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11 APRIL 2019

POLICY COMMITTEE

**Agenda for meeting to be held in the Council Chambers, Level 2,
Civic Centre, 838-842 Fergusson Drive, Upper Hutt, on -**

WEDNESDAY 17 APRIL 2019 AT 4.30PM

MEMBERSHIP OF THE COMMITTEE:

**Cr G T McArthur (Chair)
Cr A R McLeod (Deputy Chair)**

**His Worship the Mayor, Mr W N Guppy
Cr C B G Carson
Cr R B T Connelly
Cr J B Griffiths
Cr J C Gwilliam
Cr P E Lambert
Cr H Swales
Cr S P Taylor
Cr D V Wheeler**

NOTE:

Agenda reports may be inspected at the following offices whenever they are open to the public:

- (a) Public Counter, Reception, Level 1, Civic Centre, 838-842 Fergusson Drive, Upper Hutt.**
- (b) The Central Library, 844 Fergusson Drive, Upper Hutt.**
- (c) The Pinehaven Branch Library, Corner Jocelyn Crescent and Pinehaven Road, Upper Hutt.**

Disclosure Register for Policy Committee

Elected Member	Interest	Last Reviewed
Glenn McArthur (Chair)	<ul style="list-style-type: none"> • Property Investor/Developer self employed • Wife employed at Paino and Robinson Solicitors Upper Hutt • Life Member Upper Hutt Rams RFC • Trustee, BaseFit New Zealand • Chair, Policy Committee • Member Alternate, Wellington Water Committee • Deputy Chair, Risk and Assurance Committee 	Dec 2018
Angela McLeod (Deputy Chair)	<ul style="list-style-type: none"> • Shareholder, Maidstone Moto Centre (1996) Limited • Chair, Community Grants Committee • Chair, Wellington Waste Forum • Member, Health Promotion Agency District Licensing Committee Advisory Group • Member, Wellington Region Waste Management and Minimisation Plan Joint Committee • President, Business and Professional Women – Upper Hutt • Deputy Chair, Policy Committee 	Dec 2018
His Worship the Mayor, Wayne Guppy	<ul style="list-style-type: none"> • Director, MedicAlert • Trustee, Orongomai Marae • Chair, Wellington Region Mayoral Forum • President, Wellington Racing Club • Deputy Chair, Hutt Valley District Health Board • Chair, Hutt Valley District Health Board Finance Risk Audit Committee • Co-Chair, Joint Capital and Coast, Hutt Valley DHBs Finance Risk Audit Committee • Member, Capital and Coast, Hutt Valley DHBs Community Public Health Advisory Committee and Disability Support Advisory Committee • Member, Capital and Coast District Health Board, Finance Risk and Audit Committee • Trustee, BaseFit New Zealand • Life Member Upper Hutt Rams RFC • Life Member, Wellington Rugby Football Union • Chair, Wellington Regional Amenities Joint Committee • Member, Civil Defence Emergency Management Joint Committee • Member, Hutt Valley Flood Management Subcommittee • Member, LGNZ National Council • Member, NZ Amateur Sport Association • Member, Regional Transport Committee • Member, Remutaka Hill Road Committee • Member, Safe Hutt Valley • Member, Te Atiawaitonu partnership, Hutt Valley District Health Board • Member, Wellington Regional Strategy Committee • Deputy Chair, Wellington Water Committee • Wife employed by various community pharmacies in the Hutt Valley 	Mar 2019
Deputy Mayor, John Gwilliam	<ul style="list-style-type: none"> • Director, Main Street Legal Limited • Deputy Mayor, Upper Hutt City Council • Trustee, Hutt Mana Charitable Trust • Trustee, Timberlea Community House Trust Board • Member Alternate, Regional Transport and Wellington Regional Strategy Committees • Member, Upper Hutt Intermediate Schools Trust • Chair, Risk and Assurance Committee 	Dec 2018
Chris Carson	<ul style="list-style-type: none"> • Principal, Carson Associates NZ • Member of Chartered Accountants of Australia and New Zealand • Treasurer, Upper Hutt Cosmopolitan Club • Chairperson, Finance Committee, Upper Hutt Cosmopolitan Club • Member of Donations and Grants Committee, Upper Hutt Cosmopolitan Club • Secretary/Treasurer, Trentham Community House Charitable Trust • Treasurer and Board member, Upper Hutt Bowling Club Incorporated • Treasurer and Board member, Samaritans of Wellington Incorporated • Treasurer, Wellington Samaritans Foundation • Trustee, CB and PA Carson Family Trust • Deputy Chair, Finance and Performance Committee 	Dec 2018

Elected Member	Interest	Last Reviewed
Ros Connelly	<ul style="list-style-type: none"> • Manager, Project and Portfolio Services Team at Ministry for Primary Industries (who regulate food safety, animal welfare, biosecurity and some other areas that may interface with the Council) • Board of Trustees Member Fergusson Intermediate • Member, Friends of the Hutt River • Member, Upper Hutt Forest and Bird • Member, Rimutaka Hill Road Committee • Member, Wellington Waste Forum • LGNZ Young Elected Member for Zone 4 • Member, Upper Hutt Intermediate Schools Trust 	Aug 2018
Blair Griffiths	<ul style="list-style-type: none"> • Owner of Hillside Auto Wreckers • Griffiths Property Group Limited • Blair Griffiths Family Trust • Chair, City Development Committee • Member, Safe Hutt Valley 	Dec 2018
Paul Lambert	<ul style="list-style-type: none"> • Member, Akatarawa Valley Emergency Response Team Committee • Member, Hutt Valley Services Joint Committee • Member, Hutt Valley Sports Awards Committee • Member, Mainly Acoustic Music Club Committee • Member, Rimutaka Lions Club • Member, Zone 4 Local Government Association 	Mar 2019
Hellen Swales	<ul style="list-style-type: none"> • Coordinator at the Jackson Street Programme Inc • Property Manager • Business coaching/mentor • Husband works in the IT Industry • Chair, Finance and Performance Committee • Member, Hutt Valley Flood Management Subcommittee • National President, The New Zealand Federation for Business and Professional Women • Trustee, Te Whare Tiaki Wahine Refuge 	Dec 2018
Steve Taylor	<ul style="list-style-type: none"> • Freelance musician • Member, Hutt Valley Flood Management Subcommittee • Deputy Chair, City Development Committee • Massey University – Executive MBA Student 	Feb 2019
Dave Wheeler	<ul style="list-style-type: none"> • Director, Wheelers Shoes • Director, Ajamd Limited • Member, Upper Hutt Community Patrol • Member, Upper Hutt Yellow Bellies Incorporated • Chair, Hutt Valley Services Committee 	Nov 2016

POLICY COMMITTEE

Agenda for Public Meeting to be held on WEDNESDAY 17 APRIL 2019 at 4.30pm

<u>PUBLIC BUSINESS</u>	<u>PAGES</u>
WELCOME AND SAFETY BRIEFING	
APOLOGIES	
1. <u>PUBLIC FORUM</u>	
2. <u>CONFLICT OF INTEREST DECLARATIONS AND UPDATES</u>	
3. <u>HOMELESSNESS AND HOUSING IN UPPER HUTT</u>	(305/20-048)
Report from the Director of Community Services dated 4 April 2019. Recommendations on Page 6.	6
4. <u>EARTHQUAKE-PRONE PRIORITY BUILDINGS</u>	(331/30-014)
Report from the Director of Planning and Regulatory Services dated 8 April 2019. Recommendations on Page 19.	19
5. <u>DIRECTOR'S REPORT – BUSINESS SERVICES AND CUSTOMER ENGAGEMENT DEPARTMENT</u>	(301/25-012)
Report from the Acting Director of Business Services and Customer Engagement dated 3 April 2019. Recommendation on Page 34.	34
6. <u>DIRECTOR'S REPORT – PLANNING AND REGULATORY SERVICES DEPARTMENT</u>	(301/25-010)
Report from the Director of Planning and Regulatory Services dated 5 April 2019. Recommendation on Page 36.	36
7. <u>CHIEF EXECUTIVE'S REPORT</u>	(301/25-009)
Report from the Director of Planning and Regulatory Services dated 5 April 2019. Recommendation on Page 43.	43
8. <u>PUBLIC EXCLUSION</u>	
Resolutions as follows required:	
That the public be excluded from the following parts of the proceedings of this meeting, namely:	
9. <u>WELLINGTON WATER LTD – STATEMENT OF INTENT</u>	
10. <u>LEASE NEGOTIATIONS</u>	
11. <u>EXTENSION OF AGREEMENT TO PROVIDE FUNDING REQUEST</u>	
12. <u>CHIEF EXECUTIVE'S REPORT</u>	

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 FOR THE PASSING OF THIS RESOLUTION
Wellington Water Ltd – Statement of Intent	The withholding of information is necessary to enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(i)
Lease Negotiations	The withholding of information is necessary to enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(i)
Extension of Agreement to provide funding request	The withholding of information is necessary to enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	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) Section 7(2)(b)(ii)

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.



File: 305/20-048
Ref: MR

4 April 2019

HOMELESSNESS AND HOUSING IN UPPER HUTT

Purpose

To provide Council with further information on housing/homelessness in Upper Hutt and provide an update on the disposal of surplus land and the opportunities to provide identified parcels of land to look to address the pressure on housing across the housing spectrum in Upper Hutt.

Recommendations

The Committee recommends that Council:

- (i) receives the report;
- (ii) agrees that the development of an Upper Hutt City Housing Policy; Social Housing Policy; Homelessness Strategy or other similar work should not proceed;
- (iii) continues the process regarding revocation of the land parcels outlined below as identified and agreed to by Council (Minute no. PC180507 & C180508(2));
 - (a) Oaklands Grove (Lot 15 DP 50346, (1,209m²));
 - (b) King Charles Drive (Lot 2 DP 48416 (13,167 m²));
 - (c) Hikurangi Drainage Reserve (Lot 55 DP 18653 (488 m²));
 - (d) Speargrass Grove (part Lot 78 DP 47344 (3,317 m²));
 - (e) Norana Road (Lot 2 DP 72446 (3,987 m²));
 - (f) Larchmont Road Reserve (Map 10 Lot 6 DP 46315 (471 m²)); and
 - (g) part of Timberlea Park (Map 9 part of Lot 8 DP 46164 (1.6142ha)).
- (iv) notes that Council will be kept informed regarding the revocation, geotechnical assessments, Crown stance on costs, and planning changes required;
- (v) agrees that a Request For Proposal (RFP) process regarding the utilisation of the following parcels of land for residential housing – emergency, transitional, social, affordable be instigated subject to recommendations (i) - (iv) above being acceptable to Council; and
- (vi) agrees that a paper is brought back to Council for consideration about any specific housing initiatives or proposals that require a commitment from Council.

Background

Housing/Homelessness/Social Housing Strategy

The development of a Council Social Housing Strategy has been raised by some Councillors. The housing continuum provides insight into different housing subgroups along a continuum which stretches from emergency and homeless households to owner occupation and also includes social housing. Social housing is one aspect of the housing continuum.

Council owns no social housing and social housing in Upper Hutt is primarily provided by Housing New Zealand and Compassion Housing.

Council's Role

Council has limited influence in respect to influencing the housing market and addressing the homelessness and housing affordability issues. The housing issues in Upper Hutt are not considered significant enough for Housing New Zealand to invest in new stock in Upper Hutt.

Council will continue to strengthen its key role of influencing central government to improve housing supply in the city as well as services for households who are homeless or at risk of homelessness.

The Hutt Valley Governance Group (HVGG), of which both Hutt City and Upper Hutt City Council's are members with the respective Mayors alternating as Chair of the group, has identified housing and homelessness as a major issue across the Hutt Valley. The HVGG consists of all government and many non-government organisations that are involved in dealing with homelessness and/or housing. The members of the HVGG are looking to work together to support actions and options across the Hutt Valley to address homelessness and/or housing.

The levers and controls that Council can exert have been outlined in previous reports, namely:

- Council strategic city planning activities, namely its Land Use Strategy, District Plan and response to the National Policy Statement – Urban Development Capacity (NPS) influence housing affordability.
- A review of the Residential and Rural Chapters of the Plan will commence in 2019. One potential tool to investigate as part of this process is “inclusionary zoning” whereby a % of land within an area zoned for residential development is allocated to a social housing provider, most commonly a Housing Trust.
- The Residential Stimulus Policy was introduced by Council as part of the 2018-2028 Long Term Plan to stimulate the take up of opportunities for higher density comprehensive residential development, which would likely be at a lower price point than medium density housing. The new policy will provide funding of \$500,000 per year from July 2018 through to June 2021 to incentivise higher-density residential development in suitable areas identified in the District Plan.
- Provision of land for social, affordable and/or other housing initiatives

Land Sales

A paper titled *Disposal of Surplus Land* was presented to Council's Policy Committee meeting on 1 August 2018 (minutes included as Attachment 1 to this report).

The paper identified a number of parcels of land and asked for Councillors direction in respect to the future use of the surplus reserve land. The paper outlined the various options concerning each land parcel and the process that would be required to be undertaken in respect to the revocation of the reserve status, the lifting of any designations, and for some parcels the zone changing to residential if applicable.

The Policy Committee recommended to Council, and this was confirmed by Council on 15 August 2018 (PC180507 & C180508(2)):

“That Council give notice that the current designation for the following lots is no longer required, and that Council give notice of its intention to commence the preparation of plan changes seeking to rezone the following lots from open space to residential:

- Oaklands Grove Lot 15 DP 50346, (1,209m²)
- King Charles Drive, Lot 2 DP 48416 (13,167m²)
- Hikurangi Drainage Reserve, Lot 55 DP 18653 (488m²)
- Speargrass Grove part Lot 78 DP 47344 (3,317m²)
- Norana Road Lot 2 DP 72446 (3,987m²)
- Larchmont Road Reserve (Map 10. Lot 6 DP 46315 (471m²) and
- Part of Timberlea Park (Map 9 part of Lt 8, DP 46164. 1.6142 ha)

The Minister of conservation has approved revocation of the reservation, with certain stipulations, of a number of land parcels including:

Speargrass Grove part Lot 78 DP 47344
Norana Road Lot 2 DP 72446 (3,987m²)

As a result, the parcels of land identified as being most suitable for residential housing are Speargrass Grove, Norana Road and part of Timberlea Park. These parcels are currently open spaces, and disposal of these parcels for residential housing is not inconsistent with Council’s Open Space Strategy.

Legal implications

Speargrass Grove and Norana Road

There are conditions around the Minister of Conservations approval for the revocation of Speargrass Grove Reserve and Norana Road Reserve. These conditions are that a Land Information New Zealand (LINZ) accredited supplier is engaged to undertake the disposal under the Land Act 1948 and that external costs of the disposal are shared by Department of Conservation (DoC) and Council with the net proceeds shared on a 50/50 basis between (DoC) and Council on a current market rate.

Timberlea Park

A geotechnical assessment of the part of Timberlea Park identified is to be carried out shortly to ascertain if the land is actually suitable for a housing development. The land is currently listed on the Greater Wellington Regional Council (GWRC) Selected Land Use Register (SLUR) and is listed with Hazardous Activity and Industries List (HAIL) activities consisting of:

- HAIL category G – Cemeteries and waste recycling, treatment and disposal
- HAIL subcategory: Land fill site
- Category: Verified history of hazardous activity or industry

The land was originally a swamp area which was levelled and built up with clean fill from the Kingsley Heights subdivision in the 1970’s and therefore the compaction levels need to be tested to ensure it is indeed suitable for a housing development, before the disposal process commences. The land is very wet in the winter possibly due to a compacted sub base covered with a layer of topsoil. Although some soil drains have been installed the land remains almost unusable during periods of wet weather.

No application has been lodged with the Minister of Conservation for revocation of this part of the reserve at this stage, but this will proceed once the land has been tested (as outlined above).

As outlined in the report to the Policy Committee meeting on the 1 August 2018 any proceeds of the sale of part of Timberlea Park are to be shared with the Crown on a 50/50 basis.

Summary

The three land parcels identified as suitable for social housing were originally derived from the Crown, and therefore 50% of the costs are shared by the Crown along with 50% of the proceeds from potential sales. The Crown's expectations around cost implications if the land was to be gifted would need to be determined.

The three land parcels identified would all require a plan change (to rezone to residential), the reserve status of the identified part of Timberlea Park would need to be revoked, and subdivision of two of the land parcels would need to be undertaken.

This process could take up to two years, during which time a Request for Proposal process could be undertaken by Council.

Request for Proposal

It is proposed with the three parcels of land identified above, officers' report back to Council specific costings, DOC and Crown considerations, planning and zone change costs and a Request for Proposal process.

The Request for Proposal would be focused on asking potential providers to look at optimal utilisation of the identified parcels of land for the development of residential housing that meets Upper Hutt's needs for either emergency, transitional, social or affordable housing or a combination of these housing types.

Hutt City Council's Approach

Hutt City Council (HCC) recently consulted on a Homelessness Strategy, with the result being a report with an action plan and recommendations being taken to the HCC Policy Committee on 25 March 2019. The HCC strategy and plan, and the research and the strategic direction that was proposed to Hutt City Council can be found at: <http://www.huttcity.govt.nz/Your-Council/Projects/homelessness>

One of the plans objectives stated; *"a partnership approach is required to respond effectively to homelessness, with Council adding value to, rather than duplicating the role of central government and the expertise of non-government organisations"*. The plan also states that this *"has been developed as a city rather than Council only approach the action plan requires considerable input and engagement from external agencies."*

The report (*Homelessness – Council Contribution to Improving the Response to Homelessness in Lower Hutt*) clearly outlines the rationale and the manner in which the commitment from HCC will meet the needs of improving the homelessness response in Hutt City. HCC officers recommended that Option 1, in respect to funding, be adopted along with a number of further recommendations. The HCC's Policy Committee adopted the recommendations, including Option 1 as shown below:

Option 1

Year one \$560,000; Year two \$520,000; and year three: \$520,000

- Access to private rented accommodation with support = \$110,000 (three years)
- Prevention of homelessness – project working with a minimum of 100 at-risk households per year = \$370,000 (three years)
- Provide housing advice and advocacy = \$80,000 in the first year, \$40,000 in year two and three. Council will also explore support in terms of office location e.g. in a community House, if required, as well as IT and hardware support.

- The funding decrease is dependent on securing partnership funding. If this funding cannot be secured, funding for year two will remain at \$80,000 to allow further work to seek partnership funding.

This specific action taken by HCC is a different approach to what is recommended for Council to consider, based on the different local context regarding homelessness and related housing issues in Upper Hutt compared to Hutt City.

Conclusion

The levers and influences that Council have available to impact on housing are outlined above and the most appropriate ones within the scope of Council's role are currently being actioned.

Council continues to advocate and collaborate to ensure our community's housing needs are met. While some additional options are proposed in this report, the principal mechanism to do so is by engaging with local groups such as Upper Hutt Housing Trust; Compassion Housing; Ladder up Trust; Emerge Aotearoa; Salvation Army; Orongomai Marae; Iwi and others along with other councils (Hutt City Council) and regional and national providers of emergency, transitional and social housing.

It is unclear what the development of a Council strategy or policy on social housing or homelessness would achieve over and above the initiatives as outlined. The lack of housing stock across the housing continuum is one of the major contributing factors to homelessness. There is a limited supply of housing, which places pressure on social housing, home ownership, rental accommodation and associated costs. To make a considerable difference on the aspect of housing supply is expected to take around three to five years and requires action across a range of public and private sector organisations.

Attachments

Attachment 1 – Policy Committee Minutes from 1 August 2018.

Mike Ryan

Director Community Services

**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 1 AUGUST 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, P E LAMBERT,
A R MCLEOD, H SWALES, S P TAYLOR AND D V WHEELER

APOLOGY: CR J C GWILLIAM

IN ATTENDANCE: CHIEF EXECUTIVE, DIRECTOR OF BUSINESS TRANSFORMATION AND INSIGHT,
DIRECTOR OF COMMUNITY SERVICES, CHIEF FINANCIAL OFFICER,
PERFORMANCE AND CAPABILITY MANAGER, PARKS AND RESERVES MANAGER,
GENERAL COUNSEL AND MINUTE TAKER

PUBLIC BUSINESS

APOLOGY

RESOLVED: **PC 180501**

THAT the apology received for lateness from Councillor Gwilliam be accepted and leave of absence granted.

Moved

Cr McArthur/His Worship the Mayor

CARRIED

1. PUBLIC FORUM

RESOLVED: **PC 180502**

THAT the time allocated for public comment be extended to 45 minutes.

Moved

Cr McArthur/Cr Swales

CARRIED

Mr Stephen Pattinson representing Save our Hills Upper Hutt Inc spoke to Item 4 – Proposed Stopping of Road, No 1 Line, Silverstream. He supported the submissions received, explaining that he was not opposed to the road stopping rather requested the land be ‘Reserve’ rather than ‘Fee Simple’ for later sale. He said the signage for Wi Tako Ngatata Reserve was not adequate as it was not clear there was an unformed road access to it.

Mr Pattinson expressed concern for the status of the Pinehaven Library land, and opposed the sale of the valuable community asset land. He considered that Council had not adequately consulted on the issue and requested Council put more effort into public consultation.

Councillor McArthur advised that the officer’s report recommended retaining the Pinehaven Library land.

His Worship the Mayor advised the process had commenced in 2014 and was widely consulted on at that time.

Mr Craig Thorn spoke to Item 4 – Proposed Stopping of Road, No 1 Line, Silverstream. He queried the following: why the Blue Mountains development required the land to complete its development; would the valuations be of a sufficient level to be a disincentive for encroachment; and how was the encroachment licence figure decided?

Mr Gareth Seeds spoke to Item 4 – Proposed Stopping of Road, No 1 Line, Silverstream. He considered the comments from Mr Thorn’s written submission concerning himself were defamatory. He cautioned that under New Zealand law, Council in publishing Mr Thorn’s comments could also be implicated in the defamation. He requested that Council reject Mr Thorn’s written submission or issue a redacted version with the defamatory comments removed. He explained the encroachment was historical, and provided photographs from the 1950’s, explaining the process to date. He further explained he was not a land developer, and simply required a further small parcel of land in order to subdivide one section of his lot.

Ms Mary Beth Taylor spoke to Item 6 - Planning Matters. She believed that the Mangaroa Peat Land should be identified as a Significant Natural Area (SNA) in Plan Change 48. She questioned the validity of the current earthworks operation occurring in the Peat Lands. Councillor Lambert advised the work undertaken in the Peat Lands had received consent to improve the access track. Ms Taylor believed the works far exceeded what would be required for an access track and highlighted the amount of peat being dug up. She advised there was provision in the current District Plan to immediately halt all works. The Chief Executive agreed to investigate. Ms Taylor tabled documents originating from Plan Change 15 (which had now been replaced with Plan Change 42), which explained the draining of the area at that time was to allow for buildings to be constructed. She noted the opposition to this. She believed the current works were designed to drain the land to enable houses to be constructed in the near future.

Ms Taylor thanked Council for removing the Whitemans Valley Reserve land from the list of land to be sold and was looking forward to seeing what the land could be used for. She suggested a rural park.

Ms Taylor requested the minimum size of family flats be investigated, as she believed it was unfair the minimum size was the same no matter what the total size of the lot. She suggested that on a large lot (say 3000m²), the maximum size could be 65m², rather than 55m².

Ms Teresa Homan, representing Upper Hutt Housing Trust spoke to Item 5 – Disposal of Surplus Land. She was encouraged by the officer’s report, as some of the land would lend itself to social housing. Ms Homan reiterated her previous statements made at council meetings that people came with income related barriers to housing and other issues affecting their lives and were often viewed negatively. She explained people in certain situations needed housing and wrap around services and support. She repeated that Upper Hutt had a shortage of affordable housing and highlighted the enquiries she had received for affordable housing in the past week. She added that Trade Me currently had no housing for rent in Upper Hutt under \$250 per week.

Councillor Taylor noted that Trade Me had 31 rentals in total, with rents going up 18% in the past year.

Councillor Swales thanked Ms Homan for her statements today and assured her that Council was listening to her issues.

Ms Heather Blissett spoke to Item 4 - Proposed Stopping of Road, No 1 Line, Silverstream. She asked that ecological reasons for road stopping be more prominent. She suggested the reason for a road stopping should read: “the best option was to stop the road as the land value was ecologically high” rather than “as the land value was low.” With regards to citizenship, she considered Upper Hutt should be more bicultural. She noted the recent funeral of Ms Bernie Dowd, stating her presence would be sorely missed in assisting the health and wellbeing of Upper Hutt citizens.

2. GENERAL BUSINESS

Cr McLeod declared one item of general business.

3. **CONFLICT OF INTEREST DECLARATIONS**

There were no conflict of interest declarations.

4. **PROPOSED STOPPING OF ROAD – NO. 1 LINE, SILVERSTREAM (325/12-001)**

Report from the Parks and Reserves Manager through the Director of Asset Management and Operations dated 15 June 2018.

Councillor Connelly requested clarification of the implications of subdivision mentioned on agenda page 7 of the officer's report. The Parks and Reserves Manager explained the process could include the revocation of reserve land and consultation with the Iwi. The General Counsel added that if council did not own the land and was required to provide access to Wi Tako Ngatata Reserve, consent from Iwi would also be required.

RESOLVED TO RECOMMEND

PC180503

1. **THAT Council agrees to modify recommendation No.3 made at the Policy Committee on 30 November 2016 – Proposed Stopping of Paper Road – No. 1 Line, Silverstream, relating to “The remaining section of stopped road to be held by Council in fee simple” to read “The remaining section of stopped road to be vested in Council as Recreation Reserve”.**
2. **THAT once the No. 1 Line unformed road has been recorded as stopped road, the Chief Executive is delegated authority to sign all documents necessary to give effect to the sale and purchase of the land to the owner of 9 Blue Mountains Road, Gareth Seeds, and a further section to Joe Roberts of 101, 103 and 105 Blue Mountains Road.**
3. **THAT the Chief Executive also be given the authority to negotiate with the residents in Fendalton Crescent, Chichester Drive and Blue Mountains Road to either remove all improvements from the land in question or enter into a sale and purchase agreement of the land with the remaining section of stopped Road to be vested in Council as Recreation Reserve.**

Moved

His Worship the Mayor/Cr Griffiths

CARRIED

Councillor McLeod requested her vote against the recommendation be recorded.

5. **DISPOSAL OF SURPLUS LAND (318/04-001)**

Report from the Parks and Reserves Manager through the Director of Asset Management and Operations dated 24 July 2018.

Councillor Taylor requested that all of the Speargrass Grove land be disposed of. He explained that the monies currently allocated to upgrade a playground on this land could be better spent elsewhere, and that there was another playground in close proximity. He also highlighted the land amount specified for the Speargrass Grove land in recommendation four of the officer's report should read 3317m².

Councillor Carson considered the officer's report did not address the need for land for social housing. He queried the reason for recommendation 2 which recommended selling the parcels of land, and recommendation 4 which recommended changing the designations of the parcels of land. The Chief Executive explained there was a process which needed to be completed prior to any parcel of land being sold, one step of which was to remove any designation on the land and then the rezoning.

There was general discussion concerning the issue, with the Chief Executive confirming the recommendations could be altered to reflect land which may be able to sustain a social housing development. He added that a final decision on those parcels of land could be made at a later date following further discussions about social housing. Councillors Connelly and McLeod supported this and requested that as much land as possible be retained in Council ownership until decisions had been made concerning social housing.

Councillor Griffiths noted the report signified the first step in a process, and that these decisions needed to be made to enable the process to continue.

Councillor Wheeler expressed concern at disposing of the Larchmont Grove land, as he understood this land was an important secondary, temporary link to Bridge Road. The Chief Executive explained the land had previously been used as the secondary access as it was the easiest procedure to undertake at the time. He added land could be obtained under the Public Works Act in the event of an emergency.

Councillor Swales requested each of the recommendations be voted on separately.

RESOLVED TO RECOMMEND

PC180504

THAT the report be received.

Moved Cr McArthur/Cr McLeod

CARRIED

MOVED: (Cr McArthur/Cr Taylor)

THAT Council confirms its decision to dispose of the following land parcels:

- a. Oakland Grove – Map 1- Lot 15 DP 50346;
- b. King Charles Drive – Map 2- Lot 2 DP 48416;
- c. Hikurangi Drainage Reserve – Map 4 - Part Lot 55 DP 18653. 488m² to be amalgamated to the adjoining property at 31 Hikurangi Street;
- d. Larchmont Grove road reserve - Map 10. Lot 6 DP 46315. 471 m²;

The motion was declared LOST by a show of hands.

RESOLVED TO RECOMMEND

PC180505

THAT Council confirms its decision to dispose of the following land parcels:

- a. King Charles Drive – Map 2- Lot 2 DP 48416;**
- b. Hikurangi Drainage Reserve – Map 4 - Part Lot 55 DP 18653. 488m² to be amalgamated to the adjoining property at 31 Hikurangi Street;**
- c. Larchmont Grove road reserve - Map 10. Lot 6 DP 46315. 471 m²;**

Moved Cr Connelly/Cr McLeod

CARRIED

RESOLVED TO RECOMMEND**PC180506**

THAT in accordance with previous discussions Council resolves not to dispose of Whitemans Valley Road Reserve- Map 7 – Lot 8 and Lot 5 DP 58877- total area 1.9734'.

Moved Cr McArthur/Cr McLeod

CARRIED

The Chief Executive clarified that Council could reconsider to sell parcels of land at a later date, following the correct procedure.

RESOLVED TO RECOMMEND**PC180507**

THAT Council give notice that the current designation for the following lots is no longer required and that Council give notice of its intention to commence the preparation of plan changes seeking to rezone the following lots from open space to residential:

- a. **Oaklands Grove lot 15 DP 50346, (1,209m²). King Charles Drive, Lot 2 DP 48416 (13,167m²);**
- b. **Hikurangi Drainage Reserve, Lot 55 DP 18653. (488m²);**
- c. **Speargrass Grove Part Lot 78 DP 47344 (3317m²);**
- d. **Norana Road Lot 2 DP 72446 (3,987m²);**
- e. **Larchmont Road reserve (Map 10. Lot 6 DP 46315. 471 sq. m); and**
- f. **Part of Timberlea Park (Map 9 part of Lt 8, DP 46164. 1.6142 ha).**

Moved Cr McLeod/Cr Carson

CARRIED

Mayor Guppy requested his vote against the recommendation be recorded.

RESOLVED TO RECOMMEND**PC180508**

THAT Council confirm that part of the Library land Lot 74 & 75 DP 9185 (905m²) is still required for Library purposes and is withdrawn from further disposal consideration.

Moved Cr Taylor/Cr McLeod

CARRIED

His Worship the Mayor believed the Maidstone Park land identified in Appendix C should be gifted to Orongomai Marae, and that should the Marae cease to exist, the land revert back to Council. He added it needed to be confirmed that the Marae wanted the land.

Councillor Carson requested information concerning financial or taxation implications of gifting land. The Chief Executive advised there had been a clear desire from the Marae for the land, and that he would report back concerning the implications of gifting the land.

RESOLVED TO RECOMMEND**PC180509**

THAT Council agrees to make the land at Maidstone Park identified in Appendix C, available to the Marae on the terms and conditions to be determined on the basis that if the land is no longer required by the Orongomai Marae for the Kohanga Reo, it is returned to Council for public use.

Moved His Worship the Mayor/Cr Swales

CARRIED

Councillor McLeod requested a meeting with GNS Science and other fault line experts to explain the faultline technicalities regarding McLeod Park. The Chief Executive agreed to organise a presentation to Council.

His Worship the Mayor requested clarification of what the land could be used for. The Chief Executive explained the land could be used for passive recreation only and reiterated this ruled out using the land to construct relocatable homes upon it, even if those homes were to be transported elsewhere. He agreed to confirm this.

RESOLVED TO RECOMMEND

PC180510

THAT McLeod Park– Map 3-Lot 79 DP13831 – is withdrawn from further consideration due to the impact the fault line will have on possible residential development.

Moved Cr McArthur/Cr Swales

CARRIED

RESOLVED TO RECOMMEND

PC180511

- 1. THAT the funds generated by the sale of the land are used for the purposes of acquiring new reserves or development of the existing reserve network.**
- 2. THAT the Chief Executive be authorised to finalise the sale of the lots identified above for disposal on such terms and conditions as he considers to be reasonable and appropriate.**

Moved Cr McArthur/Cr Swales

CARRIED

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

Report from the Resource Consents and Compliance Manager dated 17 July 2018.

Councillor McLeod raised concern regarding two recent resource consent applications which had been granted in the rural area for reduced yard setbacks. She said that should the road reserve be required in the future, the dwellings would be sited almost directly on the carriageway. The Chief Executive clarified officers had thoroughly researched the applications and that all parties had input and were satisfied with the outcome.

His Worship the Mayor requested the addresses of the resource consent applications be included in future reporting. The General Counsel confirmed this could be done.

RESOLVED

PC180512

THAT the report be received.

Moved Cr Taylor/Cr McArthur

CARRIED

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

Report from the Director of Business Transformation and Insight dated 20 July 2018.

Councillor Carson requested clarification that the Draft Statements and Annual Report would be available for the Audit, Risk and Finance Committee meeting to be held on 11 September 2018. The Chief Financial Officer advised the Draft Annual Report would not be available until 10 September 2018, and that there would be a verbal report at the committee meeting. She further advised the audit was not due to start until 24 September 2018.

RESOLVED TO RECOMMEND**PC180513****THAT the report be received.**

Moved Cr Taylor/Cr Griffiths

CARRIED**8. CHIEF EXECUTIVE'S REPORT (301/25-009)**

Report from the Chief Executive dated 20 July 2018.

Councillor Taylor commented on the volume of work being undertaken in relation to the Transmission Gully progress. He considered that the New Zealand Transport Agency had miscalculated the extent of the future use of State Highway 58 (SH58) once Transmission Gully was operational. He believed the proposed safety upgrades for SH58 would be inadequate in the near future due to increased traffic volumes.

Councillor Wheeler supported Councillor Taylor's comments.

RESOLVED TO RECOMMEND**PC180514****THAT the report be received.**

Moved Griffiths/Taylor

CARRIED**9. GENERAL BUSINESS**

Cr McLeod considered that road safety in rural areas, especially the Akatarawa Road area, was being compromised due to reduced road maintenance. She explained debris in gutters and along the side of the road would inhibit water flow in times of flooding. She added that a public education campaign should target walking along rural roads, especially hill roads. She stated that logging trucks had been observed using roads at the same time as school buses. She advised this was in contravention of the law and needed to be policed.

Councillor Lambert said he had already advised officers of these concerns. The Chief Executive requested such matters be brought directly to officers' attention, rather than being raised through committee meetings.

10. PUBLIC EXCLUSION**RESOLVED:****THAT the public be excluded from the following parts of the proceedings of this meeting, namely:****11. REPRESENTATION ON THE ANIMAL ETHICS COMMITTEE****12. CHIEF EXECUTIVE'S REPORT****13. 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
Representation on the Animal Ethics Committee	The withholding of information is necessary to protect the privacy of natural persons.	Section 7(2)(a)
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 Griffiths/Cr Swales

PC180515**CARRIED**

The Public Business Section of the meeting concluded at 5.50pm.

The Public Excluded Section of the meeting concluded at 6.00pm.

Cr G T McArthur

CHAIR

File: 331/30-014

Ref: RH

8 April 2019

Earthquake-Prone Priority Buildings

Purpose of report

1. The purpose of this report is to seek authority to consult the public using the special consultative procedure described under section 83 of the Local Government Act 2002, as part of the legislative requirements for identifying Priority Earthquake-prone Buildings.

Recommendations

It is recommended that the Committee recommend that Council:

- (i) resolves to use the special consultative procedure described under section 83 of the Local Government Act 2002 to identify thoroughfares with sufficient vehicular and pedestrian traffic, onto which parts of unreinforced masonry (URM) buildings could fall in the event of an earthquake;
- (ii) resolves to not use the special consultative procedure described under section 83 of the Local Government Act 2002 to identify strategically important routes which could be impeded by the collapse of buildings in the event of an earthquake; and
- (iii) adopts the Summary of Information and Statement of Proposal, attached as Attachments 3 and 4 to this report, for consultation FROM 7 May to 7 June 2019, in accordance with the requirements of the Local Government Act 2002 using the special consultative procedure.

For reasons that:

- (i) It is a legislative requirement under section 133AF(2)(a) of the Building Act 2004; and
- (ii) officers consider that there are no routes in Upper Hutt that meet the criteria of section 133AE(1)(f) of the Building Act 2004 and the Ministry of Business, Innovation and Employment's (MBIE) guidance on identifying priority buildings.

Background

2. The system for identifying and managing earthquake-prone buildings changed on 1 July 2017, when the Building (Earthquake-prone Buildings) Amendment Act 2016 came into force. The Amendment Act created new requirements, powers and time frames to address earthquake-prone buildings.

Priority Buildings

3. One of the key changes was the introduction of the concept of 'priority buildings'. Priority buildings are broadly defined as buildings that pose a greater risk to the public than other earthquake-prone buildings, or that are critical to emergency response, in the event of an earthquake.

4. Priority earthquake-prone buildings must be identified and remediated within shorter timeframes than other earthquake-prone buildings:
 - Territorial Authorities in High Seismic Risk regions (Upper Hutt falls within this category) must identify priority buildings by the end of 2019.
 - Owners of priority earthquake-prone buildings must remediate their buildings within half the time (seven and a half years) of other earthquake-prone buildings (fifteen years), to reduce the risk to life safety more promptly.
5. There are a number of priority buildings which are automatically classified in the Building Act.
6. Other priority buildings must be identified using the process outlined in the Ministry of Business, Innovation and Employment (MBIE) guidance document priority buildings: A Guide to the earthquake-prone building provisions of the Building Act and sections 133AF(2)(a) & (b) of the Building Act 2004:
 - Section 133AF(2)(a) states that Council must use the consultative procedure in section 83 of the Local Government Act 2002 to:
 - identify any part of a public road, footpath, or other thoroughfare in an area of medium or high risk –*
 - (i) *onto which parts of an unreinforced masonry building could fall in an earthquake; and*
 - (ii) *that has sufficient vehicular or pedestrian traffic to warrant prioritizing the identification and remediation of those parts of unreinforced masonry buildings; and*
 - Section 133AF(2)(b) states that Council may, in its discretion, use the special consultative procedure to identify buildings that could impede a strategic transport route.
7. For the full sections 133AE and 133AF of the Building Act refer to Attachment 1 as attached to the report. A link to the full guidance document has also been provided in the Statement of Proposal.

Discussion

8. There are two categories of priority buildings that are determined by their relationship to thoroughfares:
 - Priority buildings on strategic routes

Buildings with the potential to impede a transport route of strategic importance (in terms of an emergency response) if the building were to collapse in an earthquake (refer section 133AE(1)(f) and 133AF(2)(b)).
 - Priority buildings in high traffic areas

Parts of unreinforced masonry (URM) buildings that could fall from the building in an earthquake onto thoroughfares with sufficient vehicular or pedestrian traffic to warrant prioritisation. (Refer section 133AE(1)(e) and 133AF(2)(a)).

Identifying Strategic Routes

9. Section 133AF(2)(b) outlines that Council has discretion to use the special consultative procedure to identify buildings that have the potential to impede strategic transport routes of importance. In addition to section 133AE(1)(f) the definition of strategic transport routes has been further defined in the priority buildings guidance document as being:

Routes likely to be used by emergency services in:

- transiting from their bases to areas of need in a major emergency where there are no alternatives routes available, or
- transiting to central services such as hospitals, where there are no alternative routes available.

10. It is concluded that there are no streets that fit these criteria. Specifically, the buildings on the streets do not fit the potentially earthquake-prone criteria, or multiple alternative routes exist that would be available in an emergency.

Identifying High Traffic Areas

11. MBIE has provided a guidance document for use in identifying high vehicular and pedestrian traffic areas. See Attachment 2 for an excerpt of the guidance document describing the criterion.

12. The proposed list of streets to take to public consultation are:

- Main Street
- Queen Street
- Princes Street
- Logan Street (between Sinclair Street and Main Street)
- King Street (between Queen Street and Main Street)
- Russell Street
- Pine Avenue (between Queen Street and Main Street)
- Savage Crescent (north/south section connecting to Queen Street)
- Wakefield Street
- Geange Street
- Wilson Street
- Camp Street
- Whitemans Road (north of Dunns Street)
- Kiln Street (east of No.7)

13. A Summary of Information is attached as Attachment 3 to the report. Refer to the Statement of Proposal attached as Attachment 4 to the report for maps of these listed streets.

Options

Option 1	<p>Council uses special consultative procedure to identify:</p> <ul style="list-style-type: none"> • High traffic streets that fit the criteria outlined in 133AE (1) (e) only.
Option 2	<p>Council uses special consultative procedure to identify:</p> <ul style="list-style-type: none"> • High traffic streets that fit the criteria outlined in 133AE (1)(e); and • Strategically important routes that fit the criteria outlined in 133AE (1) (f) and the MBIE guidance.
Option 3	<p>Council does not use special consultative procedure to identify priority buildings for either category.</p>

14. Due to the legal implications outlined in paragraphs 20 – 23, and the analysis undertaken in paragraphs 8 - 13, it is considered that Option 1 is the only feasible option. It is therefore recommended that Council accept Option 1.

Consultation

15. MBIE have provided a template to inform the special consultative procedure required for identifying priority buildings under the Building Act 2004. This has been incorporated into the Statement of Proposal.
16. The consultation process is strictly to identify the streets that may fit the criteria discussed above, and not the individual buildings.
17. The Statement of Proposal will describe the context in which we have to identify the streets and outline the criteria that was used to identify the streets listed in paragraph 12.
18. Council website pages and other informational media will be updated accordingly to inform the general public.
19. The questions posed to the public will be:
- Do you agree with the thoroughfares identified for prioritisation?
 - If not, which thoroughfares do you disagree with and why?
 - Are there any other thoroughfares that meet the criteria but are not listed?

Legal Considerations

20. The use of the special consultative procedure under section 83 of the Local Government Act 2002 is a legal requirement under section 133AF of the Building Act 2004.
21. Council must use the special consultative procedure to identify the thoroughfares with sufficient vehicular and pedestrian traffic where there are parts of URM buildings that could fall in an earthquake.
22. Council has discretion to identify the routes of strategic importance that may be impeded if a building were to collapse in an earthquake. However, if buildings do need to be identified for prioritisation of this type, the special consultative procedure needs to be undertaken.
23. Council must undertake the special consultative procedure within a time frame that enables the territorial authority to meet the applicable time frame under section 133AG(4) for identifying potentially earthquake-prone priority buildings in its district, as outlined in paragraph 4 above.

Financial Considerations

24. It is considered that there may be some financial implications to building owners that receive earthquake-prone building notices with a priority timeframe. For Council this is a legal requirement that must be undertaken.

Other Considerations

25. In making this recommendation, officers have given careful consideration to the purpose of local government in section 10 of the Local Government Act 2002.
26. It is considered that this recommendation falls within the purpose of local government in that it will prioritise the higher risk earthquake-prone buildings within the Upper Hutt City.
27. It will also help to mitigate the potential hazard that parts of unreinforced masonry buildings pose to the community, as required by the Building Act 2004.

Attachments

Attachment 1: Sections 133AE and 133AF of the Building Act 2004

Attachment 2: Priority Buildings Guidance - High Traffic Areas Criterion

Attachment 3: Summary of Information

Attachment 4: Statement of Proposal

Richard Harbord

Director, Planning and Regulatory Services

ATTACHMENT 1:

Section 133 AE of the Building Act 2004 - Meaning of priority building

(1) In this subpart, priority building means any of the following that are located in an area of medium or high seismic risk:

(a) a hospital building that is likely to be needed in an emergency (within the meaning of the Civil Defence Emergency Management Act 2002) to provide—

(i) emergency medical services; or

(ii) ancillary services that are essential for the provision of emergency medical services:

(b) a building that is likely to be needed in an emergency for use as an emergency shelter or emergency centre:

(c) a building that is used to provide emergency response services (for example, policing, fire, ambulance, or rescue services):

(d) a building that is regularly occupied by at least 20 people and that is used as any of the following:

(i) an early childhood education and care centre licensed under Part 26 of the Education Act 1989:

(ii) a registered school or an integrated school (within the meaning of the Education Act 1989):

(iii) a private training establishment registered under Part 18 of the Education Act 1989:

(iv) a tertiary institution established under section 162 of the Education Act 1989:

(e) any part of an unreinforced masonry building that could—

(i) fall from the building in an earthquake (for example, a parapet, an external wall, or a veranda); and

(ii) fall onto any part of a public road, footpath, or other thoroughfare that a territorial authority has identified under section 133AF(2)(a):

(f) a building that a territorial authority has identified under section 133AF(2)(b) as having the potential to impede a transport route of strategic importance (in terms of an emergency response) if the building were to collapse in an earthquake.

(2) For the purposes of subsection (1)(a) and (b), the likelihood of a building being needed in an emergency for a particular purpose must be assessed having regard to—

(a) any national civil defence emergency management plan made under section 39 of the Civil Defence Emergency Management Act 2002; and

(b) the civil defence emergency management group plan approved under section 48 of the Civil Defence Emergency Management Act 2002 that covers the district in which the building is situated.

(3) If only part of a building meets the criteria set out in subsection (1), only that part of the building is a priority building.

(4) Whether a building is a priority building affects—

(a) the deadline by which a territorial authority must identify whether the building or a part of the building is potentially earthquake prone (see section 133AG); and

(b) the deadline for completing seismic work on the building or a part of the building, if it is subject to an EPB notice (see section 133AM).

Section 133AE: inserted, on 1 July 2017, by section 24 of the Building (Earthquake-prone Buildings) Amendment Act 2016 (2016 No 22).

Section 133 AF of the Building Act 2004 - Role of territorial authority in identifying certain priority buildings

(1) This section applies to a territorial authority whose district includes any area of medium or high seismic risk.

(2) The territorial authority,—

(a) for the purpose of section 133AE(1)(e) (prioritising parts of unreinforced masonry buildings), must use the special consultative procedure in section 83 of the Local Government Act 2002 to identify any part of a public road, footpath, or other thoroughfare in an area of medium or high seismic risk—

(i) onto which parts of an unreinforced masonry building could fall in an earthquake; and

(ii) that has sufficient vehicle or pedestrian traffic to warrant prioritising the identification and remediation of those parts of unreinforced masonry buildings; and

(b) for the purpose of section 133AE(1)(f) (prioritising buildings that could impede a strategic transport route),—

(i) may, in its discretion, initiate the special consultative procedure in section 83 of the Local Government Act 2002 to identify buildings for that purpose; but

(ii) must not identify buildings for that purpose other than in accordance with the special consultative procedure.

(3) However, a territorial authority is not required to act under subsection (2)(a) if there is no reasonable prospect of any thoroughfare in its district satisfying the criteria set out in subsection (2)(a)(i) and (ii).

(4) If a territorial authority is required by subsection (2)(a) or decides under subsection (2)(b) to use the special consultative procedure in section 83 of the Local Government Act 2002, it must use the procedure within a time frame that enables the territorial authority to meet the applicable time frame under section 133AG(4) for identifying potentially earthquake-prone priority buildings in its district.

Section 133AF: inserted, on 1 July 2017, by section 24 of the Building (Earthquake-prone Buildings) Amendment Act 2016 (2016 No 22).

ATTACHMENT 2:

Priority Buildings: A Guide to the earthquake-prone building provisions of the Building Act

Section 5.3.1 Identifying public roads, footpaths or other thoroughfares with sufficient pedestrian or vehicular traffic to warrant prioritisation

High pedestrian areas (people not in vehicles)

Note: high pedestrian areas are those areas where people are concentrated or routes with high foot traffic.

Description of use	Description of area	Example of application to city or metropolitan area	Example of application to small town or rural area
Areas relating to social or utility activities	Areas where shops or other services are located	City and suburban areas with shops, cafes, restaurants, bars, theatres and malls	Areas such as the shopping area on the main street, the local pub, community centre
Areas relating to work	Areas where concentrations of people work and move around	Areas around office buildings or other places of work where there is a concentration of workers	Areas around businesses in small towns and rural areas where there is a concentration of workers in numbers larger than small shops or cafes
Areas relating to transport	Areas where concentrations of people access transport	Areas around transport hubs, train stations, bus stops, car parks	Areas around bus stops, train stations, tourist centres
Key walking routes	Key walking routes that link areas where people are concentrated	Routes from transport hubs or other areas relating to transport to areas where shops, other services or areas people work are located	Routes from bus stops or other areas relating to transport to areas where shops, other services or areas people work are located

Areas with high vehicular traffic (people in motor vehicles/on bikes)

Description of use	Description of area	Example of application to city or metropolitan area	Example of application to small town or rural area
Key traffic routes	Key traffic routes regularly used by vehicles including public transport	Central business district streets, well trafficked suburban streets, arterial routes, heavy use bus routes	Well trafficked main streets or sections of state highways, arterial routes
Areas with concentrations of vehicles	Areas where high concentrations of vehicles build up	Busy intersections, areas where traffic builds up at peak hours	Busy intersections

ATTACHMENT 3

SUMMARY OF INFORMATION: EARTHQUAKE-PRONE PRIORITY BUILDINGS

Priority routes are busy roads or footpaths where falling masonry from buildings damaged in an earthquake would pose a high risk to life and public safety. Upper Hutt City Council wants to know which routes you think it should prioritise in Upper Hutt.

The system for identifying and managing earthquake-prone buildings changed on 1 July 2017 when the Building (Earthquake-prone Buildings) Amendment Act 2016 became effective. The new system prioritises identification and remediation of earthquake-prone buildings that either pose a high risk to life safety, or are critical to recovery in an emergency.

There are two criteria for identifying which roads, footpaths and other thoroughfares should be prioritised:

- High number of vehicles and pedestrians using the route
- The risk of unreinforced masonry buildings falling in an earthquake

Council seeks your feedback on proposals for roads, footpaths and other thoroughfares that should be prioritised. To help facilitate this consultation, Council has identified potential roads, footpaths and other thoroughfares in the Statement of Proposal.

We would welcome your response to the following questions:

- Do you agree with the thoroughfares identified for prioritisation?
- If not, which thoroughfares do you disagree with and why?
- Are there any other thoroughfares that meet the criteria but are not listed?

The full statement of proposal, along with a submission form is available on the Council's consultation website consultation.upperhutt.com. They are also available at the Upper Hutt City Council Civic Centre, 838 Fergusson Drive and Libraries.

Submissions open on Tuesday 7 May 2019 and close at 4.00pm on Friday 7 June 2019

If you have any questions concerning this matter please contact:

John Hudson

Building Control Services Manager

john.hudson@uhcc.govt.nz

04 527 2167

Attachment 4

STATEMENT OF PROPOSAL: EARTHQUAKE-PRONE PRIORITY BUILDINGS

Introduction

Upper Hutt City Council proposes to consult on which roads, footpaths or thoroughfares should be identified for prioritisation because of the risk of an unreinforced masonry building falling in an earthquake.

Background

The system for identifying and managing earthquake-prone buildings changed on 1 July 2017 when the building (Earthquake-prone Buildings) Amendment Act 2016 became effective. The new system prioritises identification and remediation of earthquake-prone buildings that either pose a high risk to life safety, or are critical to recovery in an emergency. Certain hospital, emergency and education buildings that are earthquake-prone will be 'priority buildings'. Other earthquake-prone buildings may be priority buildings due to their location and the potential impact of their failure in an earthquake on people. These buildings must be identified with community input. Priority buildings must be identified and remediated in half the usual time, to reduce the risks to life safety more promptly.

Council seeks feedback on proposals for roads, footpaths and other thoroughfares that should be included. Council also seeks views on whether there are any other routes that should be included in addition to those identified below.

Following consultation, Council will make a decision about which roads, footpaths and other thoroughfares are identified.

This consultation is undertaken in accordance with section 133AF (2)(a) of the Building Act 2004, which requires Council to identify certain priority buildings.

The Proposal

Council is proposing that the following roads, footpaths and other thoroughfares are identified as having sufficient vehicular and pedestrian traffic to warrant prioritisation, and have the potential for part of an unreinforced masonry building to fall onto the thoroughfare:

- Main Street
- Queen Street
- Princes Street
- Logan Street (between Sinclair Street and Main Street)
- King Street (between Queen Street and Main Street)
- Russell Street
- Pine Avenue (between Queen Street and Main Street)
- Savage Crescent (north/south section connecting to Queen Street)
- Wakefield Street
- Geange Street
- Wilson Street
- Camp Street
- Whitemans Rd (north of Dunns Street)
- Kiln Street (east of No.7)

Refer to High Traffic Area maps below for an overview of the listed streets. The individual streets are shown as green lines, and each corresponding area is identified in an overview of Upper Hutt City.

Process for Consultation

Public consultation using the special consultative procedure will end at 4.00pm on 7 June 2019. Hearings and meetings on the proposed bylaw will be open to the public, and people may speak to their submissions at the relevant meeting.

PROPOSED PRIORITY ROADS IN UPPER HUTT CITY



SCALE: 1:3,000 ON A4

PROPOSED PRIORITY ROADS

PROPOSED PRIORITY ROADS IN UPPER HUTT CITY

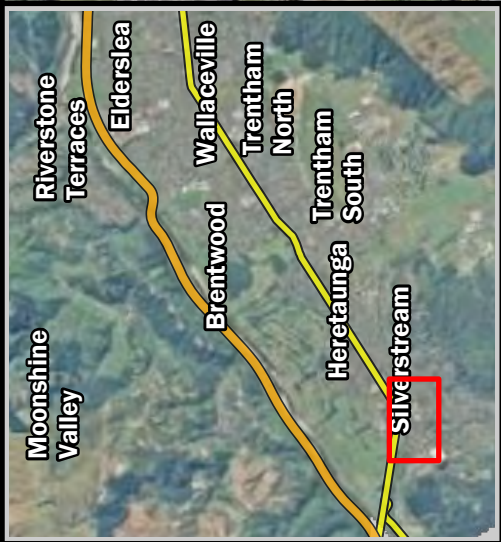


PROPOSED PRIORITY ROADS

A north arrow pointing upwards and a scale bar showing 0, 30, and 60 METERS.

SCALE: 1:2,000 ON A4

PROPOSED PRIORITY ROADS IN UPPER HUTT CITY



PROPOSED PRIORITY ROADS

SCALE: 1:3,000 ON A4



File: 301/25-012

3 April 2019

Business Services and Customer Engagement Acting Director's Report

Recommendation

That Council receive the report.

Annual Plan 2019 - 2020

The Annual Plan 2019-2020 public consultation period closes on 18 April 2019. Hearing meetings for oral submissions are scheduled for 20 and 21 May, with adoption of the final plan scheduled for 26 June.

Pre-Election Report 2019

Work is underway on the Pre-Election Report. The 2019 report is required by Friday 2 August 2019.

Sustainability

Wellington Region Climate Change Working Group – Friday, 15 March 2019

- Update on the Coastal adaptation subgroup run by Porirua, Kapiti and Hutt City Councils.
- Wellington Region Electric Vehicle draft support strategy was presented. The strategy is to be presented to councils.
- Wellington Region Emissions Calculator presented.
- Future Fit personal carbon footprint calculator presented by Wellington City Council – a joint project between them and Auckland City Council.
- On the way back to Upper Hutt, visited the enthusiastic student strike for climate change at Parliament.

Bylaws and Policy

Class 4 Gambling Consent for Grassroots Trust Limited

On 7 March 2019, a consent to operate nine gaming machines at Porterhouse Blues (7A King Street) was granted to Grassroots Trust Limited. A Class 4 Venue Licence will need to be acquired from the Department of Internal Affairs before any gaming machines can be operated at the venue. Our Class 4 Venue Policy allows for up to 174 gaming machines to operate in Upper Hutt. Following the granting of this consent there is room for 13 more gaming machines in Upper Hutt.

Class 4 Gambling and NZ Racing Board (Including TAB) Venue policies review

Officers have begun the internal review of Council's Class 4 Gambling and NZ Racing Board (Including TAB) Venue policies, as these are due for review this year. We are in the pre-work stakeholder engagement phase now.

Workshop for Water Supply Bylaw

A workshop discussing the commercial sale of water will be scheduled for later this year.

Review of Urban Fire Prevention

The hearing and consideration of submissions on the proposal to revoke the Urban Fire Prevention Bylaw and make a new Bylaw called *The Prevention of Nuisance from Fires and Smoke Bylaw* will be on 18 April 2019.

Review of Brothels Bylaw

Later this year we will develop options to amend this bylaw following engagement with stakeholders. A workshop will be held with elected members in the beginning of 2020 to consider the issues, and options to amend the bylaw. Consultation with the community on the preferred proposal is expected to be in the first half of 2020.

Liezel Jahnke

Acting Director, Business Services and Customer Engagement

**CHAIRPERSON AND MEMBERS
POLICY COMMITTEE MEETING (17 April 2019)**
(From the Director of Planning and Regulatory Services)



File: 301/25/010
Ref: RH

5 April 2019

**PLANNING AND REGULATORY SERVICES DEPARTMENT
DIRECTOR'S REPORT**

RECOMMENDATION

That Council receive the report.

RESOURCE MANAGEMENT MATTERS

1. Planning Policy team work

Current Plan Changes

Work continues on a number of plan changes as part of the rolling review of the District Plan.

Expert conferencing for one appeal to Plan Change 42 (Mangaroa and Pinehaven Flood Hazard Extents) has now been scheduled for 8 and 9 April at the Environment Court. Mediation is being scheduled in May to work through the other appeal.

Attachment 1 to this report, "Status of Current Changes to the District Plan" outlines the current status of District Plan change proposals.

2. Resource Consents – February

During February, 17 resource consents (and related resource management approvals) were granted, with 100% completed within statutory timeframes. The average time taken to determine applications was 17 working days.

3. Ministry for the Environment (MfE) updates

Reporting on the state of the environment

- Environment Aotearoa 2019 will be released on 18 April. It will report on the state of the environment and hone in on priority environmental issues for action. It is understood that Councils will play a role in developing solutions to the issues in the report.

Resource management system reform

- The first stage of RMA reform is a Bill proposing several discrete changes to the Act. Drafting is progressing and working towards introduction to Parliament soon.
- Stage two is a more comprehensive review of the resource management system. This review is intended to examine the broader and deeper changes the Government believes are needed to support the 'transition to a more productive, sustainable and inclusive economy'.

Planning Standards to be released in April

- The first set of national planning standards will be released, along with guidance material by 18 April.

Essential Freshwater Programme

- The Ministry plans to consult on proposed amendments to the National Policy Statement for Freshwater Management and a proposed National Environmental Standard for Freshwater Management in July and August.

Draft Indigenous biodiversity NPS

- Public consultation on a draft national policy statement for indigenous biodiversity is planned to begin in the middle of the year.

Urban planning update

- MfE is working with the Ministry of Housing and Urban Development (MHUD) on a proposed National Policy Statement on Urban Development (NPS-UD). The proposed NPS will amend the existing National Policy Statement on Urban Development Capacity (NPS-UDC) to strengthen existing policies and broaden its focus to include quality.

4. National Policy Statement: Urban Development Capacity

Work is continuing on the development of the Housing and Business Capacity Assessment (HBA) with Wellington metropolitan councils under the National Policy Statement for Urban Development Capacity (NPS-UDC). The final report will determine the sufficiency of Upper Hutt's residential and business land up to 2047, as well as the sufficiency of land in other Territorial Authorities involved in the HBA.

While reporting has been completed for both residential and business demand, outputs are to be re-evaluated due to recently updated residential growth projections provided as part of the 2019 Porirua Growth Strategy. The progress to confirming other HBA inputs is as follows:

- Current District Plan-enabled business and residential infill capacity results are being finalised;
- Infrastructure capacity reporting (roading and three waters) is being finalised by the UHCC Assets Department and Wellington Water; and
- Feasibility assessments of residential greenfield and infill sites has been completed, as well as feasibility of District Plan-enabled business areas through analysis undertaken with local business stakeholders.

Wellington City Council has been leading the coordination of overall HBA finalisation and consultation with other regional and national asset providers, such as the Greater Wellington Regional Council, New Zealand Transport Agency, and the Ministry of Education. It is anticipated that final verified results will be complete in May 2019.

ATTACHMENTS

Attachment 1 – Status of Current Changes to the District Plan

Attachment 2 – Resource Consent Processing Performance Report

Attachment 3 – Summary of Resource Consents Issued in February 2019

Richard Harbord

DIRECTOR PLANNING AND REGULATORY SERVICES

STATUS OF CURRENT CHANGES TO THE DISTRICT PLAN

Council Plan Change No.	Status	Comments
42. Mangaroa and Pinehaven Flood Hazard Extents	Two appeals have been lodged. Expert conferencing has been set down for one appeal on 8 and 9 April. Mediation for the other appeal is to be scheduled.	We will continue to provide updates on the progress of the appeals through the Director's report at Policy Committee.
45. Signs	A hearing date of 8 May has been confirmed.	The hearing will be chaired by an independent Chair. Crs Gwilliam and McArthur have been confirmed as the other two hearing panel members.
47. Natural Hazards	Policy development underway jointly with Porirua City and Hutt City Councils on the basis of GNS data.	
48. Biodiversity and Landscapes	Preliminary research has been undertaken.	
50. Residential and Rural Zones	Research is underway and external inputs are being commissioned to support this plan change.	

Private Plan Change No.	Status	Comments
51. Riverside Farm	Received; further information being sought.	Seeking to rezone rural hill land to rural valley floor and create up to 19 new lots ranging from 1ha to 4ha in size.

Designation	Status	Comments
NZTA3 – State Highway 58	Alteration to designation approved on 20 March 2019.	A small portion of NZTA's SH58 designation falls within UHCC.

RESOURCE CONSENT PROCESSING PERFORMANCE REPORT

	Nov-17	Dec-17	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Total Year
Number of Applications Received	22	19	9	16	12	19	21	25	17	19	28	21	15	7	17	267
Number of Decisions Made	Total															
	Approved	21	24	20	12	11	16	16	17	24	22	27	10	5	17	252
Declined	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Part Approved / Part Declined	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Delegated Decisions	21	24	20	12	11	10	16	16	17	24	22	27	10	5	17	207
Limited Notified Applications			0	0	0	0	0	0	0	0	0	0	0	0	0	0
Publicly Notified Applications			0	0	0	0	0	0	0	0	0	0	0	0	0	0
Decisions by Hearings Committee	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Decisions made within statutory timeframe	21	24	20	12	11	10	16	16	17	24	22	27	10	10	17	212
Decisions made over statutory timeframe	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Average processing days	16.14	16.38	16.85	19	13.2	14.3	12.4	19	11	12	16	16	11	15	17	14.83
Percent within statutory timeframe	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

SUMMARY OF RESOURCE CONSENTS ISSUED IN FEBRUARY 2019

Land use consents (total no 8)

Zone	Nature of infringement(s)	Application details	Approval given
Residential	Site coverage, sunlight access, setbacks, outdoor living court, carparking	Construction of a new dwelling associated with a 2-lot fee simple subdivision - 14 Palmer Crescent	G
Residential	Setbacks, site coverage	Dwelling extension - 73 Holdsworth Avenue	G
Residential	Setbacks, sunlight access	Construction of a new dwelling - 62 Riverstone Drive	G
Residential	Outdoor living court, setbacks	Relocate a dwelling associated with a 4-lot fee simple subdivision - 37 & 39 Milton Street	G
Rural Hill Blue Mountains	Earthworks, setbacks	Construction of a new dwelling - 246 Blue Mountains Road	G
Residential	Site coverage, sunlight access	Construction of a new dwelling - 50 Buddle Road	G
Residential	Site coverage, outdoor living court	Construction of a new dwelling - 12 Poulson Grove	G
Residential	Earthworks within 10m of any water body	Upgrade to the Pinehaven water supply pipeline - Railway Corridor Silverstream Station	G

Subdivision consents (total no 4)

Zone	Nature of infringement(s)	Application details	Approval given
Residential	Subdivision	2 lot fee simple subdivision – 14 Palmer Crescent	G
Residential	Subdivision	86 lot fee simple staged subdivision - Area B, Stage 7, Wallaceville	G
Residential	Subdivision	4 lot fee simple subdivision - 37 & 39 Milton Street	G
Rural Lifestyle	S127 Variation	Variation to conditions of a 4 lot rural subdivision - 1342 Akatarawa Road	G

Other consents (total no 5)

Zone	Nature of consent	Application details	Approval given
Rural Hill	Permitted boundary exemption	Locate 2x30,000L water tanks 1.5m from western side boundary - 20B Stroma Way	G
Residential	Building Line Restriction	Removal of a building line restriction - 37 & 39 Milton Street	G
Rural Hill	Forest Harvesting Notice	Forest Harvesting under NES-PF - 60C Kakariki Way	G
Rural Hill	Forest Harvesting Notice	Forest Harvesting under NES-PF - 199 Kakariki Way	G
Residential	Outline Plan - Earthworks	Earthworks to resurface sports fields, installation of subsoil drainage and irrigation system - Maidstone Park	G

TOTAL CONSENTS GRANTED: 17

TOTAL CONSENTS DECLINED: 0

CURRENT LIMITED OR PUBLICLY NOTIFIED CONSENTS

Zone	Nature of infringement(s)	Application details	Limited or Public Notification Status
None			

QUARTERLY UPDATE FOR REMISSIONS OF DEVELOPMENT CHARGES UNDER RESIDENTIAL STIMULUS POLICY

	No. of Applications Approved	No. of Dwellings for each application	No. of bedrooms for each dwelling	Total Financial Commitment to date*
July – September 2018	4	<ul style="list-style-type: none"> • 5 new dwellings • 3 new dwellings, 1 existing • 3 new dwellings • 3 new dwellings 	<ul style="list-style-type: none"> • 4 x 3 beds, 1 x 2 beds • 2 x 3-beds, 2 x 2 beds • 3 x 2-beds • 3 x 3 beds 	\$176,000.00
October – December 2018	1	<ul style="list-style-type: none"> • 3 new dwellings 	<ul style="list-style-type: none"> • 3 x 2 beds 	\$32,000.00
January – March 2019	TBC at end of quarter			
April – June 2019				

*Note: this comprises estimated development charges including all resource and building consent charges associated with a development.



File: 301/25-009
Ref: PTAEK/TN

5 April 2019

Chief Executive's Report

Recommendation

That Council receive the report.

Christchurch Event and Vigil

Staff at Upper Hutt City Council held a small remembrance service on Monday 18 March in the Rotary Lounge of the Library to mark the tragic events of Friday 15 March. Council staff also organised the Upper Hutt City Vigil on Wednesday 20 March which was attended by 500 people.

Citizenship

The first Citizenship Ceremony of the year was held on 5 March. 59 candidates from 11 countries - Australia, Britain, Canada, China, Fiji, German, India, Ireland, Philippines, South Africa and Spain received citizenship.

Maori Cultural Group

Council staff have held two meetings so far and they have been well attended by up to 20-30 staff. The group will continue to meet approximately monthly.

Meetings:

The Chief Executive has attended the following meetings:

- Metro Sector Meeting – 22 February
- LGNZ Stakeholder Function – 7 March
- Meeting with Kara Dentice and the Mayor – 13 March
- Guest Speaker at SOLGM LG Accelerated Leadership Group – 18 March
- Met with Chris Whelan from The Terrace Initiative with the Mayor – 20 March
- Met with John Milford, CEO of Wellington Chamber of Commerce – 25 March
- LGNZ Zone 4 Meeting – 10 April
- Attended SOLGM CE Forum – Auckland 11 April