



# KOMITI RATONGA RANGATŌPŪ ME TE RAUTAKI | POLICY, FINANCE AND STRATEGY COMMITTEE

28 February 2024

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

**Wednesday 6 March 2024 commencing at 2:00 pm**

The meeting will be livestreamed on Council's Facebook page

## Membership

	Cr A Mitchell (Chair)
	Deputy Mayor T Lewis (Deputy Chair)
Mayor C Barry	Cr K Brown
Cr B Dyer	Cr S Edwards
Cr K Morgan	Cr C Parkin
Cr T Stallinger	

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

### Have your say

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

## KOMITI RATONGA RANGATŌPŪ ME TE RAUTAKI | POLICY FINANCE AND STRATEGY COMMITTEE

<b>Chair:</b>	Cr Andy Mitchell
<b>Deputy Chair:</b>	Deputy Mayor Tui Lewis
<b>Membership:</b>	<p>Mayor Campbell Barry            Cr Keri Brown            Cr Brady Dyer            Cr Simon Edwards            Cr Karen Morgan            Cr Chris Parkin            Cr Tony Stallinger</p> <p>Refer to Council's Standing Orders (SO 31 Provisions for Mana Whenua)</p>
<b>Quorum:</b>	Half of the membership
<b>Meeting Cycle:</b>	Meets on an eight-weekly basis or at the requisition of the Chair
<b>Reports to:</b>	Council
<b>Membership RMA Hearings</b>	An independent Commissioner plus a minimum of either three or four elected members (including the Chair) and alternates who have current certification under the Making Good Decisions Training Assessment and Certification programme for RMA Decision Makers

### OVERVIEW:

This committee assists Council in setting the broad direction of the city, discharging statutory functions and overseeing organisational performance. The committee is aligned with the Office of the Chief Executive and Strategy and Engagement Directorate.

Its areas of focus are:

- Long term/high-level strategic focus
- Long Term Plan/ Annual Plan oversight
- Treaty partnerships
- Economic development
- Financial and non-financial performance reporting
- Oversight of the Property Working Group
- Oversight and general co-ordination (including community engagement) of strategies and policies
- Bylaw development
- Oversight of Council Controlled Organisations/Statements of Expectation/Statements of Intent
- Strategic oversight of current community engagement

## PURPOSE:

To assist the Council in setting the broad vision and direction of the city to promote the social, economic, environmental and cultural well-being of the city's communities in the present and for the future.

This involves determining specific outcomes that need to be met to deliver on the vision for the city, and overseeing the development of strategies, policies, bylaws and work programmes to achieve those goals. This committee is also responsible for monitoring the overall financial management and performance of the Council Group.

## DELEGATIONS FOR THE COMMITTEE'S AREAS OF FOCUS:

- All powers necessary to perform the committee's responsibilities including the activities outlined below.
- Develop required strategies and policies. **Recommend draft and final versions to Council** for adoption where they have a city-wide or strategic focus.
- Implement, monitor and review strategies and policies to ensure policies and strategies are consistent, effective and current.
- Identify the need for any new strategies and policies.
- Oversee the implementation of major projects provided for in the Long Term Plan or Annual Plan.
- Oversee budgetary decisions provided for in the Long Term Plan or Annual Plan.
- **Recommend to Council** the approval of any financial decisions required outside of the annual budgeting process.
- Advocate for strong relationships with Council's Mana Whenua partners as outlined in the Tākai Here agreements ensuring the outcomes of the committee are in line with the aspirations of the partners.
- Advocate for the best interests of Māori communities in Lower Hutt having regard to the committee's goals.
- Ensure the committee is operating in a way that is consistent with various pieces of legislation that provide for Te Tiriti o Waitangi.
- Maintain an overview of work programmes carried out by Council's Office of the Chief Executive and Strategy and Engagement, Directorate.
- Oversee any consultation/engagement processes required on issues before the committee.
- Approve and forward submissions (other than those delegated to the District Plan Review Committee).
- Any other matters delegated to the committee by Council in accordance with approved policies and bylaws.
- The committee has the powers to perform the responsibilities of another committee where it is necessary to make a decision before the next meeting of that other committee. When exercised, the report/minutes of the meeting require a resolution noting that the committee has performed the responsibilities of another committee and the reason/s.
- If a policy or project relates primarily to the responsibilities of the Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee, but aspects require additional decisions by the Komiti Hapori Ahurea me ngā Rangapū | Communities, Culture and Partnerships Committee, Komiti Hanganga | Infrastructure and Regulatory Committee and/or Komiti Kaupapa Taiao | Climate Change and Sustainability Committee, then the Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee has the powers to make associated decisions on behalf of those other committees. For the avoidance of doubt, this means that matters do not need to be taken to more than one of those committees for decisions.

### **Bylaw Delegations:**

- Develop and agree on the Statement of Proposal for new or amended bylaws for consultation/engagement.
- **Recommend to Council** the approval of draft bylaws before consultation.
- The Chair of the Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee, in conjunction with the Chief Executive, is authorised to appoint a subcommittee of suitably qualified persons to conduct hearings on draft bylaws on behalf of the committee.
- **Recommend to Council** new or amended bylaws for adoption.

### **Financial, Project and Performance Reporting Delegations:**

- **Recommend to Council** the budgetary parameters for the preparation of Council's Long Term Plans and Annual Plans.
- Monitor progress towards achievement of budgets and objectives for the Council Group as set out in the Long Term Plan and Annual Plans, including associated matters around the scope, funding, prioritising and timing of projects.
- Monitoring and oversight of significant city-wide or strategic projects including operational contracts, agreements, grants and funding, except where these are the responsibility of another standing committee.
- Monitor progress towards achievement of the Council's outcomes as set out in its overarching strategies for the city and their associated plans.
- Oversee the activities of the Property Working Group in its implementation of the Purchase and Sale of Property for Advancing Strategic Projects Policy.
- Oversee the acquisition and disposal of property in accordance with the Long Term Plan.
- Monitor the integrity of reported performance information at the completion of Council's Annual Report process.
- **Review and recommend to Council** the adoption of the Annual Report.
- **Recommend to Council** the approval of annual Statements of Intent and annual Statements of Expectation for Council Controlled Organisations and Council Controlled Trading Organisations and granting shareholder approval of major transactions.
- Monitor progress against the Council Controlled Organisations and Council Controlled Trading Organisations Statements of Intent and **make recommendations to Council** in the exercising of Council powers, as the shareholder, about Council Controlled Organisations/Council Controlled Trading Organisations under sections 65 to 72 of the Local Government Act.
- Oversee compliance with Council's Treasury Risk Management Policy.
- Consider and determine requests for rate remissions.
- Consider and determine requests for loan guarantees from qualifying community organisations where the applications are within the approved guidelines and policy limits.

HUTT CITY COUNCILKOMITI RATONGA RANGATŌPŪ ME TE RAUTAKI | POLICY, FINANCE AND STRATEGY COMMITTEE

Meeting to be held in the Council Chambers, 2nd Floor, 30 Laings Road, Lower Hutt on Wednesday 6 March 2024 commencing at 2:00 pm.

ORDER PAPERPUBLIC BUSINESS1. OPENING FORMALITIES - KARAKIA TIMATANGA

Whakataka te hau ki te uru  
Whakataka te hau ki te tonga  
Kia mākinakina ki uta  
Kia mātaratara ki tai  
E hī ake ana te atakura  
He tio, he huka, he hau hū  
Tihei mauri ora.

*Cease the winds from the west  
Cease the winds from the south  
Let the breeze blow over the land  
Let the breeze blow over the ocean  
Let the red-tipped dawn come with a  
sharpened air.  
A touch of frost, a promise of a glorious  
day.*

2. APOLOGIES3. PUBLIC COMMENT

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

4. CONFLICT OF INTEREST DECLARATIONS

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

5. RECOMMENDATIONS TO TE KAUNIHERA O TE AWA KAIRANGI | COUNCIL 6 MARCH 2024

- a) Seaview Marina Limited Draft Statement of Intent 2024/25 to 2026/27

Report No. PFSC2024/1/37 by the Financial Accountant

8

CHAIR'S RECOMMENDATION:

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

- b) Urban Plus Limited Group Draft Statement of Intent 2024/25 to 2026/27  
Report No. PFSC2024/1/38 by the Senior Financial Accountant 36

CHAIR'S RECOMMENDATION:

"That the recommendations contained in the report be endorsed."

**RECOMMENDATION TO TE KAUNIHERA O TE AWA KAIRANGI |  
COUNCIL 27 MARCH 2024**

Adoption of Hutt City Council's Control of Animals Bylaw

- Report No. PFSC2024/1/21 by the Head of Democratic Services 62

CHAIR'S RECOMMENDATION:

"That the recommendations contained in the report be endorsed."

**6. SEAVIEW MARINA LIMITED SIX MONTH REPORT TO  
31 DECEMBER 2023**

- Report No. PFSC2024/1/40 by the Financial Accountant 100

CHAIR'S RECOMMENDATION:

"That the recommendation contained in the report be endorsed."

**7. URBAN PLUS LIMITED GROUP SIX MONTH REPORT TO  
31 DECEMBER 2023**

- Report No. PFSC2024/1/41 by the Senior Financial Accountant 111

CHAIR'S RECOMMENDATION:

"That the recommendation contained in the report be endorsed."

**8. HUTT VALLEY CHAMBER OF COMMERCE - SIX MONTHLY REPORT  
TO 31 DECEMBER 2023**

- Report No. PFSC2024/1/42 by the Head of Business and Economy 140

CHAIR'S RECOMMENDATION:

"That the recommendation contained in the report be endorsed."

9. **QUARTERLY PERFORMANCE REPORT - 1 OCTOBER TO 31 DECEMBER 2023**

Report No. PFSC2024/1/44 by the Head of Enterprise Portfolio Management Office 162

**CHAIR'S RECOMMENDATION:**

"That the recommendation contained in the report be endorsed."

10. **INFORMATION ITEM**

**Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee Forward Programme**

Memorandum dated 22 February 2024 by the Democracy Advisor 219

**CHAIR'S RECOMMENDATION:**

"That the recommendation contained in the memorandum be endorsed."

11. **QUESTIONS**

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

12. **CLOSING FORMALITIES - KARAKIA WHAKAMUTUNGA**

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

Kathryn Stannard  
HEAD OF DEMOCRATIC SERVICES

**08 February 2024**

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**Report no: PFSC2024/1/37**

## **Seaview Marina Limited Draft Statement of Intent 2024/25 to 2026/27**

### **Purpose of Report**

1. The purpose of this report is to provide the draft 2024/25-2026/27 Statement of Intent for Seaview Marina Limited for Council to review.

### **Recommendations**

That the Committee recommends that Council:

- (1) notes the Seaview Marina (SML) board has submitted a draft Statement of Intent (SOI) for the three years 2024/25 to 2026/27, attached as Appendix 1 to the report, in accordance with the Local Government Act 2002;
- (2) notes that officers have reviewed the draft SOI for compliance with the Local Government Act 2002 and provided their analysis;
- (3) receives the draft SOI;
- (4) reviews the draft SOI and considers if any modifications should be made;
- (5) provides comment for the SML Board to consider in finalising its SOI (including any modifications suggested by the Committee arising under recommendation (4) above); and
- (6) notes the SOI includes the assumed purchase of the breakwater from Council for \$3.4M which will be funded by additional borrowings; this is subject to further decision making processes by Council and may vary.

### **Background**

2. The Local Government Act 2002 (LGA) requires the board of a Council Controlled Organisation (CCO) to deliver to its shareholders a draft SOI on or before 1 March of each year.

### **Discussion**

3. The board of SML has submitted a draft SOI to Council. This is attached as Appendix 1 of this report.



4. The board of a CCO must provide information prescribed by the LGA for the SOI, to the extent is appropriate given the organisation form of the CCO. They must do this for the 'the group' comprising the CCO and its subsidiaries. The information is required to be provided for the 2024/25 financial year and the two years following that (section 9, Schedule 8 of the LGA).
5. The compliance of the company with the legislative requirements for the SOI and a summary of the amendments proposed by the Board for their 2025-2027 SOI are detailed below:

Required Content	SML Draft SOI Content
(a) the objectives of the company	The objectives of the SML are stated.
(b) a statement of the board's approach to governance of the group	A statement is included.
(c) the nature and scope of the activities undertaken by the group	The nature and scope of activities are outlined – no significant changes.
(d) the ratio of consolidated shareholders' funds to total assets, and the definition of those terms	Ratio provided.
(e) the accounting policies of the group	Accounting policies are outlined.
(f) the performance targets and other measures by which the performance of the group may be judged in relation to its objectives	Performance targets are included.
(g) an estimate of the amount or proportion of accumulated profits and capital reserves that are intended to be distributed to the shareholders	Information provided.
(h) the kind of information to be provided to the shareholders by the group during the course of those financial years, including the information to be included in each half yearly report (and, in particular, what prospective financial information is required and how it is to be presented)	The kind of information to be provided is outlined.
(i) the procedures to be followed before any member of the group subscribes for, purchases, or otherwise acquires shares in any company or other organisation	Information on procedures is not provided, but it is noted that there is no intention to subscribe to or invest in any other organisation.
(j) any activities for which the board seeks compensation from any local authority (whether or not the local authority has agreed to provide the	No compensation is requested.

compensation)	
(k) the board's estimate of the commercial value of the shareholder's investment in the group and the manner in which and the times at which that value is to be reassessed	A statement as to the net value of the shareholder's investment is provided.
(l) any other matters that are agreed upon by the shareholders and the board	Some additional information is provided.

6. The draft SOI has been prepared to address the priorities included in the Letter of Expectation it received from Council on 20 December 2023.
7. The main difference to the previous SOI is the assumed purchase from Council of the breakwater valued at \$3.4M. This was agreed upon in principle by the Long Term/ Annual Plan Subcommittee Report No. LTPAP2023/5/395, with a further report back to Council, required to finalise decisions. Timing will be confirmed off the back of Council decisions, but in the draft SOI, it is assumed to be settling in September 2024. The purchase would be funded by additional borrowings of this value.
8. Dividend payments are planned for all three years of the SOI. However, it should be noted that this is subject to Directors being satisfied with the financial position being sustainable following a dividend payment and in accordance with the Companies Act 1993 requirements.
9. It is important to note that the Hutt City Council draft Long Term Plan 2024-2034 (DLTP) includes assumed dividends of \$200,000 per annum being paid by Seaview Marina Limited to the Council for the full period of the plan. Further, interest revenue of 1% margin has also been included in the DLTP on borrowings to SML. The draft SOI has been prepared on the same basis.

### **Legal Considerations**

10. Council may suggest changes that the Board must consider in finalising its SOI. The Board must consider within two months of 1 March any comments on the draft SOI that are made by the shareholders. The Board must deliver a completed SOI to Council on or before 30 June 2024.
11. Outside of this current process, Council may, by resolution, require the Board to modify the SOI and the Board must comply (section 5, Schedule 8 LGA), provided that Council first consults the Board.

### **Financial Considerations**

12. The draft SOI contains the financial forecasts for SML for the three-year period commencing 1 July 2024.
13. Council will need to decide whether the prescribed ROE for the next year should be revised. Last financial year, SML was required to achieve a prescribed rate of return on equity (ROE) of at least 0.8% in 2024/25 and 1% in 2025/26. However, due to the need to increase borrowings for the assumed purchase of the breakwater valued at \$3.4M, interest on borrowings

will increase, impacting the ROE. Other impacts to the ROE are an increase in staff costs, Council rates, insurance, and audit expenditure, coupled with an increase in depreciation.

Return on Equity	2024/25 Budget	2025/26 Planned	2026/27 Planned
Prescribed ROE from 23/24 Statement of Intent	0.8%	1.0%	Not Applicable
Planned ROE	0.4%	0.2%	0.2%

14. The draft SOI proposes that the ROE be lowered to 0.4% for 2024/25 and reviewed annually in subsequent years.
15. Additional funding of \$3.4M is required in conjunction with the assumed breakwater purchase. This was agreed in principle in the 12 December 2023 report to the Long Term/ Annual Plan Subcommittee No. LTPAP2023/5/395.

### Appendices

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**Author:** Thomas Kinsella  
Financial Accountant

**Author:** Yaolang Chung  
Senior Financial Accountant

**Reviewed By:** Darrin Newth  
Financial Accounting Manager

**Reviewed By:** Jenny Livschitz  
Group Chief Financial Officer

**Approved By:** Tim Lidgard  
Chief Executive, Seaview Marina



**SEAVIEW MARINA LIMITED**  
**STATEMENT OF INTENT**  
**2024/25 to 2026/27**

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**08 February 2024****Report no: PFSC2024/1/38**

## **Urban Plus Limited Group Draft Statement of Intent 2024/25 to 2026/27**

### **Purpose of Report**

1. The purpose of the report is to provide the draft 2024/25 - 2026/27 Statement of Intent for Urban Plus Limited Group for Council to review.

### **Recommendations**

That the Committee recommends that Council:

- (1) notes that the Urban Plus Group (UPL) board has submitted a draft Statement of Intent (SOI) for the three years 2024/25 - 2026/27, attached as Appendix 1 to the report, in accordance with the Local Government Act 2002;
- (2) notes that officers have reviewed the draft SOI for compliance with the Local Government Act 2002 and provided their analysis;
- (3) receives the draft SOI;
- (4) reviews the draft SOI and considers if any modifications should be made; and
- (5) provides comments for the UPL board to consider in finalising its SOI (including any modifications suggested by the Committee arising under recommendation (4) above).

### **Background**

2. The Local Government Act 2002 (LGA) requires the board of a Council Controlled Organisation (CCO) to deliver to its shareholders a draft SOI on or before 1 March of each year.

### **Discussion**

3. The Chair of UPL will attend to present the report and answer any questions.
4. The board of UPL has submitted a draft SOI to Council. This is attached as Appendix 1 to the report.
5. The board of a CCO must provide information prescribed by the LGA for the SOI, to the extent is appropriate given the organisation form of the CCO. They must do this for the 'the group' - which comprises the CCO and its subsidiaries. The information is required to be provided for the 2024/25 financial year and the two years following that (section 9, Schedule 8 of the LGA).

6. The compliance of the company with the legislative requirements for the SOI and a summary of the amendments proposed by the board for their 2024/25 - 2026/27 SOI are detailed below:

Required Content	UPL Draft SOI Content
(a) the objectives of the company	The objectives of the UPL are stated.
(b) a statement of the board's approach to governance of the group	A statement is included.
(c) the nature and scope of the activities undertaken by the group	The nature and scope of activities are outlined.
(d) the ratio of consolidated shareholders' funds to total assets, and the definition of those terms	Ratio provided.
(e) the accounting policies of the group	Accounting policies are outlined.
(f) the performance targets and other measures by which the performance of the group may be judged in relation to its objectives	Performance targets are included.
(g) an estimate of the amount or proportion of accumulated profits and capital reserves that are intended to be distributed to the shareholders	Information provided.
(h) the kind of information to be provided to the shareholders by the group during the course of those financial years, including the information to be included in each half yearly report (and, in particular, what prospective financial information is required and how it is to be presented)	The kind of information to be provided is outlined.
(i) the procedures to be followed before any member of the group subscribes for, purchases, or otherwise acquires shares in any company or other organisation	Information on procedures is not provided, but it is noted that there is no intention to subscribe or invest in any additional organisation that is not currently within the Group.
(j) any activities for which the board seeks compensation from any local authority (whether or not the local authority has agreed to provide the compensation)	No compensation requested.
(k) the board's estimate of the commercial value of the shareholder's investment in the group and the manner in which and the times at which that value is to be reassessed	A statement as to the net value of shareholder's investment is provided.

(l) any other matters that are agreed upon by the shareholders and the board	Some additional information is provided.
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7. The draft SOI has been prepared to address the priorities included in the Statement of Expectation UPL received from Council on 15 December 2023 (Council approved HCC2022/5/220). These further refined the priorities previously agreed upon by Council and include:
- a) providing for housing need
  - b) building more housing partnerships
  - c) building pathways to permanency
  - d) application of agreed environmental standards
  - e) achieving wider outcomes
  - f) delivering on Amended Plan Change (PC56)
  - g) promote Māori outcomes
  - h) provision of accommodation for the low-income elderly
8. During the Long-Term Plan 2021-31 process, Council agreed an increase in the loan funding facility to UPL of \$43M for period until 30 June 2031.
9. A report was considered by Council at its meeting on 20 December 2022 proposing a \$20M increase to this loan funding facility (refer LTPAP2022/5/228). This is for a fixed term period of two years to progress a larger proposed UPL work programme, which was approved by Council. It is unlikely that this facility will be drawn down. The draft SOI presented here and the draft LTP for 2024-2034 proposes a loan funding facility of \$43M for UPL, which is in line with the UPL funding requirements.

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

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

### **Legal Considerations**

11. Council may suggest changes which the board must consider in finalising its SOI. The board must consider within two months of 1 March any comments on the draft SOI that are made by the shareholders. The board must deliver a completed SOI to Council on or before 30 June 2024.
12. Outside of this current process, the Council may, by resolution, require the board to modify the SOI and the board must comply (section 5, Schedule 8 LGA), provided that Council first consults the board.

### Financial Considerations

13. The draft SOI contains the financial forecasts for UPL for the three-year period commencing 1 July 2024.
14. The Total Equity of UPL is forecast to be \$50.6M as at 30 June 2024.
15. The net operating budget revenue before tax for 2024-25 is expected to be \$4.8M compared to the previous SOI of \$1.9M. The difference mainly relates to \$0.7M (2023/24) and \$1.2M (2024/25) of interest on the additional \$20M loan draw down included in the 2023/24 SOI that has not eventuated.

Net Surplus / (Deficit) before Tax	2023/24	2024/25	2025/26
SOI 2023/24	(3,619,598)	1,923,453	(3,017,778)
SOI 2024/25	(2,638,986)	4,809,749	(3,216,731)
Difference	980,612	2,886,296	(198,953)

### Appendices

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<a href="#">1</a>	Appendix 1: Urban Plus draft Statement of Intent 2024-2027	40

**Author:** Yaolang Chung  
Senior Financial Accountant

**Reviewed By:** Darrin Newth  
Financial Accounting Manager

**Reviewed By:** Jenny Livschitz  
Group Chief Financial Officer

**Reviewed By:** Daniel Moriarty  
Chief Executive, Urban Plus Ltd

**Approved By:** Jon Kingsbury  
Director Economy and Development



















































*Our Reference*



**TO:** Chair and Members  
Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance  
and Strategy Committee

**FROM:** Kathryn Stannard, Head of Democratic Services

**DATE:** 25 February 2024

**SUBJECT:** ADOPTION OF HUTT CITY COUNCIL'S CONTROL OF  
ANIMALS BYLAW

### **Purpose of Memorandum**

1. The purpose of this memorandum is to provide information and present options to the Komiti Ratonga Rangatōpū me te Rautaki Policy, Finance and Strategy Committee (the Committee) so that it can make recommendations to Council on:
  - a. the proposed amendments to the Control of Animals Bylaw (the bylaw) attached as Attachment 1; and
  - b. present the bylaw for adoption.

### **Recommendations**

That the Committee:

- (1) adopts the minutes of the Hearings Subcommittee meeting held on 30 November 2023, with the exception of item 3 attached as Appendix 1 to the memorandum;
- (2) notes the Hearings Subcommittee recommendations to amend the Control of Animals Bylaw as recorded in the deliberation's minutes attached as Appendix 1 to the memorandum;
- (3) notes the Statement of Proposal attached as Appendix 2 to the memorandum; and
- (4) recommends that Council adopts the Control of Animals Bylaw attached as Appendix 3 to the memorandum noting that the bylaw will come into force on 28 March 2024.

### **Background**

2. On 8 May 2023, Council asked that officers prepare amendments to the bylaw. These amendments would mandate the microchipping and desexing of cats and require discussion with local cat rescue organisations.
3. On 12 September 2023, officers recommended the Control of Animals Bylaw be amended to include a section on The Keeping of Cats to include for cats of 12 weeks of age or older:
  - a. compulsory microchipping;

- b. registration of microchipped cats on the NZCAR; and
  - c. desexing of cats.
4. On 3 October 2023, Council approved public consultation from 6 October 2023 to 6 November 2023 on the proposed amendments to the Control of Animals Bylaw to include a section on the keeping of cats.

#### **Establishment of the Hearings Subcommittee**

5. Under delegated authority, the Chair of the Committee formed a subcommittee comprising Cr Mitchell (Chair), Cr Edwards, Cr Parkin and Cr Morgan to conduct the hearing on the bylaw on behalf of the Committee.

#### **Summary of submissions received**

6. There was a strong response to the public consultation with 552 responses received via the survey and 12 via email.
7. Results demonstrated overall support for the proposed amendments. Most public submissions came from individuals and nine from organisations.
8. Of the 552 survey responses
- a. 91.7% (506 responses) support the proposed amendments overall;
  - b. 91.3% (504 responses) support compulsory microchipping;
  - c. 87.3% (481 responses) support compulsory registration on the New Zealand Companion Animal Register (NZCAR); and
  - d. 92.6% (511 responses) support compulsory desexing.
9. All responses sent via email were in support of the proposed amendments.
10. Many respondents provided extra comments calling for more stringent measures, such as limiting the number of cats per household and keeping cats indoors.

#### **Hearings Subcommittee meeting 30 November 2023**

11. The Hearings Subcommittee considered the matters raised in submissions at a hearing on 30 November 2023, deliberated on those matters, sought further advice from officers, and made recommendations to the Committee and Council on the final form of the Control of Animals Bylaw.
12. The Hearings Subcommittee received submissions on the amendments with an open mind and gave them due consideration.
13. The Committee is now being asked to deliberate on the amendments to the bylaw and make the determinations required prior to Council adopting the bylaw.

### Summary of the recommendations from the Hearings Subcommittee

14. The recommendations because of the consultation and Hearings Subcommittee process are:

- (1) That the Committee recommends Council adopts the proposed amendments to the Control of Animals Bylaw as follows:
  - 5.1 Every person who keeps cats must ensure that cats of 12 weeks of age or older (footnote: SPCA supports pre-pubertal desexing of Cats (ie between 8 weeks and 4 months of age) are:
    - a. microchipped;
    - b. registered on the New Zealand Companion Animal Register; and
    - c. desexed (unless kept for breeding purposes and registered with a nationally recognised cat breeders body, including New Zealand Cat Fancy Ltd and Catz Inc; or deferred if a registered veterinarian has determined it would negatively impact the cat's health and welfare);

### Options

15. The following options have been considered regarding how the Committee could proceed after the Hearings Subcommittee has undertaken the public consultation process:

**Option 1** – recommend Council adopts the amended bylaw; or

**Option 2** – recommend Council does not adopt the amendments or propose a different way.

### Analysis of options

**Option 1** – Adopt the amended bylaw

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Amendments are in line with other councils;</li> <li>• Amendments are in line with the Environment Select Committee's recommendations to Government on the need for national cat management legislation for microchipping, registering and desexing of cats; and</li> <li>• Addresses nuisance and health and safety issues associated with the keeping of cats.</li> </ul>	<ul style="list-style-type: none"> <li>• Is not enforceable (i.e. the implementation relies on voluntary compliance);</li> <li>• Not everyone will agree with the additional rules around the keeping of cats; and</li> <li>• Incurs compliance costs on cat owners.</li> </ul>



**Option 2 – do not adopt the amended bylaw**

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• No compliance cost for cat owners.</li> </ul>	<ul style="list-style-type: none"> <li>• Does not address nuisance and health and safety issues associated with the keeping of cats;</li> <li>• Out of step with other councils that have cat bylaws; and</li> <li>• Misalignment with the Environment Select Committee’s recommendations to Government on the need for national cat management legislation for microchipping, registering and desexing of cats.</li> </ul>

**Legal considerations**

16. Council is bound by the Local Government Act 2002 (the Act) when making or reviewing bylaws. The base determination, notification and consultation procedures are set out under sections 155, 156 and 157 of the Act.
17. The draft bylaw and statement of proposal have been legally reviewed and meet the requirements of the Act.
18. Council has made determinations required under section 155 of the Local Government Act before commencing the process of reviewing the current bylaw.
19. Consultation on the draft bylaw follows the requirements of the special consultative procedure outlined in sections 83 and 85 of the Local Government Act.

**Next Steps**

20. If the Committee recommends that Council adopts the bylaw, it is proposed to be implemented on 28 March 2024.
21. There will be public notification of the outcome. Submitters will also be notified.
22. The bylaw will be available on Council's website, and copies can be obtained for free at the Council offices. Additionally, a FAQ sheet will be provided on the website.
23. A media release will be distributed after the Council meeting.

**Appendices**

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<a href="#">2</a>	Appendix 2: Statement of Proposal Control of Animals Bylaw	83
<a href="#">3</a>	Appendix 3: Draft Amended Control of Animals Bylaw 2018	94

**Author:** Kathryn Stannard  
Head of Democratic Services

**Reviewed By:** Richard Hardie  
Head of Strategy and Policy

**Approved By:** Kathryn Stannard  
Acting Director Strategy and Engagement











































































**08 February 2024**

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**Report no: PFSC2024/1/40**

## **Seaview Marina Limited Six Month Report to 31 December 2023**

### **Purpose of Report**

1. To provide the Committee with an update from Seaview Marina Limited (SML) for the six-month period to 31 December 2023.

### **Recommendations**

That the Committee receives the half year report from Seaview Marina Limited attached as Appendix 1 to the report.

### **Background**

2. The Local Government Act requires Council Controlled Organisations to deliver to shareholders a half year report on the organisation's operations within two months of the end of the first half of the financial year. The report should include information required to be reported as outlined in the organisation's 2023/24 - 2025/26 Statement of Intent.

### **Discussion**

3. The Chairperson and Chief Executive of SML will attend to present their report and answer any questions.
4. The report to the shareholder for the six months ended 31 December 2023 is attached as Appendix 1 to this report. The report details the results and achievements for the period.
5. Overall, for the six months ended 31 December 2023, SML achieved a surplus after finance and depreciation charges of \$82k, \$13k below planned. Despite revenue tracking slightly above budget, expenditure was 5% over budget due to unforeseeable events. More details are outlined in the attached Appendix 1 to this report.

### **Options**

6. It is a statutory requirement to present the half year report. There are no other options.

### Consultation

7. There is no requirement for consultation.

### Legal Considerations

8. The Local Government Act requires Council, as a shareholder in SML, to publish this report on its public website within one month of receiving it and to maintain the report on that site for a period of no less than seven years.

### Financial Considerations

9. The six-month report includes financial results and associated commentary, including progress against its performance measures to date. There are no financial issues to be considered.

### Appendices

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1	Seaview Marina Ltd Six month Report period ending 31 Dec 2023	102

**Author:** Thomas Kinsella  
Financial Accountant

**Author:** Yaolang Chung  
Senior Financial Accountant

**Reviewed By:** Darrin Newth  
Financial Accounting Manager

**Reviewed By:** Jenny Livschitz  
Group Chief Financial Officer

**Approved By:** Tim Lidgard  
Chief Executive, Seaview Marina





















**08 February 2024**

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**Report no: PFSC2024/1/41**

## **Urban Plus Limited Group Six Month Report to 31 December 2023**

### **Purpose of Report**

1. To provide the Committee with an update from Urban Plus Limited Group (UPL), for the six-month period to 31 December 2023.

### **Recommendation**

That the Committee receives the half year report from Urban Plus Limited Group attached as Appendix 1 to the report.

### **Background**

2. The Local Government Act requires Council Controlled Organisations to deliver to shareholders a half yearly report on the organisation's operations within two months of the end of the first half of each financial year. The report should include information required to be reported as outlined in the organisation's 2023/24 - 2025/26 Statement of Intent.

### **Discussion**

3. The Chair of UPL will attend to present the report and answer any questions.
4. The report to the shareholder for the six months ended 31 December 2023 is attached as Appendix 1 to this report. The report details the results and achievements for the period.
5. UPL Group achieved a Deficit before Tax of \$1.1M compared to a budgeted Deficit before Tax of \$1.8M, resulting in a favourable variance of \$0.7M. The favourable variance is largely due to the timing of project completion (sales of Brook Street have not eventuated yet), and two staff positions were unfilled from July-December 2023. An additional \$10M of borrowings planned to take place in October 2023 remains undrawn.
6. Residential housing achieved a deficit before Tax of \$0.3M compared to a budgeted deficit of \$0.4M, resulting in a favourable variance of \$0.1M. Expenses are slightly below budget.

7. Property development achieved a deficit before tax of \$0.8M compared to a budgeted deficit of \$1.4M, resulting in a favourable variance of \$0.6M. This is mainly due to the timing of the completion of Brook Street and delays in the drawdown of the additional \$10M of borrowings.
8. A Net Deficit before Tax of \$2.9M is forecast for the full year for the Group, against the budgeted deficit of \$3.7M. This is mainly due to the delay in the drawdown on the \$20M.
9. Borrowing levels remain at \$33M as at 31 December 2023 and are expected to increase over the coming months as new developments commence but will remain within Council's approved facility.
10. The detailed performance report is attached as Appendix 1 to the report.
11. The priorities agreed by Council in the 2025-2027 UPL Statement of Intent are summarised below. The detailed performance report provides commentary on the progress achieved for these priorities.
  - a. provide for wider housing needs,
  - b. build more housing partnerships,
  - c. build pathways to housing permanency,
  - d. implement HomeStar 6 Rating and Environmental Standards
  - e. achieve wider housing outcomes,
  - f. deliver on Plan Change 43 (where Plan Change 43 applies to a development site),
  - g. promote Māori outcomes,
  - h. support Central Government initiatives,
  - i. provision of accommodation for the low-income elderly.
12. There are no significant events after the reporting period requiring additional disclosure.

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

13. The Implementation of the HomeStar 6 Rating and new environmental standards for new housing developments will support Council in its objective to address the impacts of climate change.

### **Consultation**

14. There is no requirement for consultation.

### **Legal Considerations**

15. The Local Government Act requires Council, as a shareholder in UPL, to publish this report on its public website within one month of receiving it and to maintain the report on that site for a period of no less than seven years.



### Financial Considerations

16. The six-month report includes financial results and associated commentary, including progress against its performance measures to date. There are no financial issues to be considered.

### Appendices

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**Author:** Yaolang Chung  
Senior Financial Accountant

**Reviewed By:** Darrin Newth  
Financial Accounting Manager

**Reviewed By:** Jenny Livschitz  
Group Chief Financial Officer

**Approved By:** Daniel Moriarty  
Chief Executive, Urban Plus



























































**19 February 2024**

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**Report no: PFSC2024/1/42**

## **Hutt Valley Chamber of Commerce - six monthly report to 31 December 2023**

### **Purpose of Report**

1. The report summarises the Hutt Valley Chamber of Commerce (HVCC) performance against agreed performance measures for the six months to 31 December 2023.
2. The report has been prepared based on information provided by HVCC and officer input.
3. Representatives of HVCC will be in attendance to speak to the report.

### **Recommendation**

That the Committee receives and notes the Hutt Valley Chamber of Commerce report for the six months to December 2023 attached as Appendix 1 to the report.

For the reason that the Hutt Valley Chamber of Commerce is required to regularly report to the Committee on performance against agreed performance measures

### **Background**

4. Council contracts HVCC and allocates funding for specific direct services to complement and support Council's work programmes and strategies.
5. In the financial year (FY) 2023/2024, funding for services is \$125,000 in total and is allocated in the 2021/31 Long Term Plan for economic development activities.
6. A strong constructive relationship with HVCC has beneficial outcomes for both working with businesses and encouraging business activity in Lower Hutt.

**Discussion**

7. HVCC reporting for the six months to 31 December 2023 is attached as Appendix 1 to the report.
8. Highlights during this time include:
  - a. continued leadership in career pathways and employment placement through the Chamber's contracts with government agencies.
  - b. establishment of a Hutt Valley L2 Infrastructure Academy and Hutt Valley Engineering Academy and a proposal with the new Minister of Manufacturing for a wider manufacturing academy to strengthen the pipeline of skills into the sector.
  - c. increasing advocacy for local businesses and profiling of local businesses – especially participation in the STEMM sector.
  - d. the largest Wellington Regional Business Excellence Awards held in November 2023 at the Lower Hutt Events Centre, celebrating business success.
  - e. engagement on the 'Future of Hutt Valley business' project building towards a blueprint for the growth and development of the Hutt Valley business community.
  - f. increasing value of frank advice and constructive early engagement across Council teams to improve business outcomes for Lower Hutt – including new engagement with the finance and connected communities' teams.
9. Council agreed to contract HVCoC for specific direct services in FY2021/22 in support of Council's work programmes and strategies, which has continued in FY2023/24. A contract services delivery schedule forms the basis of the contracted services and is the basis for the attached progress report to this Committee.
10. A further \$25,000 was added to the contract for FY23/24 to support manufacturing & technology industry activities and the Wellington Regional Business Excellence Awards managed by HVCoC.

**Climate Change Impact and Considerations**

11. The matters addressed in this report have been considered in accordance with the process set out in Council's Climate Change Considerations Guide.
12. There are no climate change considerations.

**Consultation**

13. HVCoC has submitted its report for the six months to 31 December 2023 for the Committee's consideration, which is attached as Appendix 1 to the report.
14. HVCoC representatives will attend to speak to their report.

**Legal Considerations**

15. There are no legal considerations.

**Financial Considerations**

16. HVCoC is contracted to provide services to Council until 30 June 2024 with the Contract Services Delivery Schedule reviewed and agreed upon every 12 months.

**Appendices**

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1↓	Hutt Valley Chamber of Commerce - 6 month report to 31 December 2023	143

**Author:** James Lamb  
Head of Business and Economy

**Approved By:** Jon Kingsbury  
Director Economy and Development













































**09 February 2024**

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**Report no: PFSC2024/1/44**

## **Quarterly performance report - 1 October to 31 December 2023**

### **Purpose of Report**

1. The purpose of the Quarterly Performance Report is to provide an overview of Hutt City Council's performance results for the period 1 October to 31 December 2023.

### **Recommendation**

That the Committee notes and receives the Quarterly Performance Report for the period 1 October to 31 December 2023, attached as Appendix 1 to the report.

### **Background**

2. The Quarterly Performance Report has been developed to present findings and results from Quarter 2 (1 October to 31 December 2023).
3. As of Quarter 2 FY23/24, officers will no longer be including the community wellbeing section in the quarterly performance reports. This will now be provided in the context of the Quality of Life Survey and the Residents Satisfaction Survey.

### **Discussion**

4. Key highlights and the challenges Council has faced over the quarter are outlined on pages 3-6 of the report attached as Appendix 1.
5. Non-financial KPIs: There are 86 indicators in the Annual Plan/LTP, 51 of which are reported quarterly. The remaining 35 are reported annually.
6. 61% of targets were met, an improvement of 4% compared to Quarter 1 (57%).
7. A breakdown of data and information by wellbeing is provided on pages 19-38 of the report attached as Appendix 1.

## 8. Building Consents

- a. since the performance results for Building Consents were reported, there are significant updates to report.
- b. from 12-16 February 2024, IANZ undertook a BCA Accreditation Assessment of the Building Control Unit (including Building Consents (BCA) and Territorial Authority (TA) functions) on behalf of MBIE.
- c. the Auditors concluded that they would be recommending the continuation of the BCA Accreditation for Hutt City Council. It was noted that substantial business improvement work had been done since their last visit, and they recognised that the function was on a sound footing to achieve compliance with statutory timeframes in the near future.
- d. recommendations related largely to detail around the further implementation of the Objective, Go Get and the new Quality Management System (QMS). Performance against statutory timeframes was noted as a general non-conformance, but it was also recognised that legacy consents had detrimentally affected our performance statistics.
- e. A full report will be provided by IANZ to the Hutt City Council in 10 days. The auditors will return in two years' time as we are considered low risk.

### Options

9. Not applicable.

### Climate Change Impact and Considerations

10. There are no climate change impacts or considerations arising from this report.

### Consultation

11. There are no consultation requirements arising from this report.

### Legal Considerations

12. There are no legal considerations arising from this report.

### Financial Considerations

13. The financial summary is provided on pages 39-50 of the report, which is attached as Appendix 1.

### Appendices

No.	Title	Page
1↓	Appendix 1: Quarterly Performance Report - 1 October to 31 December 2023	164

**Author:** Gemma Birse, Head of Enterprise Portfolio Management Office

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





























































































































*Our Reference*



**TO:** Chair and Members  
Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee

**FROM:** Judy Randall

**DATE:** 22 February 2024

**SUBJECT:** KOMITI RATONGA RANGATŌPŪ ME TE RAUTAKI  
POLICY, FINANCE AND STRATEGY COMMITTEE  
FORWARD PROGRAMME

### Purpose of Memorandum

1. The memorandum aims to provide the Committee with a draft forward programme of work planned for the committee for 2024.

### Recommendation

That the Committee receives and notes the draft forward programme for 2024 attached as Appendix 1 to the memorandum.

### Background

2. The Committee assists Council in setting the broad vision and direction of the city to promote the social, economic, environmental, and cultural well-being of the city's communities in the present and for the future.
3. This involves determining specific outcomes that need to be met to deliver on the vision for the city, and overseeing the development of strategies, policies, bylaws, and work programmes to achieve those goals. This committee is also responsible for monitoring the overall financial management and performance of the Council Group.
4. The forward programme for 2024 provides a planning tool for both members and officers to coordinate programmes of work for the year. The programme is attached as Appendix 1 to the memorandum.

### Executive Summary

5. The forward programme is a working document and is subject to change.

### Appendices

No.	Title	Page
1	Appendix 1: Forward programme	220

**Author:** Judy Randall, Democracy Advisor

**Approved By:** Kathryn Stannard, Head of Democratic Services





