

**REPORT of a MEETING of the POLICY COMMITTEE, held in the Council Chambers,
Level 2, Civic Centre, 838-842 Fergusson Drive, Upper Hutt, on
WEDNESDAY 5 DECEMBER 2018 commencing at 4.30pm**

PRESENT: CR G T MCARTHUR (CHAIR), HIS WORSHIP THE MAYOR MR W N GUPPY, CRS C B G CARSON, R B T CONNELLY, J B GRIFFITHS, J C GWILLIAM, P E LAMBERT, A R MCLEOD, H SWALES, S P TAYLOR AND D V WHEELER

APOLOGY: CR SWALES (for early departure)

IN ATTENDANCE: CHIEF EXECUTIVE, DIRECTOR OF ASSET MANAGEMENT AND OPERATIONS, ACTING DIRECTOR OF BUSINESS TRANSFORMATION AND INSIGHT, DIRECTOR OF COMMUNITY SERVICES, DIRECTOR OF PLANNING AND REGULATORY SERVICES, PERFORMANCE AND CAPABILITY MANAGER, GENERAL COUNSEL, STRATEGIC POLICY MANAGER, BUSINESS IMPROVEMENT MANAGER, SENIOR PLANNER (POLICY), SENIOR POLICY ADVISOR, PRINCIPAL ADVISOR DEMOCRATIC SERVICES AND MINUTE TAKER

PUBLIC BUSINESS

APOLOGIES

RESOLVED: **PC180801**

THAT the apology received from Cr Swales for early departure be accepted and leave of absence granted.

Moved

Cr McArthur/Mayor Guppy

CARRIED

1. PUBLIC FORUM

Ms Ann Devlin requested the statue currently in storage at the Park Road depot, and was donated by a resident, be found a permanent home and put on display. She advised that the former Oderings site is becoming more unkempt, with a proliferation of weeds which is affecting neighbouring properties, including hers. She asked that action be taken. She requested that when the Library returned to its original site, the shelving be installed in a user-friendly configuration, especially for those with sensory overload conditions.

Ms Heather Blissett advised Ailsa's crystal shop was a safe place for youth, with the shop owner often opening for longer hours to ensure youth were safe. She said there needed to be more safe havens for youth and elderly in the City.

2. GENERAL BUSINESS

Councillors McLeod, Carson, and Connelly declared items of general business.

3. CONFLICT OF INTEREST DECLARATIONS

There were no conflict of interest declarations.

**4. REVIEW OF THE MANUAL OF POLICIES
AND THE MANUAL OF DELEGATIONS (301/25-006 & 301/25-008)**

Report from the Corporate Planner through the Acting Director of Business Transformation and Insight dated 26 November 2018.

In response to a question from Councillor McLeod relating to directional signs, the Director of Asset Management and Operations advised he was unaware who was responsible for railway station or community garden directional signage and agreed to investigate.

RESOLVED TO RECOMMEND

PC180802

- 1. THAT Council note the schedule of proposed changes for both the Manual of Policies and Manual of Delegations.**
- 2. THAT Council adopt the revised Manual of Policies, separately circulated, and make it operational from December 2018.**
- 3. THAT Council note the Manual of Policies will be updated in the event of new policies being adopted by Council throughout the year.**
- 4. THAT Council adopt the revised Manual of Delegations, separately circulated, and make it operational from December 2018.**
- 5. THAT Council note the Manual of Delegations, separately circulated, will be updated in the event of staffing changes where the financial delegation may change.**
- 6. THAT in adopting the Manual of Policies and Manual of Delegations Council authorises officers to correct any minor typographical and formatting errors that may be identified.**

CARRIED

Moved Cr Taylor/ Cr Gwilliam

5. DIRECTOR'S REPORT – PLANNING AND REGULATORY SERVICES DEPARTMENT (301/25-010)

Report from the Director of Planning and Regulatory Services dated 23 November 2018.

In response to a question from Councillor Gwilliam concerning the Significant Natural Areas (SNA) work already completed, and the recent Hutt City Council (HCC) decision relating to its Proposed Plan Change, the Director of Planning and Regulatory Services advised that officers were proposing a different approach to HCC in terms of community engagement on the matter. He added NZ Forest and Bird were considering seeking a declaration from the Environment Court on the HCC decision, which could be successful given the recent case law (New Plymouth City Council), in which the Environment Court ruled that a decision to use non-regulatory measures to protect SNA's did not meet legislative requirements. He confirmed Council's approach was to introduce measures in the District Plan.

His Worship the Mayor commented the proposed National Urban Development Authority (UDA) would have significant implications for local government, and recommended that Council submit on this issue, acknowledging there may be a joint regional submission.

Councillor McArthur commented that Stage 1 of the Resource Management Reform Programme could have implications for subdivisions in both time and costs. Councillor McLeod commented that it would result in government being able to override a council's bylaws and policies, which she believed was not good governance.

The Director of Planning and Regulatory Services advised more information about the reforms was due prior to Christmas, and that he understood a UDA would not be established without the support of the local authority.

Councillor McLeod asked how many of the resource consents had been granted under National Environmental Standards (NES) for contaminated sites? The Director of Planning and Regulatory Services advised none had triggered the NES provisions.

Councillor McLeod enquired whether any of the resource consents listed in the agenda were granted for development on the newly discovered faultline? The Director of Planning and Regulatory Services advised the one resource consent granted in terms of a faultline was for the existing faultline.

Councillor Gwilliam asked whether Council was going to be over committed in regards to the Residential Stimulus Policy, given that the total budget was \$500,000, and the amount already committed for the first three months of the year was \$208,000. The Director of Planning and Regulatory Services advised many developers were aware of the policy and had timed their applications to be submitted after 1 July 2018 to qualify and expected the initial number of applications to settle.

Councillor Taylor requested clarification of the consent granted for a Comprehensive Residential Development (CRD) in the Industrial area of Blenheim Street. The Director of Planning and Regulatory Services advised this application had been lodged some time ago and had been settled by way of a Consent Order following an appeal to the Environment Court against Council's decision to decline consent. The General Counsel added that the resulting properties would be rated as residential, noting that rates were set according to the use of a property, rather than the zoning of a property).

Councillor McLeod requested clarification concerning the Forestry Harvest Notices, noting that logging trucks were not permitted to operate in a school zone during certain times of the day. The Director of Planning and Regulatory Services noted that Forestry Harvesting Notices were notices of an intent to undertake forestry harvesting which could not be subject to conditions, only advice notes. He advised that advice notes were routinely added regarding hours of truck movements in relation to school times, and that in these cases listed the notice process was followed properly prior to harvesting occurring.

RESOLVED

PC180803

THAT the report be received.

Moved

Cr McArthur/Cr Carson

CARRIED

**6. DIRECTOR'S REPORT – BUSINESS TRANSFORMATION AND INSIGHT DEPARTMENT
(301/25-012)**

Report from the Acting Director of Business Transformation and Insight dated 23 November 2018.

His Worship the Mayor advised the Productivity Commission report on Local Government Funding and Financing was a significant report and recommended a workshop be organised to formulate a submission from Council.

Councillor Carson commented that with the three waters and other infrastructural reviews also occurring, he agreed a workshop should be held.

The Acting Director of Business Transformation and Insight agreed to organise a workshop.

With regards to the Gambling Policy, Councillor Gwilliam queried whether this policy was reviewed more often than other policies. The Acting Director of Business Transformation and Insight explained each policy had a different review period.

RESOLVED TO RECOMMEND

PC180804

THAT the report be received.

Moved

Cr McLeod/Cr Taylor

CARRIED

7. CHIEF EXECUTIVE'S REPORT (301/25-009)

Report from the Chief Executive dated 23 November 2018.

RESOLVED TO RECOMMEND

PC180805

THAT the report be received.

Moved Cr Gwilliam/Cr Taylor

CARRIED

8. GENERAL BUSINESS

Councillor McLeod requested an update on the Social Housing Policy. The Director of Community Services advised he was not aware of a request for a policy.

Councillor Carson understood that as a result of the two workshops held, officers were to report back to Council with a draft Social and Homelessness Housing Policy. The Director of Community Services advised officers were looking at work with developers, the Ministry of Social Development, KiwiBuild and other providers to look at options for housing across the housing spectrum within the city. His Worship the Mayor added officers were also monitoring the progress of Hutt City Council's (HCC) Homelessness Policy.

Councillor McLeod reminded the members that social housing was more than homelessness.

Councillor McArthur requested officers report back to the committee with an update on progress, including the progress of HCC's Homelessness Policy.

Councillor Connelly requested future workshops conclude with a written understanding of the expected outcomes.

Councillor Swales requested an update of the listed accredited social housing providers in Upper Hutt. The Director of Community Services advised he was unaware of any accredited providers in the City at present and advised emergency housing providers were different to social housing providers.

Councillor Taylor requested that any future workshops regarding social housing also cover the rental market.

9. PUBLIC EXCLUSION

RESOLVED:

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

10. MAIDSTONE TERRACE – LAND USE OPTION

11. PROPOSAL REGARDING ORONGOMAI MARAE

12. LEGAL SETTLEMENT

13. UPPER HUTT CENTRAL LIBRARY UPDATE

14. CHIEF EXECUTIVE'S REPORT

15. GENERAL BUSINESS

THAT 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) GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	(B) REASONS FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	(C) GROUND UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
Maidstone Terrace - Land Use Option	The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information and to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(b)(ii) Section 7(2)(i)
Proposal regarding Orongomai Marae	The withholding of the information is necessary to maintain legal privilege and to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(g) Section 7(2)(i)
Legal settlement	The withholding of information is necessary to maintain legal privilege and to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(g) Section 7(2)(i)
Upper Hutt Central Library	The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information and to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(b)(ii) Section 7(2)(i)
Chief Executive's Report	The withholding of information is necessary to protect the privacy of natural persons and to maintain legal professional privilege and to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(a), (g) and (i)
General Business	The withholding of information is necessary to protect information subject to an obligation of confidence.	Section 7(2)(c)

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 Section 7 of the 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.

Moved

Cr McArthur/Cr Griffiths

PC180806

CARRIED

The Public Business Section of the meeting concluded at 5.08pm.

The Public Excluded Section of the meeting concluded at 6.42pm.

Cr G T McArthur
CHAIR