

HUTT CITY COUNCIL

Minutes of an ordinary meeting of The Hutt City Council held in the Council Chambers,
2nd Floor, 30 Laings Road, Lower Hutt on
Tuesday 28 May 2024 commencing at 2:01pm

PRESENT:

Mayor C Barry (Chair)	Deputy Mayor T Lewis
Cr G Barratt (from 2.06pm)	Cr J Briggs
Cr K Brown	Cr B Dyer
Cr S Edwards	Cr A Mitchell
Cr K Morgan	Cr C Parkin
Cr N Shaw (via audio-visual link)	Cr T Stallinger

APOLOGIES: Cr G Tupou and Cr G Barratt (for lateness)

IN ATTENDANCE:

J Miller, Chief Executive
A Blackshaw, Director Neighbourhoods and Communities
J Griffiths, Director Strategy and Engagement (via audio-visual link)
T Johnstone, Acting Director Environment and Sustainability
J Kingsbury, Director Economy and Development
J Livschitz, Group Chief Financial Officer
B Cato, Chief Legal Officer
K Butler-Hare, Tumuaki Māori (via audio-visual link) (part meeting)
C Ellis, Head of Chief Executive's Office (part meeting)
C Parish, Head of Mayor's Office
K Stannard, Head of Democratic Services (part meeting)
R Hardie, Head of Strategy and Policy (part meeting)
H Bell, Elected Members Support Coordinator
S White, Policy Advisor
K Glanville, Senior Democracy Advisor
H Clegg, Minute Taker

PUBLIC BUSINESS

1. 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. APOLOGIES

RESOLVED: (Mayor Barry/Cr Mitchell)

Minute No. C 24201(4)

"That the apology received from Cr Tupou be accepted and leave of absence be granted and the apology from Cr Barratt for lateness be accepted."

3. PUBLIC COMMENT

There was no public comment.

4. MAYORAL STATEMENT

Mayor Barry spoke to his statement attached as page 23 to the minutes.

Cr Barratt joined the meeting at 2.06pm.

MAJOR ITEM NOT ON THE AGENDA

RESOLVED: (Mayor Barry/Cr Briggs)

Minute No. C 24202(4)

"That in terms of Standing Order 10.12, Council

- (1) notes that the matter of the 'Joint Submission with Mana Whenua on the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill' was not listed on the agenda as the announcement was made after the agenda was distributed; and*
- (2) agrees to discuss the matter at this meeting due to the urgency of the matter."*

5. CONFLICT OF INTEREST DECLARATIONS

Cr Briggs declared a conflict of interest about item 6b) Komiti Hapori Ahurea me ngā Rangapū | Communities, Culture and Partnerships Committee and took no part in discussion or voting on the matter.

Cr Mitchell declared a conflict of interest about item 7a) Proposed Changes within the Dog Control Bylaw, and took no part in discussion or voting on the matter.

Cr Brown declared a conflict of interest about item 7d) Reappointment of Directors – Urban Plus Limited (UPL) and Seaview Marina Limited. Cr Brown was Council’s representative on the Board of UPL. She took no part in discussion or voting on the matter.

Deputy Mayor Lewis declared a conflict of interest about item 7d) Reappointment of Directors – Urban Plus Limited and Seaview Marina Limited (SML). Deputy Mayor Lewis was Council’s representative on the Board of SML. She took no part in discussion or voting on the matter.

Cr Parkin declared a conflict of interest about item 14) 2023 Civic Honours Awards – appendices 6, 7, 14 and 15 and took no part in discussions or voting on the applications.

Cr Shaw declared a conflict of interest about item 14) 2023 Civic Honours Awards – appendices 8 and 9 and took no part in discussions or voting on the applications.

6. COMMITTEE MINUTES WITH RECOMMENDED ITEMS

a) Komiti Iti Ara Waka | Traffic Subcommittee

24 April 2024

RESOLVED: (Cr Shaw/Cr Dyer)

Minute No. C 24203(4)

“That the minutes of the Komiti Iti Ara Waka | Traffic Subcommittee meeting held on 24 April 2024 be adopted, with the exception of items 5a) and 5b).”

Recommended Items**Item 5a) 9299 Pomare Station Bus Stop Relocation**

RESOLVED: (Cr Shaw/Deputy Mayor Lewis) **Minute No. C 24204(4)**

"That Council

- (1) notes and receives the report; and*
- (2) approves the proposed relocation of Bus Stop 9299 on Eastern Hutt Road (outside Pomare Train Station) attached as Appendix 1 to Report No. TSC2024/2/77."*

Item 5b) Changes to parking time restrictions adjacent to 35 Bouverie Street, Petone

RESOLVED: (Cr Shaw/Deputy Mayor Lewis) **Minute No. C 24205(4)**

"That Council

- (1) receives and notes the information;*
- (2) approves the implementation of 11x "P120" time-limited parking adjacent to 35 Bouverie Street, Petone, as attached as Appendix 1 to Report No. TSC2024/2/78;*
- (3) rescinds any previous resolutions pertaining to traffic controls made pursuant to any bylaw to the extent that they conflict with the traffic controls described in the report; and*
- (4) notes that these parking restrictions will take effect once the appropriate signage and /or road markings have been installed."*

b) **Komiti Hapori Ahurea me ngā Rangapū | Communities, Culture and Partnerships Committee**

1 May 2024

Cr Briggs declared a conflict of interest about item 6) Private Use of Public Land (Leases), and took no part in the discussion or voting on the item.

In response to a question from a member in relation to item 6) Private Use of Public Land (Leases), the Director Neighbourhoods and Communities explained that leases for different Council owned buildings were different. She said that if an organisation left a building owned by Council, the organisation would be responsible for the demolition. She added that the organisation could not afford to undertake this work in some cases, so the Council would take care of it.

RESOLVED: (Cr Brown/Cr Morgan)

Minute No. C 24206(4)

“That the minutes of the Komiti Hapori Ahurea me ngā Rangapū | Communities, Culture and Partnerships Committee meeting held on 1 May 2024 be adopted, with the exception of item 5).”

Recommended Item

Item 5) Approval of the Arts and Culture Framework

RESOLVED: (Cr Brown/Cr Barratt)

Minute No. C 24207(4)

“That Council:

- (1) notes that on 28 February 2024, the Communities, Culture and Partnerships Committee considered a draft Arts and Culture Framework;*
- (2) approves the final Arts and Culture Framework attached as Appendix 1 to Report No. CCPC2024/2/93;*
- (3) notes that the Arts and Culture Framework will replace the Arts and Culture Policy 2016-2021;*
- (4) notes that guidelines associated with the Arts and Culture Framework are being developed, including the commissioning of public art and Kaupapa Māori design principles and*
- (5) notes the draft Guiding Principles for Public Art and Infrastructure Projects attached at Appendix 2 and provide any feedback to officers.”*

c) **Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee**

7 May 2024

RESOLVED: (Cr Mitchell/Cr Stallinger)

Minute No. C 24208(4)

“That the minutes of the Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee meeting held on 7 May 2024 be adopted, with the exception of item 5.”

PRECEDENCE OF BUSINESS

RESOLVED: (Mayor Barry/Deputy Mayor Lewis)

Minute No. C 24209(4)

“Pursuant to Standing Order 10.4, the Chair accorded precedence to item 7a) Proposed Changes within the Dog Control Bylaw.”

The item is recorded in the order in which it is listed on the order paper.

d) **Komiti Hanganga | Infrastructure and Regulatory Committee**

9 May 2024

RESOLVED: (Cr Edwards/Cr Stallinger)

Minute No. C 24210(4)

“That the minutes of the Komiti Hanganga | Infrastructure and Regulatory Committee meeting held on 9 May 2024 be adopted, with the exception of item 5).”

Recommended Item**Item 5) Infrastructure Acceleration Fund Project Report****RESOLVED:** (Cr Edwards/Cr Dyer)**Minute No. C 24211(4)***"That Council:*

- (1) receives the report and notes the information;*
- (2) endorses the advancement of Stormwater works Option 1b to Stage 2 (Detailed Design) as the preferred option;*
- (3) notes that this option aligns strongly with project objectives and is within the overall project funding of \$174M;*
- (4) notes that although Option 5 (Riddiford Street) scored as the best option in the Multi Criteria Analysis workshop, Option 1b is recommended as the preferred option as it best aligns with the project objectives to enable the housing outcomes;*
- (5) endorses advancement of Wastewater works option to Stage 2-Detailed Design;*
- (6) notes the risks associated with these options will be best addressed in Stage 2 once the design and cost maturity are sufficiently developed in collaboration with contractors; and*
- (7) requests officers to reassess the delivery of the Infrastructure Acceleration Fund project and whether it is best suited with Council or with Wellington Water Limited."*

7. MISCELLANEOUS

a) Proposed Changes Within the Dog Control Bylaw

Report No. HCC2024/2/123 by the Policy Advisor

Cr Mitchell declared a conflict of interest and took no part in discussions or voting on the item.

The Head of Strategy and Policy elaborated on the report. He mentioned a slight discrepancy with the map for the proposed BPA at Whiorau Reserve. He explained that the northern end of the BPA was accidentally left out. The revised map was attached as page 24 to the minutes. He confirmed that the updated map would be part of the final version of the Dog Control Bylaw.

In response to questions from members, the Head of Strategy and Policy advised that officers were collaborating with the Project Group to ensure the accuracy of all maps and to align understanding among all parties involved.

Members asked officers to investigate further the accuracy of the map relating to Whiorau Reserve.

Cr Parking left the meeting at 2.24pm and rejoined the meeting at 2.26pm.

The Head of Strategy and Policy advised the Project Team, GWRC, and Council officers were working together to ensure the maps showed that dogs on leash could be walked across the road to Whiorau Reserve and through a designated pathway onto the area where dogs were permitted. The Chief Legal Officer confirmed this. He said that once the Tupua Horo Nuku project was completed, the situation would become much more apparent, and way-finding signage would be installed.

Mayor Barry thanked submitters and officers for their contributions to the process.

RESOLVED: (Mayor Barry/Cr Briggs)

Minute No. C 24212(4)

"That Council:

- (1) *notes resource consent conditions for Tupua Horo Nuku to protect Little Penguins/Kororā and other birds require Council to consider making changes under the Dog Control Bylaw 2015 in areas adjacent to Tupua Horo Nuku;*
- (2) *notes that following approval from the Policy, Finance and Strategy Committee on 21 November 2023, the proposed changes went out for public consultation between 1 February and 1 March 2024;*
- (3) *notes a Hearings Subcommittee heard public submissions on 25 March 2024;*
- (4) *notes the Policy, Finance and Strategy Committee recommendations attached as Appendix 1 to Report No. HCC2024/2/123;*
- (5) *notes the draft changes under the Bylaw that reflect the Policy, Finance and Strategy Committee's decision attached as Appendix 2 to Report No. HCC2024/2/123;*
- (6) *notes the maps to reflect the new prohibition areas attached as Appendix 3 to Report No. HCC2024/2/123;*
- (7) *approves the proposed changes outlined in the draft Dog Control Bylaw;*
- (8) *notes that a press release will be made following Council's decision; and*
- (9) *notes officers will update the signage to reflect changes to the Dog Control Bylaw as the fencing of each Bird Protection Area is completed."*

b) Proposed name for Naenae Community Centre

Report No. HCC2024/2/132 by the Director Neighbourhoods and Communities

The Director Neighbourhoods and Communities elaborated on the report.

Cr Edwards left the meeting at 2.26pm.

Cr Mitchell acknowledged the Community Advisory Group and Team Naenae for the unanimous endorsement of the proposed name. He advised the name had originally been offered to the Walter Nash Centre. However, it suited the Naenae Community Centre better, as Te Mako pa was closer to Naenae than Taitā.

Cr Briggs expressed support for comments made by Cr Mitchell. He acknowledged the history and the hurt that preceded the name. He praised the willingness of Mana Whenua to trust Council.

Cr Edwards rejoined the meeting at 2.28pm.

Cr Stallinger expressed support for the comments made by Crs Briggs and Mitchell.

RESOLVED: (Mayor Barry/Cr Mitchell)

Minute No. C 24213(4)

"That Council approves the proposed name for the new Naenae Community Centre - Te Mako - Naenae Community Centre."

c) **Update on the scope and delivery of the Representation Review**

Report No. HCC2024/2/124 by the Head of Strategy and Policy

The Head of Strategy and Policy elaborated on the report.

RESOLVED: (Mayor Barry/Cr Brown)

Minute No. C 24214(4)

“That Council:

- (1) receives and notes the information;*
- (2) notes that in accordance with the requirements of the Local Electoral Act (2001), Council is currently undertaking a representation review to determine representation arrangements for the 2025 Local Government elections in Te Awa Kairangi ki Tai Lower Hutt;*
- (3) notes that on 21 November 2023, Council resolved to establish a Māori ward/s in Te Awa Kairangi ki Tai Lower Hutt;*
- (4) notes that on 4 April 2024, the Minister for Local Government, Hon Simeon Brown, wrote to Mayors and Chairs about the proposed Local Government (Electoral Legislation and Māori Wards and Constituencies) Amendment Bill;*
- (5) notes that Council’s decision in November 2023 to establish a Māori ward/s means that it will have to hold a binding poll in the 2025 election on the question of continuing to have a Māori ward/s; and*
- (6) notes that the independent panel is due to present its report and initial representation proposal to Council on 27 June 2024.”*

For the reason that Council has delegated decision-making authority in relation to electoral arrangements, including the representation review and the establishment of Māori wards.

MAJOR ITEM NOT ON THE AGENDA

Joint Submission with Mana Whenua on the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill

Report No. HCC2024/2/141 by the Head of Strategy and Policy

The report was tabled at the meeting and is attached as pages 25-30 to the minutes.

In response to a question from a member, the Head of Strategy and Policy confirmed Mana Whenua partners had endorsed the joint submission.

In response to questions from members, Mayor Barry advised that individual members could submit their own private submissions. He emphasised the importance of making it clear that these personal submissions were the views of the individuals and not the views of Council.

Members noted that the timing of the legislation would result in Council appointing its first Māori Ward Councillor at the same time as holding a referendum regarding the provision of Māori Wards.

Cr Mitchell advised that he had held korero with members in other councils and found that opposition to the introduction to Māori Wards appeared to be based on fear and misinformation. He questioned what people had to fear from the introduction of a Māori voice and suggested that those who opposed the proposal could submit their own personal submissions.

Cr Brown believed the current system was unfair and supported having Māori Wards if the community chose to have them. She stated that the decisions of individual councils should reflect their unique circumstances.

Members agreed to make an oral submission to the Select Committee. They also decided to invite Mana Whenua to join elected members in speaking to the submission.

RESOLVED: (Mayor Barry/Cr Brown)

Minute No. C 24215(4)

"That Council:

- (1) notes that submissions on the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill opened on 24 May 2024 and close at 11.59pm on 29 May 2024;*
- (2) notes the draft Bill is available for review on the New Zealand Legislation website, [Local Government \(Electoral Legislation and Māori Wards and Māori Constituencies\) Amendment Bill](#);*
- (3) notes that the Bill proposes to reinstate the right to a local referendum on the establishment or ongoing use of Māori wards and includes requiring a poll at the next local body elections on any Māori ward/s established without a poll;*
- (4) notes that Council's decision in November 2023 to establish a Māori ward/s means that it will have to hold a binding poll in the 2025 election on the question of continuing to have a Māori ward/s;*
- (5) notes that preparing a joint submission from Council and its Mana Whenua partners was discussed at the quarterly Mana Whenua hui on 13 May and 21 May 2024; and*
- (6) approves the submission on the Bill attached at Appendix 1 to Report No. HCC2024/2/141, with the addition of highlighting that Council will face the challenging task of holding a referendum while also electing its first Māori Ward Councillor."*

d) **Reappointment of Directors - Urban Plus Limited and Seaview Marina Limited**

Report No. HCC2024/2/125 by the Elected Member Support Coordinator

Deputy Mayor Lewis and Cr Brown declared conflicts of interest and took no part in the discussion or voting on the matter.

RESOLVED: (Mayor Barry/Cr Briggs)

Minute No. C 24216(4)

"That Council:

- (1) receives and notes the information;*
- (2) reappoints Peter Fa'afiu to the board of Urban Plus Limited (UPL) for the term from 1 July 2024 until 1 July 2025;*
- (3) reappoints Cameron Madgwick to the board of UPL for the term from 1 July 2024 until 1 July 2027;*
- (4) reappoints Pamela Bell and Rick Wells to the board of Seaview Marina Limited for the term from 1 July 2024 until 1 July 2025; and*
- (5) reappoints Peter Steel to the board of Seaview Marina Limited for the term until 29 May 2027."*

For the reason of preserving essential institutional knowledge and consistency of leadership required for the ongoing success of Urban Plus Limited and Seaview Marina Limited.

e) **2024 Ko Tātou | Local Government New Zealand Conference**

Memorandum dated 18 April 2024 by the Elected Member Support Coordinator

Mayor Barry elaborated on the memorandum. He asked for expressions of interest in attending the conference. Crs Barratt, Morgan, Parkin, Dyer, and Brown expressed interest. He advised that priority would be given to those members who had not attended the conference before.

The Chief Executive advised the each member's personal training budget could be used if a member wished to attend.

RESOLVED: (Mayor Barry/Cr Briggs) **Minute No. C 24217(4)**

"That Council:

- (1) *receives and notes the information;*
- (2) *notes the SuperLocal 2024 Ko Tātou | Local Government Conference (the conference) programme that includes the Te Maruata Hui and the Young Elected Members Hui attached as Appendix 1 to the memorandum;*
- (3) *notes the 2024 Community Board Conference programme attached as Appendix 2 to the memorandum; and*
- (4) *notes that due to the conference being held in Wellington, nominates the Mayor and other Councillors to represent Hutt City Council at the conference in Te Whanganui-a-Tara Wellington from 21-23 August 2024."*

f) **Update elected member appointments for the 2022/2025 triennium**

Report No. HCC2024/2/130 by the Head of Democratic Services

Mayor Barry elaborated on the report.

RESOLVED: (Mayor Barry/Cr Barratt) **Minute No. C 24218(4)**

"That Council:

- (1) *receives and notes the information; and*
- (2) *agrees to the following change to the Komiti Iti Ahumoni i Tūraru Audit and Risk Subcommittee membership:*

appoints Councillor Simon Edwards to the Komiti Iti Ahumoni i Tūraru Audit and Risk Subcommittee to replace Councillor Glenda Barratt."

8. COUNCIL MINUTES

RESOLVED: (Mayor Barry/Cr Mitchell)

Minute No. C 24219(4)

“That the minutes of the meeting of the Hutt City Council held on Wednesday, 27 March 2024, be confirmed as a true and correct record.”

RESOLVED: (Mayor Barry/Cr Mitchell)

Minute No. C 24220(4)

“That the minutes of the meeting of the Extraordinary Meeting of Council held on Monday, 6 May 2024, be confirmed as a true and correct record.”

RESOLVED: (Mayor Barry/Cr Mitchell)

Minute No. C 24221(4)

“That the minutes of the meeting of the Extraordinary Meeting of Council held on Friday, 10 May 2024, be confirmed as a true and correct record.”

9. COMMITTEE MINUTES WITHOUT RECOMMENDED ITEMS

a) Komiti Ngā Wai Hangarua | Wellington Water Committee

15 March 2024

RESOLVED: (Mayor Barry/Cr Briggs)

Minute No. C 24222(4)

“That the minutes of the Komiti Ngā Wai Hangarua | Wellington Water Committee meeting held on 15 March 2024 be received and noted.”

b) Komiti Iti Mahere ā-Ngahurutanga / Mahere ā-Tau | Long Term Plan/Annual Plan Subcommittee

27 March 2024

The recommended items were resolved at the Council meeting held on 27 March 2024.

RESOLVED: (Mayor Barry/Cr Briggs)

Minute No. C 24223(4)

“That the minutes of the Komiti Iti Mahere ā-Ngahurutanga / Mahere ā-Tau | Long Term Plan/Annual Plan Subcommittee meeting held on 27 March 2024 be adopted.”

c) **Komiti Kaupapa Taiao | Climate Change and Sustainability Committee**

23 April 2024

RESOLVED: (Cr Briggs/Cr Parkin)

Minute No. C 24224(4)

"That the minutes of the Komiti Kaupapa Taiao | Climate Change and Sustainability Committee meeting held on 23 April 2024 be adopted."

d) **Komiti Iti Ahumoni I Tūraru | Audit and Risk Subcommittee**

30 April 2024

RESOLVED: (Mayor Barry/Cr Stallinger)

Minute No. C 24225(4)

"That the minutes of the Komiti Iti Ahumoni I Tūraru | Audit and Risk Subcommittee meeting held on 30 April 2024 be adopted."

e) **Komiti Arotake Mahere ā-Rohe | District Plan Review Committee**

2 May 2024

RESOLVED: (Cr Dyer/Deputy Mayor Lewis)

Minute No. C 24226(4)

"That the minutes of the Komiti Arotake Mahere ā-Rohe | District Plan Review Committee meeting held on 2 May 2024 be adopted."

f) **Komiti Ratonga o Te Awa Kairangi | Hutt Valley Services Committee**

3 May 2024

RESOLVED: (Cr Stallinger/Cr Dyer)

Minute No. C 24227(4)

"That the minutes of the Komiti Ratonga o Te Awa Kairangi | Hutt Valley Services Committee meeting held on 3 May 2024 be adopted."

10. SEALING AUTHORITY

Report No. HCC2024/2/18 by the Legal Co-ordinator

RESOLVED: (Mayor Barry/Cr Dyer)

Minute No. C 24228(4)

"That Council:

- (1) *approves the affixing of the Common Seal to all relevant documents in connection with the items specified in Schedule 1 in accordance with Standing Order 8.2;*
- (2) *approves the deeds set out in Schedule 2; and*
- (3) *approves the warrants set out in Schedule 3.*

SCHEDULE 1 - General Sealing Authority

Subdivision related documents – including Easements to Council

Standard easements and related requirements granting rights to Council as part of the subdivision process:

Easements in Gross

- a) *35 Korokoro Road, Lower Hutt
Leigh Carmen McKenzie & Keith Michael English and Hutt City Council
57WNMYAPPKJ5-1407309756-716*
- b) *92 Hill Road & 33 Foster Crescent, Lower Hutt
Winston David Currington Clark & Shonagh Lynn Clark and Hutt City Council
57WNMYAPPKJ5-1407309756-720*
- c) *19 Manuka Street, Stokes Valley
Roger John Michael White and Hutt City Council
57WNMYAPPKJ5-1407309756-723*
- d) *117 Kamahi Street, Stokes Valley
Stephen Michael Brien and Hutt City Council
57WNMYAPPKJ5-1407309756-744*
- e) *1 Helvetia Grove, Lower Hutt
MJV Property Limited & ATJV Limited and Hutt City Council
57WNMYAPPKJ5-1407309756-745*

*Wainuiomata Primary School - property boundary survey consent
Hutt City Council - Owner of Road reserve and Section 107 Wainuiomata DIST adjoining land
contained in GN 090461.1 and Proc 872293.*

57WNMYAPPKJ5-1407309756-740

SCHEDULE 2 – DEEDS

a) *Deed of Covenant*

236 Stratton Street, Normandale, Lower Hutt

Hutt City Council and Alan Trevor Taylor and Kieley Therese Taylor

57WNMYAPPKJ5-1407309756-719

b) *Deed of Covenant*

268A Stratton Street, Normandale, Lower Hutt

Hutt City Council and Ryan James Perica and Laura Jean Perica

57WNMYAPPKJ5-1407309756-746

SCHEDULE 3 – WARRANTS

Kara Collins WARRANT-24-11 HCC	1. Local Government Act 2002 AUTHORISED PERSON pursuant to ss171, 173 (powers of entry in general) ENFORCEMENT OFFICER pursuant to s177 (including additional powers of entry)
Warwick John Buxton WARRANT-24-12 HCC	1. Local Government Act 2002 AUTHORISED PERSON pursuant to ss171, 173 (powers of entry in general) ENFORCEMENT OFFICER pursuant to s177 (including additional powers of entry)
Jason Paul Wildman WARRANT-24-13 HCC	1. Local Government Act 2002 AUTHORISED PERSON pursuant to ss171, 173 (powers of entry in general) ENFORCEMENT OFFICER pursuant to s177 (including additional powers of entry)
Rajneel Mali WARRANT-24-14 HCC	1. Local Government Act 2002 AUTHORISED PERSON pursuant to ss171, 173 (powers of entry in general) ENFORCEMENT OFFICER pursuant to s177 (including additional powers of entry)
Josef Graham Stains WARRANT-24-15 HCC	1. Local Government Act 2002 AUTHORISED PERSON pursuant to ss171, 173 (powers of entry in general) ENFORCEMENT OFFICER pursuant to s177 (including additional powers of entry)
Madeleine Randolet WARRANT-24-16 HCC	1. Local Government Act 2002 AUTHORISED PERSON pursuant to ss171, 173 (powers of entry in general) ENFORCEMENT OFFICER pursuant to s177 (including additional powers of entry) 2. Dog Control Act 1996 DOG CONTROL OFFICER pursuant to s11
Gordon Setemaivalima Aii WARRANT-24-17 VAULT SECURITY	1. Local Government Act 2002 AUTHORISED PERSON pursuant to ss171, 173 (powers of entry in general) ENFORCEMENT OFFICER pursuant to s177 (including additional powers of entry) 2. Resource Management Act 1991

	<i>ENFORCEMENT OFFICER (Noise Control only) pursuant to s38(2)</i>
<i>Wania Lamb WARRANT-24-18 AMOURGUARD</i>	<ol style="list-style-type: none"> 1. <i>Local Government Act 2002 AUTHORISED PERSON pursuant to ss171, 173 (powers of entry in general) ENFORCEMENT OFFICER pursuant to s177 (including additional powers of entry)</i> 2. <i>Dog Control Act 1996 DOG CONTROL OFFICER pursuant to s11</i> 3. <i>Control of Animals Bylaw 2018 AUTHORISED OFFICER pursuant to cl 1.1</i>
<i>Xavier Green WARRANT-24-19 HCC</i>	<ol style="list-style-type: none"> 1. <i>Local Government Act 2002 AUTHORISED PERSON pursuant to ss171, 173 (powers of entry in general) ENFORCEMENT OFFICER pursuant to s177 (including additional powers of entry)</i> 2. <i>Resource Management Act 1991 ENFORCEMENT OFFICER pursuant to s38(1)</i>
<i>Robin Cleland WARRANT-24-20 HCC</i>	<ol style="list-style-type: none"> 1. <i>Local Government Act 2002 AUTHORISED PERSON pursuant to ss171, 173 (powers of entry in general) ENFORCEMENT OFFICER pursuant to s177 (including additional powers of entry)</i> 2. <i>Resource Management Act 1991 ENFORCEMENT OFFICER pursuant to s38(1)</i>
<i>Arnel Evangelista WARRANT-24-21 AMOURGUARD</i>	<ol style="list-style-type: none"> 1. <i>Local Government Act 2002 AUTHORISED PERSON pursuant to ss171, 173 (powers of entry in general) ENFORCEMENT OFFICER pursuant to s177 (including additional powers of entry)</i> 2. <i>Dog Control Act 1996 DOG CONTROL OFFICER pursuant to s11</i> 3. <i>Control of Animals Bylaw 2018 AUTHORISED OFFICER pursuant to cl 1.1</i>
<i>John Travers WARRANT-24-22 HCC</i>	<ol style="list-style-type: none"> 1. <i>Local Government Act 2002 AUTHORISED PERSON pursuant to ss171, 173 (powers of entry in general) ENFORCEMENT OFFICER pursuant to s177 (including additional powers of entry)</i> 2. <i>Building Act 2004 AUTHORISED OFFICER pursuant to s222 ENFORCEMENT OFFICER pursuant to s371B</i>
<i>Manua Lameko WARRANT-24-23 AMOURGUARD</i>	<ol style="list-style-type: none"> 1. <i>Local Government Act 2002 AUTHORISED PERSON pursuant to ss171, 173 (powers of entry in general) ENFORCEMENT OFFICER pursuant to s177 (including additional powers of entry)</i> 2. <i>Dog Control Act 1996 DOG CONTROL OFFICER pursuant to s11</i> 3. <i>Control of Animals Bylaw 2018 AUTHORISED OFFICER pursuant to cl 1.1</i>

11. QUESTIONS

There were no questions.

12. EXCLUSION OF THE PUBLIC

RESOLVED: (Mayor Barry/Deputy Mayor Lewis)

Minute No. C 24229(4)

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

13. *Committee Minutes without Recommended Items*

- a) *Komiti Iti Ahumoni I Tūraru | Audit and Risk Subcommittee
30 April 2024*
- b) *Komiti Hanganga | Infrastructure and Regulatory Committee
9 May 2024*

14. *Civic Honours Awards 2024*

15. *Council Minutes - 27 March 2024, 6 May 2024. 10 May 2024*

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)	(B)	(C)
<i>General subject of the matter to be considered.</i>	<i>Reason for passing this resolution in relation to each matter.</i>	<i>Ground under section 48(1) for the passing of this resolution.</i>
<i>Minutes of the Komiti Iti Ahumoni I Tūraru Audit and Risk Subcommittee held on 30 April 2024: Te Wai Takamori o Te Awa Kairangi (Riverlink) Update</i>	<i>The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities(s7(2)(h)). The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)(s7(2)(i))</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exist.</i>

<p><i>Minutes of the Komiti Hanganga Infrastructure and Regulatory Committee held on 9 May 2024: National Land Transport Programme (NLTP) 2024-27 Verbal Update</i></p>	<p><i>The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)(s7(2)(i))</i></p>	<p><i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exist.</i></p>
<p><i>Civic Honours Awards 2024.</i></p>	<p><i>The withholding of the information is necessary to protect the privacy of natural persons. (s7(2)(a)).</i></p>	<p><i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exist.</i></p>
<p><i>Minutes of the Te Kaunihera o Te Awa Kairangi Hutt City Council held on 27 March 2024: Te Wai Takamori o Te Awa Kairangi Riverlink Delivery Update</i></p>	<p><i>The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities(s7(2)(h)).</i> <i>The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)(s7(2)(i))</i></p>	<p><i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exist.</i></p>
<p><i>Minutes of the Te Kaunihera o Te Awa Kairangi Hutt City Council held on 6 May 2024: Chief Executive's Recruitment Process</i></p>	<p><i>The withholding of the information is necessary to protect the privacy of natural persons. (s7(2)(a)).</i></p>	<p><i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exist.</i></p>

Minutes of the Te Kaunihera o Te Awa Kairangi | Hutt City Council held on 10 May 2024: Appointment of Chief Executive

The withholding of the information is necessary to protect the privacy of natural persons. (s7(2)(a)).

That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exist.

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 7 of that 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."

There being no further business the Chair declared the public part of the meeting closed at 3.01pm. The public excluded part of the meeting closed at 3.31pm.

C Barry
MAYOR

**CONFIRMED as a true and correct record
Dated this 25th day of July 2024**

Mayoral Statement – 28 May 2024

10 Year Plan

We completed our consultation and public submission process on our 10 Year Plan.

I'd like to acknowledge our community for taking the time to make their voices heard. We received a total of 1770 submissions on the 10 Year Plan – much greater than numbers received for previous Long Term Plan and Annual Plan consultation. This shows that our city cares for its future.

We have been deliberating over the submissions and will be making decisions at our next LTP/AP Subcommittee meeting next week.

Reflections from Housing Hui

In April, we hosted a housing hui in the Dowse Art Museum.

We were joined by iwi, Housing Minister and Lower Hutt MP Chris Bishop, community housing providers and council partners along to listen to an informative panel discussion and have an opportunity to connect, collaborate, and share ideas.

The event was about bringing together people who work day in, day out, ensuring our people have access to homes in Lower Hutt.

Having the opportunity to convene an important and powerful group of stakeholders that can have a huge impact on those in our community who are going through what can be the toughest time in their lives.

Mouri Tupu

Also in April, we launched Mouri Tupu – Planting for our future. This is a community campaign to plant 114,000 native trees, plants and shrubs, one for every person in Lower Hutt.

Mouri Tupu roughly translates to recognising everything has the potential to grow and thrive, powered by the energy that flows through all things, and sustained by our interaction and care of it.

To date more than 30,000 natives have been planted across Lower Hutt since October 2022.

Crackdown on leaks

In February, we included an extra \$2.8 million in our draft 10 Year Plan so Wellington Water can eliminate the current backlog of leaks in Lower Hutt by the end of the year.

Before this crackdown, Lower Hutt had 839 leaks. We now are down to 442 leaks. We need to get down to below 100 leaks, which allows Wellington Water to be able to respond to lower level leaks within the 20 day target.

While fixing leaks alone isn't going to solve our water issues, we need to be doing everything we can to avoid an acute water shortage in the short term.



Report no: HCC2024/2/141

Joint submission with Mana Whenua on the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill

Purpose of Report

1. The purpose of this report is for Council to consider approving the joint submission with Mana Whenua on the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill.

Recommendations

That Council:

- (1) notes that submissions on the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill opened on 24 May 2024 and close at 11.59pm on 29 May 2024;
- (2) notes the draft Bill is available for review on the New Zealand Legislation website, [Local Government \(Electoral Legislation and Māori Wards and Māori Constituencies\) Amendment Bill](#);
- (3) notes that the Bill proposes to reinstate the right to a local referendum on the establishment or ongoing use of Māori wards and includes requiring a poll at the next local body elections on any Māori ward/s established without a [poll](#);
- (4) notes that Council's decision in November 2023 to establish a Māori ward/s means that it will have to hold a binding poll in the 2025 election on the question of continuing to have a Māori ward/s;
- (5) notes that preparing a joint submission from Council and its Mana Whenua partners was discussed at the quarterly Mana Whenua hui on 13 May and 21 May 2024; and
- (6) approves the submission on the Bill attached at Appendix 1 to the report.

Background

2. On 4 April 2024, the Minister for Local Government, Hon Simeon Brown, wrote to Mayors and Chairs about the proposed Local Government (Electoral Legislation and Māori Wards and Constituencies) Amendment Bill (the Bill).
3. The Bill proposes to reinstate the right to a local referendum on the establishment or ongoing use of Māori wards and Māori constituencies. This includes requiring a poll, at the next local body elections, on any Māori wards and Māori constituencies established without a poll.
4. The Bill will:
 - a. reinstate polls on Māori wards and Māori constituencies;
 - b. require councils to hold a binding poll at the 2025 local elections if they established Māori wards or Māori constituencies since 2020 and did not hold a poll; and
 - c. adjust the statutory time frames for local elections to give more time for the postal delivery of voting papers.
5. The draft Bill is available for review on the New Zealand legislation website: [Local Government \(Electoral Legislation and Māori Wards and Māori Constituencies\) Amendment Bill](#)
6. Submissions on the Bill opened on 24 May 2024 and close at 11.59pm on 29 May 2024.

Discussion

Council will need to hold a binding poll at the 2025 elections

7. Council's decision in November 2023 to establish a Māori ward/s means that it will have to hold a binding poll in the 2025 election on the question of continuing to have a Māori ward/s.

The Bill will extend the voting period

8. The Bill also proposes to extend the voting period for local elections, making the delivery period from six to 14 days. This change is to address delivery issues relating to declining mail volumes whereby it is getting harder to deliver papers within the statutory six-day window.
9. The statutory date for the close of voting would remain as the second Saturday in October every three years. The extra time would come from shifting other dates for local elections, including a slightly shortened nomination period and shifting the end date for electors to be on the printed roll earlier.
10. The amendment to the voting period is to mitigate the risk that some voters will not have a reasonable opportunity to vote. Our electoral officer has not identified any issues for Council in relation to this amendment.

Joint submission with Mana Whenua

11. The impact of the Bill on Council's decision to establish a Māori ward/s and the current representation review was discussed at the quarterly Mana Whenua hui on 13 May 2024 and 21 May 2024.
12. Mana Whenua support the proposal to prepare a joint submission on the Bill.
13. The draft submission is attached at Appendix 1.

Climate Change Impact and Considerations

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

Consultation

15. Mana Whenua have reviewed and endorsed the draft submission.

Legal Considerations

16. Council's legal team has reviewed the draft submission.

Financial Considerations

17. Not applicable.

Appendices

No.	Title	Page
1	Submission on draft Māori Wards bill	

Author: Richard Hardie
Head of Strategy and Policy

Reviewed By: Jarred Griffiths
Director Strategy and Engagement

Approved By: Jo Miller
Chief Executive



Committee Secretariat
Justice Committee
Parliament Buildings
Wellington

29 May 2024

Kia ora koutou

Hutt City Council and Te Rūnanganui o Te Āti Awa, Taranaki Whānui ki Te Upoko o Te Ika Trust, Te Rūnanga o Toa Rangatira, Wellington Tenth Trust, and Palmerston Māori Reserve Trust are providing this joint submission to raise our concern and objection to the proposed changes that the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill (the Bill) will bring to local government representation in New Zealand.

Specifically, we are asking the Justice Committee to:

- acknowledge and implement the recommendations of the Waitangi Tribunal, in its Māori Wards and Constituencies Urgent Inquiry Report (WAI 3365); and
- remove changes that will require a poll at the 2025 local body elections on any Māori wards and Māori constituencies established without a poll.

Māori participation in local decision making

We believe that having fair processes and frameworks for engagement with hapū and iwi is vital to delivering representative democracy at the local government level. The amendments made in 2021 to the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act brought equality to the creation of local Māori wards by removing the poll provisions that only applied to Māori wards. This provided a real and positive opportunity for Māori to be at the council table and participate in local decision-making.

On 21 November 2023, Hutt City Council voted unanimously to establish Māori wards in Te Awa Kairangi ki Tai Lower Hutt. The establishment of Māori wards was celebrated as a positive step in continuing to build the presence and ability of Māori to be involved in decision making by guaranteeing a voting seat at the council table.

The Bill undermines local democracy

New Zealand is a representative democracy and it is the role of local elected officials to make decisions on representation for their own communities. We welcome the

Government's commitment to localism and belief that local councils are best placed to make local decisions. Yet councillors who were elected through a clear democratic process are now being compelled through legislation to have their decisions rescinded. This is a significant over-reach and clearly undermines the principles of localism, and local decision making, that this Government supports.

The Bill proposes to restore provisions providing for the community to demand a poll on council decisions regarding Māori wards. There is no such trigger for polls with regard to other decisions around wards and constituencies. As such, the restoration of polls re-impose a higher procedural standard on one particular representation arrangement than applies to others.

Hutt City Council and Mana Whenua have agreed not to be strongarmed by central government policy into revoking its decision to establish Māori wards in Te Awa Kairangi ki Tai Lower Hutt. Hutt City Council stands by the decision it has already made to establish Māori wards. This means it will have to hold a binding poll in the 2025 election on the question of continuing to have Māori wards.

The Bill undermines partnership obligations under Te Tiriti o Waitangi

Councils around the motu need to ensure they have the right relationships and processes in place to enable partnership with Mana Whenua, effective participation, and a shared decision-making focus.

Our concern is that restoring binding polls to determine Māori wards erodes the ability of councils to meet this obligation. Hutt City Council calls on the Government to uphold its responsibility to take appropriate account of the principles of Te Tiriti o Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes, as outlined in Section 4 the Local Government Act 2002

We are clear that Māori wards in and of themselves do not deliver on Council's partnership obligations under Te Tiriti o Waitangi. Over many years Hutt City Council has worked closely with Mana Whenua to drive change and address inequity. Central to Hutt City Council's work with Mana Whenua are the Tākai Here. Through these partnership agreements we work together to create a more inclusive and sustainable future for all our people. In early 2024, Hutt City Council together with Mana Whenua approved Te Herenga Kairangi, a rautaki (strategy) consolidating all council work aimed at improving outcomes for Māori.

We urge Government to reconsider its position and return the responsibility of determining suitable representation arrangements to local councils, in collaboration with Iwi and their communities.

Ngā mihi nui

Nā Matiu, nā

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Attachment 1

Submission on draft Māori Wards bill

Hutt City Council Mayor Campbell Barry

Te Rūnanganui o Te Āti Awa Chair Kura
MoeahuTaranaki Whānui ki Te Upoko o Te Ika Trust
Chair Te Whatanui WiniataPalmerston North Māori Reserve Trust
Chair Liz MellishWellington Tenths Trust Chair Anaru
SmilerTe Rūnanga o Toa Rangatira Chair Callum
Katene

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