Representation reviews.
- Council's Code of Conduct for elected members.
- Local Governance Statement.
- Elected members' remuneration.
- The outcome of any extraordinary vacancies on Council.
- Any other matters for which a local authority decision is required under the Local Electoral Act 2001.
- Appointment and discharge of members of committees when not appointed by the Mayor.
- Adoption of Terms of Reference for Council Committees, Subcommittees and Working Groups, and oversight of those delegations.
- Council's delegations to officers, community boards and community funding panels.

**Delegations and employment of the Chief Executive:**

- Appointment of the Chief Executive of Hutt City Council.
- Review and negotiation of the contract, performance agreement and remuneration of the Chief Executive.

**Meetings and committees:**

- Standing Orders for Council and its committees.
- Council's annual meeting schedule.

**Long Term and Annual Plans:**

- The adoption of the budgetary parameters for the LTP and Annual Plans.
- Determination of rating levels and policies required as part of the LTP.
- Adoption of Consultation Documents, proposed and final LTPs and proposed and final Annual Plans.

**Council Controlled Organisations:**

- The establishment and disposal of any Council Controlled Organisation or Council Controlled Trading Organisation.
- Approval of annual Statements of Corporate Intent for Council Controlled Organisations and Council Controlled Trading Organisations.

**Community Engagement and Advocacy:**

- Receive reports from the Council's Advisory Groups.
- Monitor engagement with the city's communities.

**Operational Matters:**

- Civil Defence Emergency Management matters requiring Council's input.
- Road closing and road stopping matters.
- Approval of overseas travel for elected members.
- All other matters for which final authority is not delegated.

**Appoint:**

- The non-elected members of the Standing Committees, including extraordinary vacancies of non-elected representatives.
- The Directors of Council Controlled Organisations and Council Controlled Trading Organisations.
- Council's nominee on any Trust.
- Council representatives on any outside organisations (where applicable and time permits, recommendations for the appointment may be sought from the appropriate Standing Committee and/or outside organisations).
- Council's Electoral Officer, Principal Rural Fire Officer and any other appointments required by statute.
- The recipients of the annual Civic Honours awards.

**TE KAUNIHERA O TE AWA KAIRANGI | HUTT CITY COUNCIL**

Ordinary meeting to be held in the Council Chambers, 2nd Floor, 30 Laings Road,  
Lower Hutt on  
Wednesday 18 May 2022 commencing at the conclusion of the Long Term  
Plan/ Annual Plan Subcommittee.

**ORDER PAPER**

**PUBLIC BUSINESS**

**1. APOLOGIES**

Cr Rasheed

**2. PUBLIC COMMENT**

Generally up to 30 minutes is set aside for public comment (three minutes per speaker on items appearing on the agenda). Speakers may be asked questions on the matters they raise.

**3. CONFLICT OF INTEREST DECLARATIONS**

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

**4. RECOMMENDED ITEM TO TE KAUNIHERA O TE AWA KAIRANGI |  
COUNCIL - 18 MAY 2022**

**Recommendations to Council from the Long Term Plan/Annual  
Plan Subcommittee meeting held on 18 May 2022 (22/1074)**

“That Council adopts the recommendations made on the following reports, and any amendments or additional items agreed at the Long Term Plan/ Annual Plan Subcommittee meeting held on 18 May 2022:

- a) Feedback analysis of engagement on draft 2022-2023 Annual Plan;
- b) Potential targeted initiatives to support the Business sector significantly affected by COVID-19; and
- c) Progressing decisions for the final Annual Plan 2022-2023, Financial aspects.”

**5. REMIT TO LOCAL GOVERNMENT NEW ZEALAND ON BOY RACERS  
AND ASSOCIATED ANTI-SOCIAL BEHAVIOUR (22/1127)**

Report No. HCC2022/2/95 by the Senior Policy Advisor

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**MAYOR’S RECOMMENDATION:**

“That the recommendations contained in the report be discussed.”

## 6. QUESTIONS

With reference to section 32 of Standing Orders, before putting a question a member shall endeavour to obtain the information. Questions shall be concise and in writing and handed to the Chair prior to the commencement of the meeting.

## 7. CLOSING FORMALITIES - KARAKIA WHAKAMUTUNGA (22/1143)

Unuhia!	<i>Release us from the supreme sacredness</i>
Unuhia!	<i>of our tasks</i>
Unuhia i te uru-tapu-nui	<i>To be clear and free</i>
Kia wātea, kia māmā	<i>in heart, body and soul in our</i>
Te ngākau, te tinana, te	<i>continuing journey</i>
wairua i te ara takatū	<i>Oh Rongo, raise these words up high</i>
Koia rā e Rongo whakairihia	<i>so that we be cleansed and be free,</i>
ake ki runga	<i>Yes indeed, we are free!</i>
Kia wātea, kia wātea!	<i>Good and peaceful</i>
Ae rā, kua wātea!	
Hau, pai mārire.	

Kate Glanville  
**SENIOR DEMOCRACY ADVISOR**

09 May 2022

File: (22/1127)

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Report no: HCC2022/2/95

## **Remit to Local Government New Zealand on boy racers and associated anti-social behaviour**

### **Purpose of Report**

1. To inform Council of the remit submission deadline and voting process, and to obtain final approval of Council to submit a remit to Local Government New Zealand (LGNZ) on the issue of boy racers and associated anti-social behaviour.

### **Recommendations**

That Council:

- (1) approves a proposed remit to Local Government New Zealand on the issue of boy racers and associated anti-social behaviour to read:

For Local Government New Zealand to implement a nation-wide working group of subject matter experts with the objective of formulating an action plan to effectively enforce the Land Transport (Unauthorised Street and Drag Racing) Amendment Act 2003 and work with police to tackle illegal street racing and the antisocial behaviour associated with it.

- (2) seeks support for the proposed remit on boy racers and associated anti-social behaviour from five other councils;
- (3) delegates to the Mayor/standing committee chairs to support particular remits being proposed to Local Government New Zealand by other councils; and
- (4) delegates attendees to the Annual General Meeting to vote on support of them.

For the reason that all remits submitted for screening require the support of at least five other councils, and the final voting will take place at the Annual General Meeting on 28 July 2022.

## Background

2. A remit is an issue or topic of national interest or concern that local government nominates to LGNZ for including on its work programme for the year. Final remits are due to LGNZ by 5:00pm 20 May 2022 and must include the support of at least 5 other councils.
3. All remits will be screened by the Remit Screening Committee. Those that are approved will move forward to the Annual General Meeting to be held on 28 July 2022 and will be voted on by the membership. LGNZ will provide to the Mayor and council with a list of the remits going forward to the AGM well ahead of the AGM so decisions can be made about which ones to support.
4. Hutt City Council is proposing one remit this year on the topic of boy racers which is a topic of national interest and is difficult to enforce. The anti-social behaviour associated with boy racer activity is a community safety concern.
5. The proposed remit is as follows:

For LGNZ to implement a nation-wide working group of subject matter experts with the objective of formulating an action plan to effectively enforce the Land Transport (Unauthorised Street and Drag Racing) Amendment Act 2003 and work with police to tackle illegal street racing and the antisocial behaviour associated with it.

## Discussion

6. Complaints about boy racers are frequently received by elected members and Council officers in the transport division. Noise is a prominent theme in these complaints when the boy racers are in proximity to residential areas along with tyre tread marks and oil on the road. Stolen road signs and other damage to property (both public and private) create further community safety issues, along with alcohol use and some assaults to police officers and members of the public when attempting to communicate with the boy racers.
7. Excessive noise from vehicles and other intimidating behaviour (such as convoys blocking the road and vehicles driving at high speeds) have been frequent complaints from residents to their local Councils across the country. Various attempts to curb this behaviour have had limited success, often resulting in moving the problematic behaviour to another geographical location.
8. Councils across the country have implemented various initiatives, including bylaws, to limit dangerous vehicle use, such as speed cushions, concrete speed bumps, and visual distractions. With the additional cost of maintenance and road signs, these can be a significant cost to Councils with only a limited impact on the problem.
9. Due to the boy racers often being in a network, they can communicate to avoid detection by police and move across several councils' territories in one night. This can pose an issue if multiple councils do not have consistent bylaws in their respective areas.



10. Discussions with police and council officers have revealed the challenges of enforcing the law. Under-resourcing has not met the demand, as there are incidents where upwards of 100 boy racers converge in a single area with only one patrol car available.
11. Council's Public Places Bylaw was considered for specifying boy racer activity as a breach of acceptable activity but has not yet been included. Council's Transport team has worked to implement initiatives to curb speed, including closing an entrance to Cornish Street, a known boy racer location for 'burnouts'. Some speed cushions have been deliberately tampered with, with the surface being melted to an extent.
12. Speed cushions have generated some complaints from locals as they feel they are too close to their properties and are affecting the movement of local delivery trucks as well as their own driving experience. These initiatives have had a limited impact on the problem, which is often moved elsewhere rather than these issues stopping the gatherings altogether.

### **Options**

13. The remit has been developed to recommend a course of action from LGNZ: A nation-wide working group of subject matter experts developing a plan of action to address the issue and work with police to enforce the law. It will be useful to have input from police, community patrol officers, policy makers, and transport analysts in formulating the group.
14. Council may choose to put forward the remit proposed as is, make amendments to the proposed remit, or decline to submit it.

### **Climate Change Impact and Considerations**

15. The matters addressed in this report have been considered in accordance with the process set out in Council's Climate Change Considerations Guide.

### **Consultation**

16. Not applicable

### **Legal Considerations**

17. The legal context of NZ laws deterring boy racers includes the 2003 Land Transport (Unauthorised Street and Drag Racing Amendment Act). Several other Councils around New Zealand have chosen to include boy racers in their Public Places Bylaw, noting that intimidating behaviour or excessive noise from vehicles is prohibited.
18. New Plymouth City Council and Waipa District Council both have proposed bylaws (not yet in force) specifically about boy racers. Christchurch City Council has a "Cruising and Prohibited Times on Roads Bylaw 2014" which is currently under review. It is unclear how successful these bylaws have been, as there has been no evaluation material available to view.
19. Based on reports from other locations, the issue of vehicle noise, speed, intimidation, and damage is widespread across the country. Despite laws from central government and supplementary bylaws from local councils, the

issues continue to persist. This does not support the argument that these laws have been effective.

**Financial Considerations**

20. Not applicable.

**Appendices**

There are no appendices for this report.

**Author:** Angela Gordon  
Senior Policy Advisor

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**Reviewed By:** Kiri Waldegrave  
Acting Head of Strategy and Planning

**Approved By:** Jarred Griffiths  
Director Strategy and Engagement