



TE KAUNIHERA O TE AWA KAIRANGI

18 July 2024

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

Thursday 25 July 2024 commencing at 2:00 pm

The meeting will be livestreamed on Council's You Tube page.

Membership

	Mayor C Barry (Chair)
	Deputy Mayor T Lewis
Cr G Barratt	Cr J Briggs
Cr K Brown	Cr B Dyer
Cr S Edwards	Cr A Mitchell
Cr K Morgan	Cr C Parkin
Cr N Shaw	Cr T Stallinger
Cr G Tupou	

For the dates and times of Council Meetings please visit 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 or calling the Democratic Services Team on 04 570 6666 | 0800 HUTT CITY

TE KAUNIHERA O TE AWA KAIRANGI | COUNCIL

Chair	Mayor Campbell Barry
Deputy Chair	Deputy Mayor Tui Lewis
Membership:	All Councillors (11) Refer to Council's Standing Orders (SO 31.10 Provisions for Mana Whenua)
Meeting Cycle:	Council meets on an eight-weekly basis (extraordinary meetings can be called following a resolution of Council, or on the requisition of the Chair or one-third of the total membership of Council)
Quorum:	Half of the members

POWER TO (BEING A POWER THAT IS NOT CAPABLE OF BEING DELEGATED)¹:

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

DECIDE ON:

Policy and Bylaw issues:

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

District Plan:

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

¹ Work required before the making of any of these decisions may be delegated.

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

Representation, electoral and governance matters:

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

Delegations and employment of the Chief Executive:

Appointment of the Chief Executive of Hutt City Council.

Meetings and committees:

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

Long Term and Annual Plans:

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

Council Controlled Organisations:

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

Community Engagement and Advocacy:

- Receive reports from the Council's Advisory Groups.
- Regular reporting from strategic partners.

Operational Matters:

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

Appoint:

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

TE KAUNIHERA O TE AWA KAIRANGI | HUTT CITY COUNCIL

Ordinary meeting to be held in the Council Chambers,
2nd Floor, 30 Laings Road, Lower Hutt on
Thursday 25 July 2024 commencing at 2:00 pm.

ORDER PAPER

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

No apologies have been received.

3. PUBLIC COMMENT

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

4. MAYORAL STATEMENT

5. PRESENTATION

Infrastructure New Zealand delegation update

A verbal update from Mayor Barry.

6. CONFLICT OF INTEREST DECLARATIONS

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

7. COMMITTEE MINUTES WITH RECOMMENDED ITEMS

a) Komiti Iti Ara Waka | Traffic Subcommittee

26 June 2024 12

Recommended Items

Item 5a) Broken Yellow Lines - No Stopping At All Times - NZTA,
Waka Kotahi - Hebden Crescent, Kelson 14

Item 5b) Broken Yellow Lines - No Stopping At All Times - High
Street, Boulcott and Brook Street, Waiwhetū 16

Item 5c) Oxford Terrace Intersections (Mitchell and Copeland Streets)
- Proposed Broken Yellow Lines 17

Item 5d) Proposed Time Limited Parking - Sherwood Street, Hutt
Central, Stokes Valley Road, Stokes Valley and Cuba Street,
Alicetown 18

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

9 July 2024 29

Recommended Item

Item 5) Approval to consult on the Control of Alcohol in Public
Places Bylaw 31

c) Komiti Hanganga | Infrastructure and Regulatory Committee

11 July 2024 65

Recommended Items

Item 5a) Approval to consult on the Alcohol Fees Bylaw 67

Item 5b) Approval to consult on the review of the Local Alcohol Policy 68

Item 5c) Jackson Street Three Waters Renewal Options 70

8. MISCELLANEOUS

a) Ko Tātou | Local Government New Zealand four-monthly report to June 2024

Memorandum dated 7 June 2024 by the Democracy Advisor 115

b) Variation to the Innovative Young Minds Charitable Trust Deed

Report No. HCC2024/3/184 by the Chief Legal Officer 141

c) Remits for Local Government New Zealand Annual General Meeting 2024

Report No. HCC2024/3/185 by the Senior Policy Advisor 156

9. COUNCIL MINUTES

17 May 2024 212

28 May 2024 215

4 June 2024 245

27 June 2024 248

10. COMMITTEE MINUTES WITHOUT RECOMMENDED ITEMS

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

15 May 2024 269

17 May 2024 288

Please note the recommended items were resolved at the Council meeting held on 17 May 2024.

4 June 2024 304

Please note the recommended items were resolved at the Council meeting held on 4 June 2024.

b) Komiti Iti Ahumoni I Tūraru | Audit and Risk Subcommittee

25 June 2024 328

c) Komiti Kaupapa Taiao | Climate Change and Sustainability Committee

2 July 2024 338

- d) Komiti Hapori Ahurea me ngā Rangapū | Communities, Culture and Partnerships Committee |

3 July 2024

342

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

4 July 2024

356

11. SEALING AUTHORITY

Report No. HCC2024/3/19 by the Legal Co-ordinator

363

12. 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.

13. EXCLUSION OF THE PUBLIC

MAYOR'S RECOMMENDATION:

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

14. COMMITTEE MINUTES WITH RECOMMENDED ITEMS

Komiti Hanganga | Infrastructure and Regulatory Committee

11 July 2024

15. COUNCIL MINUTES

28 May 2024

4 June 2024

16. COMMITTEE MINUTES WITHOUT RECOMMENDED ITEMS

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

17 May 2024

4 June 2024

- a) Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee

9 July 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)
General subject of the matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground under section 48(1) for the passing of this resolution.
Minutes of the Komiti Hanganga Infrastructure and Regulatory Committee held on 11 July 2024: Infrastructure Acceleration Fund (IAF)	The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities(s7(2)(h)).	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.
Minutes of the Te Kaunihera o Te Awa Kairangi Hutt City Council held on 28 May 2024: Civic Honours Awards 2024	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.
Minutes of the Te Kaunihera o Te Awa Kairangi Hutt City Council held on 4 June 2024: Te Wai Takamori o Te Awa Kairangi (RiverLink) Funding and Commercial Matters	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)).	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.

Minutes of the Te Kaunihera o Te Awa Kairangi Hutt City Council held on 4 June 2024: Potential Long Term Plan savings in neighbourhood hubs	The withholding of the information is necessary to protect the privacy of natural persons. (s7(2)(a)). 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)).	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.
Report of the Komiti Iti Mahere ā-Ngahurutanga / Mahere ā-Tau Long Term Plan/ Annual Plan Subcommittee held on 17 May 2024: Long Term Plan 2024-34 Financial Aspects – Supplementary Savings Information	The withholding of the information is necessary to protect the privacy of natural persons.(s7(2)(a)). 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))	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.
Minutes of Komiti Iti Mahere ā-Ngahurutanga / Mahere ā-Tau Long Term Plan/ Annual Plan Subcommittee dated 4 June 2024: Te Wai Takamori o Te Awa Kairangi (RiverLink) Funding and Commercial Matters	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)).	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.

Minutes of Komiti Iti Mahere ā-Ngahurutanga / Mahere ā-Tau Long Term Plan/ Annual Plan Subcommittee dated 4 June 2024: Potential Long Term Plan savings in neighbourhood hubs	The withholding of the information is necessary to protect the privacy of natural persons. (s7(2)(a)). 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)).	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.
Minutes of Komiti Ratonga Rangatōpū me te Rautaki Policy, Finance and Strategy Committee dated 9 July 2024: Rates Remission Application	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.”

Kate Glanville
SENIOR DEMOCRACY ADVISOR

HUTT CITY COUNCIL

KOMITI ITI ARA WAKA | TRAFFIC SUBCOMMITTEE

Minutes of a meeting held in the Council Chambers, 2nd Floor, 30 Laings Road,
Lower Hutt on

Wednesday 26 June 2024 commencing at 2:00 pm

PRESENT:

Cr N Shaw (Chair)	Cr G Barratt	
Cr B Dyer (Deputy Chair)	Cr A Mitchell	
Cr C Parkin		

APOLOGIES:

Cr G Tupou

IN ATTENDANCE:

J Kingsbury, Director Economy and Development
 P Hewitt, Head of Transport
 E Scherer, Traffic Engineer Manager
 A Joy, Roading Engineer
 J Varghese, Traffic Engineer
 A Manda, Traffic Engineer (part meeting)
 R Lemalu, Project Delivery Manager (part meeting)
 V Gilmour, Democracy Advisor

PUBLIC BUSINESS

1. OPENING FORMALITIES - KARAKIA TIMATANGA

Whakataka te hau ki te uru	Cease the winds from the west
Whakataka te hau ki te tonga	Cease the winds from the south
Kia mākinakina ki uta	Let the breeze blow over the land
Kia mātaratara ki tai	Let the breeze blow over the ocean
E hī ake ana te atakura	Let the red-tipped dawn come with a
He tio, he huka, he hau hū	sharpened air.
Tihei mauri ora	A touch of frost, a promise of a glorious day.

2. APOLOGIES

RESOLVED: (Cr Shaw/Cr Barratt)

Minute No. TSC 24301

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

3. PUBLIC COMMENT

There was no public comment.

4. **CONFLICT OF INTEREST DECLARATIONS**

There were no conflict of interest declarations.

PRECEDENCE OF BUSINESS

In accordance with Standing Order 10.4, Item 5b) Broken Yellow Lines - No Stopping At All Times - High Street, Boulcott and Brook Street, Waiwhetū was accorded precedence of business. The item is recorded in the order it was listed on the order paper.

5. **RECOMMENDATIONS TO TE KAUNIHERA O TE AWA KAIRANGI
COUNCIL - 25 July 2024**

- a) Broken Yellow Lines - No Stopping At All Times - NZTA, Waka Kotahi - Hebden Crescent, Kelson

David Cross and Vicky Linley from New Zealand Transport Agency (NZTA) Waka Kotahi were in attendance for the item.

The Traffic Engineer Manager elaborated on the report.

In response to questions from members, David Cross from NZTA Waka Kotahi stated that they conducted consultation specifically for the broken yellow lines within a 100-metre radius as specified by Council. Additionally, he mentioned that NZTA Waka Kotahi separately consulted on the project, engaging with the entire business area and residents along Gurney Road, Liverton Road and Hebden Crescent. He confirmed that NZTA Waka Kotahi was installing wayfinding signage at the Haywards Interchange, Hebden Crescent (where the right turn was removed) and at the intersection of SH58 and Hebden Crescent. He also mentioned that some signage was already in place, and work at the northern intersection was scheduled for installation in mid-late July 2024.

The Director Economy and Development emphasised that thorough consultation and opportunities for feedback were provided. He said a public meeting was held, and many businesses attended and raised their concerns. He advised that in the future, Council would work with NZTA Waka Kotahi to ensure a wider range of consultation with projects and areas like this one.

In response to a question from a member, the Director of Economy and Development advised that vehicle volumes on Gurney Road and feedback from residents would be monitored.

In response to questions from members, David Cross from NZTA Waka Kotahi explained that the white hatching on Hebden Crescent was designated for residents to use as a turn-around. He advised that parking in this area was allowed as the white hatching was not enforceable. He agreed to consult with NZTA Waka Kotahi for further guidance. He further advised that a safety audit would be conducted after completion and agreed to provide an update to Council within six months.

The Traffic Engineer Manager added that yellow hatching was also not enforceable and recommended monitoring the area. He suggested installing physical barriers if vehicles kept parking in the hatched zone.

The Director Economy and Development stated that officers would include a report on Gurney Road, local roads, and any related traffic issues in the same update.

RECOMMENDED: (Cr Shaw/Cr Barratt)

Minute No. TSC 24302

"That the Subcommittee recommends that Council:

- (1) receives and notes the information;*
- (2) approves the installation of Broken Yellow Lines (BYLs) 'No Stopping – At All Times' parking restrictions along the proposed cul-de-sac area at the intersection of Hebden Crescent with State Highway 2 (SH2), attached as Appendix 1 to the report;*
- (3) approves the installation of BYLs 'No Stopping – At All Times' within the turnaround facilities on Hebden Crescent – approximately 60m north of the intersection of Hebden Crescent with SH2, attached as Appendix 2 to the report;*
- (4) 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*
- (5) notes that these parking restrictions will take effect once the appropriate road markings have been approved."*

- b) Broken Yellow Lines - No Stopping At All Times - High Street, Boulcott and Brook Street, Waiwhetū

The Traffic Engineer Manager elaborated on the report.

In response to questions from members, the Traffic Engineer Manager confirmed that no Broken Yellow Lines (BYLs) would be installed between properties 15 and 19 Brook Street, outside the new housing development. He mentioned that there was no consultation for BYLs across driveways as it was meant to be dealt with on a case-by-case basis. Additionally, he noted that indented parking was not considered because it was assumed that the residents of these properties would park in their driveways.

The Director Economy and Development advised that officers would consult residents about installing BYLs across their driveways concurrently with the other installations in the future.

RECOMMENDED: (Cr Shaw/Cr Barratt)

Minute No. TSC 24303

"That the Subcommittee recommends that Council:

- (1) receives and notes the information;*
- (2) approves the installation of Broken Yellow Lines (BYLs) – 'No Stopping At All Times' parking restrictions outside 799 High Street, Boulcott, attached as Appendix 1 to the report;*
- (3) approves the installation of BYLS – 'No Stopping At All Times' parking restrictions on High Street, Boulcott:*
 - a) outside 746 High Street;*
 - b) between 779 and 781 High Street; and*
 - c) outside 781A High Street attached as Appendix 3 to the report;*
- (4) approves the installation of various BYLs 'No Stopping At All Times' parking restrictions on Brook Street, Waiwhetū, between Grenville Street and Guthrie Street, attached as Appendix 5 to the report;*
- (5) approves the installation of a "Give Way" control at the intersection of Brook Street and Grenville Street, attached as Appendix 5 to the report;*
- (6) 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*
- (7) notes that these parking restrictions will take effect once the appropriate road markings have been approved."*

c) Oxford Terrace Intersections (Mitchell and Copeland Streets) - Proposed Broken Yellow Lines

The Traffic Engineer elaborated on the report.

In response to questions from members, the Project Delivery Manager advised that, following discussions with residents, there were no plans to remove parking on Mitchell Street. The Traffic Engineer noted that broken yellow lines (BYLs) had been placed at the crossing points of the pedestrian crossing on Oxford Terrace and agreed to explore the possibility of installing BYLs on the other side of the pedestrian crossing. She clarified that the removal of the L-shaped bar outside the 115-120 development on Mitchell Street was not part of the current proposal. She confirmed that officers would conduct further investigations.

The Director Economy and Development advised that Kāinga Ora had scheduled a significant work programme for the upcoming years. He said this involved major developments that would require additional BYLs and traffic or safety measures. He noted that the consultation process would be adapted to include organisations like Kāinga Ora in addition to residents.

RECOMMENDED: (Cr Shaw/Cr Parkin)

Minute No. TSC 24304

"That the Subcommittee recommends that Council:

- (1) receives and notes the information;*
- (2) approves the Broken Yellow Lines (BYLs) 'No Stopping – At All Times' at the intersections of Mitchell and Copeland Streets along Oxford Terrace, attached as Appendix 1 to the report;*
- (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 BYLs will be installed after Council approval as part of ongoing kerb extension works."*

- d) Proposed Time Limited Parking - Sherwood Street, Hutt Central, Stokes Valley Road, Stokes Valley and Cuba Street, Alicetown

The Traffic Engineer Manager elaborated on the report.

In response to questions from a member, the Traffic Engineer Manager advised that officers proposed time-limited parking from 8.00am to 6.00pm in Alicetown, following the rules outlined in the Land Transport (Road User) Rule 2004. He further advised that the officers had consulted with local businesses regarding the proposed changes and received no negative feedback.

The Director of Economy and Development stated that mixed parking times were suitable because these businesses serve short-stay customers. He emphasised the importance of clear signage and road markings to ensure users' clarity.

RECOMMENDED: (Cr Shaw/Cr Barratt)	Minute No. TSC 24305
<i>"That the Subcommittee recommends that Council:</i>	
<i>(1) receives and notes the information;</i>	
<i>(2) approves the time extension to 11 x P180 Time-Limited Parking (from 9:00am to 3:00pm, Monday to Friday) along the southern side of the road, from the intersection of Hautana Street / Sherwood Street to 20 Sherwood Street, attached as Appendix 1 to the report;</i>	
<i>(3) approves the installation of one P15 (At All Times) Time-Limited Parking outside 351 Stokes Valley Road attached as Appendix 3 to the report;</i>	
<i>(4) approves the installation of various Time-Limited Parking, standard hours (from 8:00am to 6:00pm, Monday to Sunday) on Cuba Street, Alicetown;</i>	
<i>a) four P10 between 425 and 429 Cuba Street;</i>	
<i>b) three P60 between 426 and 432 Cuba Street;</i>	
<i>c) one P60 outside 419 Cuba Street; and</i>	
<i>d) three P15 Time-Limited parking between 424 and 426 attached as Appendix 5 to the report;</i>	
<i>(5) 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 this recommendation; and</i>	
<i>(6) notes that this matter will take effect when the traffic control devices that evidence the restrictions described in this resolution have been installed."</i>	

6. INFORMATION ITEM

Traffic Subcommittee Forward Programme 2024

Memorandum dated 4 June 2024 by the Democracy Advisor

RESOLVED: (Cr Shaw/Cr Mitchell)

Minute No. TSC 24306

"That the Subcommittee receives and notes the Forward Programme for 2024 attached as Appendix 1 to the memorandum."

7. QUESTIONS

There were no questions.

8. CLOSING FORMALITIES - KARAKIA WHAKAMUTUNGA

Unuhia!
Unuhia!
Unuhia i te uru-tapu-nui
Kia wātea, kia māmā
Te ngākau, te tinana,
te wairua i te ara takatū
Koia rā e Rongo
whakairihia ake ki runga
Kia wātea, kia wātea!
Ae rā, kua wātea!
Hau, pai mārire.

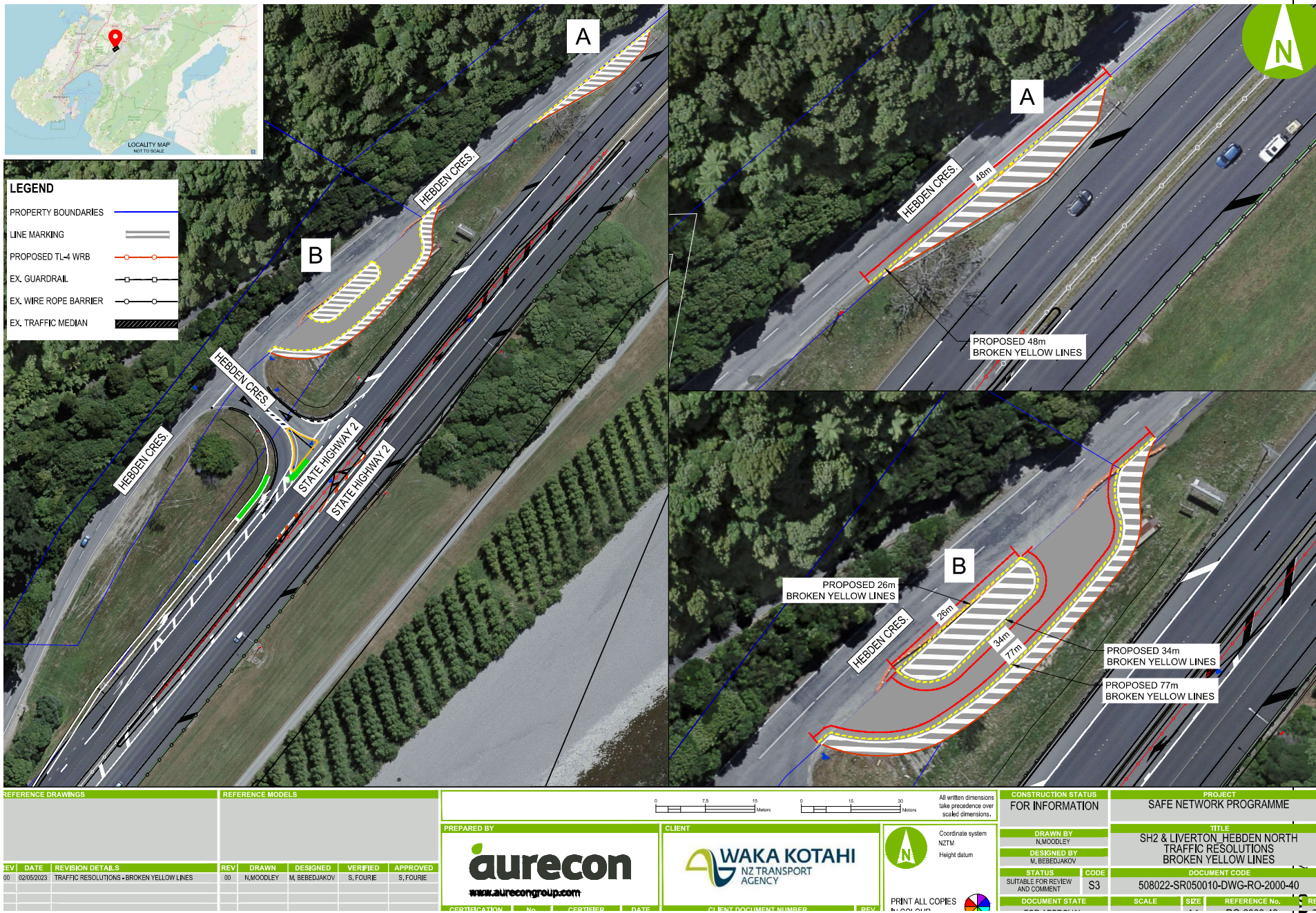
Release us from the supreme sacredness of
our tasks
To be clear and free
in heart, body and soul in our continuing
journey
Oh Rongo, raise these words up high so that
we be cleansed and be free,
Yes indeed, we are free!
Good and peaceful

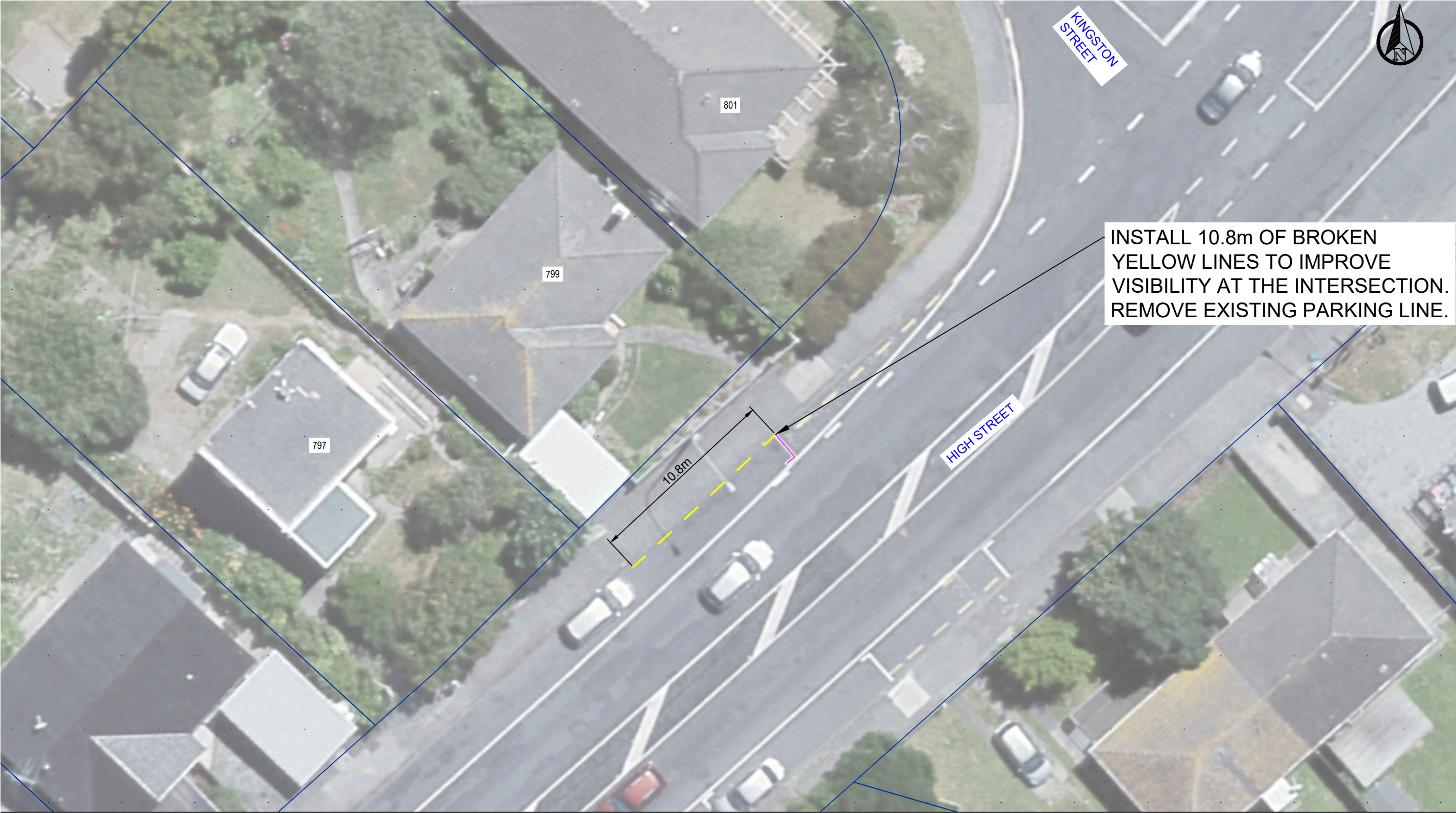
There being no further business, the Chair declared the meeting closed at 2.51pm.

N Shaw
CHAIR

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







EGEND

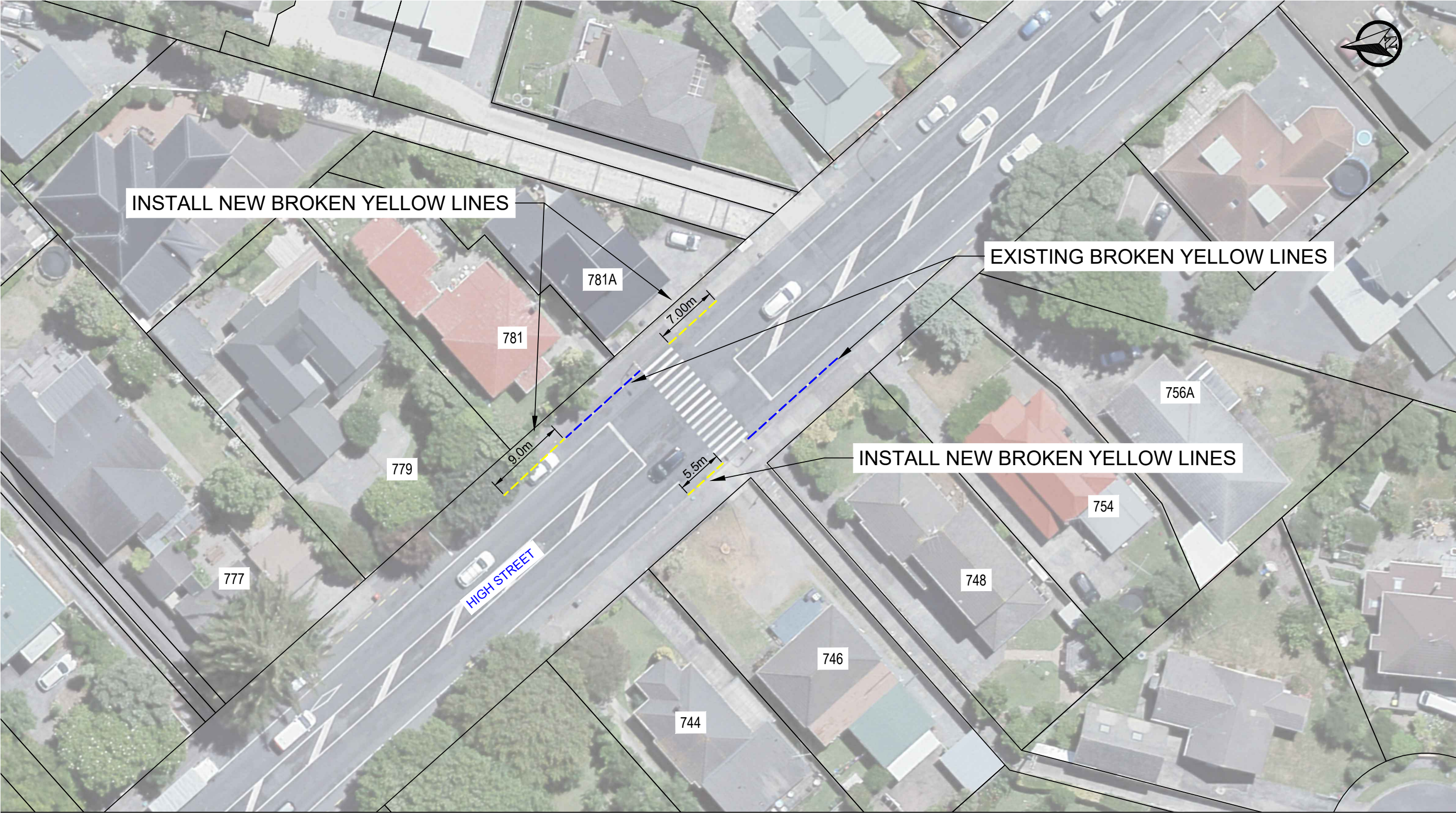
	EXISTING ROADMARKINGS TO BE REMOVED
	NEW BROKEN YELLOW LINES
	PROPERTY BOUNDARY

REVISION	AMENDMENT	DRAWN	APPROVED	REVISION DATE
1	INITIAL DESIGN - DRAFT	A SHAHIN	E SCHERER	15/03/2024

TE AWA KAIRANGI

PROJECT
TR16-24
SHEET
NO STOPPING AT ALL TIMES MARKINGS - PROPOSAL HIGH STREET NEAR KINGSTON STREET, BOULCOTT
PROJECT REF.
TR16-24

The Council cannot guarantee the accuracy or completeness of the information, and accepts no liability for any loss as a result of reliance on it. Aerial photography (base map) was flown 2021 by AAM NZ Ltd for both HuttCity and Greater Wellington Regional Councils. Imagery is provided under the Creative Commons Attribution-NonCommercial-ShareAlike license.



EGEND

	BOUNDARY LINES		EXISTING BROKEN YELLOW LINES
	PROPOSED NO STOPPING AT ALL TIMES(BYLS)		

01020

Meters

SCALE 1:400 @ A3

REVISION	AMENDMENT	DRAWN	APPROVED	REVISION DATE
1	CONSULTATION PLAN	R MURUGADHAS	E SCHERER	12/04/2024

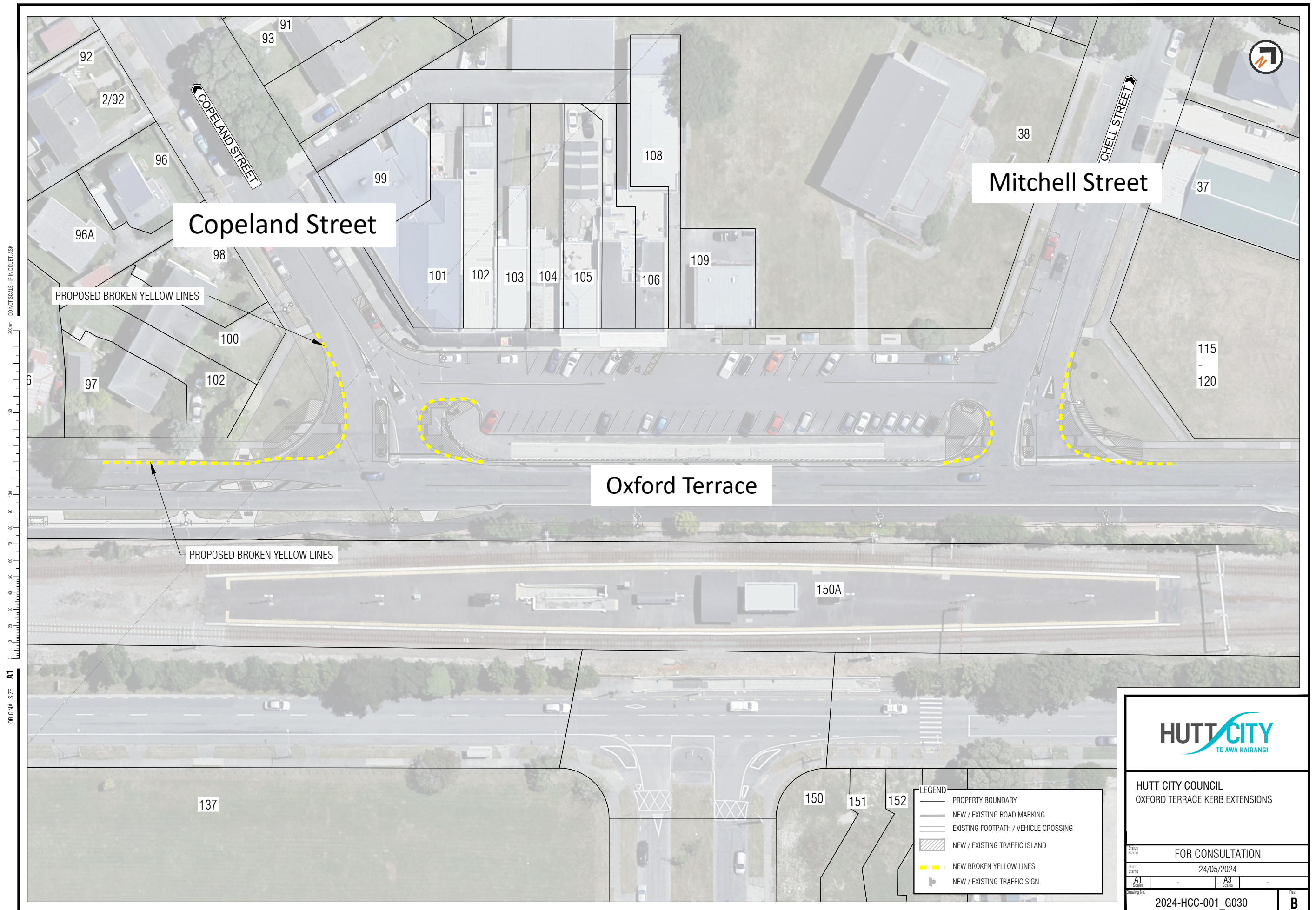
HUTT CITY

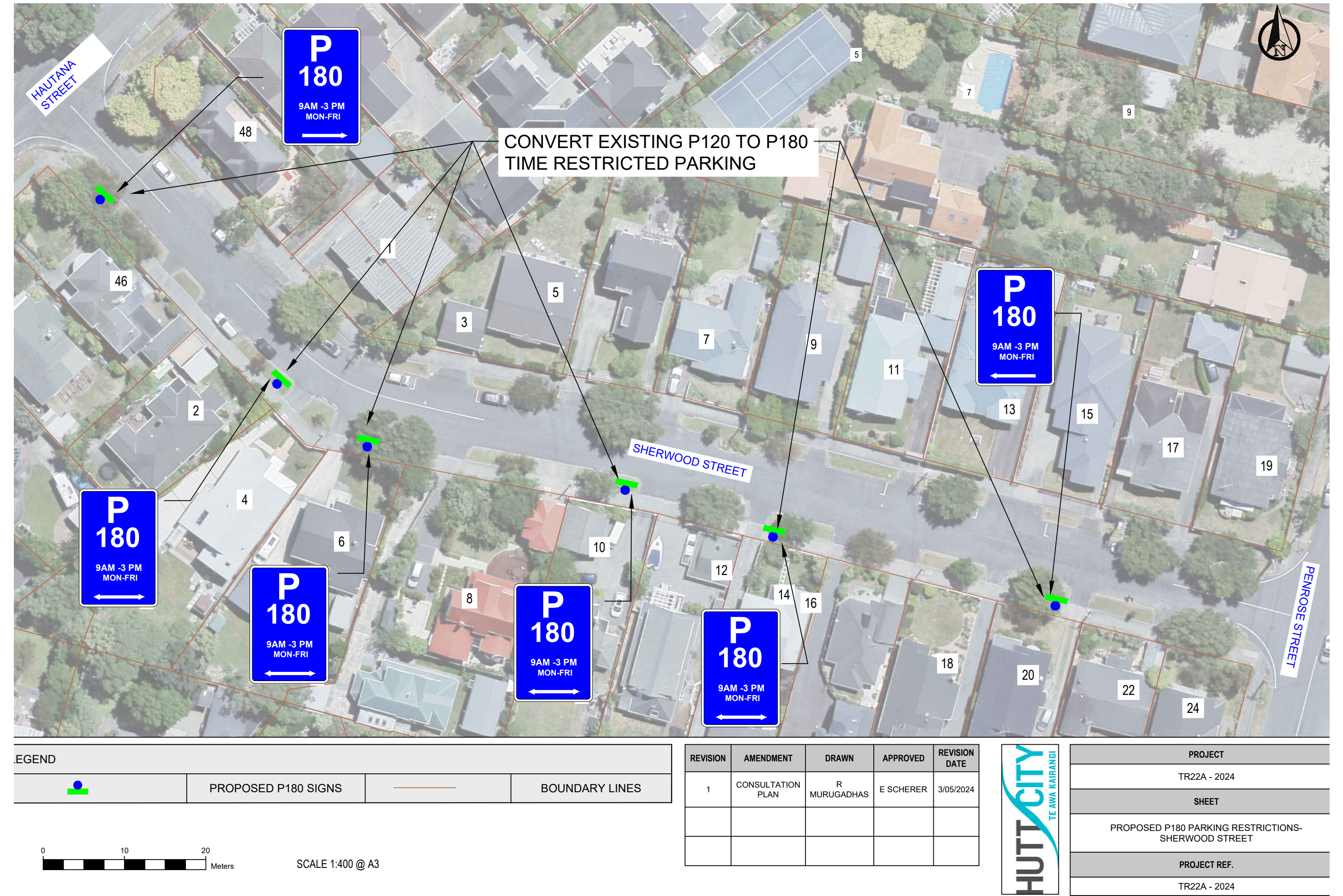
TE AWA KAIRANGI

PROJECT
TR21 - 2024
SHEET
PROPOSED NO STOPPING AT ALL TIMES (BYLs) - HIGH STREET
PROJECT REF.
TR21 - 2024

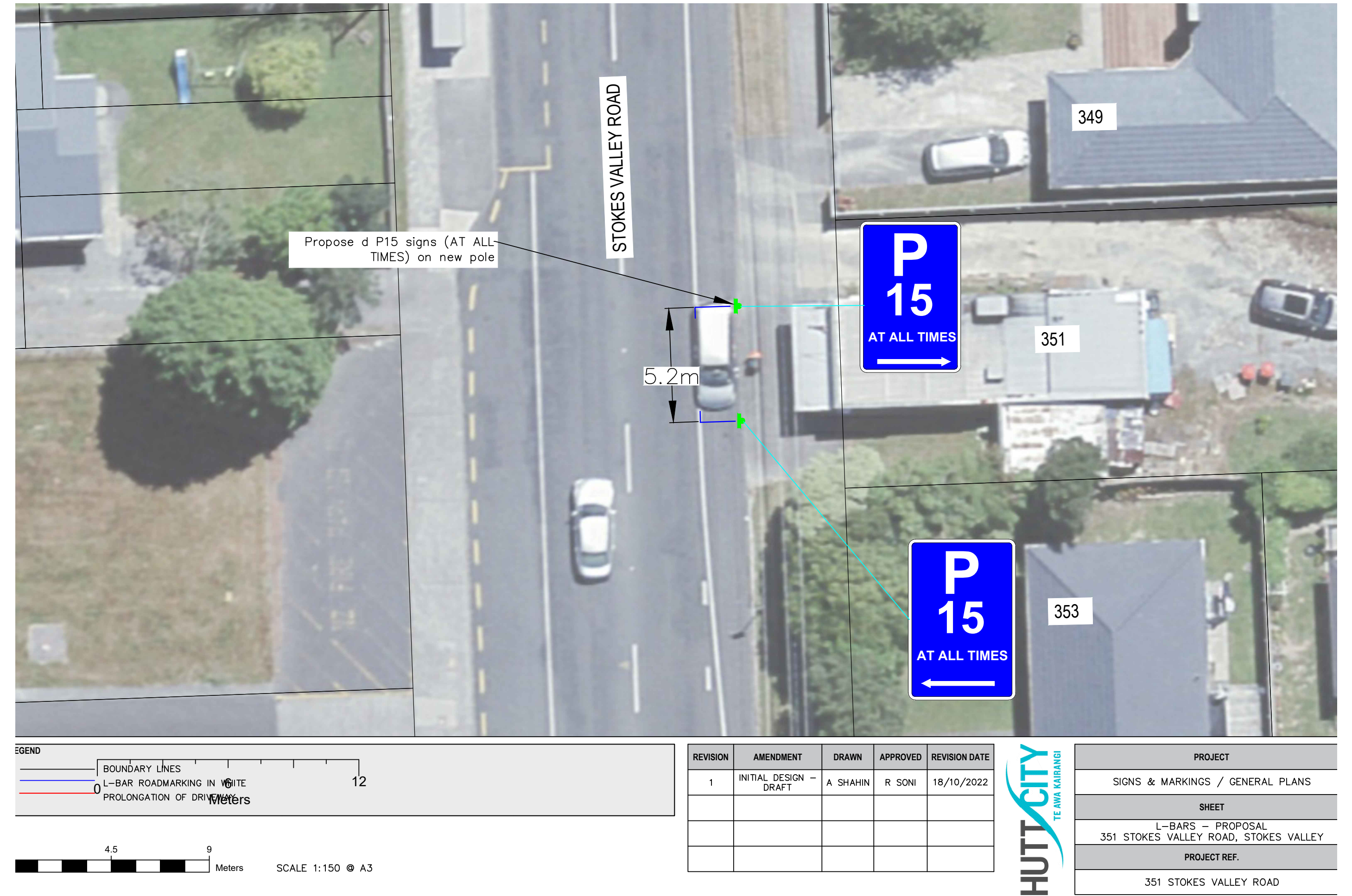
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LEGEND	
	P60 PARKING
	P15 PARKING
	P10 PARKING
	P5 PARKING

REVISION	AMENDMENT	DRAWN	APPROVED	REVISION DATE
1	INITIAL DESIGN DRAFT	A SHAHIN	S SCHERER	0/05/2024



PROJECT
SIGNS & MARKINGS / GENERAL PLANS
SHEET
TIMED PARKING ALICETOWN SHOPPING CENTRE
PROJECT REF.
ALICETOWN SHOPPING CENTRE

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HUTT CITY COUNCIL

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

Minutes of a meeting held in the Council Chambers, 2nd Floor, 30 Laings Road,
Lower Hutt on

Tuesday 9 July 2024 commencing at 2:00 pm

PRESENT:

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

APOLOGIES:

There were no apologies.

IN ATTENDANCE:

J Miller, Chief Executive
 J Griffiths, Director Strategy and Planning
 A Geddes, Director Environment and Sustainability
 B Cato, Chief Legal Officer (part meeting)
 J Kingsbury, Director Economy and Development
 J Livschitz, Group Chief Financial Officer
 W Botha, Acting Head of Policy and Strategy (part meeting)
 A Gordon, Senior Policy Advisor
 D Bentley, Environmental Health Manager (part meeting)
 J Kilty, Democracy Advisor

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
 A touch of frost, a promise of a glorious day.*

2. APOLOGIES

There were no apologies.

3. **PUBLIC COMMENT**

There were no public comment.

4. **CONFLICT OF INTEREST DECLARATIONS**

There were no interest declarations.

5. **RECOMMENDATION TO TE KAUNIHERA O TE AWA KAIRANGI |
COUNCIL - 25 JULY 2024**

Approval to consult on the Control of Alcohol in Public Places Bylaw

The Senior Policy Advisor elaborated on the report.

In response to questions from members, the Senior Policy Advisor provided the following advice:

- people are allowed to transport alcohol through alcohol-free zones (AFZs).
- the Control of Alcohol in Public Places Bylaw (the bylaw) had a lifespan of five years from its adoption by Council, with an additional two-year review period. The bylaw was not reviewed within this timeframe, so it was automatically revoked.
- key stakeholders, including the Police, were consulted, and the Police requested no new areas for AFZs.
- the establishment of AFZs required evidence of apparent alcohol-related crime and disorder, which posed challenges for adding AFZs in some areas. Alcohol policies could be used to address issues in these areas.
- officers focused on engagement and were open to discussing a proposal to add an AFZ in Korokoro.
- the Police were the main source of information regarding alcohol-related issues and public disorder and played a crucial role in determining the location of AFZs.
- implementing an AFZ without Police indication of a high rate of alcohol-related crimes was challenging.
- implementing an AFZ without Police indication that there was a high rate of alcohol-related crimes was difficult.
- there was consultation with Mana Whenua.

In response to a question by a member, the Environmental Health Manager clarified that the AFZs would only be applicable in public areas, even where the map indicated they covered residential developments.

In response to a member's question, the Senior Policy Advisor noted that the Police's lack of evidence of alcohol-related crime in some areas had influenced proposed AFZs.

The Director of Strategy and Engagement emphasised the importance of using a strong evidence base to create maps and a draft bylaw for public consultation. He highlighted the need to ensure that the bylaw would stand up to public scrutiny. He stressed the importance of taking into account feedback from public engagement when finalising the bylaw. He also emphasised the need for regular reviews of the bylaw to keep it up to date with changes in Lower Hutt over time.

Mayor Barry mentioned that the land covered in map AFZ 10 was now privately owned and should be removed. He also pointed out that the map was outdated and needed to be updated to reflect the current situation. He

suggested that other maps with similar issues should also be corrected.

In response to a question from a member, the Senior Policy Advisor noted that recommendations on Moera had come from Public Health and were related to the alcohol policy, not the bylaw.

In response to questions from members, the Chief Legal Officer provided the following advice:

- there was a city-wide ban from 9am-5pm because some of the problem areas were also problematic at night. Most of these areas fell under the city-wide ban after 9 pm.
- the report contained a map showing the city-wide ban area from 9 pm to 5 am, indicated by an orange outline.
- the report needed to include only the maps depicting the 24-hour bans; other maps were unnecessary if the city-wide ban covered the same areas.

The Chair asked officers to clarify the language in the Statement of Proposal, which was sometimes inconsistent.

Cr Dyer expressed support for the recommendations, but noted concerns to be revisited following public consultation.

Cr Brown expressed support for anything that would lower alcohol-related harm in the community.

Mayor Barry expressed unease about the 9pm-5am restriction in the past but noted that it had been a success. He noted that the current bylaw had been working well. He said that while the bylaw needed to be reviewed, Council should not expend time and resources beyond reasonable.

<u>RECOMMENDED:</u> (Cr Mitchell/Cr Brown)	Minute No. PFSC 24301
<p><i>"That the Committee recommends Council:</i></p> <ol style="list-style-type: none"> <i>(1) notes that section 147 of the Local Government Act 2002 grants Council the power to make bylaws for alcohol control purposes;</i> <i>(2) notes that the Control of Alcohol in Public Places Bylaw (the Bylaw) outlines alcohol-free zones across Te Awa Kairangi ki Tai Lower Hutt;</i> <i>(3) notes that Council's previous Control of Alcohol in Public Places Bylaw was revoked in December 2023, and the development of a new Bylaw requires consultation;</i> <i>(4) agrees to include the following proposals in the draft Bylaw for consultation:</i> <ol style="list-style-type: none"> <i>(a) the alcohol-free zones and maps from the previous bylaw with minor adjustments to reflect changes in town centres; and</i> <i>(b) the ability of the Chief Executive, in consultation with the Mayor and Committee Chairs, to authorise temporary alcohol-free zones in certain circumstances;</i> 	

- (5) *agrees with the Statement of Proposal attached as Appendix 1;*
- (6) *notes that public consultation on the Bylaw will occur from 26 July to 25 August 2024;*
- (7) *notes that the Committee has previously agreed to hear public submissions on the proposed Bylaw at its meeting on 10 September 2024; and*
- (8) *notes Council will consider adopting the proposed Bylaw on 1 October 2024."*

6. **HERITAGE BUILDINGS - CHANGES TO FINANCIAL ASSISTANCE**

Report No. PFSC2024/3/168 by the Policy Lead

The Policy Planning Manager and Policy Advisor elaborated on the report.

In response to questions from members, the Policy Planning Manager and Policy Advisor provided the following advice:

- there were between 50 and 60 additional heritage buildings identified in Council's draft District Plan from Council's Operative District Plan.
- two new applications have been ongoing since the heritage briefing a week ago, resulting in changes to Table 1 in the report.

In response to questions from members, the Director of Strategy and Engagement explained that the proposal was built on the idea that the current settings and incentives would replace the previous ones. He mentioned that there would be briefings for members to discuss the new settings. He acknowledged that some of the concerns raised by members could be addressed during discussions about the new settings for heritage funding.

In response to further questions from elected members, the Policy Planning Manager and Policy Advisor provided the following advice:

- engagement with stakeholders had not yet occurred, but it would happen during the process.
- there was an error in paragraph 8(a) of Council's draft District Plan. It mistakenly implied that heritage buildings could be demolished under the proposed consenting schemes. However, Council's draft District Plan does not allow for the demolition of heritage buildings.
- generally, relocation of a heritage building occurred off-site. However, there were instances where heritage buildings needed to be relocated on-site to avoid hazards.

Cr Edwards expressed support for the policy and emphasised the need to understand how it would align with the current funding, which he viewed positively.

Cr Dyer supported Cr Edwards' comments, mentioning that establishing the heritage grant fund during the trial of the new funding model might make it challenging to evaluate its success.

Deputy Mayor Lewis and Cr Stallinger supported the comments made by Crs Edwards and Dyer. |

RESOLVED: (Cr Mitchell/Cr Edwards)

Minute No. PFSC 24302

"That the Committee:

- (1) notes on 27 April 2021 Council approved the Taonga Tuku Iho – Heritage Policy and sought further advice on proposed conservation incentives tools for built heritage;*
- (2) notes the two heritage conservation tools currently operating are the Heritage Grant Fund and the rates remission mechanism, both of which are underutilised;*
- (3) agrees that officers develop two new heritage incentive tools:*
 - a. a resource consent fee waiver for heritage building owners (for non-demolition consents); and*
 - b. additional pre-application advice to support heritage building owners with resource consent applications;*
- (4) notes that officers will report back to the Policy, Finance and Strategy Committee on 19 November 2024 to seek agreement to:*
 - a. discontinue the Heritage Grant Fund and the rates remission mechanism for historic heritage; and*
 - b. the detailed criteria and guidelines for implementing the proposed resource consent fee waiver and advice;*
- (5) notes that activity to conserve and improve sites and areas of cultural significance have previously not qualified for funding under the Heritage Grant Fund;*
- (6) notes that officers will report back to the Committee on 19 November 2024 to seek agreement on the detailed criteria and an implementation plan for a 12-month trial to support sites and areas of cultural significance;*
- (7) notes that costs associated with the proposed 12-month trial would be covered by reallocating up to \$30,000 in funding from the Heritage Grant Fund and will therefore be financially neutral; and*
- (8) notes that if agreed by Council, the amended approach would be trialled after the proposed District Plan is notified (in early 2025)."*

7. INFORMATION ITEM

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

Memorandum dated 24 June 2024 by the Democracy Advisor

In response to questions from members, the Director of Economy and Development noted that the Infrastructure and Regulatory Committee would consider a submission on the Setting of Speed Limits Rule on Thursday, 11 July 2024. He said the Minister of Transport would decide on speed changes over the next few months. He noted that signalling from central government had suggested that speed bumps were not a priority.

RESOLVED: (Cr Mitchell/Cr Dyer)

Minute No. PFSC 24303

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

8. QUESTIONS

There were no questions.

9. EXCLUSION OF THE PUBLIC

RESOLVED: (Cr Mitchell/Deputy Mayor Lewis)

Minute No. PFSC 24304

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

10. Rates remission application

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:

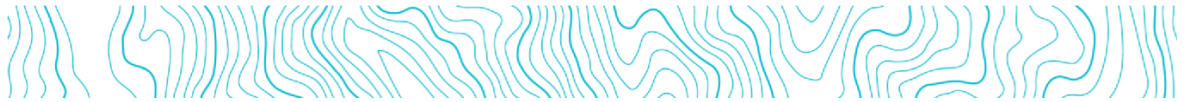
<i>(A)</i>	<i>(B)</i>	<i>(C)</i>
<i>General subject of the matter to be considered.</i>	<i>Reason for passing this resolution in relation to each matter.</i>	<i>Ground under section 48(1) for the passing of this resolution.</i>
<i>Rates remission application.</i>	<i>The withholding of the information is necessary to protect the privacy of natural persons. (s7(2)(a)).</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>

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 meeting closed at 2.53 pm, public excluded began at 2.55 pm and finished at 3.37 pm.

A Mitchell
CHAIR

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



Appendix 1

Statement of Proposal

Control of Alcohol in Public Places Bylaw

Summary of proposal

Hutt City Council (Council) is developing a new Control of Alcohol in Public Places Bylaw (the Bylaw). Council can use this Bylaw to establish alcohol free zones that help the Council and Police to promote and maintain public health and safety. Alcohol free zones prohibit the consumption and possession of alcohol in certain public places. Alcohol free zones can be made for temporary events or relate to specific areas where alcohol bans apply permanently.

Proposal 1: Reinstate alcohol free zones from the previous bylaw with minor adjustments to reflect changes in town centres (see Appendix 1 within the Draft Bylaw).

Proposal 2: Give the Chief Executive Officer of Hutt City Council, in consultation with the Mayor and [Committee](#) Chairs, the authority to impose temporary alcohol free zones for events under certain conditions.

Statement of Proposal: Control of Alcohol in Public Places Bylaw

How to have your say

We want your feedback on the proposed Control of Alcohol in Public Places Bylaw.

You can provide feedback in multiple ways:

- Make an online submission at haveyoursay.huttcity.govt.nz;
- Email your submission to alcohol2024@huttcity.govt.nz with 'Control of Alcohol in Public Places' in the email subject line; or
- Drop off a submission at the front counter at our office at 30 Laings Rd, Lower Hutt.

Timetable for consultation

The consultation is open from **26 July to 25 August 2024**. **Questions to consider**

- Are there any areas where alcohol was banned in the prior bylaw that you think should be removed? Where and why?
- Are there any additional areas that alcohol should be banned? Where and why? Examples of alcohol related crime and disorder are required in making a case, please keep observations or experiences general and do not identify any individuals.
- Do you agree that the Council Chief Executive should have the ability to impose temporary alcohol free zones under certain circumstances?

Privacy Statement

We require your name, contact details and the suburb you live in as part of your feedback. All feedback will be published on our website with your name. All other personal or commercially sensitive information (including your email address and suburb) will be removed. Publishing feedback in full supports a transparent process and will assist in the public hearing process.

If you have specific reasons for not wanting your feedback publicly released, please contact alcohol2024@huttcity.govt.nz.

The feedback form asks for the suburb you live in to better understand how you are impacted by the changes happening in your suburb.

Statement of Proposal: Control of Alcohol in Public Places Bylaw

Public Hearings

The feedback form also asks if you want to present directly to Councillors at a hearing. If you state that you do want to present to Councillors, you will be contacted by council staff to arrange a time for you to speak.

Feedback will be considered by Council regardless of whether you wish to present your views at a hearing or not. Final decisions will be made in September 2024 and the Control of Alcohol in Public Places Bylaw will be adopted in October 2024.

Storing personal information

Council stores information with reasonable safeguards against loss and disclosure. Reasonable safeguards include physical and technological protections. Personal information is accessible to staff who have a legitimate reason to access it. Council has a code of conduct where unauthorised disclosure of confidential information or records in accordance with the provisions of the Public Records Act, which includes the authorised destruction of records once they are no longer required to be kept for legislative compliance or business purposes.

Access to your information

The information you provide will be accessible only by Council staff and is not shared with any third party. You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please contact us at policy@huttcity.govt.nz, or 04 570 6666, or 30 Laings Road, Lower Hutt 5010.

Statement of Proposal: Control of Alcohol in Public Places Bylaw

Legal Framework for bylaw making

Under sections 147A and 155 of the Local Government Act 2002(the Act), Councils are required to:

- determine whether a bylaw is the most appropriate way of addressing the perceived problem and that a proposed bylaw is the most appropriate form of the bylaw;
- be satisfied that
 - the proposed bylaw can be justified as a reasonable limitation on people's rights and freedoms;
 - except where the bylaw applies temporarily, there is evidence that the area to which the bylaw is intended to apply has experienced a high level of crime or disorder caused or made worse by alcohol consumption in the area; and
 - the proposed bylaw is appropriate and proportionate in light of that crime or disorder.

In addition, no bylaw may be made which is inconsistent with the New Zealand Bill of Rights Act 1990. Council must also comply with the general decision-making requirements in sections 76 to 82 of the Act in that it must identify and consider all reasonably practicable options and the community's views.

Is the Bylaw the most appropriate way to address the perceived problem?

The problem can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places". Council has liaised with key stakeholders including the Police, Medical Health Officer, City Safety Manager, Healthy Families, CCTV Team and Alcohol Licensing Inspectors, to understand the nature of alcohol related issues in Lower Hutt.

A number of concerns about crime and disorder in Lower Hutt have been raised and Council has considered how best to address these. Options for addressing the perceived problem include current Police powers to protect public safety and Council powers to regulate licensed premises under the Sale and Supply of Alcohol Act 2012.

Council could also develop controls in our policies, plans and hire agreements, use CCTV or advocate for more local Police. While these options could work, they are unlikely to address the problem on their own. Without a Control of Alcohol in Public Places Bylaw, there would be no ability to provide for temporary alcohol ban areas for events, or to deal with problem areas in the future. Bylaws are a well-recognised mechanism and provide a preventative tool to stop problems happening which is consistent with the "prevention first" strategy of the Police. This is preferable to waiting for problems to occur, particularly at or after events where large groups of people may gather. Alcohol free zones, supported by signage, are enforced by the Police to prevent escalation and more serious incidents occurring. Alcohol free zones may also increase the perception of safety and order and raise the reputation of events. Without a bylaw, the Council and Police would have

Statement of Proposal: Control of Alcohol in Public Places Bylaw

difficulty promoting and maintaining public health and safety by reducing alcohol possession and consumption in public.

Is the Bylaw the most appropriate form of the Bylaw?

Council considers the proposed Bylaw to be the most appropriate form of the bylaw as it provides for the following:

- the regulation of the possession and consumption of alcohol in public places leading to a reduction in crime and disorder caused or made worse by alcohol, as authorised under sections 145 and 147 of the Act;
- the promotion and maintenance of public health and safety; • responsive decision-making for the control of events; and
- focus on specific and known problem areas.

The Bylaw is an appropriate balance between regulatory and non-regulatory strategies to reduce alcohol-related crime and disorder, and is certain, reasonable and proportionate.

Does the Bylaw give rise to any implications under the New Zealand Bill of Rights Act 1990?

The New Zealand Bill of Rights Act 1990 provides for certain rights and freedoms in relation to:

- life and the security of people;
- democratic and civic rights;
- non-discrimination and minority rights;
- search, arrest and detention; and • criminal procedure and rights to justice.

The Bylaw could potentially limit rights and freedoms of expression, freedom of peaceful assembly and freedom of movement by limiting people’s ability to possess and consume alcohol in areas subject to alcohol bans. However, these limitations are justified (as provided in section 5 of the New Zealand Bill of Rights Act 1990) because Council’s ability to make alcohol bans is limited by legislative criteria and the restrictions are fair and reasonable in the interest of public health and safety.

Proposals for public consultation

Proposal 1	Reinstating alcohol free zones and maps from the previous Control of Alcohol in Public Places Bylaw with minor adjustments to reflect changes in town centers.
Proposal 2	The Chief Executive of Hutt City Council, in consultation with the Mayor and Elected MembersCommittee Chairs, having the authority to impose temporary alcohol free zones for events under certain conditions.

Statement of Proposal: Control of Alcohol in Public Places Bylaw

Previous alcohol free zones with minor adjustments to reflect changes in town centres (maps are at Appendix 1 in the Draft Bylaw attached)

Alcohol free zone area	Description and corresponding map	Permanent	Temporary
Western Hills	• Oakleigh Street carpark (refer to map AFZ1)	9:00pm to 5:00am seven days per week	
	• Jubilee Park (refer to map AFZ2)	9:00pm to 5:00am seven days per week	
Petone	• Pito-One Road and Cornish Street (refer to map AFZ3)	9:00pm to 5:00am seven days per week	
	• Focus on Jackson Street area (refer to map AFZ4)	At all times	
Eastbourne	• Days Bay (refer to map AFZ5)	9:00pm to 5:00am seven days per week	On Guy Fawkes night from 6:00pm on 5 November to 5:00am on 6 November, each year
	• Eastbourne shopping area, wharf and beach (refer to map AFZ6)	9:00pm to 5:00am seven days per week	
Seaview/ Gracefield	• refer to map AFZ7	9:00pm to 5:00am seven days per week	
Wainuiomata (note minor adjusted area in green)	• Norfolk Street Shopping Area (refer to map AFZ8)	At all times	
	• Homedale Village shops (refer to map AFZ9)	At all times	
	• Queen Street shops and Hugh Sinclair Park (refer to map AFZ10)	At all times	
Stokes Valley	• Stokes Valley Shopping Centre, Delaney Park and Speldhurst Park (refer to map AFZ11)	At all times	
Central Business District (note minor adjusted area in green)	• refer to map AFZ12	At all times	
Taita	• Taita shopping area (refer to map AFZ13)	At all times	
Naenae	• refer to map AFZ14	At all times	
City wide	• refer to map AFZ15	9:00pm to 5:00am seven days per week	

Statement of Proposal: Control of Alcohol in Public Places Bylaw

Enable Council to make alcohol bans by resolution

The Bylaw will include a mechanism to enable Council to make alcohol bans by resolution. This includes temporary alcohol-free zones associated with specific events or periods and permanent alcohol-free zones associated with specific areas or facilities.

For specified events or periods, the temporary alcohol ban must be publicly notified at least 14 days in advance of the specified event or period in accordance with section 170(3) of the LGA.

When time does not allow for the Council Resolution process to establish a temporary alcohol free zone, it is proposed that an application to establish a temporary alcohol free zone can be made to the Chief Executive, who will make a decision in consultation with the Mayor and [Elected Members](#)[Committee Chairs](#).

Statement of Proposal: Control of Alcohol in Public Places Bylaw

Draft Control of Alcohol in Public Places Bylaw

Division

Strategy and Policy

Date created

Month Year

Publication date

Month Year

Review period

October 2029

Owner

Strategy and Policy

Approved by

Name

Version	Author	Date	Description
V 1.0	Name	Month Year	Insert brief description here
V 2.0	Name	Month Year	Insert brief description here

Statement of Proposal: Control of Alcohol in Public Places Bylaw

1. Commencement

1.1 This Bylaw will come into force on [insert date]

2. Application

2.1 This Bylaw applies to the Lower Hutt District.

3. Interpretation

3.1 In this Bylaw, the following definitions apply:

- **Act** means the Local Government Act 2002.
- **Alcohol** has the meaning given to it in section 5(1) of the Sale and Supply of Alcohol Act 2012.
- **Alcohol free zone** means an alcohol ban area made under this Bylaw in accordance with section 147 of the Act.
- **Bylaw** means this Control of Alcohol in Public Places Bylaw.
- **Council** means Hutt City Council.
- **License** has the meaning given to it in section 5(1) of the Sale and Supply of Alcohol Act 2012.
- **Public Place** has the meaning given to it in section 147(1) of the Act.

4. Restrictions in Alcohol Free Zones

4.1 A person must not consume, bring or possess alcohol in any public place or in any vehicle in any public place where:

- a. an alcohol free zone made by Council in accordance with clause X of this Bylaw applies;
or
- b. an alcohol free zone in a Schedule of this Bylaw applies.

4.1.1. a public place does not include licensed premises.

4.2 However, subclause (1) does not apply in those circumstances described in section 147(4) or section 147 (1)(b) of the Local Government 2002.

4.2.1 Explanatory note on section 147(1) and 147(4): The possession or transport of alcohol in public places in alcohol free zones is limited by this bylaw and the Local Government Act, and is generally only allowed when transporting, carrying, or delivering alcohol through an area.

Statement of Proposal: Control of Alcohol in Public Places Bylaw

5. Alcohol Free Zones

Permanent Alcohol Free Zones

5.1 The public places in each of the areas identified in Schedule 1 to this Bylaw are alcohol free zones.

Alcohol Free Zones by Council resolution

5.2 The Council may, by resolution, specify additional permanent or temporary alcohol free zones, including where and when an alcohol-free zone will apply.

5.3 A resolution made under clause 5.2 may specify a temporary alcohol free zone associated with specific events or periods and permanent alcohol-free zones associated with specific areas or facilities.

5.4 For specified events or periods, the temporary alcohol free zone must be publicly notified at least 14 days in advance of the specified event or period in accordance with section 170(3) of the Act.

5.5 The Council may amend or revoke an Alcohol Free Zone under clause 5.1 or a resolution made under clause 5.2 at any time.

5.6 Before making a resolution under clause 5.2, the Council must be satisfied that the requirements of section 147B of the Act are met. Council may also take into account the following:

- a. whether it is necessary to consult the public to gauge community views on a proposed alcohol free zone;
 - b. the nature, features, and scale of the proposed alcohol free zone;
 - c. the problems that have been caused by the consumption of alcohol in the proposed alcohol free zone including the nature and severity of the problems, and the times and days that problems have occurred;
 - d. the likelihood that alcohol will be present in the proposed alcohol free zone on the days or period specified;
 - e. the extent to which the proposed alcohol free zone may assist in addressing these problems;
 - f. any restrictions or limitations on private individuals' rights that would be caused by a proposed alcohol free zone; and
 - g. any other information considered by the Council to be relevant.
-

Statement of Proposal: Control of Alcohol in Public Places Bylaw

Chief Executive approval for temporary alcohol free zones

5.7 Where there is insufficient time to specify a temporary alcohol free zone by Council resolution, a temporary alcohol free zone can be imposed by the Chief Executive, in consultation with the Mayor and [Committee](#) Chairs in respect of that event during the specified times for that alcohol free zone area.

5.8 The Chief Executive, in consultation with the Mayor and [Committee](#) Chairs, may only impose a temporary alcohol free zone after consideration of:

- The nature of the event;
- The number of people expected to attend the event; and
- The history of the event (if any).

Implementation

5.9 For specified events or periods, the temporary alcohol free zone must be publicly notified at least 14 days in advance of the specified event or period in accordance with section 170(3) of the Act.

5.9.1 Applications to establish a temporary alcohol free zone can be made to the Chief Executive. Decisions will be made in consultation with the Mayor and Chairs.

5.9.2 Explanatory note: If approved, a formal process with time limits, access for setting up temporary alcohol free zones (eg Police only), an application form, fee and signage requirements will be agreed.

6. Hutt City Council Alcohol Free Zones

6.1 The Council resolved at its meeting held on XXXXX to create the alcoholfree zones and times set out in Schedule 1 to which the Bylaw will apply. Maps outlining the areas in all the alcohol free zones in the table below can be found at Appendix 1.

Schedule 1: Alcohol free zones [To be updated following public consultation and subcommittee hearing]

Alcohol free zones	
9pm to 5am everyday	<ul style="list-style-type: none"> • As per previous bylaw, no changes
24-hour alcohol free zone everyday	<ul style="list-style-type: none"> • Proposed updated boundary for the Central Business District • Proposed updated boundary for Queen Street, Wainuiomata • All other alcohol free zones as per previous bylaw

Statement of Proposal: Control of Alcohol in Public Places Bylaw

7. Signage in alcohol free zones

7.1 Where it is practicable or reasonable to do so, the Council will erect signage within alcohol free zones to provide information to the public about the restrictions. The size, location and content of the signage will be at the Council's discretion.

7.2 The absence of signage in any alcohol free zone does not authorise a breach of this Bylaw.

7.3 This clause is subject to any regulations made under section 147C of the Act.

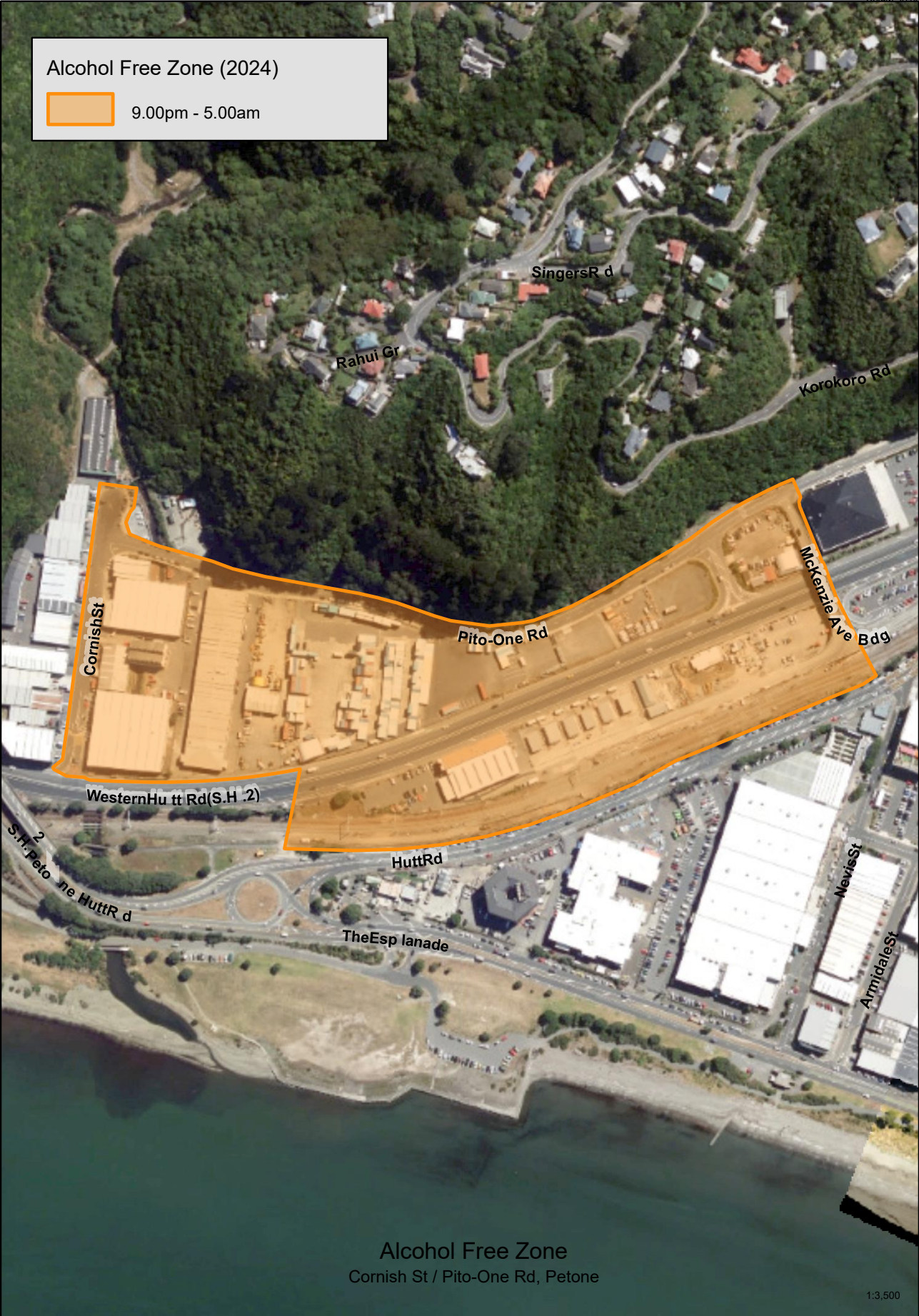
8. Offence and penalty

8.1 Every person who breaches this Bylaw commits an infringement offence under section 239A of the Act and may be served with an infringement notice under section 245 of the Act and may be liable to pay an infringement fee.

8.2 Any person in breach of the restrictions in place in an alcohol free zone is subject to any action taken by the Police in accordance with the powers given to the Police in the Act. These include the powers of search and seizure of alcohol, arrest, and the power to issue an infringement notice. For the avoidance of doubt, this includes the powers in section 170(2) of the Act.







AFZ4

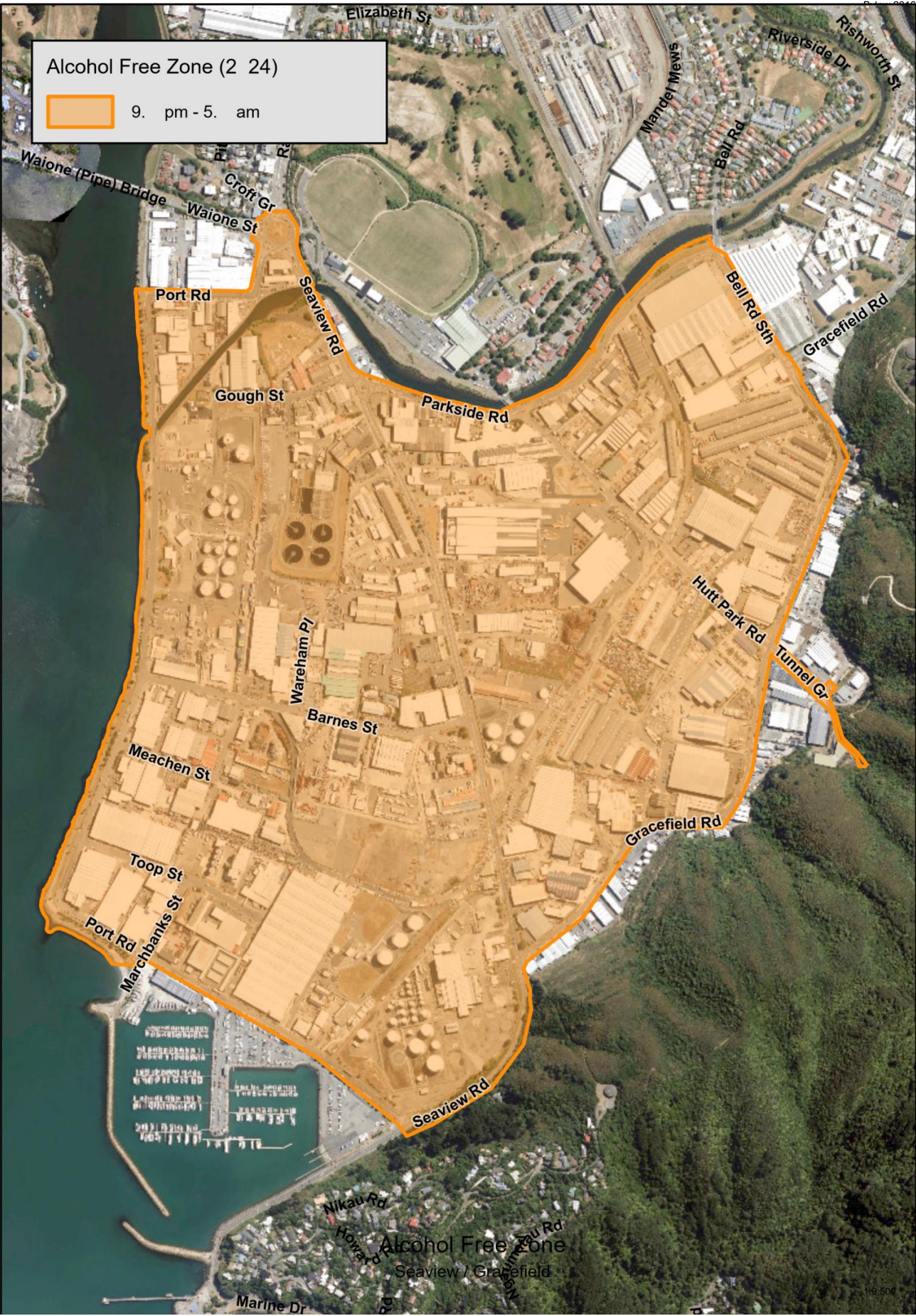
Hutt City Council
Control of Alcohol in Public
Places
Bylaw

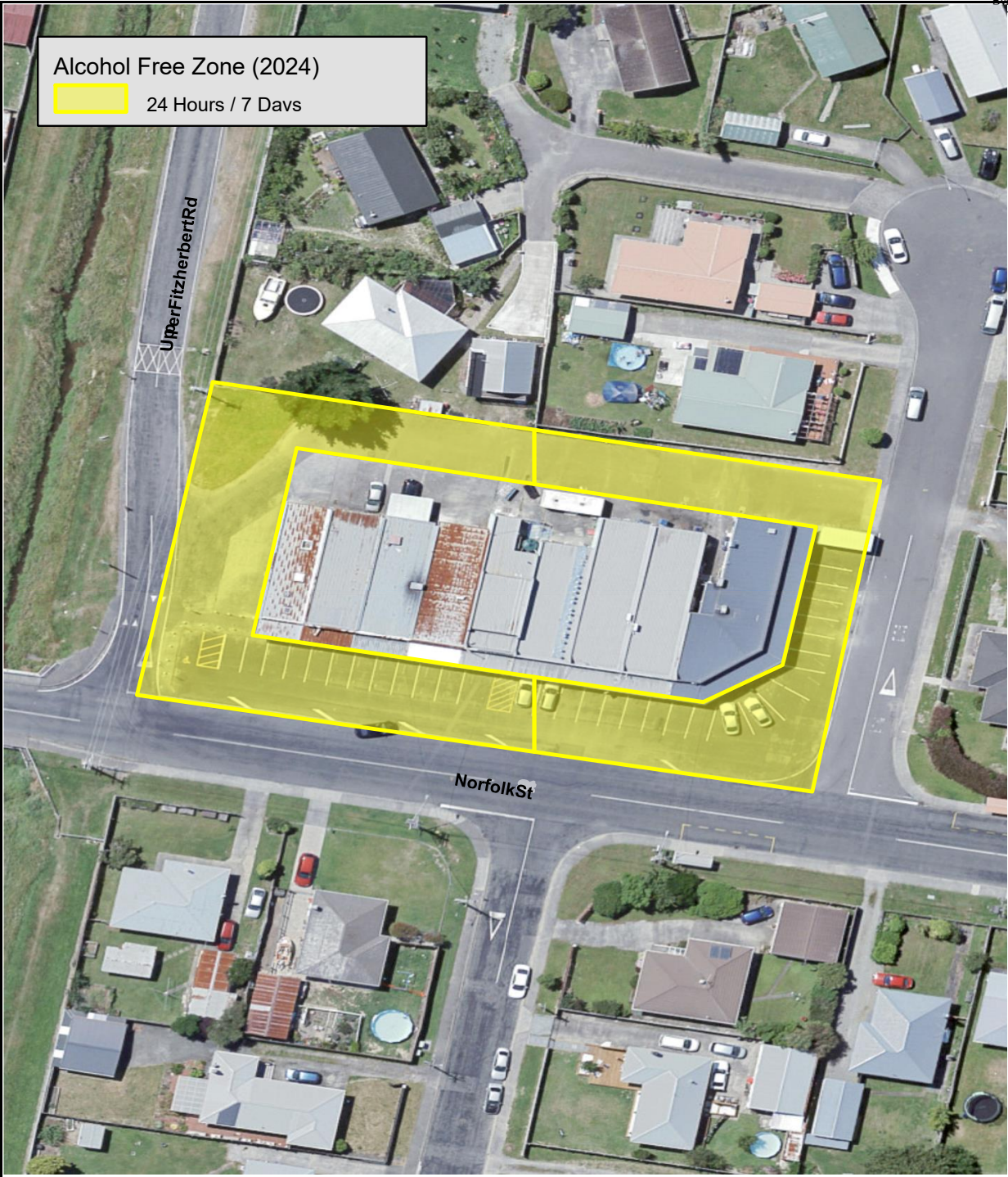




AFZ6







Alcohol Free Zone
Norfolk Street Shopping Area, Wainuiomata

1:600

AFZ8



Scale :



Updated map 10

AFZ10

Hutt City Council
Control of Alcohol in Public
Places
Bylaw 2016

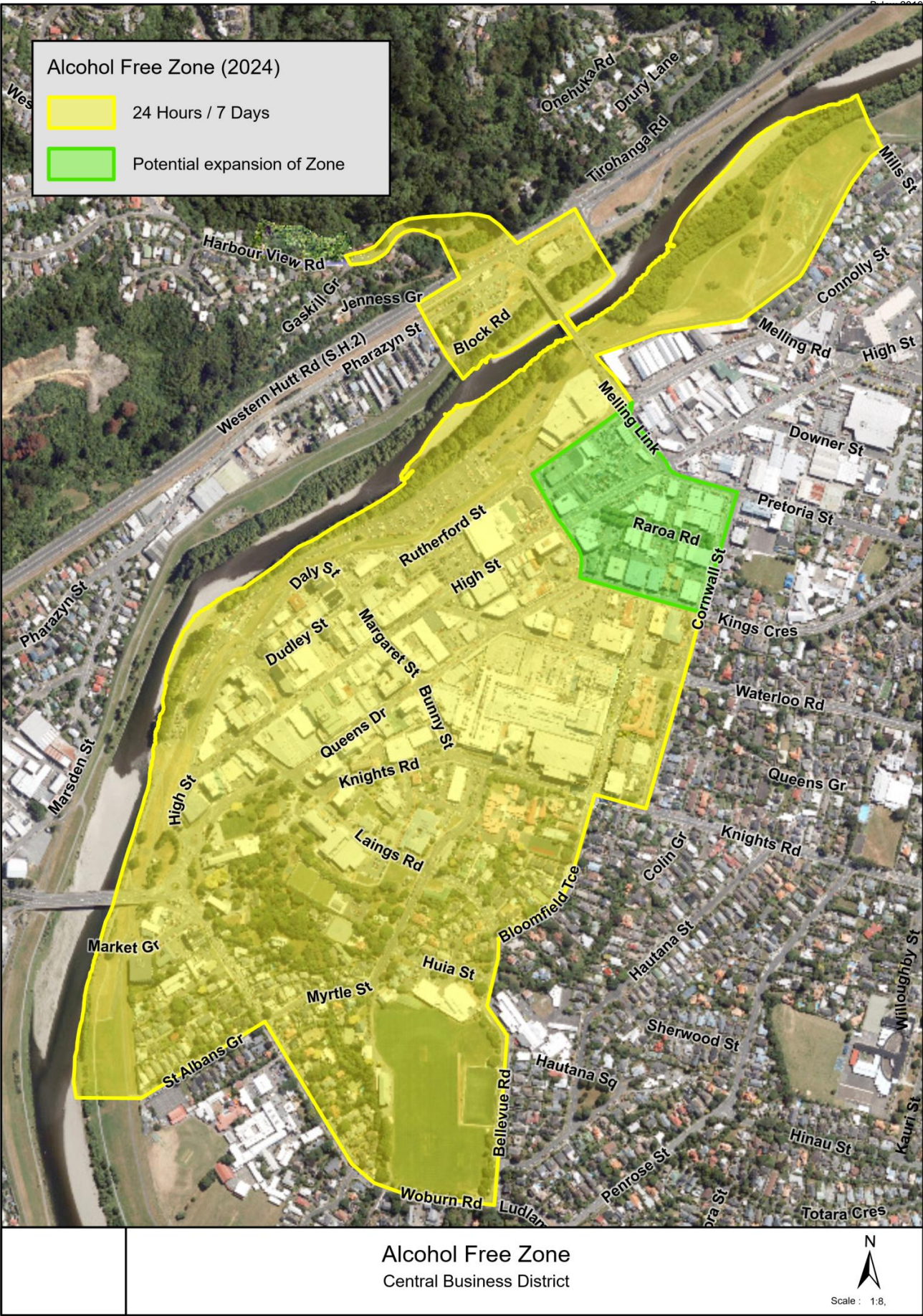


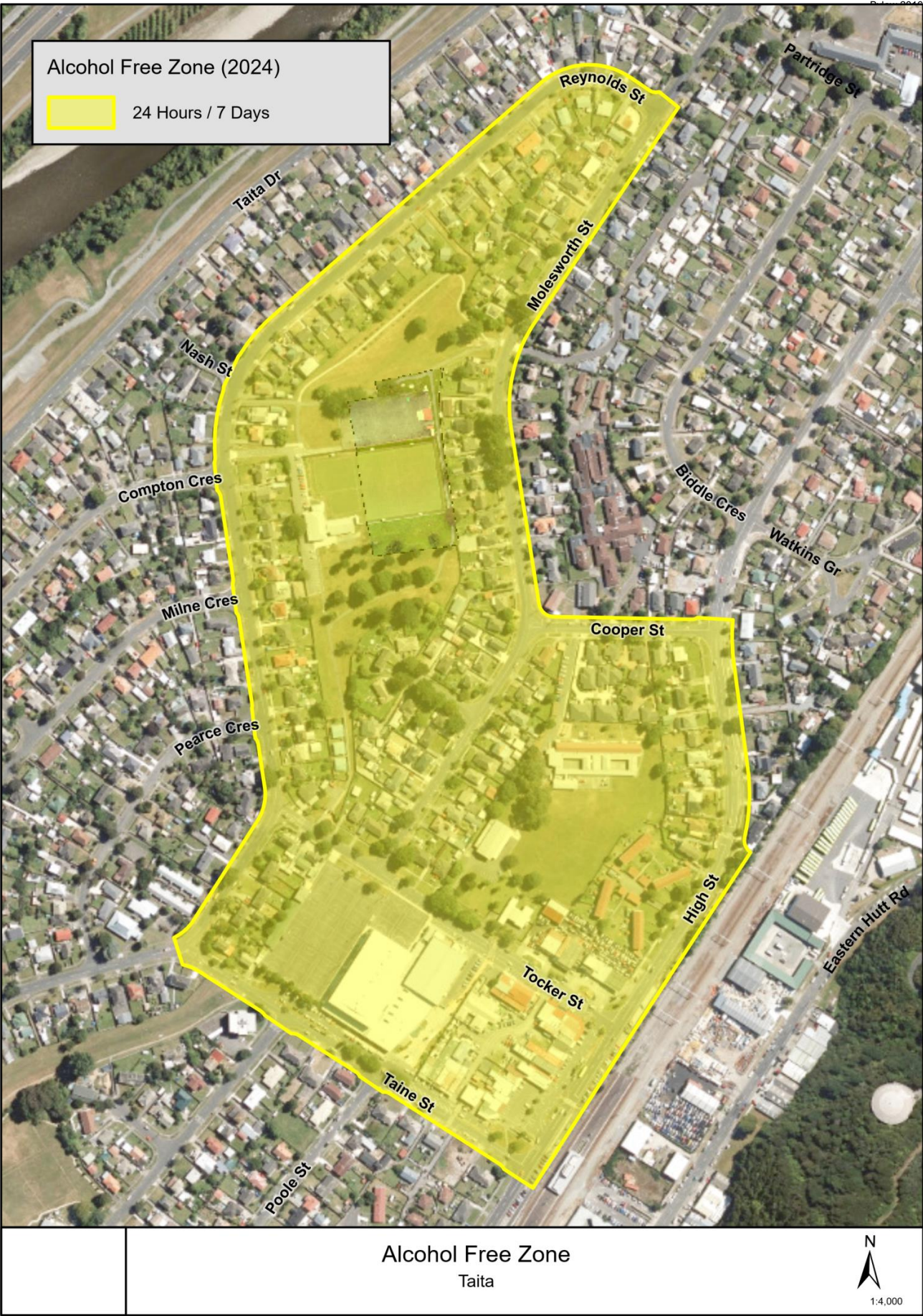
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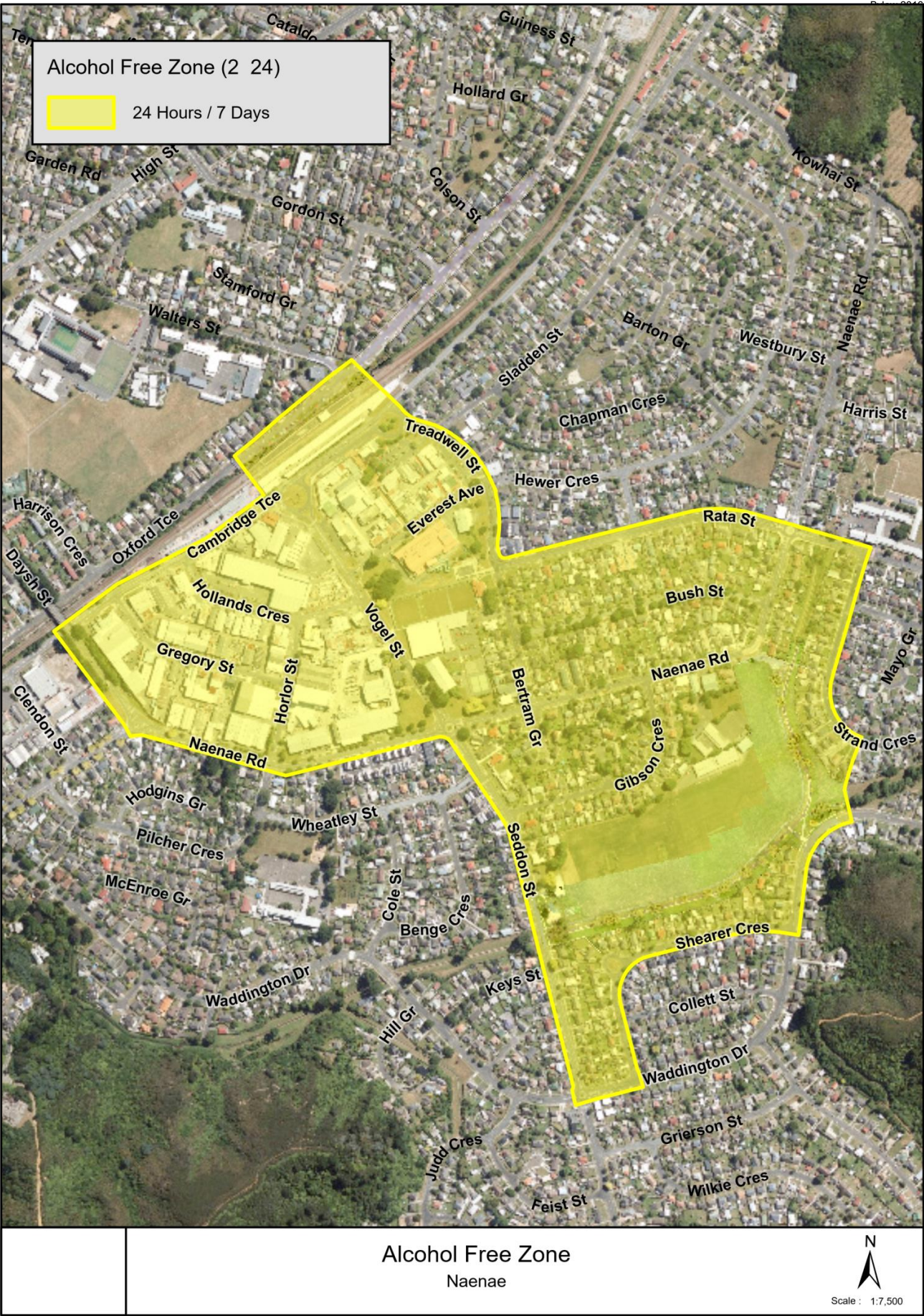
AFZ11

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016





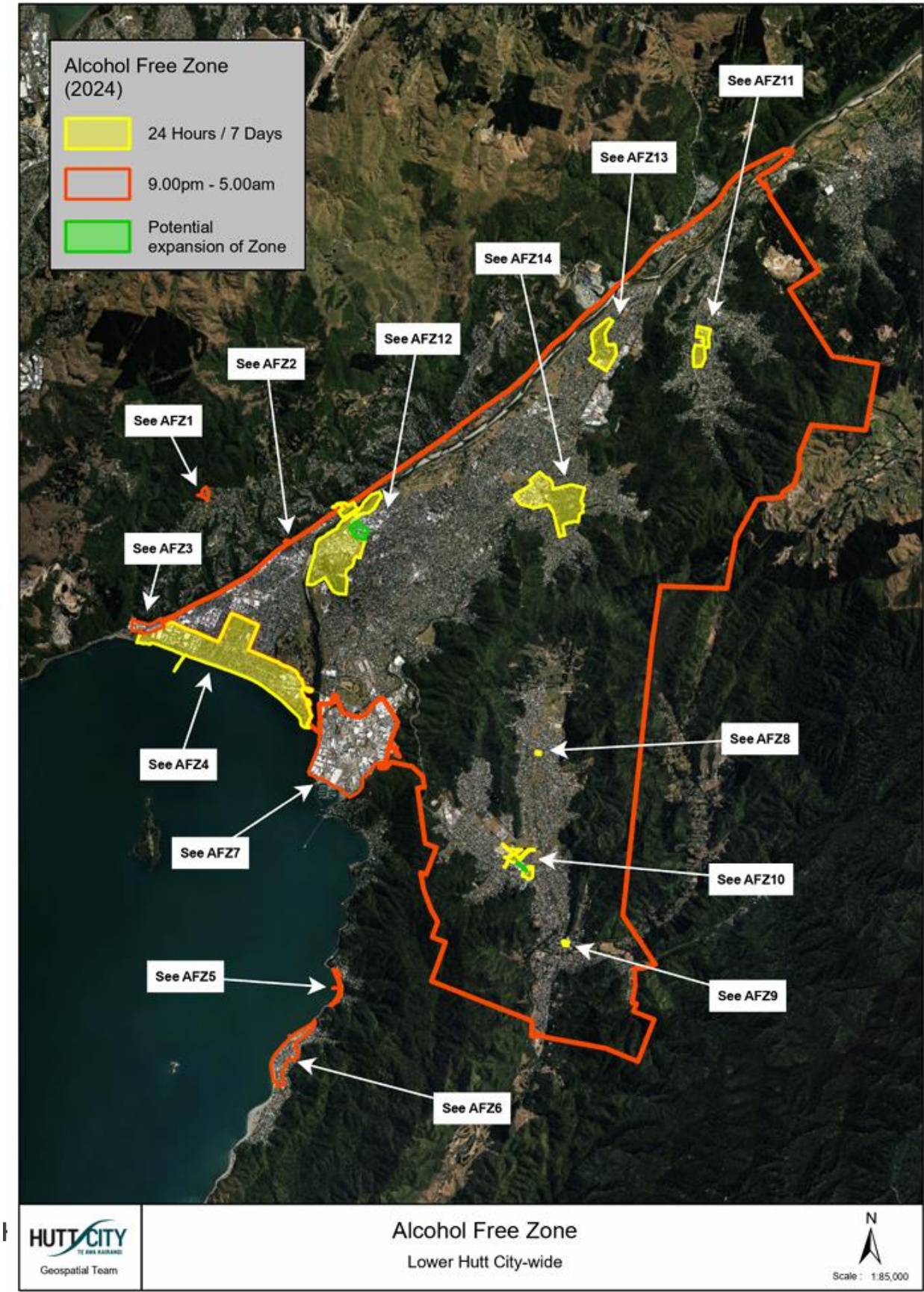




Updated map 15.

AFZ15

Hutt City Council
Control of Alcohol in Public Places
Bylaw 2016



HUTT CITY COUNCIL**KOMITI HANGANGA**
INFRASTRUCTURE AND REGULATORY COMMITTEE

Minutes of a meeting held in the Council Chambers, 2nd Floor, 30 Laings Road,

Lower Hutt on

Thursday 11 July 2024 commencing at 2:00 pm**PRESENT:**

Cr S Edwards (Chair)

Mayor C Barry (via audio-visual)
(until 2.34pm)

Cr G Tupou

Cr K Brown (via audio-visual)

Cr B Dyer

Deputy Mayor T Lewis

Cr A Mitchell

Cr T Stallinger (Deputy Chair) via
audio-visual)**APOLOGIES:**

Cr G Barratt

IN ATTENDANCE:

J Miller, Chief Executive

A Geddes, Director Environment and Sustainability

J Kingsbury, Director Economy and Development

J Livschitz, Group Chief Financial Officer

B Cato, Chief Legal Officer (part meeting)

A Gordon, Senior Policy Advisor (part meeting)

R Houlbrooke, Policy Lead (part meeting)

P Hewitt, Head of Transport

E Scherer, Transport Engineer Manager (part meeting)

R Lemalu, Project Delivery Manager (part meeting)

G Roberts, Manager Waste Minimisation (part meeting)

T Johnstone, Head of Planning (part meeting)

R Barton, Head of Building Control (via audio-visual)

J Roberts, Head of Environmental Protection (via audio-visual)

D Bentley, Environmental Health Manager (part meeting)

E Anand, Head of City Delivery (part meeting)

J Bagsic, Contractor (part meeting)

S Barratt, Acting Head of Urban Development

H Clegg, Minute Taker

V Gilmour, Democracy Advisor

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: (Cr Edwards/Cr Mitchell)

Minute No. IARCC 24301

"That the apology received from Cr Barratt be accepted and leave of absence be granted and the apology received from Mayor Barry for lateness and early departure be accepted."

3. **PUBLIC COMMENT**

Comments are recorded under the item to which they relate.

Mayor Barry joined the meeting at 2.09pm

4. **CONFLICT OF INTEREST DECLARATIONS**

There were no conflicts of interest declarations.

5. **RECOMMENDATIONS TO TE KAUNIHERA O TE AWA KAIRANGI
 COUNCIL - 25 July 2024**

a) Approval to consult on the Alcohol Fees Bylaw

The Senior Policy Advisor elaborated on the report.

In response to questions from members, the Environmental Health Manager said that the Environmental Health team recovered 93% of their costs in 2023 and proposed an 80% cost increase to reach 100% cost recovery. He noted that the proposed fees were slightly higher than most but lower than Porirua City Council. He explained that recovering all costs for a service was standard practice in accordance with Ministry of Justice guidelines.

In response to questions from members, the Senior Policy Advisor explained that the Wellington City Council had decided to transfer fees from its Alcohol Fees Bylaw to the Long Term Plan process. She said that the change allowed for more flexible annual adjustments. However, she pointed out that officers considered this approach less transparent and potentially legally vulnerable.

The members discussed the proposal to reconsider increasing cost-recovery fees to 100% after consultation.

Cr Dyer expressed concern with the proposed fee increases and asked for a briefing to discuss the potential impact on applications.

RECOMMENDED: (Cr Edwards/Cr Mitchell)	Minute No. IARCC 24302
<p><i>"That the Committee recommends that Council:</i></p> <ol style="list-style-type: none"> <i>(1) notes that alcohol fees are prescribed in the Sale and Supply of Alcohol (Fees) Regulations 2013;</i> <i>(2) notes that the Alcohol Fees Bylaw allows Council to modify these fees for the following:</i> <ol style="list-style-type: none"> <i>(a) application fees for new on-licence, off-licence, club license, special licenses, temporary authority certificates, and permanent chartered club certificates;</i> <i>(b) an application to vary an on-licence, off-licence, or club licence: and</i> <i>(c) an application to renew an on-licence, off-licence, or club licence;</i> <i>(3) notes that officers have reviewed the current Alcohol Fees Bylaw and propose no substantive changes other than increasing the cost recovery to 100%;</i> <i>(4) agrees to consult on the current Alcohol Fees Bylaw attached as Appendix 1 to the report;</i> <i>(5) notes that public consultation on the Alcohol Fees Bylaw will take place from 26 July to 25 August 2024;</i> <i>(6) notes that officers will present the Alcohol Fees Bylaw to the committee for consideration on 21 November 2024; and</i> <i>(7) notes that Council will consider adopting the Alcohol Fees Bylaw on 10 December 2024."</i> 	

b) Approval to consult on the review of the Local Alcohol Policy

The Senior Policy Advisor elaborated on the report.

Mayor Barry left the meeting at 2.34pm.

In response to questions from members, the Senior Policy Advisor stated that there were no plans to implement caps for the Waterloo or Moera areas. She mentioned that the public would have the opportunity to give feedback on the proposed introduction of caps. She confirmed that the consultation documents would summarise the agency submissions and that a link to the complete submissions would be available.

In response to questions from members, the Senior Policy Advisor advised that New Zealand Police had attended only five of over 300 incidents logged on CCTV cameras. She explained that the logging system permitted only one incident description per entry. She noted that New Zealand Police typically logged incidents as assaults, resulting in data that did not fully reflect the situation.

In response to a member's question, the Chief Legal Officer advised that implementing a city-wide licence cap could be problematic. He explained that this was because premises might apply for all available licences, potentially preventing some areas from obtaining licences.

Cr Brown stated that she would like a city-wide cap on licensed premises introduced and that the proposed Local Alcohol Policy would continue the existing one.

Cr Mitchell expressed concern about the lack of response from the New Zealand Police. He suggested that some areas of the city may be disappointed to see no real changes being proposed, especially in areas where the concept of a cap had been discussed.

RECOMMENDED: (Cr Edwards/Cr Tupou)	Minute No. IARCC 24303
<i>"That the Committee recommends that Council:</i>	
<i>(1) notes that Local Alcohol Policies are established under the Sale and Supply of Alcohol Act 2012;</i>	
<i>(2) notes that the Local Alcohol Policy outlines the set of decisions made by a council about the sale and supply of alcohol in its area;</i>	
<i>(3) notes that officers are reviewing the Local Alcohol Policy with reference to data provided by the Medical Health Officer (Appendix 1 attached to the report), the City Safety report (Appendix 2 attached to the report) and data provided by the Police summarised in Appendix 3 attached to the report;</i>	
<i>(4) agrees, as part of the review, to use the special consultative procedure to consult on the existing Local Alcohol Policy with no changes;</i>	
<i>(5) agrees to the draft Statement of Proposal attached as Appendix 4 to the report;</i>	

- (6) notes that public consultation will take place from 26 July to 25 August 2024;*
- (7) notes that officers will present the proposed Local Alcohol Policy to the Committee for approval on 21 November 2024; and*
- (8) notes that Council will consider adopting the Local Alcohol Policy on 10 December 2024."*

c) Jackson Street Three Waters Renewal Options

Speaking under public comment, **Hellen Swales representing the Jackson Street Programme (JSP)**, expressed support for Option 1. She mentioned that she had met with officers, project consultants, contractors, and Jackson Street businesses, all of whom endorsed the proposal. She emphasised that this approach would ensure all necessary equipment and personnel were on-site to address any issues. She also raised concerns about the current degradation of the water pipes, noting that the tap water often appeared cloudy with iron particles.

In response to questions from members, Hellen Swales reported that 235 responses to the JSP poll had been received, with 75% from businesses between Cuba and Queen Streets. She noted that other businesses in the area expressed concern about the potential impact of the proposed works on customer numbers. She confirmed that the survey and correspondence clearly stated that blocks of Jackson Street would be closed at any time.

Cr Stallinger left the meeting at 2.50pm.

Adam Wark, Project Manager from GHD, was in attendance for the item.

The Strategic Advisor elaborated on the report. He advised a correction to paragraph 2 of the report, noting that it should read “stormwater pipe” rather than wastewater pipe.

In response to a question from a member, Adam Wark advised that the projected life of the replacement pipes was 100 years.

Cr Stallinger rejoined the meeting at 2.52pm.

In response to questions from members, the Strategic Advisor addressed concerns about climate change, acknowledging that current predictions anticipate a 1.6m rise in sea levels over the next 100 years. He noted that while urgently replacing aging pipes was necessary, the project would also explore future strategic options, such as installing pumping stations. He explained that due to their cost and scope, there were no plans for significant road reconstructions, with only road reinstatement being proposed.

RECOMMENDED: (Cr Edwards/Deputy Mayor Lewis)

Minute No. IARCC 24304

“That the Committee recommends that Council:

- (1) notes the options outlined in this report to renew ageing pipe infrastructure within a 560-metre stretch of Jackson Street between the Queen Street and William Street intersections;*
- (2) notes that most of the stormwater, wastewater and water pipes in this section of Jackson Street were laid in 1915 and are in poor condition;*

- (3) *notes the optioneering assessment undertaken by GHD, attached as Appendix 1 to the report, recommends that Council renew the pipes simultaneously;*
- (4) *notes the construction time to undertake renewals simultaneously has been estimated to take between 32 to 42 months to complete, with a 95th percentile project estimate of \$24.35M, including contingency and funding risk;*
- (5) *notes that the Jackson Street Programme (JSP) has advised that it supports the option to undertake renewal works simultaneously;*
- (6) *notes that the detailed planning and design for this option will take 12 months to complete, such that works wouldn't commence until late 2025;*
- (7) *notes that budget provision to undertake most of these works will need to be made from generic three water renewal budgets and brought forward from out years in the Long Term Plan (LTP) 2024-2034;*
- (8) *agrees to proceed in principle with undertaking the Jackson Street renewals simultaneously, subject to agreement on budget provision;*
- (9) *notes that a report will be prepared for the Long Term Plan/Annual Plan Subcommittee to agree the budget aspects;*
- (10) *notes that there is likely to be a higher rates revenue increase requirement if there is no offsetting mechanism, and*
- (11) *asks officers to prepare, prior to the commencement of the project, comprehensive implementation and communication plans to manage the issues identified in this report, including but not limited to bus and traffic diversions, business deliveries, rubbish and recycling collections, parking, fencing, events conflicts, private lateral connections, and other road closures in the area."*

6. THREE WATERS UPDATE AND LOCAL GOVERNMENT (WATER SERVICES PRELIMINARY ARRANGEMENTS) BILL SUBMISSION

Report No. IARCC2024/3/170 by the Strategic Advisor

The Strategic Advisor elaborated on the report.

RESOLVED: (Cr Edwards/Cr Mitchell)

Minute No. IARCC 24305

"That the Committee

- (1) receives the report and notes its contents; and*
- (2) approves in retrospect the submission made by Hutt City Council, jointly with the other nine Councils working together on the proposed regional water entity, to the Local Government (Water Services Preliminary Arrangements) Bill, attached as Appendix 2 to the report."*

7. EMERGENCY WORKS SUBMISSION

Report No. IARCC2024/3/172 by the Principal Advisor - Micromobility Programme

The Director Economy and Development elaborated on the report.

In response to a question from a member, the Chief Executive advised that more information would be provided in September 2024. She added that this would include details on whether government funding would be available to help with capital expenditure budgets for improving roads to make them more resistant to storms and less prone to failure.

RESOLVED: (Cr Edwards/Cr Mitchell)

Minute No. IARCC 24306

"That the Committee:

- (1) retrospectively approves the submission made on 19 June 2024 from Council on the proposed New Zealand Transport Agency (NZTA) Waka Kotahi changes to emergency works funding, attached as Appendix 1 to the report;*
- (2) notes that the consultation closed on 19 June 2024 and did not permit the Committee considering the submission prior to the submission date;*
- (3) notes the submission was shared with the Mayor and committee chairs for feedback before 19 June 2024;*
- (4) notes the proposed changes increase financial liability on local share funding for damage from weather events by:*
 - a) increasing the eligibility threshold of event intensity; and*
 - b) reducing the enhanced funding assistance rates paid when costs increase above 10% of maintenance budgets;*
- (5) notes that the Regional Transport Committee has provided a submission focusing on the impact of delivering on Regional Land Transport; and*
- (6) notes the submission was shared with other Councils."*

8. **SUBMISSION ON THE LAND TRANSPORT RULE: SETTING OF SPEED LIMITS
RULE 2024**

Report No. IARCC2024/3/182 by the Head of Transport

The Head of Transport elaborated on the report.

The Director Economy and Development explained that the proposed government reversal could result in different speed limits over short distances on the same roads and might restrict the ability to implement speed restrictions specific to certain sites.

In response to questions from members, the Director of Economy and Development said he would assess the impact of Council's speed changes and total expenditure for inclusion in the submission. He would highlight the cost of the partially implemented safety plan and emphasise the school community support for lowering speed limits around schools. He explained that further changes could cause confusion and dangerous situations. He advised that councils were better suited to manage their communities and that officers were awaiting further government advice on policies for dealing with anti-social vehicle use. He agreed to send a final copy of the submission to members.

Cr Tupou expressed concern about the situation. He believed the public's level of trust in Council would drop, resulting in confusion.

Cr Stallinger advised that he did not support the submission. He added that while he agreed with parts of it, he also supported parts of the proposed government changes.

RESOLVED: (Cr Edwards/Cr Tupou)

Minute No. IARCC 24307

"That the Committee:

- (1) approves the submission to be made on 11 July 2024 on the proposed Setting of Speed Limits 2024 consultation; and*
- (2) notes that the consultation closes on 11 July 2024."*

Cr Stallinger requested that his dissenting vote be recorded against the above matter.

9. **FURTHER SUBMISSION FROM HUTT CITY COUNCIL ON PROPOSED PLAN CHANGE 50 TO THE UPPER HUTT CITY DISTRICT PLAN IN RELATION REZONING OF LAND ADJACENT TO SILVERSTREAM LANDFILL**

Report No. IARCC2024/3/171 by the Manager Waste Minimisation

The Manager Waste Minimisation elaborated on the report.

In response to a question from a member, the Manager Waste Minimisation agreed to present the submission to the Hutt Valley Services Committee at its next meeting on 20 September 2024.

RESOLVED: (Cr Edwards/Deputy Mayor Lewis)

Minute No. IARCC 24308

"That the Committee:

- (1) retrospectively approves the further submission to Proposed Plan Change 50, attached as Appendix 1 to the report; and*
- (2) notes further submission is in opposition to the rezoning of rural land adjacent to the landfill boundary to allow residential development."*

10. **REGULATORY MATTERS**

Report No. IARCC2024/3/175 by the Head of Planning

The Head of Planning elaborated on the report.

In response to questions from members, the Head of Planning mentioned that not all of the 108 resource consent applications that came in a surge prior to the 1 July changes to development contributions were urgent. He said some applicants agreed to a hold or extension. He also noted that there was no pressure to process all consents within the statutory timeframe. Additionally, officers were looking into complaints about the loading dock operating hours at Kmart Petone.

RESOLVED: (Cr Edwards/Cr Mitchell)

Minute No. IARCC 24309

"That the Committee receives and notes the information."

11. ECONOMY AND DEVELOPMENT DIRECTOR'S REPORT

Report No. IARCC2024/3/177 by the Director of Economy and Development

Speaking under public comment, **David Harle** advised that he fully supported the RiverLink project and the benefits it would bring to the city. He suggested investigating the redesign of the new bridge to achieve grade separation from Rutherford Street, and relocate the end of the bridge on/off ramp closer to Queens Drive to ease congestion, reduce the need for traffic lights, and improve traffic flow.

The Head of City Delivery explained that extending the bridge would result in flooding, water flow issues and conflicts with underground infrastructure. He explained that an extra bridge span and redesign of the abutments would be needed and that another street might need to be closed, affecting traffic flow and businesses. He advised that changing the bridge landing would impact Harvey Norman's road access and Countdown supermarket's accessibility. He noted the potential social impacts, including the risk of anti-social activities under bridges and the possible devaluation of adjacent properties.

The Chair allowed David Harle to respond to the officer's comments.

David Harle said the required bridge clearance was 4.3m, meaning Rutherford Street would only need to be lowered by 100mm. He pointed out that the existing Pharazyn Street Bridge had a 4.12m clearance at its closest point. He suggested that a revised entrance to the Harvey Norman building could be beneficial, with additional parking available on the Melling Link road. He said that overbridges in other parts of the city indicated that potential negative social effects should not prevent further investigation of his suggestion.

The Director of Economy and Development elaborated on the report. He acknowledged the lessons learned in the School Speed rollout and the errors made. He advised that Biddle Crescent, Milne Crescent, and Johnstone Grove had been completed.

In response to questions from members, the Director of Economy and Development acknowledged concerns about road calming measures. He advised that future projects would improve consistency with a uniform design approach, and inconsistencies were due to varying contractors and road conditions. He explained that the new Waterloo Road pedestrian crossing would be raised, and a report would outline any incorrectly installed crossings.

In response to questions from members, the Director Economy and Development provided updates on the National Land Transport Fund, paid parking in Petone, the wayfinding project, and agreed to include more information in future reports.

In response to questions from members, the Head of Transport advised that the speed signage around schools would be corrected by the end of the current school holidays. He explained that the road resurfacing and rehabilitation works were also progressing, but the new parking meter machines from Australia do not accept cash payments.

Cr Tupou left the meeting at 3.54pm.

In response to further questions from members, the Director of Economy and Development advised that seismic testing of overbridges was generally carried out every 20 years. He said that due to COVID issues, the latest investigation of the Cuba Street overbridge had been delayed, but it was now underway. He advised that the Harcourt Werry Drive crossing had now been included in the RiverLink scope of works.

Cr Tupou rejoined the meeting at 3.57pm.

In response to a question from a member, the Head of Transport agreed to report back on the figures relating to maintenance and renewals as it appeared the figures were contradictory.

Cr Dyer expressed concern at the inconsistencies and mistakes in the School Speed Rollout and raised pedestrian crossings projects.

RESOLVED: (Cr Edwards/Deputy Mayor Lewis)

Minute No. IARCC 24310

"That the Committee receives and notes the information."

12. INFORMATION ITEM

Infrastructure and Regulatory Forward Programme 2024

Memorandum dated 26 June 2024 by the Democracy Advisor

Deputy Mayor Lewis asked that the road closure for the Petone Rotary Fair be moved forward to September 2024.

RESOLVED: (Cr Edwards/Cr Dyer)

Minute No. IARCC 24311

"That the Committee receives and notes the Forward Programme for 2024 attached as Appendix 1 to the memorandum."

13. QUESTIONS

There were no questions.

14. EXCLUSION OF THE PUBLIC

RESOLVED: (Cr Edwards/Deputy Mayor Lewis)

Minute No. IARCC 24312

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

15. NZTA Waka Kotahi indicative allocation for 2024-27 for Local Road pothole prevention and Local Road operations

16. Infrastructure Acceleration Fund (IAF)

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:

<i>(A)</i>	<i>(B)</i>	<i>(C)</i>
<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>NZTA Waka Kotahi indicative allocation for 2024-27 for Local Road pothole prevention and Local Road operations.</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>	<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>
<i>Infrastructure Acceleration Fund (IAF).</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)).</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>

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 4.03pm. The public excluded part of the meeting was declared closed at 4.26pm.

S Edwards
CHAIR

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



Appendix 1

DRAFT Statement of Proposal

Draft Alcohol Fees Bylaw 2024

Summary of Proposal

Council adopted the Alcohol Fees Bylaw in 2019 pursuant to the Sale and Supply of Alcohol Act 2012 (the Act). The fees setting in this bylaw aimed to recover 90% of all costs associated with alcohol-related work undertaken by Hutt City Council such as maintaining licensing application processes, alcohol licence monitoring and enforcement duties, and activities of the District Licensing Committee. The increases were phased in over three years, ending in 2022.

A cost recovery of 93% was achieved in 2022/23 financial year but will not be achieved in 2023/24 or 2024/25, due to the need to review the bylaw before further increases can be made. The remaining costs are covered by Hutt City Council rates.

Through the 2024-2034 Long-Term Plan process, Hutt City Council has increased the projected annual alcohol licensing revenue in line with Consumer Price Index increases.

We have reviewed the fee settings in the bylaw and would like feedback on two options:

- Option 1: 90% cost recovery; or
- Option 2: 100% cost recovery.

How to have your say

We want your feedback on the proposed Alcohol Fees Bylaw.

You can provide feedback in multiple ways:

- Make an online submission at haveyoursay.huttcity.govt.nz
- Email your submission to alcohol2024@huttcity.govt.nz with 'Alcohol Fees Bylaw' in the email subject line
- Drop off a submission at the front counter at our office at 30 Laings Rd

Timetable for consultation

The consultation is open from **26 July to 25 August 2024. Questions to**

consider

- Should Hutt City Council maintain a goal of recovering 90% of alcohol licensing costs through fees, or change to a goal of recovering 100%?

Privacy Statement

We collect personal information from you, including information about your:

- Name (optional)
- Contact information (optional)
- Name of organisation (optional)
- The suburb you live in

We only need to collect your name, organisation and contact information if you are interested in attending a hearing. If you do not wish to provide your name or contact information, we will not contact you about hearing times. We collect the suburb you live in to better understand how you are impacted by the changes happening in your suburb.

The information you provide will be accessible only by Hutt City Council staff and is not shared with any third party.

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please contact us at policy@huttcity.govt.nz, or 04 570 6666, or 30 Laings Road, Lower Hutt 5010.

What does an Alcohol Fees Bylaw do?

Under the Sale and Supply of Alcohol Act 2012, councils are able to set prescribed alcohol licensing fees through the implementation of an alcohol fees bylaw.

Entities who wish to obtain a licence for the sale and supply of alcohol in Lower Hutt can make an application to the District Licensing Committee (DLC) within Hutt City Council. The DLC will consider and decide on all applications.

Applicants can seek an on-licence, off-licence, club licence or a special on- or off-licence to sell and supply alcohol. All application fees are paid to Hutt City Council for each licence type. The fee amount depends on the risk category of the relevant premises. The cost/risk category of premises is determined by three factors:

- type of premises;
- latest alcohol sales time; and
- number of recent enforcement actions.

We are not proposing any changes to the way Council attributes risk to each licence type. The risk categories are outlined in the Act and are based on the risk attributed to each licence. The lower the weighting and risk rating, the lower the fees category.

Premise type

The Act recognises that there are certain premises that have a higher risk which require more resources to licence, monitor and enforce. Each licence type has a number of types of premises, each with an assigned weighting.

Licence type	Factor 1: type of premise	Weighting
On-licence	Class 1 restaurant, night club, tavern adult premise	15
	Class 2 restaurant, hotel, function centre	10
	Class 3 restaurant, other	5
	BYO restaurant, theatres, cinemas, winery cellar doors	2
Off-licence	Supermarket, grocery store, bottle store	15
	Hotel, tavern	10
	Class 1, 2 or 3 club, remote sale premise, other	5
	Winery cellar doors	2
Club licence	Class 1 club	10
	Class 2 club	5
	Class 3 club	2

Hours of business

The Act also recognises that licenced premises that are open later attract a higher risk. Hutt City Council's Local Alcohol Policy already restricts businesses' opening hours further than the default maximum trading hours that are provided in the Act.

Licence type	Latest trading hour	Weighting
On-licence or Club licence	2am or earlier	0
	Between 2:01 and 3am	3
	After 3am	5
Off-licence (excluding remote sales premises)	10pm or earlier	0
	Any time after 10pm	3
Remote sales premises	Not applicable	N/A

Enforcement actions

If a licenced premise has been issued with an enforcement action (as defined under the Act), this recognises that the licensee has broken the law under the Act and attributes this to a higher risk rating depending on the number of enforcement actions taken.

Licence type	Number of ARLA enforcements actions recorded in the last 18 months	Weighting
All types	None	0
	1	10
	2 or more	20

Risk rating

Adding up the weighting from each of these factors allows Council to attribute a risk rating to each licence and determine the appropriate fee category as outlined in the table below. This table also outlines the numbers of licence types issued in Lower Hutt over the past five financial years.

Risk category and current fees	Numbers of licences				
	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023
Application fees					
Very low - \$699.20	22	10	8	13	6
Low - \$1158.05	38	30	28	42	31
Medium - \$1531.35	42	39	40	38	44
High - \$1944.65	6	3	6	2	1
Very high - \$2294.25	0	0	1	0	0
Annual fees					
Very low - \$305.90	24	29	38	28	26
Low - \$742.90	47	69	80	69	86
Medium - \$1201.75	53	64	94	78	82
High - \$1966.50	6	5	7	2	1
Very high - \$2731.25	0	2	2	0	0
Other fees					
Temporary Authority \$563.75	12	11	8	16	11
Manager Certificate \$316.25	322	254	258	280	282
Special licence fees					
Class 1 \$1092.50	13	13	4	2	3
Class 2 \$393.30	41	26	28	20	48
Class 3 \$120.15	83	73	79	62	71

Recoverable costs

Costs that Council can recover through alcohol fees are covered in Regulation 19 of the Sale and Supply of Alcohol (fees) Regulation 2013 and are reported annually. The table below outlines what is included in each of the categories of recoverable costs.

Recoverable costs through alcohol fees revenue

Personnel costs	The costs of people, including DLC members, inspectors or other staff. This includes salaries, allowances, leave (annual and wellness), ACC costs, kiwi saver contributions, training and development, stationery, printing, equipment (computers / IT etc) and any other staff-related costs.
Disbursements to Alcohol Regulatory and Licensing Authority	This disbursement should be offset by TA licence revenue, which includes the amount which is remitted to ARLA.
Overhead costs	Finance, corporate services, human resources, IT, legal, accommodation (rent, maintenance, utilities).
Overhead allocation	The allocation of overheads is generally applied in relation to full-time equivalent staff (FTE) or unit expenditure.

Options for consideration

In 2019, Council increased fees evenly across all risk categories in order to achieve 90% cost recovery. The options below provide for higher percentage fee increases as the risk category increases.

There are two options being considered for alcohol licensing fee increases:

- Option 1: 90% recovery of costs, with 10% of costs covered by Hutt City rates ~~(preferred)~~; or
- Option 2: 100% recovery of costs.

Option 1 – 90% recovery of costs

Risk Category for on-, off- and club licence	Current application fee	Proposed Increase	New Fee 25/26
Very Low	\$699.20	20%	\$840
Low	\$1,158.05	30%	\$1,505
Medium	\$1,531.35	40%	\$2,143
High	\$1,944.65	50%	\$2,916
Very High	\$2,294.25	60%	\$3,670
Risk Category for on-, off- and club licence	Current annual fee	Proposed increase	New Fee 25/26
Very Low	\$305.90	20%	\$367
Low	\$742.90	30%	\$965
Medium	\$1201.75	40%	\$1,682
High	\$1966.5	50%	\$2,949
Very High	\$2731.25	60%	\$4,370
Special licences	Current application fee	Proposed increase	New Fee 25/26
Special Class 1	\$1092.5	60%	\$1,748
Special Class 2	\$393.3	50%	\$589
Special Class 3	\$120.15	10%	\$132
Other	Current other fees	Proposed increase	New Fee 25/26
Temp Authority - \$563.75	Application fee \$563.75	40%	\$789
Permanent Chartered Club - \$632.5	Annual fee \$632.5	20%	\$759

Option 2 – 100% recovery of costs

Risk Category On- and off- and club licences	Current application fee	Proposed Increase	New Fee 25/26
Very Low	\$699.20	40%	\$979
Low	\$1,158.05	50%	\$1,737
Medium	\$1,531.35	60%	\$2,450
High	\$1,944.65	70%	\$3,306
Very High	\$2,294.25	80%	\$4,130
Risk Category On- and off- and club licences	Current Annual Fee	Proposed Increase	New Fee 25/26
Very Low	\$305.90	40%	\$428
Low	\$742.90	50%	\$1,114
Medium	\$1201.75	60%	\$1,923
High	\$1966.5	70%	\$3,343
Very High	\$2731.25	80%	\$4,916
Special licences	Current Application fee	Proposed Increase	New Fee 25/26
Special Class 1	\$1092.5	80%	\$1,967
Special Class 2	\$393.3	70%	\$669
Special Class 3	\$120.15	20%	\$144
Other	Current other fees	Proposed Increase	New Fee 25/26
Temporary Authority - \$563.75	Application fee \$563.75	40%	\$789
Permanent Chartered Club - \$632.5	Annual fee \$632.5	20%	\$759

The fees adjustment would commence on 1 July 2025, with a further proposed fee increase of 3% each following year across the risk categories until 2035.

An increase of 3% each year achieves the previously desired 90% cost recovery, however only the 100% cost recovery option will achieve Long Term Plan projected revenue.

Reducing expenditure

All applications for on-, off- and club licences must be publicly notified. Council provides for the publishing of public notices on the Hutt City Council website. This currently costs \$155 per notice and generates revenue of approximately \$10,000 per annum.

A new non-refundable administrative fee of \$120 has been proposed for late special licence applications (less than 20 working days' notice) from 1 July 2024.

While both of these fees contribute to cost recovery, they are not within the scope of the alcohol fees framework, and therefore cannot be considered in determining the annual revenue versus expenditure for alcohol related work. This is reported to Council's Infrastructure and Regulatory Committee in September of each year and published on the Hutt City Council website.

Reporting requirements

Under the Sale and Supply of Alcohol (Fees) Regulations 2013, councils must prepare and make publicly available annual reports that outline income from alcohol fees in relation to:

- the performance of the function of its licensing committee under the Act;
- the performance of the functions of its inspectors under the Act; and
- undertaking enforcement activities under the Act.

Draft Alcohol Fees Bylaw 2024

Division	Strategy & Engagement		
Date created	Month Year		
Publication date	Month Year		
Review period	Month Year		
Owner	Name		
Approved by	Name		
Version	Author	Date	Description
V 1.0	Name	Month Year	Insert brief description here
V 2.0	Name	Month Year	Insert brief description here

Alcohol Fees Bylaw

1. Purpose

1.1 The purpose of this bylaw is to prescribe fees for all matters for which fees payable to Hutt City Council are prescribed in the Sale and Supply of Alcohol Act 2012.

2. Interpretation

2.1 In this bylaw, unless the context otherwise requires, the following definitions apply:

- **Act** means the Sale and Supply of Alcohol Act 2012.
- **Application Fee** has the meaning given by the Sale and Supply of Alcohol (Fees) Regulations 2013 and means any of the following:
 - an application for an on-licence, off-licence or club licence;
 - an application to vary an on-licence, off-licence or club licence; and
 - an application to renew an on-licence, off-licence or club licence.
- **Licence** has the meaning given by the Sale and Supply of Alcohol Act 2012 and means any of the following:
 - a licence issued under the Act that is in force, and
 - in relation to any licenced premises, means the licence issued for them (or, in the case of premises that 2 or more licences have been issued for, any of those licences).
- **Regulations** means the Sale and Supply of Alcohol (Fees) Regulations 2013.
- **Permanent Club Charter** means a charter, granted under section 260(3) of the Licensing Act 1908 (or a corresponding provision of any earlier former licensing Act), that was in force immediately before the commencement of this section.
- **Special licence** means:
 - **Off-site special licence** which allows for the sale or supply of alcohol for consumption elsewhere, or the supply of alcohol free as a sample for consumption on the premises; or
 - **On-site special licence** allows for the sale or supply of alcohol for consumption on the premises to people attending an event described on the licence.
- **Temporary authority** means a temporary authority order issued and in force under the Act.

3. Fees payable

3.1 The table below sets out the fees payable to Council for alcohol related fees including annual licence fees and applications. Fees for licensing are determined under the Sale and Supply of Alcohol Act 2012 and the Sale and Supply of Alcohol (Fees) Regulations 2013.

Table 1: Fees payable to Council (inclusive of GST)

[The table below (100% cost recovery) is a place holder only for the purposes of the CLT meeting. This table will be removed for the public consultation process. An updated table will replace this one following the public consultation and subcommittee hearing.]

Risk Category On-and-off- and-club licences	Current application fee	Proposed Increase	New Fee 25/26
Very Low	\$699.20	40%	—\$979
Low	\$1,158.05	50%	—\$1,737
Medium	\$1,531.35	60%	—\$2,450
High	\$1,944.65	70%	—\$3,306
Very High	\$2,294.25	80%	—\$4,130
Risk Category On-and-off- and-club licences	Current Annual Fee	Proposed Increase	New Fee 25/26
Very Low	\$305.90	40%	—\$428
Low	\$742.90	50%	—\$1,114
Medium	\$1201.75	60%	—\$1,923
High	\$1966.5	70%	—\$3,343
Very High	\$2731.25	80%	—\$4,916
Special licenses	Current Application fee	Proposed Increase	New Fee 25/26
Special Class 1	\$1092.5	80%	—\$1,967
Special Class 2	\$393.3	70%	—\$669
Special Class 3	\$120.15	20%	—\$144

Other	Current other fees	Proposed Increase	New Fee 25/26
Temporary Authority— \$563.75	Application fee \$563.75	40%	—\$789
Permanent Chartered Club —\$632.5	Annual fee \$632.5	20%	—\$759

4. Fees setting

4.1 Fees can be set by Council to recover the costs of alcohol licensing and monitoring in the community through the implementation of this Bylaw.

5. Legislation

5.1 Legislation relevant to this Bylaw includes:

Sale and Supply of Alcohol Act 2012	The purpose of this Act is to provide a legal framework for the sale, supply and consumption of alcohol and the associated systems of control and licensing.
Sale and Supply of Alcohol (Fees) Regulation 2013	These regulations provide for the fees that can be charged and how fees are established for alcohol licensing related function of Local Authorities.
Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013	Every territorial authority is authorised to prescribe, by bylaw, fees for any matter for which a fee payable to territorial authorities can be prescribed by regulations made under the Sale and Supply of Alcohol Act 2012.



Appendix 4

Draft Statement of Proposal

Local Alcohol Policy

Summary of Proposal

Hutt City Council’s Local Alcohol Policy came into effect in 2018 and is now due for a review. As part of this review, information was sought from the Police, Medical Officers of Health, and Hutt City Council’s City Safety Manager and Licensing Inspectors. This draft policy is being consulted on between 26 July 2024 and 25 August 2024.

The proposal is to:

- maintain the caps for off-licensed alcohol retailers; and
- maintain trading hours.

The following tables describe what Council is proposing.

Proposals	Current settings
Caps for off-licensed alcohol retailers (refer Appendix 1)	Maintain existing suburbs and/or caps (as below) or propose changes <ul style="list-style-type: none">• Naenae –4• Stokes Valley – 3• Taita – 3• Avalon – 1• Hutt Central – 11• Wainuiomata – 6
License types Off-license On-license: taverns, hotels, nightclubs and function centres	Maintain current trading hours 7am to 10pm, Mon-Sun 7am to 3am, Mon to Sun

On-license: restaurants and cafes	7am to 1am, Mon to Sun
On-license: caterers	
On-license: hotels	7am to 3am in Lower Hutt CBD or Jackson Street, Petone, Mon to Sun; and 7am to 1am outside Lower Hutt CBD and Jackson Street, Petone, Mon to Sun.
Brothels	24 hours per day, Mon to Sun
Cinemas	To match operating hours
	7am to 3am, Mon to Sun

How to have your say

We want your feedback on the proposed Local Alcohol Policy.

You can provide feedback in multiple ways:

- Make an online submission at haveyoursay.huttcity.govt.nz.
- Email your submission to alcohol2024@huttcity.govt.nz with 'Local Alcohol Policy' in the email subject line.
- Drop off a submission at the front counter at our office at 30 Laings Rd.

Timetable for consultation

The consultation is open from **26 July to 25 August 2024**.

Questions to consider

- Are there any of the current suburbs with off-license caps that you think should have their caps removed or changed? Where and why?
- Are there any additional suburbs that should have a cap on the number of off-licenses? Where and why?
- Should we change our trading hours?

Privacy Statement

Privacy Statement

We require your name, contact details and the suburb you live in as part of your feedback. All feedback will be published on our website with your name. All other personal or commercially sensitive information (including your email address and suburb) will be removed. Publishing feedback in full supports a transparent process and will assist in the public hearing process.

If you have specific reasons for not wanting your feedback publicly released, please contact policy@huttcity.govt.nz.

The feedback form asks for the suburb you live in to better understand how you are impacted by the changes happening in your suburb.

Public Hearings

The feedback form also asks if you want to present directly to Councillors at a hearing. If you state that you do want to present to Councillors, you will be contacted by council staff to arrange a time for you to speak.

Feedback will be considered by Council regardless of whether you wish to present your views at a hearing or not. Final decisions will be made in September 2024 and the Control of Alcohol in Public Places Bylaw will be adopted in October 2024.

Storing personal information

Council stores information with reasonable safeguards against loss and disclosure. Reasonable safeguards include physical and technological protections. Personal information is accessible to staff who have a legitimate reason to access it. Council has a code of conduct where unauthorised disclosure of confidential information or records in accordance with the provisions of the Public Records Act, which includes the authorised destruction of records once they are no longer required to be kept for legislative compliance or business purposes.

Access to your information

The information you provide will be accessible only by Council staff and is not shared with any third party. You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please contact us at policy@huttcity.govt.nz, or 04 570 6666, or 30 Laings Road, Lower Hutt 5010.

Statement of Proposal

What is a Local Alcohol Policy?

The Sale and Supply of Alcohol Act 2012 sets out the requirements and processes regarding local alcohol policies.

Local alcohol policies aim to minimise alcohol-related harm and to set requirements for licensing that are aligned with community views.

Local alcohol policies are not mandatory. Without a local alcohol policy, the national default settings would apply.

Local alcohol policies are able to:

- restrict or extend trading hours of premises;
- limit whether further licenses should be issued in the district or part of the district;
- limit the location of licenses in relation to premises and facilities, for example, public shopping areas;
- impose one-way door conditions; and
- provide for the issue of licenses subject to discretionary conditions.

Councils must follow the special consultative procedure in reviewing a Local Alcohol Policy every six years in accordance with section 83 of the Local Government Act 2002.

Council's Processes to date

The review of Hutt City Council's Local Alcohol Policy is in line with the requirements of the Sale and Supply of Alcohol Act 2012. The review process looks at the impact the Local Alcohol Policy has had since its introduction in 2016 and has included:

Consultation with stakeholders	<ul style="list-style-type: none"> • New Zealand Police • Lower Hutt Licensing Inspectors • Medical Officers of Health • Hutt City Council City Safety Manager • Healthy Families • Mana Whenua partners
Analysis of source data and information	<ul style="list-style-type: none"> • Te Whatu Ora on alcohol related Emergency Department attendances and hospital admissions of Lower Hutt residents; • New Zealand Police National Alcohol Harm Viewer database statistics on alcohol-related reports to Police and numbers of Police interventions in Lower Hutt over the past four years; • Hutt City Council City Safety Manager report; and

	<ul style="list-style-type: none">• Report from the Area Prevention Manager of the New Zealand Police based in Lower Hutt.
Consideration of key factors	<ul style="list-style-type: none">• The objectives and policies of the District Plan (Appendix 4);• The number of licenses of each kind held for premises in the district, and the location and opening hours of each of the premises (Appendix 5);• The areas in which bylaws prohibiting alcohol in public places are in force (The Control of Alcohol in Public Places Bylaw is currently in development);• The demography of the Lower Hutt residents (Appendix 6);• The demography of people who visit the district as tourists or holiday makers (Hutt City Council does not collect this information);• The overall health indicators of Lower Hutt residents; and• The nature and severity of the alcohol-related problems arising in the district (Appendix 7).

Appendix 1: Draft Local Alcohol Policy

Draft Hutt City
Local Alcohol
Policy

Division	Strategy and Policy		
Date created	July 2024		
Publication date	Month Year		
Review period	December 2030		
Owner	Name		
Approved by	Name		
Version	Author	Date	Description
V 1.0	Name	Month Year	Insert brief description here
V 2.0	Name	Month Year	Insert brief description here

Introduction

1 Scope of the Policy

- 1.1 The Hutt City Local Alcohol Policy (LAP) was developed pursuant to the Sale and Supply of Alcohol Act 2012 (the Act). The Act enables Council to develop a local alcohol policy for its district within set requirements and scope.
- 1.2 A local alcohol policy may only address the following licensing matters:
 - a. Location of licensed premises by reference to broad areas (eg capped areas);
 - b. Location of licensed premises by reference to proximity to premises of a particular kind(s) (eg schools);
 - c. Location of licensed premises by reference to proximity to facilities of a particular kind(s) (eg hospitals);
 - d. Whether further licenses should be issued for premises in the district concerned or any stated part of the district;
 - e. Maximum trading hours;
 - f. Issuance of licenses subject to discretionary conditions; and
 - g. One-way door restrictions.
- 1.3 This LAP has been developed to set alcohol licensing criteria considered appropriate for when, where, and how alcohol is sold throughout Lower Hutt.
- 1.4 The Act also intends the LAP to guide the District Licensing Committee (DLC) and the Alcohol Regulatory and Licensing Authority (ARLA) in their decision-making regarding licensing matters, as well as to provide a guide for those applying for an alcohol license in Lower Hutt.

2 Sale and Supply of Alcohol Act 2012

The object of the Act

- 2.1 The object of the Act is that:
 - The sale, supply and consumption of alcohol should be undertaken safely and responsibly; and
 - The harm caused by the excessive or inappropriate consumption of alcohol should be minimised.
- 2.2 Harm is defined very widely and includes any crime, damage, death, disease, disorderly behaviour, illness or injury, and harm to individuals or the community, either directly or indirectly caused by excessive or inappropriate alcohol consumption.

Licensing

- 2.3 An alcohol license is required to sell alcohol to the public. Applications for alcohol licenses must be filed with the DLC.
- 2.4 Each territorial authority must appoint one or more licensing committees to deal with licensing matters for its district. Decisions on alcohol license applications may be escalated to ARLA if required.

3 Goals and objectives of the LAP

- 3.1 The goals of the LAP are to:
- Contribute to Hutt City being a safe and vibrant place to work, live and play;
 - Reflect local communities' character, amenity, values and preferences;
 - Encourage licensed premises to foster positive, responsible drinking behaviour; and
 - Minimise alcohol-related harm in Lower Hutt.
- 3.2 The objectives of the LAP are to:
- Regulate the trading hours of all types of alcohol licenses;
 - Regulate the location of off-licensed premises (ie capped numbers);
 - Ensure licensed premises take appropriate measures to minimise alcohol-related harm; and
 - Provide clear guidance to the DLC.
- 3.3 The development of this LAP has been underpinned by the following three principles:
- Appropriate balance – The LAP will provide the appropriate balance between economic activity, social wellbeing and having consideration to minimising alcohol-related harm;
 - Recognising diversity – The LAP will recognise our diverse communities and distinct characteristic of our district; and
 - Simplicity – The LAP will be simple to understand and implement and will not duplicate or overlap other regulatory tools.

4 Definitions

Alcohol licenses

There are three types of licenses in the Lower Hutt District:

Off-license	Licensed for the sale of alcohol from the premises for consumption elsewhere, including off-site special licenses which allow for the sale and supply of alcohol for consumption elsewhere on the premise.
--------------------	--

On-license	Licensed for the sale and supply of alcohol for consumption on the premises, including on-site special licenses which allow for the sale or supply of alcohol for consumption there to people attending an event described in the license.
Club license	Licensed for the sale and supply of alcohol to customers who are members, invited guests or visitors to the club concerned

Other definitions

Discretionary conditions	Optional conditions that the DLC or ARLA may apply to any license. These may include but are not limited to: <ul style="list-style-type: none"> • External advertising signage dimensions, number and location in compliance with the signage requirements outlined in the District Plan; • For premises in residential zones, reduced hours may be considered on the circumstances of each application; • The installation and operation of CCTV cameras on the exterior of and within the premises; • Provision of effective exterior lighting; and • Restriction on the use of outdoor areas.
Licensing Inspector	A licensing inspector, appointed by the Chief Executive, monitors licensees' compliance with the Sale and Supply of Alcohol Act 2012.
One-way Door Restrictions	In relation to a license, there is a requirement that during the hours stated in the restrictions: <ol style="list-style-type: none"> a. No person is to be admitted (or re-admitted) into the premises unless they are an exempt person; and b. No person who has been admitted (or re-admitted) into the premises while the restriction applies to the license is to be sold or supplied alcohol.

5 Policy Statement

5.1 Maximum trading hours

The national default maximum trading hours are:

- Off-licenses: between 7:00am and 11:00pm on any day; and
- On-licenses: between 8:00am on any day and 4:00am on the next day.

There are restrictions on the sale and supply of alcohol on Anzac Day morning and Christmas Day. [The Government has introduced a Bill to repeal Good Friday and Easter Sunday as restricted trading days which includes the restriction on the sale and supply of alcohol. This Bill has been referred to Select Committee.] Note: This will be updated.

The table below outlines current license types and relevant information such as trading hours and capped areas.

Type of license	Maximum trading hours	License areas and cap numbers
Off-license (refer Appendix 1)	7:00am to 10:00pm	<ul style="list-style-type: none"> Naenae (4) Stokes Valley (3) Taita (3) Avalon (1) Hutt Central (11) Wainuiomata (6)
On-license: Taverns, Hotels, Nightclubs and Function Centres	7:00am to 3:00am the following day. One-year probation period with closing at 1:00am for new licensees.	Lower Hutt CBD and Jackson Street, Petone (from Te Puni Street to Cuba Street).
	7:00am to 1:00am the following day For existing licenses to trade up to 3am, they are permitted to continue their trading hours as long as all criteria as outlined in Section	Outside Lower Hutt CBD and Jackson Street, Petone
On-licenses: Restaurants and cafes	7:00am to 1:00am the following day	Subject to provisions of the District Plan
On-license: Caterers	7:00am to 3:00am the following day	If event is catered in Lower Hutt CBD and Jackson Street, Petone
	7:00am to 1:00am the following day	If event is catered outside the Lower Hutt CBD and Jackson Street, Petone
On-license: Hotel and mini bars	24 hours a day	
Brothels	to match operating hours	Licensed on the condition that their on-licenses are linked to the business activity of a brothel.
Cinemas	7:00am to 3:00am the following day	Licensed on the condition that their on-licenses are linked to the business activity of a cinema.

6 Application of the policy

6.1 Information about [Alcohol Licenses](#) can be found on the Hutt City Council web site.

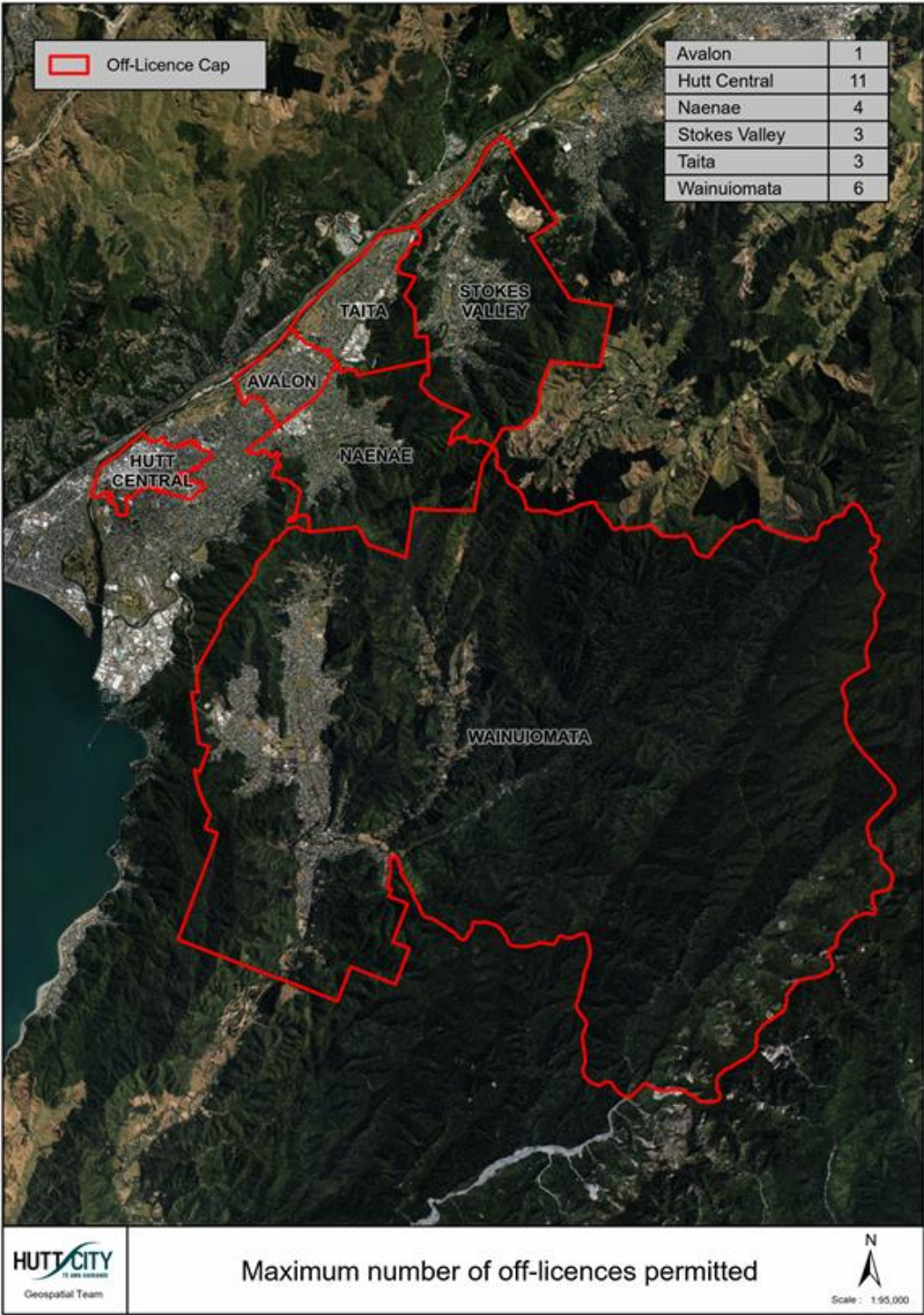
This section includes information about:

- How to apply for a license;
- How to renew your license;

- How to apply for a manager's certificate;
- How to change the condition of your alcohol business;
- How to object to an alcohol license;
- How to find out about recent alcohol license public notices; and
- How to find out about alcohol licensing decisions.

Appendix 1

Hutt City Council
Local Alcohol Policy
Clause 1.2



Appendix 4: Objectives and Policies of the District Plan

City of Lower Hutt District Plan

Objectives and Policies

Legislative requirements

Sale and Supply of Alcohol Act 2012 s78(2)(a)

(2) When producing a draft policy, a territorial authority must have regard to –

(a) The objectives and policies of its district plan

Sale and Supply of Alcohol Act 2012 s93

(1) A local alcohol policy may contain a policy more restrictive than the relevant district plan.

(2) A local alcohol policy does not authorise anything forbidden by the relevant district plan.

Sale and Supply of Alcohol Act 2012 s100

An application for a licence –

...

(f) except in the case of an application relating to a conveyance, must be accompanied by a certificate by the territorial authority that the proposed use of the premises meets requirements of the Resource Management Act 1991 and of the building code.

The City of Lower Hutt District Plan is the key regulatory document controlling land use and subdivision in the city. It contains policy guidance and rules on the urban development of the city, the locations of land uses, and the management of amenity values. The District Plan assigns all land in the city to one of 19 different "activity areas", with different management approaches. Some of these areas contain sub-areas.

The District Plan is regularly reviewed and altered to meet the changing needs of the city. The table below summarises the relevant objectives and policies from the district plan at the time the Local Alcohol Policy was last reviewed, both those that apply city-wide and those that apply to particular activity areas.

Area	References	Summary of relevant objectives and policies that may be relevant to liquor licencing
City wide	1.10.2	Set out how amenity values should change and be enhanced and identifies the general character and amenity values planned for each activity area.
City wide	1.10.4	Promotes commercial centres as community focal points, by encouraging commercial activities within centres and managing or restricting commercial activities outside centres.
City wide	1.10.10	Protects heritage values and recognises that given the constraints on developing heritage buildings, and the ability to support retention of heritage buildings, it is appropriate for heritage buildings to host a wider range of activities than would otherwise be anticipated in that activity area.
Hill Residential Activity Area	4D 1	Provides for home occupations and other non-residential activities if effects on nature, traffic, noise, character, and other effects are managed.
Landscape Protection Residential Activity Area	4E 1	Limits non-residential activities in order to protect amenity values and visual backdrop of the city.
Medium Density Residential Activity Area	4F 2, 4F 3	Non-residential activities are managed to be compatible with planned amenity values and limit adverse effects.
High Density Residential Activity Area	4G 2, 4G 3	Non-residential activities are managed to be compatible with planned amenity values and limit adverse effects.
Central Commercial Activity Area	5A 1	<p>Promote a viable and vibrant central area that is the commercial, civic, and community focus of Lower Hutt, accommodating a wide range of activities.</p> <p>Manage effects of activities on nearby residential activity areas including visual and privacy impacts.</p> <p>Manage residential activities to make sure they are not incompatible with other activities in the Central Commercial area.</p> <p>Encourage the development of a riverside promenade.</p> <p>Promote active frontages to streets and other public open space.</p>
Petone Commercial Activity Area 1	5B 1.1.1	Manage effects of activities on nearby residential activity areas, including traffic effects.
Petone Commercial Activity Area 2	5B 1.1.2A, 5B 1.1.3	Provide for a range of commercial and large-format retail activities.

		<p>Manage smaller scale retail activities to not detract from the vibrancy of retail activities in Petone Commercial Activity Area 1.</p> <p>Restrict late-night activities that may be incompatible with residential activities or impact amenity values.</p> <p>Manage effects of activities on nearby residential activity areas, including noise, odour, and traffic effects.</p> <p>Enhance the relationship of buildings with public open space.</p>
Suburban Mixed Use Activity Area	5E 2, 5E 3	<p>Commercial activities serve the local community and provide good community access to goods and services.</p> <p>Development minimises adverse effects on the amenity values of neighbouring residential activity areas, taking into account the planned amenity values for the areas.</p>
General Business Activity Area	6A 1	<p>Provide for commercial activities that provide a local service for the work force in the area.</p> <p>Provide for retail activities that do not undermine commercial centres.</p> <p>Manage effects on the amenity values of the environment and neighbouring areas, including noise, odour, and traffic.</p>
Special Business Activity Area	6B 1	<p>Manage non-industrial activities to avoid unacceptable risks from the industrial activities in the area.</p> <p>Manage effects on the amenity values of the environment and neighbouring areas, including noise, odour, and traffic.</p>
Avalon Business Activity Area	6C 1	<p>Manage effects on the character and amenity values of the environment and neighbouring areas.</p> <p>Avoid adverse effects on the ability of the area to provide for the film and television sector.</p>
Extraction Activity Area	6D 1	<i>This activity area does not anticipate licenced premises and has no relevant objectives or policies.</i>
General Recreation Activity Area	7A 1	Manage adverse impacts on the character of the land and amenity values of the area and neighbouring residential areas.
Special Recreation Activity Area (i) – Petone Foreshore	7B (i) 1	<p>Activities should be compatible with recreation activities and the coastal environment.</p> <p>Ensure public access to the area and the coastal marine area.</p>
Special Recreation	7B (ii) 1	Provide for activities that support, enhance, or complement the marina.

Activity Area (ii) – Seaview Marina		Ensure public access to the area and the coastal marine area.
Special Recreation Activity Area (i) – Hutt Park Visitor Accommodation	7B (iii) 1	Provide for activities that support, enhance, or complement the campground.
River Recreation Activity Area	7C 1	<p>Manage activities that would impact the natural and ecological qualities of the river and its margins.</p> <p>Manage adverse impacts on the amenity values of the area and neighbouring residential areas.</p> <p>Ensure public access to and along the river.</p>
Passive Recreation Activity Area	7D 1	Ensure activities are consistent with the natural and undeveloped character of the area.
Rural Residential Activity Area	8A 1	<p>Provide for small businesses that serve the entire city where a rural environment is appropriate.</p> <p>Manage adverse impacts on rural residential character and amenity.</p> <p>Allow for ancillary facilities that support recreational activities.</p>
General Rural Activity Area	8B 1	<p>Maintain and enhance the character and amenity values of rural areas.</p> <p>Allow for ancillary facilities that support recreational activities.</p>
Community Health Activity Area	9A 1	Manage adverse impacts on the amenity values of the area and neighbouring residential and recreation areas.
Community Iwi Activity Area	10A 1	<p>Manage adverse impacts on the amenity values of the area and neighbouring residential and business areas.</p> <p><i>Note: Community Iwi Activity Area sites also apply the provisions of an underlying base activity area, which is the Medium Density Residential, High Density Residential, General Business, or General Recreation Activity Area.</i></p>
City wide	14A 3, 14A 4	Manage adverse effects on the safety and efficiency of the transport network from land use and on-site transport facilities.
City wide	14B 1	Manage adverse effects of signs, including on amenity and transport.
City wide	14C 1	Manage adverse effects of noise on health and amenity values.
City wide	14F 1	Encourage the retention of heritage buildings through providing for a wider range of activities, while managing adverse effects on character and amenity values.

City wide	14H 1	Avoid, reduce, or not increase the risk to people and property from natural hazards and coastal hazards, by managing land use and development and requiring mitigation measures.
City wide	14J 1	Encourage a diverse range of temporary events while managing adverse effects.

In general, the District Plan implements these objectives and policies itself through appropriate rules. Applications for a liquor licence do not need to revisit these issues, such as whether a commercial activity in general, or of a particular size, is appropriate in the proposed location. Some specific activity areas do require a resource consent for licenced premises, but this does not remove the requirement for a liquor licence.

Based on the approach of the District Plan, alcohol licence applications should only need to consider those resource management issues that are particular to the sale and supply of alcohol or are exacerbated by it. Licences will not generally need to reconsider issues already managed for all commercial activities under the district plan, such as the viability of centres, privacy, traffic, signage, natural hazard management, or reverse sensitivity. Decision-makers may want to consider those issues that are different for on-licensed or off-licensed premises to other hospitality or retail activities respectively, such as managing noise or operating hours. Decision-makers should also consider other district plan objectives and policies that can be further advanced through the liquor licensing process, such as encouraging the retention of heritage buildings by providing for adaptive reuse of the buildings that might not otherwise be enabled.

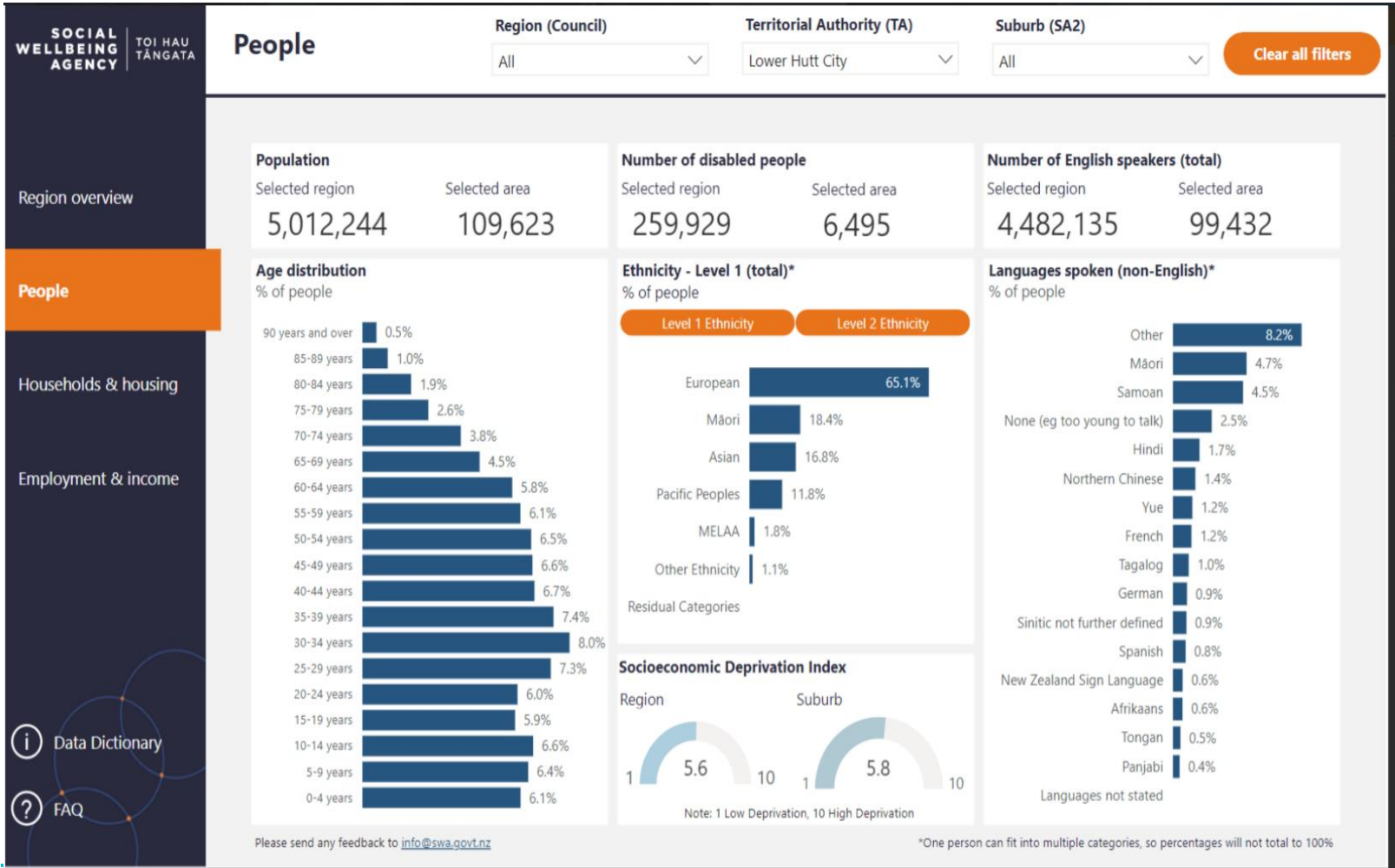
Under the provisions of the Act, a new licenced premise will need to either be provided for as a permitted activity in the plan or have a resource consent authorising the use of that land as a licenced premise. The Local Alcohol Policy does not authorise any activity to occur without a resource consent that would otherwise be required. Conversely, a resource consent also does not guarantee that a liquor licence will be granted.

Appendix 5: Annual alcohol licensing numbers

Annual alcohol licensing report numbers reported to ARLA						
Financial year	On-license applications	Off-license applications	Club license applications	Renewals	Manager's certificates	Annual reported license numbers
2018-2019	received: 2 refused: 0	received: 5 refused: 0	received: 2 refused: 0	issued: 99 refused: 0	received: 130 refused: 0 withdrawn: 2	numbers not reported
2019-2020	received: 53 refused: 0	received: 22 refused: 0	received: 7 refused: 0	issued: 169 refused: 0	received: 254 refused: 0	numbers not reported
2020-2021	received: 46 refused: 0	received: 26 refused: 0	received: 13 refused: 0	issued: 62 refused: 0	received: 255 refused: 1 withdrawn: 2	As at 30 June 2021 on-license: 101 off-license: 76 club license: 44
2021-2022	received: 53 refused: 0	received: 28 refused: 0	received: 23 refused: 0	licenses issued: 68 refused: 0 manager's certificates issued: 168 refused: 0	received: 280 refused: 0 withdrawn: 1	As at June 2022 on-license: 115 off-license: 62 club license: 38
2022-2023	received: 46 refused: 0	received: 31 refused: 0	received: 4 refused: 0	licenses issued: 58 refused: 1 manager's certificates issued: 130 refused: 0	received: 282 refused: 0 withdrawn: 5	As at 30 June 2023 on-license: 98 off-license: 59 club license: 37

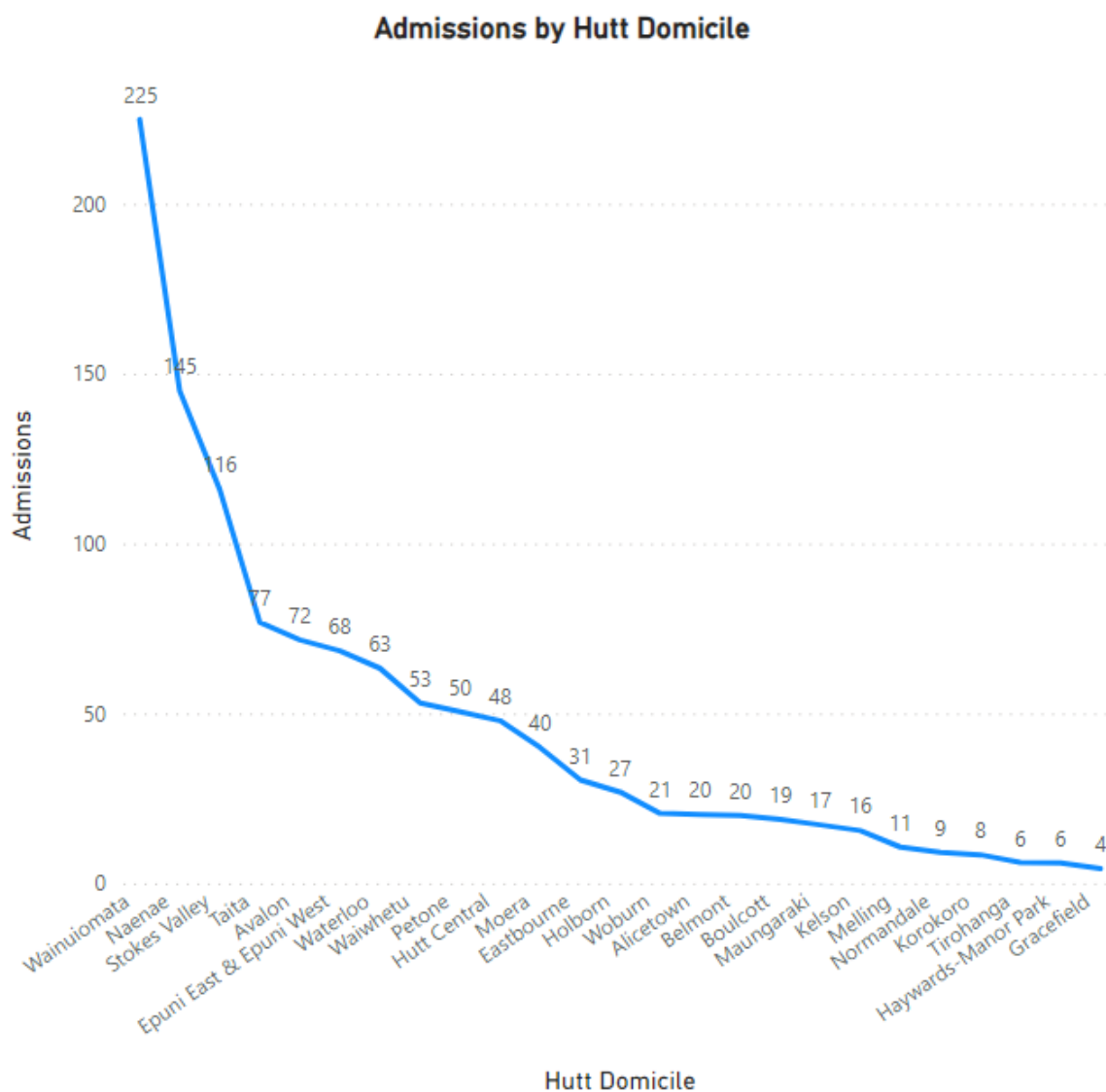


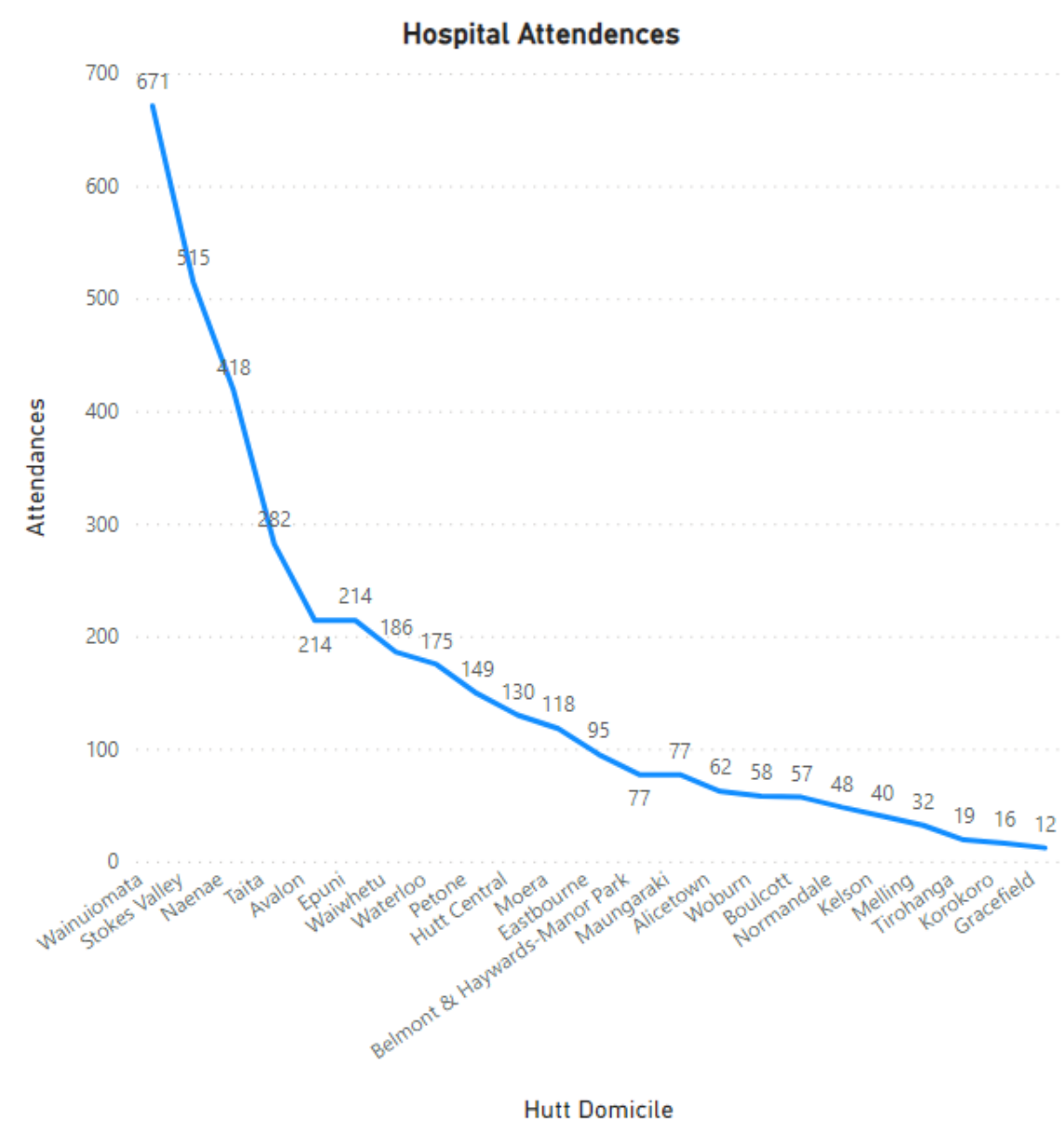
Appendix 6: Demography of Lower Hutt Residents as at 4 June 2024

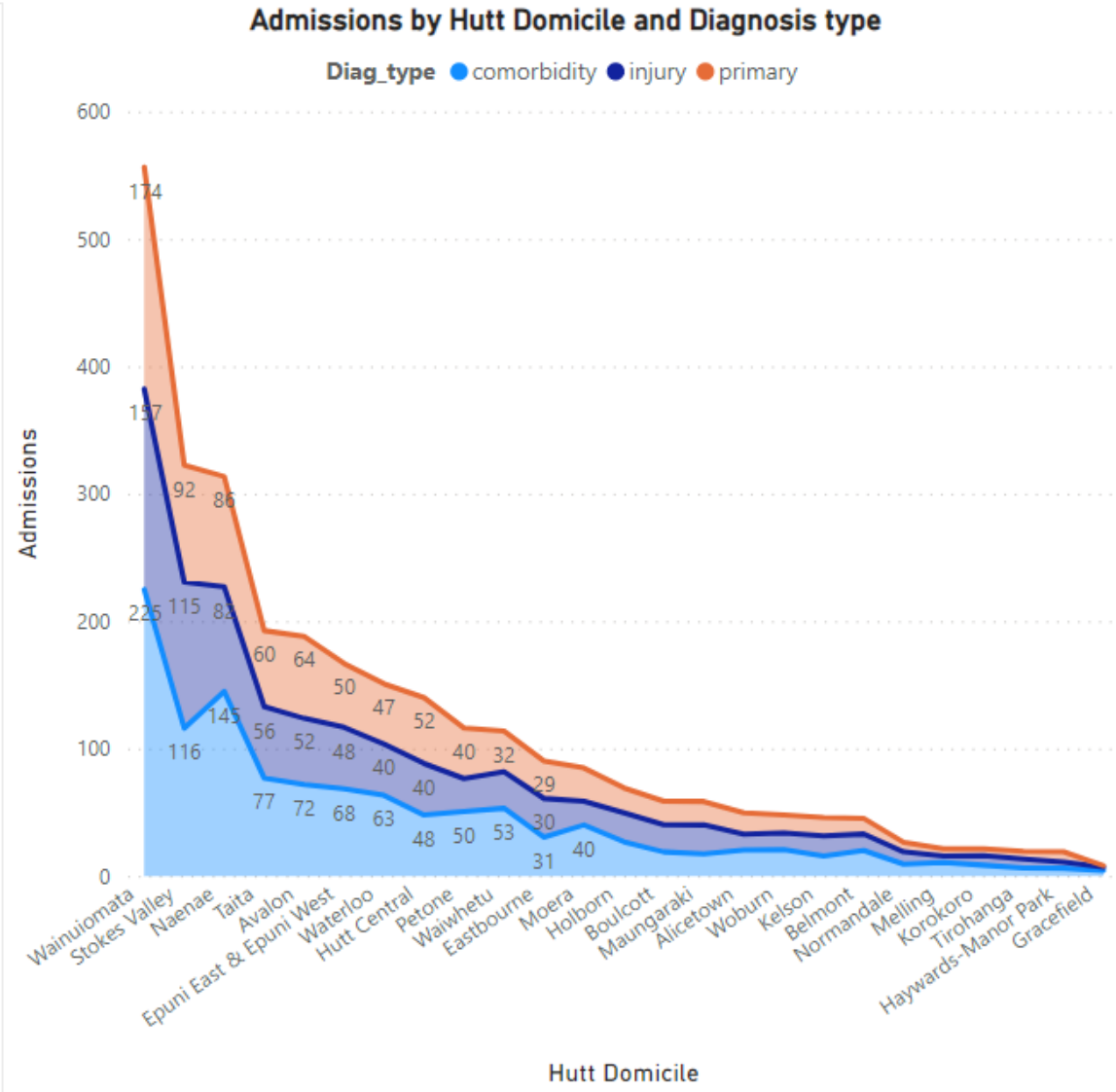




Appendix 7: Nature and severity of alcohol-related health problems arising in the district (2020-2023)







Hutt Domicile	Attendances	Alcohol Involvement	Accidents
Taita	282	Yes: 187, Secondary: 5	Yes: 101, No: 91
Naenae	418	Yes: 237, Secondary: 8	Yes: 110, No: 135
Kelson	40	Yes: 30, Secondary: 3	Yes: 14, No: 19
Stokes Valley	515	Yes: 387, Secondary: 7	Yes: 194, No: 200
Woburn	58	Yes: 45, Secondary: 0	Yes: 22, No: 23
Boulcott	57	Yes: 49, Secondary: 1	Yes: 22, No: 28
Alicetown	62	Yes: 54, Secondary: 1	Yes: 23, No: 32
Normandale	48	Yes: 42, Secondary: 1	Yes: 24, No: 19
Maungaraki	77	Yes: 57, Secondary: 1	Yes: 26, No: 32
Wainuiomata	671	Yes: 496, Secondary: 13	Yes: 275, No: 234
Belmont & Haywards-Manor Park	77	Yes: 60, Secondary: 3	Yes: 30, No: 33
Eastbourne	95	Yes: 75, Secondary: 0	Yes: 36, No: 39
Hutt Central	130	Yes: 83, Secondary: 1	Yes: 37, No: 47
Moera	118	Yes: 87, Secondary: 0	Yes: 39, No: 48
Gracefield	12	Yes: 10, Secondary: 0	Yes: 4, No: 6
Korokoro	16	Yes: 13, Secondary: 0	Yes: 4, No: 9
Petone	149	Yes: 114, Secondary: 2	Yes: 51, No: 65
Waterloo	175	Yes: 107, Secondary: 2	Yes: 58, No: 51
Waiwhetu	186	Yes: 139, Secondary: 4	Yes: 74, No: 69
Avalon	214	Yes: 156, Secondary: 3	Yes: 74, No: 85
Epuni	214	Yes: 162, Secondary: 2	Yes: 80, No: 84
Melling	32	Yes: 25, Secondary: 0	Yes: 9, No: 16
Tirohanga	19	Yes: 13, Secondary: 0	Yes: 9, No: 4
Total	3665	Yes: 2628, Secondary: 57	Yes: 1316, No: 1369



TO: Mayor and Councillors
Hutt City Council

FROM: Jack Kilty, Democracy Advisor

DATE: 07 June 2024

SUBJECT: KO TĀTOU | LOCAL GOVERNMENT NEW ZEALAND
FOUR-MONTHLY REPORT TO JUNE 2024

Purpose of Memorandum

1. The purpose of the memorandum is to take an in-depth look at the activities of Ko Tātou | Local Government New Zealand (LGNZ) and provide an opportunity for Council to discuss aspects of the report and provide feedback.

Recommendation

It is recommended that Council receives and notes the Ko Tātou | Local Government New Zealand four-monthly report attached as Appendix 1 to the memorandum.

Background

2. Every four months Ko Tātou | LGNZ provide councils with a report summarising the work conducted by Ko Tātou | LGNZ on behalf of member councils, structured around Ko Tātou | LGNZ's purpose to serve local government by championing, connecting, and supporting members.
3. This report is provided to councils for review and feedback. The report is intended to complement Ko Tātou | LGNZ regular communication channels and provide a more in-depth look at what Ko Tātou | LGNZ do.

Summary

4. In their report, Ko Tātou | LGNZ outlines their efforts to champion local government and strengthen their relationships with central government and government Ministers.
5. Ko Tātou | LGNZ has conducted productive meetings with relevant Ministers on issues such as rate remissions, transport policy, and regional economic development.
6. The report highlights advocacy efforts on remits and notes that applications for remits to be considered for the Annual General Meeting close on Tuesday 18 June 2024.
7. Ko Tātou | LGNZ has undertaken various activities to encourage councils and the public to engage with the organisation and each other, as well as to support local governing bodies.

Ko Tātou | LGNZ

8. Susan Freeman-Greene, Chief Executive of Ko Tātou | LGNZ, will attend the meeting to take any questions and hear feedback from members.

Appendices

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Author: Jack Kilty
Democracy Advisor

Reviewed By: Kathryn Stannard
Head of Democratic Services

Approved By: Jarred Griffiths
Director Strategy and Engagement

// **SUBMISSION**



LGNZ four-monthly report for member councils

// March-June 2024





Ko Tātou LGNZ.

This report summarises LGNZ's work on behalf of member councils and is produced three times a year. It's structured around LGNZ's purpose: to serve local government by **championing**, **connecting** and **supporting** members.

Many councils have found it useful to put this report on the agenda for their next council meeting so that all councillors have the opportunity to review it and provide feedback. Sam and Susan are also happy to join council meetings online to discuss the report or any aspect of it, on request.

This report complements our regular communication channels, including *Keeping it Local* (our fortnightly e-newsletter), providing a more in-depth look at what we do.

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Introduction

National Council reset LGNZ's strategy at our 1 March 2024 meeting. LGNZ's purpose is now to serve members by championing, connecting and supporting local government.

Champion means we advocate for local government on critical issues, build relationships with ministers and officials, and use media to amplify member voices and stories.

Connect means we bring members together at zone, sector and conference events or via networks like Te Maruata, Young Elected Members and our community boards network, and that we create strong feedback loops between members and LGNZ's work.

Support means we provide professional development uniquely tailored to local government, support councils and elected members when they are stuck, and support elected members to deal with pressure and harassment.

Everything LGNZ does comes under these pillars – and that's why they form the structure of this report. I hope reading this report stresses the breadth and depth of LGNZ's work. Our small team is dedicated to delivering for members and this period has been both intense and rewarding.

This four-monthly period has also included LGNZ's annual membership invoicing. We never take members for granted, and during this time there's been really constructive conversations with councils considering their membership. Grey and Westland have chosen not to stay members, and we're sorry to see them go.

As always, we welcome your feedback. The purpose of sharing this detailed report is to give you an opportunity to share your views, and we look forward to hearing them, whether that's in person, via email or a phone conversation. We're always keen to hear from you.

Ngā mihi
Sam and Susan



Champion

Advocacy work programme

In March we shared [a document outlining our next steps on our Future by Local Government work](#) with members. It sets out the things we'll advocate for now, the work that local government can collectively start doing to shift towards a new future, and the things that will be longer-term advocacy priorities. This has been the foundation for National Council's work to confirm LGNZ's broad and targeted advocated priorities.

At the Combined Sector meeting in April, we asked members to rank our five broad advocacy areas in terms of priority. These were the resulting rankings:

1. Funding and financing
2. Water (including freshwater)
3. Resource Management Reform
4. Transport
5. Climate change

We also asked members to rank targeted advocacy priorities, with the results as follows:

1. Toolbox approach to funding and financing
2. Four-year term for local government
3. Development of a framework around city/regional deals
4. Changes to Regulatory Impact Statements to consider the impact of decisions on local government
5. Opposing changes to Māori ward/constituency referendum requirements.

Off the back of this ranking exercise, we have finalised our advocacy work programme. This has been shared with members and added as a third page to our 2024 [LGNZ A3](#).

We are now in the process of developing more detailed work plans for each of the five broad advocacy areas, setting out what we're trying to achieve under each area and the work we'll do. We plan to share these work plans with members soon.

Rates rise conversation

LGNZ has generated hundreds of stories and op-eds via all major media outlets this year on rates rises, the cost pressures facing councils and what's driving them. We generated 52 media items alone on the Infometrics report we launched in mid-March, which analysed increases in local government infrastructure costs that are driving rates rises.

Our March rates rise toolkit included:

- [Key messages](#)
- [Powerpoint](#)



- [Infometrics report](#)

We had overwhelmingly positive feedback on this toolkit and how useful members found it. Councils have been using the data we've provided on increasing cost pressures in their own engagement with media and in their LTP consultation documents. Regional journalists have made good use of the research LGNZ commissioned in their pieces, giving a national perspective on local rates rises.

We launched our second rates rise toolkit at the Combined Sector meeting on 11 April. This covered tax vs rates, how rates compare to other bills, and how we fund infrastructure:

- [Key messages](#)
- [Powerpoint](#)
- [Social assets](#)

Again we have had a very positive response to this work and it was well used by members. For example, our social media posts and assets are being repurposed in councils' own accounts, and attracting some positive engagement from the public, and the information we've shared has been used in some councils' LTP consultation documents.

Our third toolkit will launch in late June and feature research we've commissioned by NZIER on the costs of central government reforms on local government. It looks at a basket of primary and secondary legislation (introduced by different governments) to quantify the cost impact of unfunded mandates on councils and communities. The specific areas (National Policy Statement for Freshwater Management, National Policy Statement on Urban Development and Medium Density Residential Standards, Local Alcohol Policies, improving recycling and food scrap collections) have been chosen to be representative of reforms with a range of impacts on councils.

Our social media rates rise series highlighting the difference between central government income and local government income has had strong engagement. This campaign aims to explain why rates rises occur, especially in the face of rising living costs, and to highlight that this is a widespread systemic issue. Through this series, we've explored how councils are financed, the services they offer, and the benefits residents receive from their investment in rates. The series overall has received over 60,000 impressions across platforms.

City and regional deals

The Government has strongly signalled interest in long-term city and regional deals as a way to partner with local government to create pipelines of regional projects.

We have released a proposal that sets out the key things councils need to see reflected in city and regional deals, and how these will support better alignment between central and local government. This proposal has supported our ongoing engagement with DIA and Ministers on the development of the Government's city and regional deals framework, which we expect to be released around August.



We shared [the proposal](#), as well as a [factsheet](#) and [range of international examples](#), with members in late May.

Our Policy Team is meeting with DIA officials to discuss our proposals in more detail, and we have been approached by the New Zealand Initiative to speak about our work on their podcast. The Initiative's view is that our proposals are worth promoting as a way forward.

Local government funding and financing

We are in the process of developing a local government funding and financing policy and advocacy work plan to be shared with members. This will be a high-level plan setting out key policy, media and government relations actions and objectives. We have also begun work on a 'long list' of funding and financing tools that could form part of a funding and financing toolbox, which will include policy analysis of options. We plan to engage members on that as our work progresses.

Mayor Campbell Barry and Policy Manager Simon Randall recently met with the Local Government Business Forum (which contains representatives from organisations like Federated Farmers, the New Zealand Initiative, Hospitality New Zealand and Business New Zealand) to talk about local government's funding and financing challenges. We are pleased to be having ongoing engagement with the Forum.

Māori wards

In May we released a toolkit to support media engagement on this topic – based on our position that councils should make these decisions as they do on other wards and constituencies.

On 24 May, the Government introduced legislation to the House on reforms to Māori wards and constituencies. Submissions on this legislation were due by 29 May. Our submission was developed with input from Te Maruata Rōpū Whakahaere and was consistent with LGNZ's position that decisions on whether a community has Māori wards or constituencies should be made in the same way as other ward/constituency decisions – by councils with community and iwi consultation.

Thanks to a suggestion from Mayor Grant Smith, we developed a letter that Mayors and Chairs could choose to sign, opposing the Government's changes for the reason set out above. The letter reflected LGNZ's consistent position on this issue since 2018. Fifty-three Mayors/Chairs have now signed the letter, plus our Te Maruata Co-Chairs, and many spoke up in the media.

Budget 24

We were inside the Budget lockup on 30 May and produced [analysis for members](#) that was shared that evening, as well as media engagement that highlighted the Budget's impact on local government.



Government relations

We are continuing our work to develop a strong partnership with the Government and other politicians building on our regular formal meetings with the Prime Minister, Ministers and key officials with additional informal meetings. We have made changes to our approach to political engagement which has seen us:

- Be part of political events such as Waitangi Commemorations, where it's possible to speak to a broader range of Ministers in formal and informal settings;
- Host a localism briefing with National Party MPs and provide follow up support to showcase examples of localism in action in their rohe; and
- Host a pizza and drinks night for Members of Parliament who were previously local government elected members or staff.

These types of engagements help build a broader cohort of central government politicians who understand and can advocate for local government from within.

On 3 April we had one of our regular quarterly meetings with Local Government Minister Simeon Brown. We discussed our desire to see changes to the rates rebate scheme, our work to support councils with the rates rises conversation, and the need for a broader range of funding and financing tools.

Mayor Neil Holdom (in his capacity as Chair of the LGNZ Transport Forum) and Mayor Campbell Barry were invited to meet with Transport Minister Simeon Brown in late March and provided feedback on the draft GPS, including signalling ways in which they thought it could be adjusted to provide councils with greater flexibility.

We have also secured quarterly meetings with Infrastructure Minister Chris Bishop. We had our first regular meeting with Minister Bishop on 16 April, and covered a wide range of topics including infrastructure, housing, local government funding and financing, resource management reform and how the Minister engages with local government.

The Minister agreed with our request for local government representation on his expert ministerial advisory group that is being set up to support phase 3 of the resource management reform programme, and we have put forward names for consideration.

Toby Adams, Mike Theelen and Nigel Corry (supported by Grace) have also recently met with Minister Bishop to discuss how he might engage with the Local Government Steering Group (LGSG) and/or a variation of this going forward. There are positive indications that the Minister is prepared to engage with a smaller, nimble group, so the larger LGSG has been put on hold and a smaller local government reference group formed for this purpose. Thanks to everyone who's contributed energy and expertise to this group over the past three years.

During May we met with Minister Shane Jones to discuss regional economic development and city/regional deals; Max Baxter, MTFJ Chair and the MTFJ team has met with Social Development Minister Louise Upston; and Susan attended a pre-Budget lunch event with the Prime Minister in Auckland.



In late May, we were invited to present to the Governance and Administration Select Committee on LGNZ's work, with Sam and Susan spending a productive hour explaining what LGNZ does on behalf of members and fielding questions.

In June we have regular meetings with Infrastructure and RMA Reform Minister Chris Bishop (our focus will be on housing and the discussion will involve Mayor Sandra Hazlehurst and Nigel Bickle, CE Hastings District Council), Local Government Minister Simeon Brown, and Regional Development Minister Shane Jones.

Media

Our most visible media work during this period has been the rates rise conversation discussed above, and we have overall had a significant lift in engagement and profile.

To support the toolkit work discussed above, in early May, Infometrics crunched the numbers on GST from rates being returned to councils and we arranged a joint press conference. Sam and Infometrics CE Brad Olsen spoke to media on Parliament's steps, and Mayors across the motu have used the figures in their own discussions. This was covered extensively, and Sam also spoke about the research and rates rises on [Nine to Noon](#). NBR also ran a feature piece on key issues facing local government, including funding and financing and the expected city/regional deals.

Another major piece of advocacy through media is four-year-terms for local government. Sam has used every opportunity to talk about the efficiencies we'd gain by implementing longer electoral terms. This has led to stories in local papers as well as in-depth coverage by RNZ's political reporter, Russell Palmer. We have kept this conversation alive, having publicly launched the LGNZ Electoral Reform Group on 4 June and supported Chair Nick Smith with media engagement, including [1News](#) and breakfast media.

Leveraging the discussions at the Combined Sector meeting in April, we put the spotlight on city/regional deals, featuring in [pieces by Newsroom](#) and [The Spinoff](#). We had coverage by NBR on the link between tourism and local government in Minister Doocey's session. This media furthers our advocacy priority for new funding and financing tools.

We've been working in with some local papers on stories – including in Ashburton Guardian about how [constant Government reforms cause headaches for councils](#), and in ODT on the power of localism – featuring some of our members highlighting why localism matters.

Earlier this year, LGNZ ran a session for Mayors Taskforce for Jobs supporting individual council programmes to better tell their story of localism and council delivery. Since March, this has spurred an uptick in local media coverage positively highlighting the programme. A highlight was a [Seven Sharp](#) piece brokered by LGNZ on the only Windmill in the Southern Hemisphere, which aired in March.

Our city/regional deals proposal was [previewed by Newsroom](#), with Sam also appearing on the AM Show and [Mike Hosking's Breakfast](#).



The Māori wards/constituencies letter received strong coverage on [OneNews](#) and in [Stuff](#). The day before the Budget, we had an [op ed by Sam](#) published in Stuff's The Post and The Press, and our Budget comments gained good traction.

Water services reform

The repeal of the previous government's water services legislation gave councils an additional three months to adopt their LTPs, an ability to forgo the audit of the consultation document, and to reduce consultation requirements on subsequent amendments. Alternatively, councils have been able to defer development of their LTP for 12 months if they produce an enhanced Annual Plan. We advocated for this relief and were pleased to see the Government make it available.

The replacement approach for water services will be rolled out in two parts. A first bill, the Local Government (Water Services Preliminary Arrangements) Bill, was introduced to the House in late May and LGNZ will be submitting on it to highlight councils' commonly held concerns with the bill and suggestions for improvement. This bill will be passed by the middle of the year and will require the development of service delivery plans (which will be the vehicle to self-determine future service delivery arrangements). This bill also puts in place transitional economic regulation and provides a streamlined process for establishing joint water services CCOs.

A second bill will be introduced at the end of the year and will set out provisions relating to long-term requirements for financial sustainability, provide for a complete economic regulation regime, and introduce a new range of structural and financing tools, including a new type of financially independent council-controlled organisation.

A technical advisory group has been formed to support the development of the legislation and related policy. We recommended two names for this technical group – one of them was selected (Mark Reese, Chapman Tripp).

LGNZ has been advocating for updates to the mandatory performance measures for water so that councils don't have to report against both the Taumata Arowai Drinking Water Standards and the now-replaced Ministry of Health Drinking Water Standards. We've been successful in securing this change, which has gone to councils for your feedback. Final changes should be in place by mid-June.

Taumata Arowai is starting to develop regulations for storm water and wastewater, and attended recent sector meetings. We are also engaging with Taumata Arowai on new wastewater and stormwater standards.

Resource management reform

The Government repealed the Natural and Built Environments and Spatial Planning Acts prior to Christmas. It then worked at pace to develop a new fast-track consenting regime. We made a joint submission on the new legislation with Taituarā and on 4 June we will appear before the



Environment Committee with Taituarā in support of our submission. Our submission acknowledged the need for a fast-track process but identified a number of improvements that our members want to see including better alignment with councils' planning documents and processes, more time for engagement with councils and more of a focus on sustainable development. Our submission was informed by workshops that we held at each of our April sector meetings.

The new Government is working quickly to make a number of changes to national direction, including the NPS-Freshwater Management. We're monitoring these changes closely along with Taituarā and Te Uru Kahika.

Grace and Susan meet regularly with the MfE leadership team. These meetings are constructive and positive.

As noted above, we've worked closely with Mayor Toby Adams, in his role as Co-Chair of the Resource Management Reform Local Government Steering Group, to support him to engage with Minister Bishop on options for engaging with local government on changes to the resource management system. And we've recommended local government representatives to sit on an expert ministerial working group that Minister Bishop is planning to establish to support his reform programme.

Transport

The LGNZ Transport Forum, chaired by Mayor Neil Holdom, worked closely with our policy team to pull together our submission on the draft Land Transport GPS. We had good engagement with our draft submission, with 18 councils providing constructive feedback.

The Transport Forum had its second meeting of the year on 23 May, which covered off a range of key issues including the NZTA emergency works review, the Road Efficiency Group's (REG) ongoing efforts to improve the collection and presentation of transport data, and progress on the Government Policy Statement on Transport and National Land Transport Programme.

Our Transport Forum is continuing to progress its work programme and engage with members. Immediate priorities for LGNZ in the transport space include considering the impacts of the upcoming Budget, completing our submission on the emergency works review, and reviewing the finalised GPS when it is completed (the draft of which we submitted on earlier this year).

Climate change

We welcomed the Government's announcement that the Finance and Expenditure Committee will be continuing the inquiry into climate change adaptation that was started by the previous government. We're pleased that the Government's announcement has received cross-party support and in our press release emphasised the importance of engagement with local government given its role in adaptation, the urgent need to address adaptation funding arrangements and the need for thought to be given to the framework for managed retreat.



The submission that we made to the earlier inquiry will be considered by the Finance and Expenditure Committee and we're planning to provide the Committee with some additional comments.

We were pleased to be able to suggest Aileen Lawrie, CE of Thames-Coromandel District Council, as local government representative on the expert reference group that the Ministry for the Environment has established to support its climate adaptation work.

Support for Cyclone-affected councils

The Policy Team has met with the secretariat of the Cyclone Gabrielle Recovery Taskforce to support development of their insights framework, which seeks to capture the lessons learned from their work. We have also started engagement with the Department of Prime Minister and Cabinet on their next steps on their critical infrastructure framework and minimum standards.

The report on the Government Inquiry into the Response to the North Island Severe Weather Events was released in April. We understand that consideration of the Emergency Management Bill (which we submitted on in October 2023) is on hold until the release of this report, so the Select Committee can consider it and any changes needed to the Bill. This may involve further submissions or engagement.

We worked with Mayor Rehette Stoltz, CE Nedine Thatcher-Swann and the team at Gisborne District Council to write a letter to Ministers and officials raising concerns with the process that was adopted for the Ministerial Inquiry into Land Use that Gisborne District Council was subject to last year. The purpose of the letter was to highlight that we don't want similar process issues repeated in any future inquiries that local government may be subject to.

Localism

We are developing our Choose Localism toolkit, which will be released at our SuperLocal Conference. The toolkit sets out a wide range of tools and approaches councils can use to make a localist future a reality and apply a localism lens across their day-to-day work. The toolkit has four broad headings: collaboration and input; place-based empowerment and devolution; planning, budgeting and resource allocation; and growing and developing local economic and social success.

We have also worked with Curia to poll members of the public on local government issues. The data will look at perceptions around the effectiveness of councils, how councils could improve their effectiveness and who is best placed to make certain decisions/deliver certain services out of central and local government or a combination of both. We are planning to release the findings and supporting work and recommendations at SuperLocal.



Electoral Reform Working Group

As part of our broader work on Choose Localism, we are looking at ways to tackle the issue of mandate for local government. There have been several reviews and numerous calls for local government electoral reform over the years, with no progress being made. Only four out of ten eligible voters have their say in local elections, compared with eight out of ten for central government.

Mayor Hon Dr Nick Smith, who has been part of a number of Justice Select Committees looking into this, will be leading an LGNZ working group to get some traction on the issue. The working group will have a very clear purpose: to drive LGNZ's advocacy work to strengthen the democratic mandate for local government to advocate for and meet the needs of communities, with a particular focus on increasing participation.

As well as Mayor Nick, other members of the group are Mayors Rehette Stoltz, Susan O'Regan and Campbell Barry, and Toni Boynton (Te Maruata Co-Chair). The group is meeting shortly to finalise its Terms of Reference and confirm its work programme. We'll keep members informed as this work progresses.

Measuring councils' collective scale and impact

We are holding a zoom on 6 June to support this data-gathering project, initiated by National Council member Mayor Neil Holdom, which aims to consolidate key local government expenditure into a collective national database. The purpose of this is to enable easy comparison between councils and to have data to support key conversations with central government on infrastructure and investment.

Freedom camping

The Policy Team have released updated guidance and a model bylaw that reflect recent amendments to legislation and case law, to support councils to develop, review, and administer bylaws relating to the Freedom Camping Act 2011 (FCA). Amendments to the FCA came into force on 7 June 2023, but there is a transitional period before the new certification for self-contained motor vehicles and related provisions come into force.

The Ministry of Business, Innovation and Employment and the New Zealand Motor Caravan Association part funded this work, and we worked with them and Taituarā to develop it.

Rates rebates

The Minister for Local Government announced an increase to the rates rebate scheme, shortly after we met Ministers Brown and Costello in early April and talked about the need for these changes to



support low-income households. We've advocated strongly on this issue for several years off the back of remits put forward by Whanganui District Council (2020 AGM) and Horowhenua District Council (2023 AGM). However, the increases are only in line with inflation, not the Local Government Cost Index, which is the core ask of the remit put forward by Horowhenua District Council in 2020. We'll continue to advocate for increases to be in line with the LGCI.

Remits

We're continuing to make progress on remits where we can – though as is always the case following a General Election, progress slowed while the new government bedded in and we developed an understanding of how our remits relate to its priorities.

Remit	Progress update
Allocation of risk and liability in the building sector	We're yet to start substantive work to progress this remit. However, we did raise the issues that this remit addresses through our involvement in a working group that was reviewing the building consent system in 2023.
Rates rebates	As noted above, the Minister for Local Government announced an increase to the rates rebate scheme, shortly after we met Ministers Brown and Costello in early April and talked about the need for these changes to support low-income households.
Roading/transport maintenance funding	Our Transport Forum is leading work on this remit. Our submission to the draft Government Policy Statement advocated for increased investment in road maintenance.
Local election accessibility	We're yet to start substantive work to progress this remit.
Ability for co-chairs at formal meetings	Guidance on how to introduce co-chairs, which has been informed by legal advice, has been incorporated into our revised Guide to the LGNZ Standing Orders Template, which was published in early February 2024.
Parking infringement penalties	We're yet to start substantive work to progress this remit.
Rural and regional public transport	This remit is being progressed through the work that our Transport Forum is leading. Our submission to the draft GPS Land Transport advocated for increased investment in rural and regional public transport.
Establishing resolution service	We have built work on developing a resolution service into the refreshed LGNZ strategy.
Earthquake prone buildings	As championed by Manawātū District Council (the mover of this remit), a review of the current earthquake strengthening requirements has been announced. Our Policy Team has been working with Manawātū District Council and officials at MBIE to ensure the review meets the needs of local government, and that



	there is strong local government input into it. There has been good media coverage of this review, and the role Manawātū District Council has played in pushing for it.
KiwiSaver contributions for elected members	We have engaged with Minister Brown on this issue, and he expressed some interest in it. We have engaged Simpson Grierson to provide detailed advice on options for providing KiwiSaver contributions for elected members – including drafting of relevant legislative clauses, so that we’re able to present a package of options for reform to the Government.
Scope of audits and audit fees	Part of the approach to reduce fees is to ensure that the legislative requirements and scope (and resulting repetition and complexity) of Long-term Plans and Annual Plans and reports are reduced to be better aligned with needs and cost less to audit. A workshop with Audit NZ, Taituarā and the Office of the Auditor General has been organised for July to review the current requirements of long-term planning and associated reporting.

Remit applications for the 2024 AGM close on Tuesday 18 June. Currently no remits have been received, although we know of at least three in development. The remit committee (President, Vice-President, CEO, and Director Policy & Advocacy) will consider these on 1 July, with the approved remits being circulated to members on 3 July.



Connect

Member visits

Rates rises are top of mind for all councils so our work on this issue has been front and centre in our discussions with councils over the past four months.

As well as Sam, Campbell and representatives from LGNZ's leadership team being at zones 2, 1, 3 and 5-6, Sam and Susan visited councils in Otago and Southland, the wider Wellington region and Northland in March/April. We then visited the West Coast councils on 17-18 April and attended a WCRC meeting on 9 April after conversations about the value they derived from regional sector meetings. Since the start of May, we've visited councils in Manawatū, Whanganui, Upper Hutt, Horowhenua and Canterbury (including Christchurch). All these visits are incredibly valuable in terms of connecting councils with our work and receiving feedback. We are now planning visits over the next few months and post-conference towards the goal of visiting or scheduling visits with all members in Sam's first year as President.

Combined Sector meeting

Our Combined Sector meeting on Thursday 11 April featured a strong range of speakers, with a focus on rates rises, the cost of infrastructure and the fast-track consenting legislation. Speakers included Mayor of Greater Manchester Andy Burnham, Brad Olsen (Infometrics), Dr Eric Crampton (NZ Initiative), Philippa Fourie (Fonterra), Jade Wikaira (Wikaira Consulting Ltd), Richard Capie (Forest & Bird), Geoff Cooper (New Zealand Infrastructure Commission, Te Waihangā) and the team from Simpson Grierson who talked about fast-track consenting.

We've had very positive feedback on the day, with an average rating overall by survey respondents of 4.5/5, with the programme getting 4.6/5 and the overall organisation 4.8/5. Comments included:

- *Really happy with the new direction of LGNZ and the consultative approach - enjoy the interactive sessions (using SLIDO)*
- *Very worthwhile day. Stakeholder event was excellent*
- *In my opinion, this was one of the best LGNZ events I have ever attended. Topics were spot on, plenty of time to network (which is a huge benefit that comes from these events), great speakers, kicking off with the Manchester Mayor really set the scene. Well done to the organisers!*

Sector meetings the following day also ran well.



Te Uru Kahika and Regional Sector

The Regional Sector and Te Uru Kahika's priorities – climate resilience, resource management system, Te Ao Māori, the Government's reform agenda in freshwater, water services regulation, and transport – align closely with LGNZ's advocacy priorities, providing a wide range of opportunities for collaboration. This includes our recent participation in Te Uru Kahika's Climate Workshop.

Our team is meeting regularly with Te Uru Kahika to ensure we are joined up in our support for the Regional Sector. We continue to work together closely on submissions and engagement on central government reforms.

Infrastructure Symposium

We're looking forward to this Combined Sector event on 13/14 June and have secured another strong line-up of speakers, with the [finalised programme available here](#). Infrastructure Minister Chris Bishop will speak at the networking event on the Thursday night, and Sir Bill English is one of our keynote speakers on 14 June. Other speakers include Opposition Local Government spokesperson Hon Kieran McAnulty, Peter Nunns (Director Economics, Te Waihanga Infrastructure Commission), Simon Dyne (COO, Fulton Hogan), Councillor Linda Scott (via zoom, President, Australian Local Government Association), Malcolm Smith (Australasian Cities Leader, Arup) plus expert panels and more. Registrations are tracking well.

Conference and Awards update

Planning is well advanced for both SuperLocal 2024 and the Community Boards conference, along with additional events for Te Maruata and Young Elected Members, LGNZ's Annual General Meeting, the Mayors for Taskforce breakfast and numerous networking events across the three days.

In early April we launched SuperLocal24 to members and opened registrations. This followed the earlier launch of the SuperLocal 24 Awards.

We will exceed our sponsorship target for SuperLocal, which is a real achievement in the current climate.

We have finalised the programme, which has a dynamic line up of speakers, and registrations are on track.

Women in local government

Following on from our 13 February zoom for women in local government, we are planning a lunch immediately before the SuperLocal conference, which will feature Finance Minister Nicola Willis as the opening speaker.



Te Maruata update

Te Maruata held its first whānui hui online on 14 March to reset priorities for the remainder of the triennium. The hui included a kōrero with MP Marama Davidson, the election of new members for the Roopu Whakahaere as well as opportunity to meet with Mereana Taungapeau, LGNZ's recently appointed Kaitohutohu Matua Māori. Aubrey Ria was elected as the Rural & Provincial representative, and Keri Brown was elected as the at-large representative.

Te Maruata held its monthly online wānanga on 24 April. Te Whatu Ora provided updates on the Sale and Supply of Alcohol Amendment Act – specifically around the incorporation of Tikanga Māori into licensing hearings. There was also broad discussion about Māori wards and the Fast-Track Amendment Bill.

A key issue for Te Maruata is strong advocacy on retaining current arrangements for the establishment of Māori wards and constituencies.

At the Te Maruata Rōpū Whakahaere hui on 9-10 May, kaupapa included Māori wards, Te Maruata membership, the programme for the Te Maruata Hui at conference and the Hutia te Rito strategy – the LGNZ Te Ao Māori approach. The in-person hui included the member now representing Community Boards, Jock Martin (who represents the Lawrence/Tuapeka ward for Clutha District Council).

The Rōpū Whakahaere have been conscious of ensuring Te Maruata members are supported during the debates around Māori wards, which has been a difficult time for many. Regular comms, information sharing and opportunities for kōrerō have been activated so that Te Maruata members feel supported and connected. Equally it's important that the voices of Māori ward councillors and Māori elected members are uplifted. Te Maruata Rōpū Whakahaere made a submission on the Bill in support of LGNZ's submission that also spoke to personal experiences and the critical role Māori councillors play at decision-making tables across Aotearoa.

Hutia te Rito: LGNZ Māori Strategy

Our Kaitohutohu Matua Māori Mereana Taungapeau led the organisation of a staff wānanga at Raukawa Marae in Ōtaki on 1-2 May. Its purpose was to introduce staff to Hutia te Rito and the Te Ao Māori work programme for LGNZ which is currently in development.

Young Elected Members

The YEM Committee are keen to continue holding annual YEM Hui, and are well underway with planning for this year's event. The Committee has confirmed dates for this year's Hui (16-18 October) and will be holding it in Christchurch. In response to member feedback, we've brought the Hui forward and shared the dates early so people can get it in their diaries.

The YEM Committee met online in March and in person at the end of May. As well as discussing the next Hui and their pre-SuperLocal gathering, the Committee has refined the YEM Strategy and Kaupapa based on feedback received from the network at the end of last year.



Petone Community Board member Kaz Yung has been elected to the YEM Committee as the community boards representative, and the Committee has also welcomed new member Councillor Deon Swiggs (Environment Canterbury), who has replaced Deputy Mayor of Westland Ash Cassin, following Westland's decision to withdraw from LGNZ membership.

Community Boards Executive Committee

Over the last few months CBEC has been actively involved in a number of initiatives:

- **Satisfaction survey of community boards and mayors:** CBEC commissioned FrankAdvice to undertake a survey of community boards and mayors to better understand the mood of community boards, and relationships between councils and community boards, as well as identify areas for improvement, with particular emphasis on roles, remuneration and relationships with councils. The final report, with recommendations, was released in late February. The findings will be used for ongoing advocacy by CBEC and to inform updates to the Governance Guide for Community Boards.
- **Community Boards Conference:** CBEC is well underway with planning for the 2024 Community Boards Conference, which is being held as part of SuperLocal. CBEC members have been working hard with the LGNZ team to pull together a programme, and seek speakers and sponsorship.
- **Declarations:** the Committee has discovered that some councils do not require appointed board members to make a community board declaration – creating a potential risk to councils should a board decision be challenged on the basis that some members were ineligible to vote. CBEC sought legal advice, which confirmed that all appointed members should make a community board declaration as well as their council declaration. That advice has been sent to all councils with community boards.
- **Remuneration:** CBEC is working with the Remuneration Authority to improve the basis on which community board remuneration is set. The Authority has not been able to resolve how to remunerate boards with additional responsibilities (member pay is based on population without any consideration of the level of responsibility). The Committee has been engaging regularly with the Remuneration Authority on options. It's meeting in June to develop a work programme to deliver on recommendations resulting from its survey of community board members and Mayors.

Kaz Yung (who was elected to the Young Elected Members Committee) has joined our Community Boards Executive Committee. Jock Martin has also been elected to CBEC and Te Maruata, as noted above.

CBEC held a zoom for all community board members in late March, where they discussed the results of the survey of community board members and mayors, and options for remunerating community board members. The zoom was attended by around 40 members.



Support

Ākona

On 3 April, we gave all elected members access to Ākona, following National Council's decision that subscription should be rolled into the member fee.

The number of logins continues to grow, with 50-60 learners being added each week. Engagement with Ako hours already exceeds expectations, and registrations for next month's Climate Change Adaptation Ako hour are climbing quickly.

Sector engagement with Ākona has also significantly increased. Last week's bi-monthly hui with Council L&D staff (which would previously attract 10 or less participants) had almost 30 participants. There were also multiple requests for the hui to be recorded and sent to those who could not attend. Hui participants expressed their support of the system, including the new skills analysis tool. There was also keen interest in working with LGNZ to build elected member engagement through coaching sessions, to develop learning programmes, and to develop learning policy based on Ākona content.

The Induction 2025 Project has commenced with the development of a triennial calendar of learning linked to key sector milestones. This calendar will be tested by a group of sector representatives over the next few weeks, with a view to complete induction design by the end of October. The purpose and approach to Induction hui is being refined based on member input and feedback from the 2022 events.

Discussions have begun with Taituarā to develop an induction pack that will include pre-elected learning resources, (as per the framework). A pre-candidacy package of learning will also soon be developed to support the promotion of local governance participation in our communities.

There are new courses recently released or nearing release include:

- Climate Change
- Te Reo
- Decision Making
- The CE Relationship
- Leading diverse communities

In addition, the tīma worked with PD Training to contextualise a Critical Thinking workshop which was delivered at Napier District Council in late February. A targeted workshop focused on Chairing Meetings/Standing Orders has also been developed. Both options will become a permanent part of Ākona offerings.



Guidance and advisory for members

We've updated our [Guide to the LGNZ Standing Orders Templates](#). The updates provide councils with guidance on how to amend their standing orders to incorporate changes to the definition of a quorum (for those joining by audio visual means). They also provide guidance on the Ombudsman's recent report on public access to workshops.

We're working with the Taituarā Democracy and Participation Working Group to fine tune our Standing Orders Template, with a focus on readability. The updated version will be available to councils in early 2025, giving plenty of time to be prepared ahead of the 2025 local body elections. The new template will also reflect legislative changes made since mid-2022 when the current template was drafted.

Elected member safety and security

We held a zoom on safety and security on 18 April, with 60 people attending. Panel members Mayor Dan Gordon, Deputy Mayor Angela O'Leary and Mayor Len Salt spoke eloquently about the difficult and disturbing experiences they had had, followed by representatives from NZ Police and Netsafe. This was the start of a conversation and there's clearly more LGNZ can do to support members experiencing this harassment, which is also a threat to local democracy.

At the Combined Sector meeting, we asked attendees about their experiences and the results were:

- 74% had face aggressive, abusive or offensive behaviour as an EM in public meetings
- 65% had faced it online
- 39% had faced it at community events
- 33% had faced in doing every day activities like shopping or collecting children from school

In terms of the levels of behaviour:

- 53% thought it was worse than a year ago
- 41% thought it was similar
- 9% thought it was better.

Our second zoom in this series will be in mid-June, to focus on "sovereign citizens" and vexatious requests, and we've secured a range of panellists/speakers. This topic was suggested in the first zoom, and the third zoom will focus on physical security for EMs. All these zooms are recorded and available to elected members in Ākona, along with related resources. [You can log into Ākona here.](#)

Te Korowai

Our continuous improvement programme, previously known as CouncilMARK, has undergone significant evolution over the past year in response to feedback from the sector. These changes aim to increase programme participation and deliver greater value to participating councils.



Renamed 'Te Korowai', the programme has extended its focus beyond independent assessments to support councils throughout their continuous improvement journey, both before and after assessment.

Te Korowai emphasises a wraparound support for councils, the establishment of development benchmarks and aligning council performance with priorities. The introduction of additional development pathways facilitates the translation of assessment findings into actionable plans, enabling councils to optimise their performance.

We have collaborated closely with Waikato Regional Council, which served as the pilot for the new programme. Following their successful on-site assessment, they have transitioned into the development phase. Initial feedback from Waikato Regional Council has been overwhelmingly positive, highlighting how the programme provided valuable insights and confidence to progress along their development journey.

We are currently engaged with several other councils, including as Central Hawkes Bay District Council, Ōtorohanga District Council, and Otago Regional Council, as they prepare to join the revamped programme. Additionally, efforts are underway to align the programme's performance assessment framework with Ākōna, fostering continuous improvement through a culture of learning and development.

Mayors' Taskforce for Jobs

Mayors' Taskforce for Jobs (MTFJ) core group has signed off a refreshed five-year strategic plan. The plan reconfirms the focus of the MTFJ kaupapa firmly on rangatahi, particularly those youth who are NEET (Not in Employment, Education or Training).

LGNZ supported Mayor Max Baxter, MTFJ Chair, to secure a meeting with the Social Development Minister Louise Upston, which the MTFJ team of Maree and Tammie attended, along with Scott.

Max also met with Minister Upston while attending a joint visit to Waimate to hear firsthand how the programme has delivered better employment outcomes there. The Minister is joining MTFJ for their annual breakfast meeting at SuperLocal.

The MTFJ Governance Group, which oversees MTFJ's strategy and delivery, met in April and May and the Core Group is meeting on 7 June.

Huge credit to the MTFJ council teams who nationally have exceeded their MSD-contracted CEP outcomes, achieving 1,111 employment outcomes for year one well ahead of the due date. This positions the MTFJ MSD employment contract for continued success as it rolls over into year 2, although with reduced contracted funding from (\$10 million to \$8 million).

LGNZ ran an impactful session for MTFJ in February supporting individual council programmes to better tell their story of localism and council delivery, as discussed in the media section above, and reflected in the uptick of media around MTFJ in recent weeks.



Road Efficiency Group (REG)

LGNZ has been a long-standing partner and supporter of REG and we are pleased to see REG feature in the draft Transport GPS. This includes direction from the Minister that REG, as part of a wider expectation for improved sector performance and efficiency, is to focus on ensuring that all investment in maintaining and improving resilience on the state highway, local and rural road networks is spent in the most efficient manner.

Key focus areas for REG include:

- Finding efficiency in road maintenance spend to deliver more for road users and taxpayers' investment;
- Standardising maintenance protocols and processes to find efficiency where efficiencies can be found;
- Reducing expenditure on temporary traffic management (TTM), which is adding significant cost to road maintenance and reducing efficiency of spend;
- Reviewing Network Outcomes Contracts (NOC) with a focus on achieving long-term maintenance outcomes of 2 percent rehabilitation and 9 percent resurfacing per year, ensuring a proactive approach to road maintenance.

REG is currently reviewing its term of reference and governance arrangements, which will see two independent appointments by the Minister to the REG governance group.

Moata Carbon Portal

Recently we've provided a demo of the portal and had conversations on carbon accounting with Central Otago District Council. We have also supported Mott MacDonald to attend zone meetings to provide an overview of the carbon portal as well as some findings from the carbon baseline completed on Queenstown Lakes LTP in 2023.

The findings from this baseline were that water projects accounted for 55% of QLDC's total capital carbon, with transport accounting for 24% and built environment 21%. Over the course of their LTP, their highest carbon peaks were predicted for 2023 and 2030, with recommendations provided on integrating carbon assessments into their approval and delivery processes.

Ratepayer Assistance Scheme (RAS)

With Auckland and Tauranga confirming support to establish the RAS, we have secured \$1.2 million of the estimated \$3 million required to complete the development work to establish the RAS. On establishment, we would need circa \$23 million establishment capital.

As a reminder, the RAS is a special purpose tool that would provide support to ratepayers to finance any local authority charge. With balance sheet separation, and proximity to both local and central



government, it would have a very high credit rating and therefore be able to provide the cheapest possible financing terms to ratepayers.

The Ratepayer Financing Scheme's flexibility would enable it to support:

- Development contributions to enable housing development.
- Home improvement policy to meet healthy homes, earthquake strengthening, home insulation and solar panel installation, water separation and storage etc.
- Rates postponement to provide relief to ratepayer experiencing affordability pressures.

A detailed business case supporting the RAS's viability has been completed with the support of Auckland, Hamilton, Tauranga, Wellington, Christchurch councils alongside the LGFA and LGNZ. We have had recent positive engagement the new governments policy advisors. The RAS could provide financing for future water charges which would assist with affordability.

The Steering Group have engaged with the Government's water Technical Advisory Group to discuss funding and financing more broadly, including the possible role the RAS could play supporting ratepayers and funding infrastructure.

Scott and selected members of the Steering Group met Simon Court (Parliamentary Under-Secretary to the Minister for Infrastructure and the Minister Responsible for RMA Reform) on 3 April and Minister Simeon Brown has expressed interest in learning more about it.

Libraries partnership

Our Libraries Advisor is continuing to deliver the work programme that has been agreed to with DIA and the New Zealand Libraries Partnership Programme, and will be with LGNZ until the end of June 2024, when the project funding comes to an end. This was a Covid-19 recovery initiative so there isn't ongoing funding for this role.

At the end of the project, we'll receive a report that will outline all the key trends identified and findings made across the three years of the project.

Despite local government funding challenges, a large number of councils have supported the removal of fines to improve access to their library resources. Over 60% of councils are fully fines free and 92% are fines free for children and young people.

Report no: HCC2024/3/184

Variation to the Innovative Young Minds Charitable Trust Deed

Purpose of Report

1. To approve a variation to the Innovative Young Minds Charitable Trust (Trust) to allow its governance to draw on broader skills and expertise and operate independently, matching the growth in programming and income in recent years.

Recommendations

It is recommended that Council:

- (1) notes the growth of Innovative Young Minds Charitable Trust and the increase in programmes and reach, and
- (2) approves a variation to the Innovative Young Minds Charitable Trust deed attached as Appendix 1 to the report.

For the reasons that the Trust intends to capture a broader set of governance skills and experiences to maximise the potential of the programmes and to act independently now that the Trust has financial independence and has developed further programmes.

Background

2. The Trust's programmes are designed to encourage young secondary school-aged women to explore science, technology, engineering, mathematics, and high-value manufacturing fields we call the STEMM sector. Engaging and interactive online and residential programmes showcase the wide range of STEMM study, research and career opportunities and make connections with employers.
3. The programme was started in 2017 by Rotary Hutt City with primary sponsorship from Hutt City Council, as it aligned with Council's focus on STEMM education. In 2018, Council and Rotary partnered to manage the programme jointly and established the Trust to facilitate administration and finance the programme.
4. Hutt City Council seed-funded the establishment of the Trusts' programmes at an annual amount of \$25,000, that has been reduced to \$10,000 in FY23/24.

5. Currently, Hutt City Council has a single trustee, Council's Head of Business and Economy, who was appointed by Council in March 2023.
6. Rotary Hutt City has appointed five trustees per the Trust Deed, allowing for a greater range of skill sets and experiences.
7. The Trust is exempt from being classified as a Council Controlled Organisation (CCO) due to its small size and scope of activities.

Discussion

Development of the Trust

8. The Innovative Young Minds programming and offerings have significantly expanded since 2017, beginning with their initial event that had 40 participants.
9. The Trust aims to have 1,000 young women participate annually in three programmes through collaborations with numerous local and national STEMM businesses and organisations. Two paid part-time coordinators are responsible for promoting and leading the programs, building partnerships, and gaining sponsorship. It will shortly appoint a part-time Director/Executive Officer.
10. The Trust attains financial independence through regular and substantial sponsorship from local businesses, nationwide companies, and local Rotary Clubs, which is approximately three times the initial annual investment made by Council in 2017.
11. Originally, trustees were appointed from the Hutt City Rotary membership and officers at Hutt City Council. As the Trust's activities have grown, there is an increased need for broader skill sets and expertise. To address this, Hutt City Rotary has appointed two additional trustees.
12. The Trust has commitments from three individuals who will contribute additional skills and experience in science education programming, STEMM industry collaboration, Māori and Pasifika communities, and operational management.

Variation to the Deed for appointment of trustees

13. The Trust is seeking a variation to the Trust deed from its founders to capture a broader set of governance skills and experiences, maximise the potential of the programmes, and act independently without the administrative cost to the two founders.
14. The current Trust deed permits Hutt City Council and Rotary Hutt City to each appoint up to three trustees (a maximum of six) and to appoint additional advisory trustees, up to a total of 10 trustees.
15. A variation is proposed to allow the Trust to act independently of the founders and make appointments for the Trust's benefit. The Hutt City Rotary Club has agreed to the variation.

16. Council's trustee intends to remain on the board to maintain collaboration and partnership with Council and local organisations in STEMM sector development and education to employment outcomes.
17. All proposed variations relate to removing the reliance on the founders – plus a practical change to the quorum. These changes are marked in colour in Appendix 1 attached to the report.
18. When establishing the Trust, Council exempted it from the CCO administrative requirements due to the small scale and limited scope of its activities and the administrative and reporting burden this would place on the Trust's limited resources.
19. If Council agrees to the variation, it will further release the Trust and Council from all CCO administrative requirements.

Options

20. Council can choose to appoint trustees according to the current deed or agree to a variation that allows the Trust to act independently.
21. If Council wishes to retain the appointment of trustees, Council can choose to exempt the Trust from being a CCO or not.

Climate Change Impact and Considerations

22. There are no climate change considerations.

Consultation

23. The board of trustees has initiated this process in line with their strategic growth plan.
24. Hutt City Rotary has agreed to the variation.
25. No other consultation is considered necessary.

Legal Considerations

26. The legal considerations of exempting the Trust from being a CCO are outlined above.

Financial Considerations

27. Council currently does not provide funding for the Trust's programmes. Instead, the Trust raises funds from various local businesses, organisations, corporate sponsors, and supporters.
28. The trustee positions do not receive any payment.

Appendices

No.	Title	Page
1↓	Innovative Young Minds Trust Deed - proposed changes marked	144

Author: Bradley Cato, Chief Legal Officer

Approved By: Jon Kingsbury, Director Economy & Development

DATED

2018

HUTT CITY COUNCIL and ROTARY CLUB OF HUTT CITY INCORPORATED
("Founders")

Gary Craig
Laura Sessions
Anne Ryan
Susan Avison
Gaylene Hughes
Allan Brown
("Trustees")

T R U S T D E E D
INNOVATIVE YOUNG MINDS CHARITABLE TRUST

BETWEEN HUTT CITY COUNCIL and ROTARY CLUB OF HUTT CITY INCORPORATED
(“the Founders”)

AND [insert full names, occupations and towns of residence of 6 trustees] **(“the Trustees”)**

RECITALS:

- A The Founders intend to create a charitable trust as set out in this Deed, and to transfer Property to the Trustees to be held by them jointly upon the trusts and with the duties, powers and discretions set out in this Deed.
- B The Founders have paid to the Trustees the sum of \$10.00 to be held by them upon the trusts and for the purposes and with the powers set out in this deed.

IT IS AGREED:

1. INTERPRETATION

1.1 Definitions

In this Deed (including its schedules):

Advisory Trustee means a person appointed as an advisory trustee under Clause 13.1,
Charity means any trust or entity that has purposes in New Zealand that are wholly charitable;

Custodian Trustee means a person appointed as a custodian trustee under Clause 13.2;

Financial Year means the period ending on 30 June or such other balance date as may be determined by the Trustees

Nominee means a person appointed as a nominee under Clause 13.2

Property means all real and personal property (including intellectual property, choses in action, rights, interests and money).

Trust Fund means all Property that is from time to time held by the Trustees on the trusts of this Deed.

STEMM means Science, Technology, Engineering, Mathematics and Manufacturing.

1.2 General references

In this Deed, a reference to:

- (a) One gender includes all genders;
- (b) The singular includes the plural and vice versa;
- (c) Parties is a reference to the parties to this Deed and includes those parties' successors, permitted assignees and permitted transferees;
- (d) Persons includes a reference to human beings, companies, corporations, firms, partnerships, joint ventures, associations, organisations, estates, trusts, states or agencies of state, government departments and local and municipal authorities, in each case irrespective of whether having a separate legal personality;
- (e) Clauses, schedules and recitals is a reference to the clauses, schedules and recitals of this Deed, except that references to the clauses of a schedule are references to the clauses of that schedule;
- (f) An agreement includes the agreement as modified, supplemented, novated or substituted from time to time;
- (g) Legislation includes amendments to and re-enactments of that legislation.

2. DIRECTION AND ACKNOWLEDGMENT OF TRUST

- 2.1 The Founders direct the Trustees to hold, and the Trustees acknowledge that the Trustees will hold, the Trust Fund upon the trusts and with powers set out in this Deed.

3. BACKGROUND, VISION, VALUES AND OBJECTS

- 3.1 For the last two years the Founders have operated a programme called Innovative Young Minds, designed to encourage young women to explore further studies and careers in science and technology. Females are under-represented in the STEMM sector (especially the physical sciences, ICT and engineering) and the Founders wish to change that. The Founders believe increasing female participation in STEMM will lead to greater innovation and economic success. The Innovative Young Minds programme is intended to inspire young women to consider careers they may not even know exist. It is designed to introduce them to the diverse STEMM businesses, research organisations and education providers for which New Zealand is known.
- 3.2 The vision of the founders and the Trustees is to expose course participants to the STEMM training and employment opportunities and so contribute to the future economic development of New Zealand and to increase opportunities for underrepresented groups in the sector.
- 3.3 In carrying out the Objects of the Trust, the Trustees will adhere to the following values:
- (a) inclusivity diversity and accessibility;
 - (b) gender equality;
 - (c) teamwork and cooperation;
 - (d) respect, honesty and trust safety of participants; and
 - (e) pastoral care
- 3.4 The Objects for the Trust are:
- (a) To attain the vision as set out in Clause 3.2;
 - (b) To foster young women's interest and education in the STEMM sector across New Zealand;
 - (c) To establish courses that:
 - Develop an understanding of the academic subjects that can lead to a career in the STEMM sector
 - Demonstrate the research, development and innovation opportunities available in STEMM
 - Show the variety of study and career opportunities available in STEMM
 - Inspire participants by exposing them to people who have successful careers in STEMM
 - Develop and increase participants' confidence and self-esteem
 - Ensure the safety and well-being of participants;
 - (d) To foster Innovative Young Minds alumnae to continue in the STEMM sector through:
 - Ongoing events, activities, and communication
 - Mentorship from others at all levels in the sector.
 - Internship and training opportunities
 - A community of like-minded young people for peer support;
 - (e) For any other purposes within New Zealand (whether relating to the relief of poverty, the advancement of education or religion or any other matter beneficial to the community) which are charitable according to the laws of New Zealand;
- in a manner consistent with the values set out in Clause 3.3.

4. NAME OF TRUST

- 4.1 The Trust is to be known as the **Innovative Young Minds Charitable Trust** but the Trustees may amend or change the name by deed.
- 4.2 The Trustees may apply for the Trust to be incorporated under the Charitable Trusts Act 1957.
- 5. APPLICATION OF INCOME**
- 5.1 The Trustees may at any time, after payment of or provision for all costs, charges and expenses of the Trustees in relation to the establishment, management and administration of the Trust, pay or apply all or any of the income of the Trust to promote or advance such of the Objects as the Trustees determine.
- 6. APPLICATION OF CAPITAL**
- 6.1 The Trustees may at any time pay or apply all or any of the capital of the Trust to promote or advance such of the Objects as the Trustees determine.
- 7. RECEIPT OF CHARITABLE RECIPIENT**
- 7.1 The receipt of the secretary, treasurer or other officer of any Charity to which all of any of the Trust Fund is paid or applied will constitute a sufficient discharge to the Trustees for the payment or application.
- 8. DONATIONS**
- 8.1 The Trustees may accept any Property that is donated to the Trust.
- 8.2 The Trustees must not accept any Property subject to any condition that is inconsistent with the achievement of the Objects of the Trust.
- 8.3 The Trustees may refuse to accept any Property which is subject to reservations, trusts, liabilities or obligations that the Trustees believe to be impractical or too onerous.
- 8.4 If Property is accepted by the Trustees subject to reservations, trusts, liabilities or obligations ("Donated Property Restrictions"), the Trustees must hold the Property (and any proceeds of disposition of it) as part of the Trust Fund and subject to the Donated Property Restrictions and must pay or apply (to the extent of the Trust Fund) such amounts as are required by the Donated Property Restrictions.
- 9. RESETTLEMENT**
- 9.1 The Trustees have power in their discretion to settle or resettle any or all of the Trust Fund upon trust for the advancement or benefit of one or more of the Objects as the Trustees decide, but the settlement or resettlement must not breach the rule against perpetuities as it applies to charities.
- 10. TRUSTEES**
- 10.1 There shall be a minimum of three Trustees and a maximum of ten Trustees
- 10.2 A person is eligible to be a Trustee if the person is not disqualified by section 16 of the Charities Act 2005.
- ~~10.3 Each Founder shall have the powers, exercisable from time to time, to appoint three Trustees and to remove every Trustee appointed by that Founder. For the purposes of~~

~~this clause [Trustee #1], [Trustee #2] and [Trustee #3] shall be deemed to have been appointed by the Hutt City Council, and [Trustee #4], [Trustee #5] and [Trustee #6] shall be deemed to have been appointed by the Rotary Club of Hutt City Incorporated.~~

~~10.4 A Founder may, by deed and on such terms as the Founder thinks fit, transfer the powers of appointment and removal of Trustees held by that Founder to any other person. Where such a transfer is made, it shall apply to both the powers of appointment and removal set out in Clause 10.3 and Clause 10.5 which are held by the Founder.~~

~~10.5 The holders of the powers of appointment and removal of Trustees shall jointly have the power to appoint and remove such additional and advisory Trustees as the holders may determine.~~

10.3 Subject to Clause 10.1, The Trustees for the time being shall have the power to appoint any person at any time as a Trustee of the Trust. It at any time there is no person able to and willing to exercise the power then the power shall be exercised by the persons or person in whom the statutory power is vested by the Trusts Act 2019.

10.4 If the number of Trustees falls below three, the power of appointment of a new Trustee or of new Trustees must be exercised in accordance with the power of appointment in clause 10.3.

10.5 A trustee may by written notice retire even if that retirement reduces the number of Trustees to fewer than the minimum number.

10.6 A person shall cease to be a Trustee if the Trustee:

- (a) Resigns or retires by giving written notice to the other Trustees;
- (b) Dies;
- (c) Ceases to be eligible to be a Trustee under Clause 10.2;
- (d) Refuses to act in his or her capacity as a Trustee;
- ~~(e) Has been removed as a Trustee by notice under Clauses 10.3 or 10.5.~~

(e) Is deemed by unanimous votes of the other Trustees to have failed to fulfil, of for any reason become incapable of fulfilling, his or her duties as a Trustee.

10.7 Upon a person commencing or ceasing to be a Trustee, the Trustees shall record that fact in the minute book of the Trust.

10.8 Meetings of the Trustees shall be governed by the rules contained in Schedule 2.

11. TRUSTEES' POWERS AND DECISIONS

11.1 The Trustees have all the powers of a natural person and all other powers that the law permits trustees to have.

11.2 Without limiting any of the powers of the Trustees, the Trustees have the powers set out in Schedule 1 and may in their discretion exercise any one or more of those powers in pursuit of the general administration of the Trust.

11.3 The Trustees may invest all or any of the Trust Fund in any Property that is permitted by the laws of New Zealand for the investment of the funds of trusts or as otherwise permitted by this Deed, including power to buy or acquire any Property and power to sell or dispose of any Property.

11.4 The Trustees in their absolute and uncontrolled discretion may exercise all powers and discretions of the Trustees at any time, on such terms and conditions and in such

manner as the Trustees think fit.

11.5 Notwithstanding any other provision in this Clause 11 or elsewhere in this Deed the Trustees shall be bound by the provisions in sections 13A to 13Q inclusive of the Trustee Act 1956 (or any successor provisions, if that Act is amended or repealed) and, in particular, shall take into account the matters specified in section 13E thereof.

~~11.5~~11.6 The Trustees shall appoint and may remove the officer of Secretary and Treasurer. These offices may be combined. The Secretary and Treasurer need not be Trustees.

12. FINANCIAL RECORDS

- 12.1 The Trustees must ensure that financial records are kept.
- 12.2 The financial records must present the Trust's receipts, credits, payments, assets, liabilities and all other matters necessary or appropriate in a way that shows the true state and condition of the financial affairs of the Trust.
- 12.3 The financial records and annual accounts will be kept at the Trustees' office or at such other place, as the Trustees think fit.
- 12.4 The financial records and annual accounts must always be available to be inspected by the Trustees.
- 12.5 The Trustees shall prepare, or cause to be prepared, financial statements for each Financial Year.
- 12.6 The Trustees shall determine whether the financial statements shall be reviewed or audited.

13. ADVISORY TRUSTEE, CUSTODIAN TRUSTEE AND NOMINEE

- 13.1 The Trustees may, by resolution in writing, appoint any person as an advisory trustee of the Trust. The Advisory Trustee shall have the status and powers conferred on advisory trustees by the Trustee Act 1956.
- 13.2 The Trustees may, by resolution in writing, appoint any person as a custodian trustee or nominee of the Trust Fund. The provisions of the Trustee Act 1956 shall apply as if references in it to a custodian trustee were references to Custodian Trustee or Nominee, except as modified or extended as follows:
 - (a) All or any of the Trust Fund may be vested in the Custodian Trustee or Nominee as if the Custodian Trustee or Nominee were sole trustee;
 - (b) The portion of the Trust Fund that is from time to time vested in the Custodian Trustee or Nominee is the Custodial Trust Fund, and the provisions of section 50 of the Trustee Act 1956 shall apply as if references in it to the trust property were references to the Custodial Trust Fund;
 - (c) The Custodian Trustee or Nominee must:
 - (i) Get in and hold the Custodial Trust Fund;
 - (ii) Invest it and dispose of it in accordance with any direction in writing by the Trustees;
 - (iii) Execute all documents and perform all acts that the Trustees in writing direct.
- 13.3 The Trustees may, without needing to give any reason, remove any Advisory Trustee or Custodian Trustee or Nominee by resolution in writing.

13.4 The Trustees may pay a fee to the Advisory Trustee, Custodian Trustee or Nominee.

14. PECUNIARY PROFIT AND BENEFITS AND ADVANTAGES

- 14.1 No contract shall be entered into with a Trustee and no payment shall be made to any Trustee from the Trust without a resolution being passed at a meeting or in writing by the Trustees in compliance with Clauses 14.2 to 14.6. Such a resolution in writing may consist of several like documents each signed by one or more of the Trustees and may be sent by facsimile transmission or email. Any such Trustee shall recuse themselves from participation in any such decision making.
- 14.2 No private pecuniary profit shall be made by any person from the Trust, except that (but subject to Clause 14.4):
- (a) Each Trustee may receive full reimbursement for all costs, charges and expenses properly incurred by the Trustee in connection with the affairs of the Trust;
 - (b) The Trustees may pay reasonable and proper remuneration to any person or firm or company (other than a Trustee) in return for services actually rendered to the Trust;
 - (c) Each Trustee may be paid all usual professional, business or trade charges for services rendered, time spent and acts done by the Trustee or by any firm or entity of which the Trustee is a member, employee or associate in connection with the affairs of the Trust.
- 14.3 The Trustees, in determining all reimbursements, remuneration and charges payable in terms of this Deed, must ensure that the restrictions imposed by Clause 14.4 are strictly observed.
- 14.4 Notwithstanding anything to the contrary in this Deed, no remuneration or benefit or advantage (regardless of whether it is convertible into money) or income of any of the kinds referred to in section CW 42(1)(c) and (5) to (8) of the Income Tax Act 2007 shall be paid or afforded to or received or gained or achieved or derived by any person ("the Determining Person") if section CW 42(1) of the Income Tax Act 2007 denies the Trustees an exemption from tax on income derived by the Trustees from the carrying on of business by or on behalf of or for the benefit of the Trustees in the circumstances set out in Clause 14.5.
- 14.5 The circumstances referred to in Clause 14.4 are those in which the Determining Person is:
- (a) a Founder or a Trustee of the Trust; or
 - (b) a shareholder or director of any company carrying on any business of or for the Trust; or
 - (c) a founder or trustee of any trust which is a shareholder of any company carrying on any business of or for the Trust; or
 - (d) an associated person (as defined by the Income Tax Act 2007) of any Trustee or any such Founder, shareholder, director or trustee –
- and the Determining Person can, by virtue of being a Founder, a Trustee or such shareholder, director, trustee or associated person, determine, or materially influence the determination of, the nature or the amount of the remuneration or benefit or advantage or income referred to in Clause 14.4 or the circumstances in which it is or is to be received, gained, achieved, afforded or derived by the Determining Person.
- 14.6 A person who, in the course of and as part of the carrying on of his or her business of a professional public practice, renders professional services to the Trust, shall not, by reason only of his or her rendering professional services to the Trust, be in breach of

Clause 14.4.

15. WINDING UP

- 15.1 If and when the Trust Fund shall no longer be used or be required for the Objects of the Trust, the Trust Fund shall be applied to such charitable purposes within New Zealand as the Trustees may determine or in default of such determination as may be determined by a Judge of the High Court of New Zealand on application by the Trustees or any Trustee, and the Trust Fund shall not be paid or distributed amongst the Trustees.

16. LIMITATION OF LIABILITY AND INDEMNITY

- 16.1 No Trustee is liable for the consequence of any act or omission or for any loss unless the consequence or loss is attributable to his or her dishonesty or to the wilful commission by him or her of a breach of trust.
- 16.2 No Trustee is bound to take any proceedings against a co-Trustee for any breach or alleged breach of trust by that co-Trustee.
- 16.3 The Trustees are not liable for any loss or cost to the Trust by any breaches of trust or defaults of any attorney, delegate, manager, agent, secretary, employee or any other person (including, without limitation, any expert or professional person) appointed or engaged or employed by them, despite any rule of law to the contrary.
- 16.4 Each Trustee is fully indemnified by and out of the Trust Fund (whether from capital or income) for any loss or liability that he or she incurs in the carrying out or omission of any function, duty, power or discretion of the Trustees under this Deed and in respect of any outlay or expenses incurred by him or her in the management and administration of the Trust unless the loss or liability is attributable to his or her dishonesty or to the wilful commission by him or her of a breach of trust.
- 16.5 The indemnity given by Clause 16.4 extends to any loss or liability which a person incurs, after ceasing to be a Trustee, through the carrying out of any function, duty, power or discretion of the Trustees, whether the carrying out took place before, during or after the period in which the person was a Trustee.

17. GOVERNING LAW

- 17.1 Deed and the Trust are governed by and construed in accordance with the laws of New Zealand, but the Trustees have power at any time by deed to change the governing law.
- 17.2 The courts of New Zealand have exclusive jurisdiction to decide all claims, actions or other proceedings in connection with the Trust or this Deed.

18. COUNTERPARTS

- 18.1 This Deed may be executed in any number of counterparts (including facsimile or scanned copies) all of which, when taken together will constitute one and the same instrument. A party may enter into this deed by executing any counterpart.

19. POWER OF AMENDMENT

- 19.1 ~~Subject to any relevant legislation for the time being in force relating to charitable trusts and only with the prior written consent of the Founders, the Trustees have power by deed~~

Subject to any relevant legislation for the time being in force relating to Charitable Trusts the Trustees have power by deed

:

- (a) to amend, revoke or add to any of the provisions of this Deed unless to do so would amend, revoke or add to the Objects or would enable a payment or application of any part of the Trust Fund in a manner that is inconsistent with the Objects; and
- (b) notwithstanding paragraph (a) of this Clause, to amend, revoke or add to the Objects provided such amendment, revocation or addition is consistent with the values set out in clause 3.3 and does not disqualify the Trust from being recognised as charitable under the Income Tax Act 2007 or the Charities Act 2005.

SCHEDULE 1

POWERS OF TRUSTEES

1. The Trustees shall have power in accordance with Clause 11.2 of this Deed:
 - (a) To carry on or form any business, whether or not in partnership or joint venture, to achieve the Objects of the Trust;
 - (b) To form or acquire any company to achieve the Objects of the Trust;
 - (c) To enter into contracts for the provision of services to achieve the Objects of the Trust;
 - (d) To open and maintain a bank account and to decide who will be the signatories to that account;
 - (e) To acquire, hold and dispose of Property;
 - (f) To lease Property;
 - (g) To grant leases of Property;
 - (h) To borrow or obtain credit;
 - (i) To guarantee or act as a surety;
 - (j) To enter into transactions denominated in a foreign currency and to make or receive payments in a foreign currency;
 - (k) To give security in respect of any obligation of the Trustees;
 - (l) To accumulate the income of the Trust Fund;
 - (m) To apply or set aside any part of the Trust Fund towards the payment of any liabilities or obligations incurred or suffered by the Trustees or falling due in future;
 - (n) In relation to any share or other security that is part of the Trust Fund:
 - (i) to exercise any voting or controlling or decision-making rights or powers attaching to it; and
 - (ii) to concur in any reconstruction or amalgamation of it or in any modification of the rights of the holders of it or of others interested in it and generally to act in respect of it;
 - (o) To advertise the Trust and the Objects;
 - (p) To obtain incorporation or registration of the Trust in accordance with any law from time to time in force relating to charitable trusts;
 - (q) To appoint or engage or employ any person or company (including any of the Trustees) for any period:
 - (i) as an expert or professional person or entity to advise on or carry out any of the trusts and powers authorised by this Deed as an attorney or delegate for the Trustees in New Zealand or elsewhere for all or any of the purposes of the Trust; or
 - (ii) as a manager or agent for or on behalf of the Trustees in all or any matters relating to the management and the control of the Trust, and

- any business owned by the Trustees or in which they are concerned;
or
- (iii) as Secretary; or
 - (iv) as an employee of the Trustees in all or any matters relating to the Trust;
- (r) To act upon any opinion or advice or information obtained from a person or entity referred to in paragraph (q)(i) of this Schedule;
- (s) To determine all questions and matters of doubt which may arise in the course of the management, administration, investment, realisation, distribution, liquidation, partition, resettlement or winding up of the Trust Fund or the Trust, or to apply for directions under section 66 of the Trustee Act 1956;
- (t) Generally to do all such other lawful acts and things that are incidental or conducive to the attainment of the Objects; and
- (u) Subject to Clauses 14.1 to 14.4 of the Trust Deed, to pay any costs or expenses incurred in the course of the Trustees discharging, carrying out or exercising any of their duties and powers.

SCHEDULE 2 MEETINGS OF TRUSTEES

- ~~1. A quorum of trustees shall be three Trustees subject to at least one Trustee appointed by the Hutt City Council and one Trustee appointed by Rotary Club of Hutt City Incorporated being present. If, at any time, either of the founders has no Trustees appointed, then the requirement that each founder shall have an appointee present to form a quorum shall not apply.~~
1. A quorum of trustees shall be 3 Trustees.
2. Subject to these rules and to this Trust Deed, the Trustees shall meet and regulate their meetings as they think fit.
3. The Trustees may from time to time appoint one of their number as Chair of the Trustees and decide on the period for which the Chair will hold office. The Trustees may from time to time remove the Chair.
4. The Chair (or in the absence of the Chair, another Trustee elected by the meeting) shall take the chair at all meetings of the Trustees, but shall not have a casting vote.
5. The Chair or any two Trustees may at any time summon a meeting. Seven days notice of any meeting (stating the place, day and time of the meeting) shall be communicated to each of the other Trustees unless all of the Trustees agree to shorten or waive the period of notice.
- ~~6. If there are only three Trustees present at a meeting of Trustees then all questions and matters arising at such a meeting shall be decided by unanimous resolution of the Trustees present. If there are four or more Trustees present at a meeting of Trustees then all questions and matters arising at such a meeting shall be decided by majority resolution of the Trustees present subject to at least one trustee appointed by the Hutt City Council and one Trustee appointed by Rotary Club of Hutt City Incorporated voting in favour of any such decision. If, at any time, all Trustees appointed by either of the founders have ceased to be Trustees and no replacement Trustees have been appointed by that founder, then the requirement that a Trustee appointed by each founder vote in favour of any decision shall not apply.~~
6. All questions before the Board shall be decided by consensus. However, where a consensus decision cannot be reached on a question, it shall, unless otherwise specified in

this deed, be put as a motion to be decided by a majority of votes. If the voting is tied, the motion shall be lost.

7. A resolution in writing signed by all of the Trustees shall be as effective as if it had been passed at a meeting. Such a resolution may consist of several like documents each signed by one or more of the Trustees and may be sent by facsimile transmission or email.
8. Any resolution of the Trustees may be rescinded or varied from time to time by the Trustees.
9. The contemporaneous linking together by telephone or any other means of audible communication of enough of the Trustees to constitute a quorum shall be deemed to constitute a meeting of the Trustees so long as the following conditions are met;
 - (a) Each of the Trustees must have received notice of the meeting (or have waived notice) under Clause 5;
 - (b) Each of the Trustees taking part in the meeting must be able to hear each of the other Trustees taking part at the commencement of the meeting and (subject to the terms on which a Trustee may leave the meeting under Clause 10) throughout the meeting; and
 - (c) At the commencement of the meeting each of the Trustees must acknowledge his or her presence to all the other Trustees taking part in the meeting.
10. A Trustee must not leave a meeting (whether by departing or by disconnecting his or her telephone or other means of communication) unless he or she has previously obtained the express consent of the Chair of the meeting. A Trustee shall be conclusively presumed to have been present and to have formed part of the quorum at all times during the meeting unless he or she has previously obtained the express consent of the Chair to leave the meeting.
11. The Trustees are to keep minutes of their meetings and of all their decisions. The minutes shall be kept in a minute book maintained by a person appointed by the Trustees.
12. Any minute of a meeting of the Trustees (including their decisions) purporting to be signed by the Chair of the meeting or of the next meeting shall be prima facie evidence of the matters referred to in such minute having been authorised done or passed by the Trustees. The decisions recorded in the minutes will be read in conjunction with the Trust Deed and will be binding on all persons interested in the Trust.
13. If a quorum is not present within twenty minutes after the time appointed for any meeting, the Chair of the meeting may adjourn the meeting to another time.
14. Any meeting may be adjourned if the Trustees present so resolve. No notice will be necessary for the resumption of adjourned meetings except to Trustees not present at the meeting adjourned.

04 July 2024

Report no: HCC2024/3/185

Remits for Local Government New Zealand Annual General Meeting 2024

Purpose of Report

1. The purpose of this report is to ask Council to decide on which remits to support for the upcoming Local Government New Zealand (LGNZ) Annual General Meeting (AGM) on 21 August 2024 in Wellington. This will enable the delegates of Hutt City Council attending the AGM (Mayor Barry, Cr Dyer, Cr Parkin, and Cr Barratt) to vote on behalf of the Council.

Recommendations

It is recommended that Council:

- (1) notes that eight remits will be voted on at the Local Government New Zealand Annual General Meeting (AGM) on 21 August 2024;
- (2) notes the full text of the remits attached as Appendix 1 to the report;
- (3) notes the officer assessment of each remit attached as Appendix 2 to the report; and
- (4) notes Council's delegates (Mayor Barry, Cr Dyer, Cr Parkin, and Cr Barratt) will be voting on the remits on behalf of Hutt City Council:
 - (a) remit #1: representation reviews;
 - (b) remit #2: community services card;
 - (c) remit #3: local government constituencies and wards should not be subject to referendum;
 - (d) remit #4: entrenchment of Māori wards seats for local government;
 - (e) remit #5: graduated driver licensing system;
 - (f) remit #6: proactive lever to mitigate the deterioration of unoccupied buildings;
 - (g) remit #7: appropriate funding models for central government initiatives; and
 - (h) remit #8: good and services tax (GST) revenue sharing with local government.

Background

2. The LGNZ AGM is held annually and is attended by member authorities. The business conducted at this meeting will include voting to support, oppose or abstain on each remit and then ranking each successful remit in order of priority.
3. The Mayor, as Council's presiding delegate, casts the vote at the AGM.

Discussion

4. LGNZ released a report regarding the remits which contains the context of each remit and how the proposal is relevant to local government. This report is included at Appendix 1.
5. The Strategy and Policy team collected feedback from subject matter experts within Council on the proposed remits. The feedback included contextual information about the remit topic and its relevance to Council along with an indication of support. Each remit was considered according to the information provided by LGNZ and the internal feedback.
6. A summary list of the remits including supporting analysis from officers, is attached at Appendix 2. This has been prepared for Council to discuss its level of support for each remit.

Options

7. It is Council's prerogative to consider the remits and decide whether to support or vote against remits at the LGNZ AGM.

Climate Change Impact and Considerations

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

Consultation

9. Not applicable.

Legal Considerations

10. Not applicable.

Financial Considerations

11. Not applicable.

Appendices

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1	Appendix 1: LGNZ Annual General Meeting remit papers	158
2	Appendix 2: LGNZ Remits 2024	208

Author: Angela Gordon, Senior Policy Advisor

Reviewed By: Wendy Botha, Corporate Planning Lead

Reviewed By: Jarred Griffiths, Director Strategy and Engagement

Approved By: Jo Miller, Chief Executive



2024 Annual General Meeting

REMITS



Please note that this document is not the full set of papers for this year's AGM. It just includes the remits going forward to the AGM so members can decide how they will vote on them. The full set of AGM papers will be shared no later than 10 working days before the AGM.



Prioritising remits

Every year, LGNZ adopts new remits at the AGM. Each remit requires resourcing to deliver, and there is no limit to the number of remits that can be considered and passed. This means remits can create resourcing challenges, including conflict with agreed policy priorities.

LGNZ's National Council decided at its June meeting to ask the AGM to prioritise remits, to make it clearer where most resource should be directed. This will be a two-step process:

1. At the AGM, delegates will vote on remits as usual. Then, in a separate vote, they will rank successful remits in order of priority. This vote will be carried out electronically and result in a prioritised list of remits.
2. National Council will look at this prioritised list and allocate resource accordingly.
 - This will include determining where on the list the cutoff lies between a 'maximalist' and 'minimalist' approach. Depending on the nature of the remit, a 'maximalist' approach could include commissioning advice or research, or in-depth policy or advocacy work. A 'minimalist' approach could involve less resource, such as writing a letter to the relevant minister or agency.
 - Any support that proposing councils offer to deliver the remit will be considered in this decision making.

National Council will share its decision with councils, along with proposed actions.

Progress made against remits will continue to be reported in the four-monthly update to members.



Proposed Remit		Page
1.	Representation reviews	4
2.	Community Services Card	5
3.	Local government constituencies & wards should not be subject to referendum.	7
4.	Entrenchment of Māori wards seats for local government	20
5.	Graduated driver licensing system	22
6.	Proactive lever to mitigate the deterioration of unoccupied buildings	26
7.	Appropriate funding models for central government initiatives	46
8.	Goods and services tax (GST) revenue sharing with local government	48



// 01

Representation reviews

Remit: *That LGNZ advocate for changes that support the provision of timely and accurate regional and sub-regional population data to councils for use in council representation reviews.*

Proposed by: Waikato Regional Council

Supported by: Zone 2

Why is this remit important?

Because local democracy relies on accurate and up to date electoral population data to ensure fair and effective representation.

Background and Context

Census and local electoral cycles are not aligned which means that census data used to inform representation reviews can be up to six years old.

This remit is flexible enough to enable advocacy that takes into account a possible move to a four-year term and possible future shifts in the way the census may be conducted in the future, including a possible replacement by the use of administrative data.

How does this remit relate to LGNZ's current work programme?

This is a critical issue for local government as it goes to the very foundation of localism. Seeks advocacy in relation to a significant issue impacting local government.

This is not currently part of the current work programme but could be linked to the Electoral Reform Working Group's look at how to best implement a four-year term.

How will the proposing council help LGNZ to make progress on this remit?

Drafting submissions and attending meetings with Statistics New Zealand amongst other things.



// 02

Community Services Card

Remit: *That LGNZ advocate to Central Government to amend the Health Entitlement Cards Regulations 1993 so that the cardholder can use the Community Services Card as evidence for the purposes of accessing Council services which would otherwise rely on a form of means testing.*

Proposed by: Palmerston North City Council

Supported by: Zone 3

Why is this remit important?

Councils are restricted from requesting a community services card as evidence of eligibility to access services. Instead Council must instead request a series of other documents from an individual to test eligibility. This creates obstacles for applicants and privacy and consistency concerns for councils.

Background and Context

The authorised uses of Community Services Cards are set out in the Health Entitlement Cards Regulations 1993 regulation 12 and restrict the purposes for which it can be used. The Regulations state that no person, other than an employee of the department or the Ministry of Health or a pharmacist or any person (other than the cardholder) mentioned in regulation 12(b) or (ba) shall demand or request a Community Services Card as a form of identification of the cardholder or as evidence that the cardholder is eligible for that Community Services Card.

People in receipt of a main benefit (e.g. Jobseeker Support, Sole Parent Support, Supported Living Payment) or receiving a Student Allowance automatically qualify for a Community Services Card. Otherwise people can apply for a Community Services Card and must meet qualifying criteria including:

- They are over 18 years of age (or over 16 years of age if enrolled in full-time tertiary study)
- They are living legally in New Zealand (or are applying for refugee status)
- They meet an income test.

Palmerston North City Council in seeking to determine a means of establishing eligibility for some council services, including social housing, found that the Community Services Card, based on its eligibility criteria, would appropriately identify eligible people. However, current regulations do not allow councils to ask if a person is a Community Services Card holder in order to establish eligibility for council services.

Cabinet has previously amended the Health Entitlement Cards Regulation 1993 and the Social Security Regulations 2018 to add public transport authorities to those able to request or demand to see a Community Services Card, and the combination SuperGold and Community Services Card, as evidence that the cardholder is eligible for public transport concessions.

**How does this remit relate to LGNZ's current work programme?**

This remit could increase accessibility to local government services. It also comfortably sits within the principles of the Local Government Act 2002 in that it would give local government a tool to provide services more efficiently.

How will the proposing council help LGNZ to make progress on this remit?

We can provide further legal background knowledge and research to date; and accompany LGNZ in any advocacy meetings with the Ministry or legislators.



// 03

Local government constituencies & wards should not be subject to referendum

Remit: *That LGNZ lobbies central government to ensure that Māori wards and constituencies are treated the same as all other wards in that they should not be subject to a referendum. We oppose the idea that Māori wards should be singled out and forced to suffer a public referendum.*

Proposed by: Palmerston North City Council

Supported by: Zone 3, Te Pae Tawhiti (Horizons Region, Māori ward and constituency councillors)

Why is this remit important?

It is evident that the introduction of Māori wards and constituencies empowered more Māori to nominate, stand, vote, and participate in local government.

Legislative changes will only apply to Māori wards and constituencies but not all wards and constituencies. This shows a prejudice to Māori, a complete lack of fairness and will result in further disengagement of Māori in local government. It will see the demise of Māori representation and engagement in local government.

Background and Context

Māori wards and constituencies councillors serve on district, city and regional Councils in New Zealand and represent local ratepayers and constituents registered on the Māori parliamentary electoral roll. The purpose of Māori wards and constituencies is to ensure Māori are represented in local government decision making.

In February 2021, the Government made legislative changes which would uphold local council decisions to establish Māori wards and abolish the existing law which allowed local referendums to veto decisions by councils to establish Māori wards and Constituencies. The Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021, eliminated mechanisms for holding referendums on the establishment of Māori wards and constituencies on local bodies.

Many councils took the opportunity to make decisions about establishing Māori wards and Constituencies after the law change and as a result, the 2022 local elections saw six of the eleven regional councils (54.5%) have Māori constituencies and 29 of the 67 territorial authorities (43.3%) have Māori ward/s. Horizons Regional Council, and all seven District Councils of this region, have Māori wards.

Following the changes in legislation, there was a significant increase in Māori representation. The 2022 Local Government election saw the highest number of Māori elected members in local government, growing from 5% to 22%.



How does this remit relate to LGNZ's current work programme?

The proposed remit fits within LGNZ's stance that they too believe that Māori wards and constituencies should be treated the same as other wards in that they should not be subject to a referendum or if so, all wards should be subjected to the referendum.

Councils should be empowered to make decisions about the make-up of their representation through the Representation Review process.

How will the proposing council help LGNZ to make progress on this remit?

Palmerston North City Council and Te Pae Tawhiti already made oral and written submissions to the Justice Select Committee in June.

We also encouraged LGNZ to lead out the letter from the mayors to key ministers in May.

We are keen to support ongoing messaging, noting this remit is submitted prior to the Parliamentary decision on the proposed legislation.



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Palmerston North 4442
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Justice Committee
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29 May 2024

Members of the Justice Select Committee,
Re: Local Electoral Amendment Act 2024

E ngā mana e ngā reo e ngā karangatanga maha, tēnā koutou katoa.

E te tēpū whakatau o ngā whakakaupapa hou mō 'Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill' Nei rā he mihi nui ki a koutou i āta whakaaro i āta whiriwhiri i ēnei kaupapa whakahirahira e pā ana ki ngā kaunihera o te motu. Ko mātou tēnei o Te Kaunihera o Papaioea e mihi atu nei ki a koutou me te kaupapa e kawea nei e koutou. Kia kaha, kia māia kia manawanui. Anei o mātou ake whakaaro e pā ana. Nō reira tēnā koutou, tēnā koutou, tēnā tātou katoa.

Thank you for the opportunity to submit to the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill. We challenge the Select Committee to genuinely consider the feedback provided through this process. Councils do not want or need this change to occur. Our communities, and certainly Rangitāne o Manawatū our Treaty partner, are not asking for this.

Palmerston North is home to:

- near on 100,000 people of over 150 ethnicities
- one of the youngest populations with the highest number of PhDs per capita in the country

We proudly display:

- our city crest in our Council Chamber- one of we understand only four in the country which depict both Māori and Pākehā in the heraldry. Three being councils and the Crown you represent being the fourth.
- a statue of Te Peeti Te Awe Awe in the heart of our city- Te Marae o Hine The Square. Erected in 1906 jointly by city and Rangitāne leaders.

Our representation arrangements, most recently reviewed in 2021, are 1 mayor + 15 members: 2 Māori ward seats and 13 General ward seats, at-large across the city.

PNCC is committed to the principles of local government. Namely, as set out in the Local Government Act 2002 sections 4 and 81, which state we must

"... recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local

government decision-making processes... to facilitate participation by Māori in local authority decision-making processes.”

and

“establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and

consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority.”

There are also other statutory obligations, most notably the Resource Management Act 1991, to account for the culture and traditions of Māori as it relates to the natural environment. Not to mention obligations under the Treaty of Waitangi and the Human Rights Act. These obligations alone do not adequately emphasise the foundational importance of councils’ partnership with Māori and the critical value that relationships with tangata whenua bring to local governance.

Councils have many strategic commitments that support the development of Māori capacity to participate more fully and effectively in the Council’s decision-making processes. We engage directly with tangata whenua as a part of our statutory responsibilities and as a means of giving expression to the Council’s commitment to bicultural development and responsiveness. A Māori ward is another expression of this.

PNCC is committed to its kawenata relationship with tangata whenua Rangitāne o Manawatū, who support a Māori ward for wider Māori voice at Council. In 2021 Rangitāne o Manawatū gifted names for the city-wide wards:

- Te Hirawanui General Ward: reflects the long history of partnership between the Council and Rangitāne in the founding of Palmerston North, most particularly recognising one of our Rangatira chief Te Hirawanui who coordinated and inter alia signed the deed for sale for Te Ahu a Turanga land block, of which Palmerston North became a part.
- Te Pūao Māori Ward: the heralding a new dawn, and the mouth of a river as it leads to the ocean, reminiscent of the words spoken by Rangitāne rangatira Tiweta and Mahuri to the Ngāti Upokoiri people when they invited them to take refuge in the Manawatū-- in other words signalling the opportunities to come from the Māori ward and the relationship between Māori and Local Government in the Manawatū and beyond.

On 1 May 2024, Council resolved to formally endorse this current representative structure.

PNCC wants to increase engagement with parts of the city’s community that have historically been representationally marginalised. A Māori ward ensures Māori voices will be represented at local decision-making tables. It is one tool to support democracy, which a council can use to best represent the communities it serves. Māori can stand in general wards, but the data tells us they haven’t been doing so, even in Palmerston North where STV voting and district-wide wards which should encourage diverse candidacy. Māori wards are one way to remove a structural obstacle to the choices of Māori voters. In our view, having Māori ward seats at councils to represent those on the Māori elector role is the equivalent of Māori seats in Parliament for Parliamentary elections. Participation literature repeatedly points to people being able ‘to see themselves’ in diverse candidates as a motivator for voting. Many councils chose to establish Māori wards for the 2022 elections. We then saw the highest number of Māori elected members in local government, growing from 5% to 22%, much more closely aligned to the population. It is evident the introduction of Māori wards and constituencies enabled through the 2021 legislative change empowered more Māori to nominate, stand, vote, and participate in local government.

In its report to the Māori Affairs Committee in February 2021 on the Local Electoral (Māori Wards and Māori Constituencies) Amendment Bill of the time, National Party members made their own statement, separate to the Committee report. The members noted (emphasis in bold below) that:

Rushed legislation is not good legislation.

We agree.

The [prior] law requires that when a council proposes general wards it must publicly notify its proposals and call and hear submissions. These provisions do not apply to the creation of a Māori ward under this [previous] bill. If the Government genuinely wished to align the process it would require the same legal process for creating Māori wards as for general wards.

We agree.

If Government wishes to treat Māori wards in the same way as general wards, it should seek to include Māori wards within the representation review process subject to community submissions and Local Government Commission review NOT reinstate a different process.

Representation issues are complex. They cannot be reduced to simple binary questions of yes or no. Palmerston North knows first-hand what division looks like when lobby groups from outside our community lead a poll demand.

If the Government's true intentions were to improve the representation arrangements for councils, rather than revert this legislation, they would be looking to improve it. For example, could the rules around population ratios be removed so that councils can be more responsive to the needs of their communities of interest and not limited by percentages and population ratios?

"Our 78 local councils with their 1,600 elected members, are already obliged under legislation to have improving relationships with Māori and ensure proper engagement and involvement with Māori in decision-making. Local government and iwi/hapū take those responsibilities very seriously and in good faith. How they best meet their Treaty obligations should be up to them to decide. Local government and Māori are quite capable of doing that and achieving the outcome, without the central government deciding the means."

We agree.

Local democracy is one of the two purposes of local government set out in section 10 of the Local Government Act,

"The purpose of local government is—to enable democratic local decision-making and action by, and on behalf of, communities."

Aotearoa New Zealand is a representative democracy. We elect leaders to lead. We understand well that as councillors we are democratically elected to make decisions on behalf of all of our communities, not just the majority. Local councils are well placed to make those decisions, because we consult our people and weigh up various viewpoints on an issue.

PNCC voted to establish a Māori ward for the City, in 2017 and again in 2021. Since then, every council in our Horizons region (8 councils) has established Māori wards or constituencies.

Why is the Government telling us we are not capable of making a decision we have already made twice, and must now be bound to the result of a referendum? New Zealand is a representative democracy. Referenda are usually used for consultative purposes on controversial issues. The 1993 electoral system referendum is the rare case of a binding referendum. None of the 5 citizen-initiated referenda held since 1994 have been actioned by Parliament. Why then impose a binding referendum

that allows people not directly affected by the result (ie. those not on the Māori electoral roll) to determine an outcome?

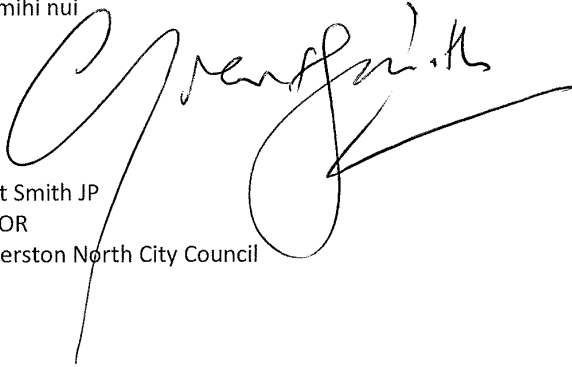
“Not the most important local government issue at this time when Local government is struggling on several fronts. The sector is overwhelmed and facing the most significant period of change in 30 years, and there are more pressing issues to address at this time like infrastructure, housing, transport, water, resource management, consenting processes, climate change impacts, and poor customer experiences.”

We agree. The costs of polls are another unfunded mandate on councils. We have more than enough to do without distractions of fixing something that is not broken; that is in fact working well. Having a Māori ward works extremely well for Palmerston North. Why is the central government now telling us to spend more ratepayer money and time on a referendum?

We ask that the Local Electoral Act provisions with regard to the establishment of Māori wards and constituencies not be changed.

Ngā mihi nui

Grant Smith JP
MAYOR
Palmerston North City Council

A large, stylized handwritten signature in black ink, likely belonging to Grant Smith, Mayor of Palmerston North City Council. The signature is written over the printed name and title.

29 May 2024

Submission of Te Pae Tāwhiti Rōpū

To: Justice Committee regarding the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill

Te Pae Tāwhiti Rōpū is a rōpū (group) made up of Māori Ward Councillors from the Horizons Region.

The Horizons Region is the Manawatū-Whanganui area of the lower North Island. The region is made up of eight Councils:

- Horizons Regional Council
- Palmerston North City Council
- Manawatu District Council
- Ruapehu District Council
- Rangitikei District Council
- Horowhenua District Council
- Tararua District Council
- Whanganui District Council.

All of the Councils of the Horizons Region, except Whanganui District Council, established at least one Māori ward/constituency in 2021, in time for the 2022 local elections. In October 2023, Whanganui District Council voted to establish a Māori ward for the 2025 and 2028 elections.

This submission in opposition to the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill (Bill) is based on the views of Māori Ward Councillors who belong to Te Pae Tāwhiti Rōpū.

Although we are current Councillors, we make this submission not to advocate for our personal positions on Council but for the future preservation of Māori wards and constituencies, to ensure that Māori who choose to be on the Māori electoral role, continue to have the choice of Māori representation in local government.

Introduction

We are Local Government elected members, elected to represent the best interests of Māori within our ward/constituency, and in addition we serve all constituents across the wider Districts and Region we represent. We provide a connection into Council and advocate for residents and ratepayers.

We believe that Māori have been under-represented in Local Government for far too long, and the establishment of Māori wards/constituencies at our Councils in 2021 have helped bridge this gap.

Since we were elected in 2022, we have striven to provide a voice, true representation and a Te Ao Māori view on our respective councils. We wish to emphasise that the decisions by our respective Councils to establish Māori wards/constituencies in 2021 each followed an extensive public consultation process, whereby all members of the community had an equal chance to be heard, and Councils openly debated and decided the issues.

Poll provisions, by contrast, are a “tool of the majority” and never favour minority groups such as Iwi Māori. This has been proven to be the case since 2001 under the previous Māori wards regime – with only two Councils being able to establish Māori wards prior to the 2021 Amendment Act (Waikato Regional Council in 2013 and Wairoa District Council in 2016). All 15 other initiatives to establish Māori wards were voted down by binding poll.

Bringing back the poll provisions will recreate a higher procedural standard for Māori wards than that of general or wards for “communities of interest” such as rural wards, for which Council decisions are democratically made in a representation review and cannot be subject to a binding poll. This is completely unfair and seeks to silence the voice of Māori. We believe that Māori wards and constituencies should be treated the same as all other wards and not be subject to poll provisions. Instead Local Government should be empowered to make its own decisions – not have the ability to do so taken away.

In this respect, we fully support the letter dated 20 May 2024 to the Government from the 52 Mayors and Chairs, LGNZ and Te Maruata, and agree that this legislation is a complete overreach on the Coalition Government’s part, on local decision-making.

Ultimately, given the track record of binding polls in the past, we believe the Bill will result in many Māori wards and constituencies across the country being disestablished. Not having a Māori ward or constituency will remove the option for Māori voters to choose whether to be represented by general or Māori ward councillor and we believe that any alternative mechanisms for Māori participation in Local Government would not be the same as having a dedicated seat at the decision-making table.

We fully support the Waitangi Tribunal Report dated 17 May, which found that this Bill will breach the Treaty of Waitangi and its principles, and recommended the Bill be paused for further policy development and consultation. The Tribunal findings also show that the Department of Internal Affairs advised the Minister of Local Government against this move, providing good rationale and that it is likely to breach Te Tiriti o Waitangi.

We do not agree with the Government putting its commitment to its Coalition agreement above Te Tiriti o Waitangi, and with the extremely rushed way in which the Coalition Government is progressing this change of legislation process, including only allowing 4 working days for a submission to be made.

Māori Wards Contribution to Local Government

We are opposed to this Bill because it does not honour and respect the contribution of Māori Wards to Local Government.

As Councillors of a Māori ward or constituency, we are honoured and privileged to represent Māori in our respective Councils. The participation of Māori representatives is crucial for fostering a more inclusive, equitable, and culturally responsive Council. It’s about having faces at the table that reflect their community and bringing our values, and lived and real perspectives to discussions and collective decision making.

Māori ward/constituency elected members bring valuable cultural knowledge and perspectives to Local Government, enhancing the cultural competence of Councils. This leads to:

- Better Decision-Making with diverse viewpoints contributing to robust and well-rounded policy decisions
- Cultural Responsiveness in policies and services that are more in line with to the needs and aspirations of Māori
- Social Cohesion which promotes mutual respect and understanding between Māori and non-Māori populations.

Inclusive governance that actively involves Māori can lead to improved outcomes across various sectors, such as:

- Environmental Stewardship with Māori often bringing a deeper understanding of and commitment to environmental sustainability, informed by traditional ecological knowledge
- Social Wellbeing where policies reflect Māori values and needs can contribute to healthier, more vibrant communities.

We wish to note that, while we have Councillor colleagues elected to general wards and constituencies who have whakapapa Māori, and they can also seek to bring their Māori-centric experiences to the Council table, those Councillors did not campaign to be (and may not want to be) a voice or representative for Māori on their Council. They are not and should not be expected to represent the voice of Māori in the way that we, as specifically-elected Māori Ward/Constituency Councillors, are.

Honouring Te Tiriti o Waitangi

We are opposed to this Bill because it does not honour Te Tiriti o Waitangi.

Te Tiriti o Waitangi establishes a foundational relationship between Māori and the Crown, emphasising partnership, participation, and protection. The changes enacted by the Crown in 2021 have helped ensure Māori representation in Local Government aligns with the principles of Te Tiriti by:

- Partnership - facilitating collaborative decision-making processes that involve Māori perspectives
- Participation - encouraging active Māori involvement in governance, ensuring these voices and concerns are heard
- Protection - safeguarding Māori rights and interests, particularly in areas impacting our whenua, resources, and cultural heritage.

The participation of Māori Councillors is crucial for fostering a more inclusive, equitable, and culturally responsive governance structure.

We fully support the Waitangi Tribunal Report dated 17 May. Although the Tribunal was forced to draft the Report under intense time pressure due to the imminent introduction of the Māori Wards legislation into Parliament, the report findings are comprehensive and compelling. The Tribunal found that this Bill will breach the Treaty of Waitangi and its principles, and recommended the Bill be paused for further policy development and consultation.

Poll Provisions – not compatible with complex constitutional matters

We are opposed to this bill because binding polls are not fair in practice and not compatible with complex constitutional matters such as establishing Māori wards.

The Waitangi Tribunal findings show that the Crown's own advisors on Local Government issues – the Department of Internal Affairs advised the Minister of Local Government against this move, providing good rationale and that it is likely to breach Te Tiriti o Waitangi.

Historically, providing poll provisions for Māori wards and constituencies did not deliver on the original policy intent which was to involve the community in decision making, and to support Māori communities by providing an avenue for them to demand that their Council holds a poll to establish Māori wards or constituencies.

The effects of poll provisions from 2002 to 2019 have proven to be an insurmountable barrier to establishing a Māori ward or constituency. From the 16 polls taken between 2002 and 2019 only one poll was successful (Wairoa District Council 2016). This was a Council initiated poll with 54% in favour and 46% against.

Instead of being a mechanism for community participation, they have deterred Councils and communities from proposing a Māori ward or constituency.

The Department of Internal Affairs, in advice to the Minister on this Bill, summed up the problems with poll provisions in that:

Reinstating the polls will be unpopular with many in the local government sector and Māori communities;

Since the 2021 law changes, 46 local authorities have resolved to establish Māori wards. Our understanding is that many councils previously did not seriously consider establishing Māori wards. This was because of the perception that the polls could harm community relationships, including relationships with mana whenua, and undermine social cohesion.

We anticipate most of these councils will be very concerned about the re-introduction of the polls. It is likely to discourage any other councils considering establishing Māori wards in the future. The change is also likely to be very unpopular with Māori communities, especially where wards have been established.

Before the 2021 amendments, Local Government New Zealand (LGNZ) and Taituarā – Local Government Professionals advocated strongly to remove the polls. In a 2018 letter, LGNZ noted "It is imperative that the Government act to address the unfairness created by the poll provisions and put in place a legislative framework that will enable mature and constructive conversations about options for Māori representation in local authorities".

An LGNZ survey of elected members found that, after the 2022 local elections, about 21% of members identify as Māori or are of Māori descent. This is up from 14% in the 2019 survey.

We agree with this statement from the Department of Internal Affairs.

Advice to Minister Brown from Department of Internal Affairs 5 December 2023:

The polls proved to be an almost insurmountable barrier to establishing Māori wards. Only two councils were able to establish Māori wards using the Local Electoral Act process. When polls were held, community division and animosity was common. As a result many councils

opted not to even put the option on the table because of the risk of community conflict. Similarly, mana whenua sometimes asked councils not to consider Māori wards because of the risk of a backlash against their community. The poll provisions gave no scope for councils to balance minority interests in the final decision because the poll outcome was binding, based on a straight majority. Since the poll provisions were removed, 46 councils have resolved to establish Māori wards

We agree with this statement from Department of Internal Affairs.

The Waitangi Tribunal has observed that “Alternative mechanisms for Māori participation in local government are not the same as having a dedicated seat at the council table”. A Māori ward or constituency is the only mechanism that guarantees Māori representation on the body that makes the final decisions (for example committees of council cannot adopt a District Plan or Long-Term Plan).

We agree with this statement from Department of Internal Affairs citing the Waitangi Tribunal.

The advice from the Department of Internal Affairs to Minister Brown was:

“Referendums and polls are an instrument of majority rule which can suppress minority interests. Normal lawmaking process have safeguards to make sure minority rights and interests are considered – human rights legislation, parliamentary debates and the select committee process. But referendums do not require that tabling and balancing of interests, and the outcome will depend on the majority’s perception of the minority interests.”

We completely agree with this advice and believe that the Department of Internal Affairs summed this up perfectly. The issue of representation for Māori is complex and should be decided upon locally by Councils in consultation with Iwi / Māori and its communities, not by a simple ‘yes’ or ‘no’ poll.

Further to this, the former LGNZ President Dave Cull summed up binding polls by saying:

“Of equal concern, the polls reduce a complex issue to a simple binary choice, which, by encouraging people to take sides, damages race relations in our districts. Matters of representation and relationships should be addressed in a deliberative manner that employs balanced and considered dialogue – not by poll. In fact, a poll is not necessary. Should a council resolve to establish Māori wards or constituencies, or any other ward, against the wishes of its community then the community has the option to hold that council to account at the next election – this is how representative democracy is intended to work

Again, we agree with this statement and also believe that binding polls and poll provisions in general are divisive and do nothing to enhance relationships within communities. In fact, it will do quite the opposite.

In summary, we are in opposition to the reinstatement of polls for Māori wards and constituencies and ask that this be relooked at and withdrawn.

If polls are to be implemented then we strongly urge the following to be implemented:

- That only those on the Māori roll vote in a poll. These are the only residents and ratepayers who will be affected by the outcome of the poll and therefore should have the most input into it.

- We ask that there is an increase in the petition threshold from 5% to 10% of electors to initiate a poll. Five per cent is a low threshold given the costs and impacts of polls on communities. It is therefore not unreasonable to expect a larger demonstration of a desire for a poll before undertaking one. A move to 10 per cent would align with the threshold set out in the Citizens Initiated Referenda Act 1993.
- We also recommend making the polls non-binding but require councils to give them due consideration in their decision making process. This would give the poll weight in the decision making process, but still enable these decisions to be made within the wider legal context and with due consideration of a range of relevant factors.

Cost to Ratepayers

The significant cost to ratepayers is another reason we oppose this Bill.

This change in legislation could result in up to 45 councils being required to hold a poll on Māori wards and constituencies at the 2025 elections, with the outcome to take effect in 2028. This is dependent upon what is decided by August 2024 in terms of disestablish now or ride it out until a poll in 2025. Councils throughout the country have extremely tight budgets and will need to fund the extra cost for the poll, as well as an early representation review. Many Councils are in the process of reviewing their Long Term Plan with proposed rates increases the highest ever seen. This in the midst of a cost of living crisis that will constrain Council budgets further. The cost of a poll and representation review will be dependent on the size of the council and district/region with an estimate at around \$175,000 for a poll and potential costs of up to \$170,000 for a representation review. In addition, Council staff and resource will be required.

Timing of Poll Should it Proceed

Finally, we are concerned at the timing of the proposed poll on Māori wards and constituencies. All Māori ward candidates will need to campaign for their seat, engage with Māori and participate in electioneering, while simultaneously convincing the community of the value of a Māori ward or constituency. This will be a huge undertaking and put potential Māori ward/constituency councillors to an unfair burden. The responsibility of educating the community on Māori wards will naturally fall to iwi to lead and coordinate without guaranteed resources or support.

Summary and Recommendation

In summary, Māori should be fairly represented in local government. This Bill will likely result in the disestablishment of many Māori wards and constituencies across the country. Disestablishing Māori wards and constituencies, and making them subject to a higher procedural standard than that of general or rural ward is opposed by Te Pae Tāwhiti Rōpū.

We recommend that the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill not be progressed and that status quo remains.

Whilst we oppose the reintroduction of poll provisions for Māori wards and constituencies, should these be reintroduced, we recommend the following:

- Increase the petition threshold from five per cent to 10 per cent of electors to initiate a poll. Five per cent is too low a threshold given the costs and impacts of polls on communities.
- Only those registered on the Māori roll can vote on a Māori ward and constituency poll.
- Make the poll non-binding and require councils to give them due consideration.

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We would like the opportunity to speak in support of this submission.

Parties to the submission:

Roly Fitzgerald

Te Pūao Māori Ward Councillor, Palmerston North City Council

Korty Wilson

Ruapehu Māori Ward Councillor, Ruapehu District Council

Justin Tamihana

Horowhenua Māori Ward Councillor, Horowhenua District Council

Nina Hori Te Pa

Horowhenua Māori Ward Councillor, Horowhenua District Council

Coral Raukawa

Tiikeitia ki Tai (Coastal) Ward Councillor, Rangitikei District Council

Piki Te Ora Hiroa

Tiikeitia ki Uta (Inland) Ward Councillor, Rangitikei District Council

Bridget Bell

Ngā Tapuae o Matangi Māori Ward Councillor, Manawatū District Council

Fiona Kahukura Hadley-Chase

Ruapehu Māori Ward Councillor, Ruapehu District Council

Channey Iwikau

Ruapehu Māori Ward Councillor, Ruapehu District Council

Naioma Chase

Tāmaki-nui-a-Rua Māori Ward Councillor, Tararua District Council

Te Kenehi Teira

Tonga Māori Councillor, Horizons Regional Council

Turuhia (Jim) Edmonds

Raki Māori Councillor, Horizons Regional Council

And from Horizons Regional Council:

Wiremu Te Awe Awe

Councillor, Horizons Regional Council.



// 04

Entrenchment of Māori wards seats for local government

Remit: *That LGNZ proactively promote and lobby to entrench the Māori Wards and Constituencies for the 64 councils which currently have these, to require the support of a supermajority of parliament should either parliament or councils seek their removal.*

Proposed by: Northland Regional Council

Supported by: LGNZ Zone 1 (Northland Regional Council, Far North District Council, Whangarei District Council)

Why is this remit important?

Zone 1 opposes the changes proposed to Māori wards and constituencies provisions in the Local Electoral Act 2001 (LEA), the Local Government Electoral Legislation Act 2023, and the Local Electoral Regulations 2001.

Zone 1 views are summarised below:

- a) Māori wards and constituencies are an appropriate and necessary way to deliver on Te Tiriti o Waitangi obligations — they are not a race-based selection.
- b) Reversion to a poll system to establish / retain Māori constituencies in local government is inconsistent with the national electoral system of a Māori roll and Māori seats in Parliament. There is no rational reason for the different approach.

Background and Context

The current government has agreed to amend the legislation and regulation related to the establishment and continuation of Māori wards in Aotearoa New Zealand.

The proposed changes have a major impact for the representation of Māori communities and the unique opportunities and challenges they face. It also compromises the ability of local government across the country to deliver on its Treaty of Waitangi obligations.

Zone 1 members do not support the proposed changes and have submitted their views as individual councils and the broader local government sector through LGNZ.

As discussions have developed on the proposed amendments, the need to align Māori ward representation models with parliamentary Māori electorate representation model has become evident.

How does this remit relate to LGNZ's current work programme?

This proposal aligns with LGNZ's policy that states:

- Remits must be relevant to local government as a whole rather than exclusively relevant to a single zone or sector group or an individual council;



- Remits should be of a major policy nature (constitutional and substantive policy) rather than matters that can be dealt with by administrative action.

In accordance with LGNZ's strategy, this proposal would strengthen local government as a whole to support our communities to thrive - environmentally, culturally, economically and socially.

How will the proposing council help LGNZ to make progress on this remit?

Northland Regional Council, with the support of Far North District Council and Whangarei District Council, will advocate, lobby, and promote the cause and case for the entrenchment of Māori ward seats in local government governance structures.



// 05

Graduated driver licensing system

Remit: *That LGNZ advocate for changes to the fee structure for driver licensing, better preparing young people for driver license testing, and greater testing capacity in key locations throughout New Zealand, in order to relieve pressure on the driver licensing system and ensure testing can be conducted in a quick and efficient manner.*

Proposed by: Ashburton District Council

Supported by: Hurunui District Council, Kaikōura District Council, Selwyn District Council, Timaru District Council, Waimakariri District Council and Waitaki District Council

Why is this remit important?

Communities across New Zealand are being impacted by excessive wait times associated with the graduated driver licensing system (GDLS). There are three stages to the GDLS, and those aged 16 or older can enter the system and undergo both theoretical and practical testing to graduate from a learner's license (accompanied driving) to a full license (license without restrictions) over the space of 24 months. Currently, across the country, demand for testing significantly exceeds testing capacity leading to negative implications for our young people, and the wider community. Action is required to ensure young people in our community can undertake testing without delay, failing to remedy this situation could result in:

- Reduced ability to access testing
- Increases in testing failure rates
- Social and economic disadvantages for young people

Background and Context

Work undertaken by Waka Kotahi and other agencies identified the need to remove barriers for young people associated with obtaining a driving license in New Zealand. Through this work, re-sit fees were identified as a potential barrier. According to Waka Kotahi data, only 53% of people on a restricted license pass their practical driving test first time around, meaning many young people trying to graduate were being financially burdened by subsequent fees in completing a re-sit.

From October 1 2023, Waka Kotahi introduced a revised fee structure for a learner's, restricted, or full license, which removed re-sit fees for drivers who failed a first or subsequent attempt. While this change makes graduation through the system more financially obtainable, it has put increased pressure on testing services as those who fail the first time are rebooking immediately. This, in combination with the shortage of assessors, is causing significant wait times across the country. The increase in wait times has multiple implications which are summarized below using national and local examples.

- **Reduced ability to access testing:** In 2020, the national average wait time to sit a restricted driving test was 16 days, this has dramatically increased to 53 days in 2023/24. Drivers in the Ashburton district are facing a 94-day delay in booking a restricted license test, with only one agent (VTNZ) being able to facilitate testing.



- Increases in testing failure rates: excessive wait times in Ashburton may be causing young people to book testing in alternative locations. According to information obtained during an Ashburton District Road Safety Co-ordinating Committee meeting, some young people from Ashburton and Timaru are travelling to the West Coast (3-5 hours away) to undertake practical testing, there is concern that completing a practical test on unfamiliar roads may lead to an increase in failure rates. Reports have also been made that the decision to remove re-sit fees has led to young drivers completing the test before they are ready, leading to multiple failed attempts.
- Social and economic disadvantages for young people: there are social and employability benefits to holding a driver's license. According to MBIE, two-thirds of all jobs advertised in New Zealand have a minimum requirement of a restricted license. The reduced ability for young people to obtain a restricted or full license may see otherwise suitably skilled candidates miss out on employment opportunities while they wait to sit and obtain the required license. This also has impacts for the community, in particular local businesses, who will potentially struggle to source young candidates for entry level roles. This is further amplified in our community where public transport is non-existent, with the only quasi-public transport available being the Mid Canterbury Connector – a locally led, volunteer driven service operating on a booked return trip service between rural communities.

Relevant legislation, policy or practice

- Land Transport Act 1998 (part 4)
- Land Transport (Driver Licensing and Driver Testing Fees) Regulations 1999.
- NZTA driving licensing fees schedule

How does this remit relate to LGNZ's current work programme?

While this is not currently part of LGNZ's work programme, engaging with central government will be essential to making progress in this area. Ensuring that the local voice is heard and understood by central agencies is the only way in which this issue will be able to be addressed. Given the impact on our young people, and the subsequent effects this has on their ability to gain independence and contribute to our communities and local economies, we believe this is a worthy project for LGNZ to drive on behalf of the sector.

How will the proposing council help LGNZ to make progress on this remit?

While changing the fee structure will help incentivise people to pass their tests on their first attempt, other changes should be made to better prepare people, particularly young people, who are trying to obtain a driver licence, and ensure there is sufficient capacity in the system.

Ashburton District Council is willing to trial/pilot the practical applications of an improved graduated driver's licensing scheme.

Our Mayors Taskforce for Jobs programme has been highly successful, working with community groups and schools to identify people who are disadvantaged in the labour market. A significant proportion of this group are seeking drivers' licences in order to improve their chances of employment. There is an opportunity to align the Mayors Taskforce for Jobs programme with an enhancement of an Ashburton based training and accreditation centre, leveraging the MTFJ programme's experience in driver licensing schemes. The goal of this would be to better prepare



young people for driver licence tests and reduce the pressure on the system imposed by people having to re-sit tests.

Ashburton District Council also proposes a pilot scheme to work with government to attract, train and supply increased numbers of examiners for the Ashburton district along with other centres throughout the country. Ashburton district would become a training region; prospective examiners would be based in the region while they train and qualify before returning to their respective regions to fill gaps and boost capability. Our region is well suited to examiner development, being close to Christchurch but more affordable and having a network of urban and rural roads.

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Hon Simeon Brown

Minister for Energy
Minister of Local Government
Minister of Transport
Minister for Auckland
Deputy Leader of the House



James Meager MP
Member of Parliament for Rangitata
Parliament Buildings
WELLINGTON

24 MAY 2024

Dear James

Thank you for your letter of 2 May 2024 regarding the driving licence processing delays in the Rangitata electorate. I share the frustration being experienced by people wanting to engage driver licence services only to be met with significant delays.

The Automobile Association (AA) and Vehicle Testing New Zealand (VTNZ) have been providing regulatory services on behalf of the NZ Transport Agency (NZTA) since 1999.

NZTA advises me that since the previous government's decision last year to remove the re-sit fee for theory and practical tests there has been a significant increase in demand for testing services, leading to unacceptable delays.

The inability to engage driver licence services in a timely manner is having an impact on the employability of learners and delaying their progression into the community.

NZTA and VTNZ are currently taking measures to accommodate the current high demand by re-prioritising driver testing officers to driver licencing agent sites with high booking numbers and increasing site opening hours. NZTA is aware of the urgency and my expectation that the issues be addressed promptly.

These delays across New Zealand, which follow the previous government's changes to re-sit fees, are unacceptable. I remain very concerned about these delays and am currently considering advice on options to address it, which may include reinstating a re-sit fee.

Regarding your request that NZTA remove the age limit for booking drivers licence tests, I have been advised that it is a legal requirement for applicants of driver licences to be 16 years or older.

Thank you again for writing.

Yours sincerely

Hon Simeon Brown
Minister of Transport

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Ashburton District Council Remit 2024



// 06

Proactive lever to mitigate the deterioration of unoccupied buildings

Remit: *That LGNZ advocate to Government:*

- *For legislative change enabling local authorities to compel building owners to remediate unoccupied derelict buildings and sites that have deteriorated to a state where they negatively impact the amenity of the surrounding area.*
- *To incentivise repurposing vacant buildings to meet region-specific needs, for example, accommodation conversion.*

Proposed by: Gisborne District Council

Supported by: Rotorua Lakes Council, South Wairarapa District Council, Wairoa District Council, New Plymouth District Council, Napier City Council, Rangitikei District Council, Whanganui District Council, Dunedin City Council

Why is this remit important?

There is no legislation enabling councils to take proactive action on the decaying condition of vacant buildings. Intervention is only possible when buildings become so dangerous that the Building Act 2004 (BA04) allows for dangerous building notices.

The absence of enabling regulations and enforcement tools can result in derelict sites negatively affecting both neighbourhoods and city centres. The public expects their local authorities to maintain community standards and they are frequently disappointed by our inability to intervene. Especially where keystone buildings deteriorate over decades.

The economic and social consequences of unoccupied derelict buildings negatively affect local businesses, city centre revitalisation, regional economic development, and tourism activity. Negative impacts suppress local investment and the prosperity of regional centres throughout New Zealand. Legislative change to enable the remediation of decaying building conditions and unlock their economic potential is in the national interest and significant to local government as a whole.

Background and Context

Existing building legislation is too late to mitigate decaying buildings

Once a Code Compliance Certificate has been issued, there is no regulatory avenue for proactive remediation of a vacant building's decaying condition. The BA04 is silent on maintenance responsibilities until the public is likely to be harmed by unsafe building conditions.

The BA04's approach to dangerous buildings is reactive as it seeks only to remediate dangerous conditions. The impact of a deteriorating building on its surrounding environment is not taken into consideration.

Waiting until a building becomes dangerous is too late to remediate the significant economic and social effects of vacant and deteriorating buildings.



In regional centres like Gisborne, a small number of deteriorating assets can have a significant impact on surrounding businesses and perceptions of the city centre. Long-term underinvestment means significant capital is required to restore these buildings before prospective owners and/or tenants can reoccupy the space. Investment is often cost-prohibitive, leaving vital buildings empty and further deteriorating.

In May 2024, Gisborne's Mayor wrote to Government detailing the national impact of this legislative gap (letter attached). The letter's appendix, *Ten years of the National Problem*, outlines how problematic buildings are challenging local authorities throughout New Zealand.

Local authorities have developed ad hoc, imperfect solutions to address the legislative gap

Upper Hutt City Council's Unoccupied Commercial Premises Bylaw and Clutha District Council's Regulatory Bylaw both aim to prevent building deterioration. However, bylaw solutions are unenforceable without costly prosecutions that risk uncertain outcomes.

In Rotorua, where houses are problematic, rather than commercial buildings, Rotorua District Council has spent \$60,000 on consultants' reports and legal advice for a single abandoned property because it lacks the authority to require its demolition.

The BA04 seeks to ensure safety and well-being, sustainable development, and building code compliance. However, because it does not provide local authorities with effective tools to encourage essential maintenance and building utilisation, we have no way to intervene when buildings are deteriorating until the problems are significant, sometimes beyond repair.

Wellington City Council recently signaled its intention to remove ten buildings from its heritage list as part of a district plan review. Among those buildings were the dangerous, unoccupied Gordon Wilson Flats, a contentious feature of the Wellington skyline intended for demolition by their owner, Victoria University, due to restoration cost.

List removal failed to secure ministerial approval. However, this situation illustrates the impossible predicament faced by local authorities when heritage buildings have not been adequately maintained, and the extraordinary measures they must take when buildings have deteriorated beyond repair. Local authorities' inability to prevent the deterioration of vital assets threatens a loss of national heritage and identity through demolition. The solution must be to enable proactive measures addressing deteriorating conditions before buildings are demolished by neglect.

Mitigating the social and economic consequences of underutilised buildings urgently requires:

- A new legislative lever that will enable earlier intervention and action to remediate deteriorating building assets and or
- Collaboration between local and central government and regional providers to develop region-specific incentives encouraging the use of unproductive assets, e.g., repurposing buildings for accommodation.

How does this remit relate to LGNZ's current work programme?

Addressing the gap in building legislation and its consequences for regional economic development does not currently feature in LGNZ's broader advocacy work programme. However, LGNZ has for some time been aware of the legislative gap and advocated on this issue as it aligns with their strategic priority of focusing advocacy on the big issues impacting local government.



In 2014, LGNZ wrote to the Minister of Building and Construction suggesting the BA04 define derelict sites, which would allow for such properties to be included in their Dangerous and Insanitary Buildings Policies. LGNZ's 2015 submission to the Rules Reduction Taskforce highlighted that derelict building issues are a regular source of community distress, presenting risks to health, fire hazards, and sites for criminal behaviour. In 2022, LGNZ again proposed that the government define derelict buildings; however, attempts to meet the Minister of Building and Construction were unsuccessful.

While these efforts failed to find favour, advocacy to political leaders is urgently required because:

- Current BA04 considerations are inadequate in addressing building issues that need to be remediated before buildings become derelict.
- The Government's accelerated review of building code requirements extends to improving economic activity.
- The Government has signalled its intention to develop housing improvement strategies through a cross-government Ministerial Working Group on Housing.
- Legislative change and incentives to activate unproductive buildings and unlock regional economic improvement align with the Coalition's Decision-Making Principles A – E.

How will the proposing council help LGNZ to make progress on this remit?

Gisborne District Council will:

- Continue advocating directly to the Ministers for Building and Construction, Housing and Local Government.
- Collaborate with LGNZ, councils, Government and stakeholders to develop new legislative tools to tackle this issue, strengthening our national economic resilience.
- Share any appropriate research and development, and data analysis from our region.
- Undertake any pilot programme involving temporary rule changes or funding initiatives, such as incentivising the conversion of commercial buildings to housing.
- Identify and work with local providers and property owners on the implementation of any pilot.

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2 May 2024

Hon Chris Penk - Minister for Building and Construction
 Hon Chris Bishop - Minister for Housing
 Hon Tama Potaka - Associate Minister Social Housing
 Hon Simeon Brown - Minister Local Government



GISBORNE
 DISTRICT COUNCIL
 Office of the Mayor

Email: christopher.penk@parliament.govt.nz, Chris.Bishop@parliament.govt.nz,
Tama.Potaka@parliament.govt.nz, Simeon.Brown@parliament.govt.nz

Cc: Dana.Kirkpatrick@parliament.govt.nz, cushla.tangaere-manuel@parliament.govt.nz

LEGISLATIVE CHANGE IS REQUIRED TO UNLOCK SUBSTANTIAL ECONOMIC AND HOUSING IMPROVEMENTS IN NEW ZEALAND'S REGIONAL CENTRE

Good morning Ministers,

I would like to bring to your attention a gap in current building legislation, which is affecting local businesses, city centre revitalisation, regional economic development and tourism activity in our region.

In short, there is no enabling legislation that allows regulatory agencies to take proactive action on the decaying condition of vacant buildings.

Intervention is only possible when buildings become so dangerous that the Building Act 2004 allows for dangerous building notices. The absence of enabling regulations and enforcement tools, results in keystone buildings remaining idle and unproductive, sometimes for decades.

The attachments to this letter provide more information on the challenges facing Gisborne District Council and many other local authorities across New Zealand.

Legislative change to unlock the economic potential of underutilised and decaying buildings is in the national interest because the negative economic and social impacts created by underutilised buildings are nationally significant.

Unproductive buildings negatively impact regional prosperity throughout the country. We believe:

- New legislative tools are needed to unlock the economic potential of underutilised buildings.
- Urgent collaboration between local and central government is needed to develop a solution that will enable earlier intervention and action on commercial building issues.

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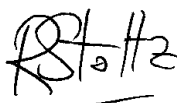
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- Activating unproductive buildings to support regional economic development is strongly aligned with the Government's Ongoing Decision-Making Principles A – E.

As this matter is significant for local government as a whole, Council will be putting forward a remit on this matter at the upcoming LGNZ Annual General Meeting.

We look forward to working with the Government to develop new legislative tools to enable us to tackle this issue and continue to strengthen our national economic resilience.

Warm regards,



Rehette Stoltz
Mayor Gisborne District Council

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Attachments:

Attachment 1 – Gisborne's Deteriorating Buildings

Attachment 2 – Problem definition: Current legislation is too late to mitigate decaying buildings

Attachment 3 – Ten Years of the National Problem

Attachment 4 – Seized buildings in Gisborne

Attachment 1 – Gisborne's Deteriorating Buildings*Main Street retail space. Corner Gladstone Rd and Peel St**Former Westlake Hotel. Corner Gladstone Rd and Peel St**Premium retail space. Peel St**Deteriorating building. Lowe St*

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Main Street retail space. Gladstone Rd



Deteriorating building. Childers Rd



Masonic Hotel decaying façade. Lowe St



Masonic Hotel frontage. Gladstone Rd



Abandoned detritus. Adjacent to Masonic Hotel



Main Street building decay. Gladstone Rd



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Attachment 2: Problem definition: Current legislation is too late to mitigate decaying buildings

During deliberations on the Gisborne Dangerous, Affected and Insanitary Buildings Policy 2024¹ under the Building Act 2004 (the BA04), Gisborne District Council (Council) identified inadequacies in the existing building legislation framework. Also identified were the negative impacts these deficiencies are having both regionally and nationally.

Once a code compliance certificate (CCC) has been issued, there is no enabling legislation that allows regulatory agencies to take proactive action on the decaying condition of vacant buildings. Mitigation of problematic buildings is only possible when they eventually deteriorate to a condition so dangerous that BA04 provisions allow for dangerous building notices. The absence of enabling regulations and enforcement tools, in between CCC and dangerous building notices, results in essential buildings remaining idle and unproductive, sometimes for decades.

The BA04's approach to dangerous buildings is reactive. It seeks only to remediate dangerous conditions and does not consider the impact a decaying building has on its surrounding environment. This means it is both too late to remediate problematic conditions and an inadequate tool to address the significant economic effects caused when buildings become locked in a deterioration spiral. In Gisborne's case, deteriorating conditions negatively impact surrounding businesses and perceptions of the city centre, affecting a decline in economic activity. As regional economies underpin national economic prosperity,² the negative impact of underutilised buildings has a ripple effect on the national economy.

As a building's condition declines, the required investment in its essential maintenance and works (e.g. earthquake strengthening and cosmetic upkeep) decreases. The deteriorating condition of commercial buildings is particularly problematic in regional city centres, as this inefficient use of key placemaking assets contributes to poor amenity.

In regional centres, where the *heart of the city* is comprised of only a handful of buildings, even a small number of deteriorating assets can have a significant impact. A prolonged lack of maintenance requires significant investment to get a building back up to scratch before prospective owners and/or tenants can once again operate out of it. The required work is often cost-prohibitive, and vital buildings can remain empty, which leads to further deterioration.

The BA04 seeks to ensure safety and well-being, sustainable development, and building code compliance. However, because the current BA04 legislation does not provide local authorities with effective tools to encourage essential maintenance and building utilisation, we have no way to intervene when buildings are deteriorating until the problem is significant. We can only intervene when buildings have decayed to such a condition that they are likely to harm the public.

The public expects their local authorities to prevent city centre building deterioration, and they are frequently disappointed by our inability to intervene. Regional communities such as Gisborne, where the problem is acutely felt, are unable to prevent the gradual decline of their city centres. Without a legislative tool enabling the remediation of inactive buildings, and no central Government solution either, Council cannot achieve its aspiration of maintaining a

¹ Gisborne Dangerous, Affected and Insanitary Buildings [Policy](#) 2024.

² Hon Steven Joyce (2016) *Regions lead recovery from Global Financial Crisis*. This Beehive [Release](#) emphasises the instrumental role regional economies, including Gisborne, played in leading New Zealand's economic recovery from the Global Financial Crisis.

high-quality urban environment that capitalises on heritage, tourism, and lifestyle to attract economic investment and development.

The Problem in Gisborne

Gisborne's Central Business District (CBD) contains several **vacant** and **underutilised buildings** that have been **neglected for long periods**.³ Their deteriorating aesthetic condition **negatively affects the city's appearance, impacting tourism experiences** and **suppressing local utilisation, economic growth**, and community wellbeing.

Deterioration of Buildings: A lack of basic maintenance has led to the disrepair of unoccupied buildings in Gisborne. This includes premium ground-floor retail spaces on Gladstone Road, Gisborne's main street (see **Attachment1 – Gisborne's Deteriorating Buildings**).

Negative Community Impact: Reduced vibrancy in the CBD has suppressed community utilisation and local commerce,⁴ making it less attractive to new businesses and shoppers. This decline in activity fosters increased incidences of vandalism and the impression of an unsafe CBD.

Homelessness Consequences: The declining condition of city buildings leads to squatters occupying vacant buildings, resulting in litter, sanitation issues, and antisocial behaviour adversely affecting adjacent businesses, some of which are rate-paying owner-occupiers. Council increasingly incurs the financial burden of cleanup and the disassembly of homeless encampments in conjunction with the Police.

Economic Investment Deterrence: Visible city centre decline creates the perception of an economically depressed area and discourages economic investment from outside the region, weakening local economic resilience. Decreased revenue from idled assets reduces the likelihood that owners of earthquake-prone buildings will fund reinforcement works, threatening key buildings with demolition.

Suppressed Tourism and Economic Growth: Tourism, a vital part of Gisborne's economy, is growing slower than the national average,⁵ limiting regional employment opportunities. The declining state of Gisborne's CBD negatively impacts tourists' experiences in our region, which challenges the Government's recent commitment to support tourism.⁶ A vibrant and welcoming city centre is essential for creating positive visitor experiences, as it influences overall impressions of a place.⁷ However, buildings becoming locked into a spiral of declining

³ In June 2007, Gisborne witnessed a 1.3% decline in retail sales despite national economic growth accelerating to 2.6%. In the same period. The number of commercial permits issued in Gisborne also fell by 13%. In December 2008, Gisborne experienced the largest quarterly decline in retail sales at a time when national retail sales were trending upward. Commercial building consents dropped by 6.1% in the same quarter. Sources: The National Bank Regional Trends Economics reports, February 2007, February 2008. In the wake of the global financial crisis, Council's 2010/11 Annual [Report](#) identified Gisborne's retailers among those most affected by economic conditions at the time.

⁴ Over 55% of Gisborne employment is currently located outside of land zoned for business.

⁵ The tourism sector contributed \$56.3 million to Gisborne GDP in 2022, accounting for 2.3% of the region's economic output and 7.1% of total annual employment. In 2022, total tourism spending in Gisborne was down 0.1% year on year, while national tourism spending increased by 1.4% in the same period. In the 10-year period 2012-2022, Gisborne has experienced only 1.8% annual employment growth, lagging 2.1% national growth. Sources: Trust Tairāwhiti (2023) [Draft Destination Management Plan](#) utilising data retrieved from Infometrics.co.nz; Infometrics (2023) *Tairāwhiti at a Glance: 2022* retrieved from Infometrics.co.nz on 7 March 2023.

⁶ Acknowledging tourism is the second biggest contributor to New Zealand's recent economy, the Tourism Minister, Hon. Matt Doocey, recently affirmed government commitment to supporting the growth of tourism and hospitality operators. Source: Hon Matt Doocey (2024) *Tourism data shows determination of sector*. Beehive [Release](#).

⁷ The Ministry of Business, Innovation and Employment [Destination Management Guidance](#) emphasises that supporting infrastructure and amenities are essential to cultivating compelling visitor experiences.

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investment and physical deterioration presents a significant barrier to regional aspirations for a vibrant, thriving city that is a destination for business, employment, and tourism.

Figure 1 - the old Masonic Hotel greets cruise-ship tourists walking from Gisborne's port to the city centre.



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The Problem nationwide

Gisborne is not the only region with declining, under-utilised buildings. Provincial areas are experiencing a downward spiral in the status of city centre vitality when compared to major urban areas.⁸ Unoccupied buildings are contributing to this decline. They pose safety risks and affect community well-being, property values, and public perception of city centres around the country.

Attachment 3 – Ten Years of the National Problem outlines how issues with idle, unproductive buildings have become a nationwide concern in the last decade. Neglected heritage buildings face significant challenges as councils struggle to intervene where *demolition by neglect*⁹ becomes irreversible. The lack of clear criteria for identifying and addressing derelict properties hinders councils' ability to take proactive measures to remediate these buildings as they deteriorate.

Legislative Inadequacies Prevent a Proactive Approach

1. Building Maintenance Responsibility

- After local authorities have issued code compliance certificates and no further building work is required, building maintenance is the responsibility of property owners.
- Local authorities have no means to enforce minimum maintenance standards for dormant or underutilised buildings, even in cases where buildings are left to decay.
- The absence of any tool to encourage proactive maintenance means local authorities can be left with unsightly buildings, often in prominent locations. This creates a cycle of declining investment that negatively impacts regional prosperity.
- Gisborne has five large, central buildings locked in an ongoing legal dispute between the Police and silent offshore owners. This contested ownership status prevents building remediation, even under dangerous building notices, as no party assumes responsibility for remediating the unsafe conditions.

2. The Building Act 2004 Does Not Adequately Consider Remediation

- The BA04 enables local authorities to compel remediation via dangerous or insanitary building notices only when building issues become so dangerous, they may harm occupants or the public.
- These notices are a last resort. They cannot address situations where buildings essential to a city's social, cultural and economic fabric decay due to neglect. This is because the BA04 does not consider the negative consequences experienced during a building's decline when its conditions are deteriorating but not yet dangerous.
- Councils can intervene when there is evidence of infestation or fire risk; however, the threshold for action is high.¹⁰

⁸ Aigwi, I., et al. (2019). *A performance-based framework to prioritise underutilised historical buildings for adaptive reuse interventions in New Zealand*. Sustainable Cities and Society, [48](#), 101547-101547.

⁹ Dunedin City Council defines *demolition by neglect* as a building being allowed to deteriorate to the point that demolition becomes necessary, or restoration becomes economically unreasonable. In some cases, building owners may allow this to happen to bypass heritage protections and the substantial financial investment to enable ongoing use. Source: Dunedin City Council's 15 May 2023 [Agenda](#).

¹⁰ [Newshub](#). (2022). Call for law change as councils say there is an increasing problem of derelict, unoccupied houses.

- Neglected heritage buildings are particularly vulnerable to becoming dangerous and, in instances of continued neglect, demolition.¹¹ Heritage New Zealand Pouhere Taonga recently requested Council policy¹² encourage heritage building owners to undertake preventative maintenance and upgrades to conserve their essential heritage character. However, BA04 considerations do not provide any mechanism for local authorities to encourage such action. Therefore, any suggestion or encouragement of proactive maintenance via a dangerous building policy would be unenforceable under the current BA04 considerations.
- In cases where heritage buildings have been neglected, the costs associated with restoration or repurposing can be prohibitive for building owners. Lotteries funding is not always readily available¹³ and heritage funding prioritises category-one buildings. Not all vital buildings are so categorised, and few buildings in Gisborne meet eligibility requirements.

Solution needed: Legislative Change

Activating unproductive buildings to unlock regional economic improvements aligns with the Coalition's Decision-Making Principles A – E:

- **Principled** decisions based on sound policy principles and economic efficiency;
- **Focused** on improving productivity and economic growth to increase prosperity, and enhance housing affordability, efficiency and effectiveness.
- Stopping interventions that aren't delivering **Results**.
- **People-focused** public services will be designed around the needs of public and tourist users. The Government will be **accountable** for clear public service targets and regular progress reporting on these objectives.

Proactive remediation measures do not sit comfortably within the BA04 framework because it was not designed to address the problem of inactive buildings and the associated economic consequences. Fixing the problem requires:

- a lever compelling proactive remediation of deteriorating city centre assets and or
- incentivising the utilisation of unproductive assets.

Examples of proactive legislative tools for unlocking the potential of unproductive buildings can be found in both the United Kingdom and the Republic of Ireland.

United Kingdom's Town and Country Planning Act 1990

The UK mitigates unproductive buildings via Section 215,¹⁴ which enables Local Planning Authorities to:

- take proactive steps towards sustainable regeneration of local areas, including conditions that adversely affect the amenity of the surrounding area
- consider local circumstances, such as site conditions and impact on the surroundings
- require a broad scope of works, including painting, external repairs, demolition and re-building

¹¹ The Ministry of Culture and Heritage identified late requests to 'save' buildings are commonly requested at the last possible moment due to communities not seeking remediation until a building is under threat of demolition. Source: Ministry for Culture and Heritage. (2018). *Strengthening protections for heritage buildings: [Report](#) identifying issues within New Zealand's heritage protection system*.

¹² HNZPT (2023) [submission](#) (Page 51) on the Gisborne District Council Dangerous Buildings Policy 2024.

¹³ Lottery Environment and Heritage Committee year on year funding [declined](#) by 46% in the 2023/24 financial year.

¹⁴ Town and Country Planning Act 1990 Section 215 [Best Practice Guidance](#) and [Act](#).

- use Section 215 notices in conjunction with other powers, such as repair notices for heritage-listed or dangerous buildings.

'Amenity' is a broad concept not formally defined in the legislation. This means assessment is a matter of degree. A clear and well-presented case that stresses the adverse impact of the site on the local street scene has proven more effective than a technical definition of 'loss of amenity'.

The Republic of Ireland Derelict Sites Act 1990

Ireland mitigates unproductive buildings with the Derelict Sites Act,¹⁵ which defines *derelict sites* and makes local authorities responsible for dealing with them. Derelict sites are defined as detracting from the amenity, character or appearance of the neighbourhood with:

- structures in a ruinous, derelict or dangerous condition
- land or structure condition that is neglected, unsightly or objectionable
- deposits or collections of litter, rubbish, debris, or waste.

Under the legislation, local authorities can mitigate problems by:

- prosecuting owners who do not comply with notices
- making compulsory land purchases
- carrying out necessary work and recovering cost.

Proactive Measures to Mitigate Inactivity would not conflict with the New Zealand Bill of Rights 1990 (BORA)

BORA protects human rights and fundamental freedoms; however, it does not provide for a general right to privacy or property enjoyment. BORA protections are subject to reasonable limitations where they are demonstrably justifiable in a free and democratic society.¹⁶ Indeed, the Justice Minister, Hon Paul Goldsmith, has indicated the government wishes to strike an appropriate balance between individual rights and the public interest.¹⁷

Therefore, it is reasonable to expect that the public interest should be safeguarded from neglected buildings and the significant negative impacts they have on our communities' life, livelihood, and economic output.

The [New Zealand Bill of Rights \(Right to Lawfully Acquired Property\) Amendment Bill](#) (introduced into Parliament on 27 July 2023) proposes reasonable compensation for property owners when deprived of the right to own and use lawfully acquired property. Enabling local authorities to encourage and or incentivise remediation or utilisation of vacant buildings would not conflict with this amendment, should it become law.

Alignment with improving housing availability

The Minister of Housing, Hon Chris Bishop, seeks to fix the housing crisis by increasing supply through the removal of barriers to construction. The Minister's recent Cabinet Briefing Paper *Fixing the housing crisis*¹⁸ outlines a programme to lift productivity, wages and ultimately national income by unleashing urban growth. The briefing paper identifies that:

- New Zealand's houses are among the world's least affordable due to persistent undersupply
- unaffordable housing has far-reaching social and economic consequences.

¹⁵ Republic of Ireland Derelict Sites [Act](#) 1990.

¹⁶ New Zealand Bill of Rights Act 1990, [Section 5: Justified limitations](#)

¹⁷ [RNZ](#) (2024) Bill of Rights won't stop gang patch ban - Justice Minister

¹⁸ **Hon Chris Bishop (2024) Fixing the Housing Crisis** [Cabinet Paper](#).

- increasing housing supply and lowering housing costs will improve the living standards of all New Zealanders and lift productivity and wages by allowing more workers to live and work in cities.

Council agrees with the Minister's assessment that fixing the housing crisis will involve collaborative actions across Government and by different Ministers.

Gisborne is currently experiencing a critical housing shortage while city centre buildings deteriorate due to a lack of investment. There is an opportunity for the Government to address the housing shortage by incentivising building owners to repurpose buildings for accommodation before they decay beyond repair.

As an example, in 2017, the city of Vancouver introduced an [empty homes tax](#). Which currently charges owners three per cent of a property's value if it remains unoccupied for more than six months. Since inception, the number of vacant properties in Vancouver has decreased by 54% and CAD\$142 million has been raised for the city's housing initiatives.¹⁹

Figure 2 - Trends in Vancouver's Declared Vacant Properties 2017 – 2022. Source: City of Vancouver



¹⁹ Housing Vancouver. (2023). Empty Homes Tax Annual [Report](#) 2023. City of Vancouver.

Attachment 3 – Ten Years of the National Problem

27 February 2013: Upper Hutt City Council adopted an Unoccupied Commercial Premises [Bylaw](#) that aims to prevent unoccupied commercial premises from falling into disrepair by setting standards for the maintenance of unoccupied commercial premises. By requiring commercial premises be maintained to an immediately tenantable standard, the bylaw attempts to address issues such as rubbish, boarded windows, vermin and overgrown foliage. However, at best, this is a half-measure because it does not address utilisation and investment issues, which are the underlying cause of cosmetic conditions.

A fundamental problem with use of bylaws is unless new regulation enables fines, enforcement requires a prosecution. This would be cost-prohibitive with no guarantee of success or remediation of problematic conditions. This would waste a lot of time and resources that ratepayers expect to be well-utilised elsewhere.

2014: Following discussion with a number of councils, including discussion at an LGNZ Rural and Provincial Sector meeting, LGNZ wrote to the Minister of Building and Construction asking that the Government provide councils with powers to deal with problems created by derelict buildings to combat demolition by neglect. Specifically: "That a definition for derelict sites and homes be developed and included in the Building Act. This would enable Territorial Authorities to include such properties in their Dangerous and Insanitary Buildings Policy and update their procedures to respond in a timely and cost-effective manner to the needs of their community." However, as [reported](#) in Dunedin City Council's 15 May 2023 Agenda, the MBIE response was this was not a priority at the time.

22 April 2014: South Wairarapa District Council identified derelict commercial [buildings](#) as a problem that did not qualify as dangerous or unsanitary. The inability to take proactive remediation action has resulted in a perception of Featherston's town centre as unattractive and run-down.

4 May 2015: LGNZ's [submission](#) to the Rules Reduction Taskforce highlights that councils regularly face derelict building issues with requests for action coming from many sources, including neighbours and health officials. Buildings in serious disrepair cause neighbours distress, are a risk to health, a potential fire hazard, and are sites for criminal activity. However, councils have limited powers to remediate derelict properties. Over a period of five years, Rotorua District Council has spent more than \$60,000 on consultants' reports and legal advice for a single abandoned property because they lack the authority to require its demolition.

1 August 2016: The Christchurch City Development Forum, made up of city councillors and the business community, [urged](#) Christchurch City Council to develop an incentivisation policy to encourage owners to develop their derelict sites. Frustrating city revitalisation efforts are buildings that remain in limbo due to unresolved intentions or insurance disputes. High-profile heritage buildings are also part of the concern. However, despite derelict buildings being dangerous, unsanitary and an eyesore the city council had limited powers to deal with them.

21 October 2016: Stuff.co.nz reporting [highlights](#) that shuttered, deteriorating buildings are frustrating towns around the country, with Councils in these towns having found there is virtually nothing they can do legally about it. South Wairarapa District Council found that despite complaints that problematic buildings were holding the town back, there was no effective legal remedy. While the council can take the owners of these buildings to court under the Resource Management Act for loss of amenity, it is a subjective rather than objective issue, making it challenging to win in court. Additionally, even if they did win, taking someone to the Environment Court is expensive, with potential costs ranging from \$60,000 to \$100,000. Enforcement remains difficult even after winning a case. In Rotorua, the problem is with houses

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rather than commercial buildings, but the issue remains the same. Derelict sites have potential fire risks, and the impact of these structures negatively impacts the value of surrounding properties. These abandoned buildings are eyesores; however, what is considered offensive is debatable under the law.

19 May 2017: Christchurch City Council outlines their [plan](#) for tracking derelict CBD sites they consider a barrier to the regeneration of the city centre. The plan of action seeks to address concerns about the sites, to improve investor confidence and to create a more positive impression of the central city. The third and final phase of their plan (to be used only as a last resort) involves joint action by agencies with enforcement and land acquisition powers. **This plan illustrates the problem: without legislative change, local authorities cannot prevent buildings from deteriorating to such a condition that outside agencies are required to facilitate collaborative solutions.*

16 June 2021: In the wake of a derelict house fire that destroyed a neighbouring house and damaged two others in Wellington, experts [question](#) why only a limited number of buildings meet strict criteria for dangerous or insanitary criteria. Otago University housing expert researcher Dr Lucy Telfar-Barnard said the bar was set too high for a dangerous or insanitary building. Regarding derelict houses, Victoria University Professor of Building Science Robyn Phipps says: "It's a ticking time bomb."

23 April 2022: Local authorities called for a change in the law to address the problem of derelict and unoccupied houses. In Whanganui, absentee owners are responsible for 10% of the derelict CBD buildings, committing to *demolition by neglect*. Litigating problem buildings is cost-prohibitive, and the bar is extremely high. Councils are completely powerless if a building simply looks terrible. As a result, LGNZ has [proposed](#) that the government define derelict buildings so that action can be taken. Stuart Crosby, LGNZ president, has highlighted that this problem is growing and needs to be addressed.

12 May 2022: Clutha District Council [identified](#) that its staff do not currently have the necessary tools to deal with abandoned buildings that become a target for vandals or unsightly in a town's main shopping street or issues of excessive waste and vegetation growth on private property.

May 2022: Dunedin City Council reports* that In May 2022, another attempt by LGNZ to meet the Minister of Building and Construction regarding derelict sites was unsuccessful. *Recounted in Dunedin City Council's 15 May 2023 [Agenda](#).

February 2023: As part of its submission to the Environment Select Committee on the Natural and Built Environment Bill and Spatial Planning Bill, DCC requested* the inclusion of "provisions in the NBEA to explicitly enable the management of neglected heritage buildings where a lack of maintenance is having an adverse effect on the structural stability, weather tightness, or long-term retention of a scheduled heritage building (aka demolition by neglect). This is urgently necessary for DCC (and other territorial authorities) to take actions to save heritage buildings where neglect has not yet progressed to a point of no return". *Reported in Dunedin City Council's 15 May 2023 [Agenda](#).

15 May 2023: Dunedin City Council (DCC) [identifies](#) that demolition by neglect is an issue in cities across New Zealand, yet is not regulated nor specifically referred to in either the Resource Management Act 1991, the Building Act 2004 or the Local Government Act 2002. DCC reports demolition by neglect is an issue for historic buildings that require significant investment to enable ongoing use. DCC asserts that, in the absence of legislative change, incentivisation is required to help motivate building owners to maintain buildings.

9 August 2023: The Press [reports](#) that the absence of legislation dealing with derelict properties has resulted in a derelict Christchurch property that, despite significant decay, does not meet the threshold for action.

6 September 2023: Considering lower rates for businesses and higher rates for vacant land, Wellington City Councillors express [frustration](#) with the inability of local authorities to target underutilised land due to it being too difficult to define: "It's deeply frustrating ... we can't make people do more with their land."

8 February 2024: Homeless persons squatting in a derelict building near Point Chevalier's town centre raise well-being and safety [concerns](#). Local businesses report daily harassment from intoxicated individuals and an increase in shoplifting, which they attribute to the squatters.

8 April 2024: Wellington City Council aims to remove ten buildings from the heritage list as part of its district plan review, utilising a 2012 amendment to the Resource Management Act (RMA) amendment aimed at ensuring more housing intensification in the country's largest cities. Among the ten buildings are the dangerous, unoccupied Gordon Wilson Flats. Considered unsafe due to potential earthquake and wind damage and empty since 2012, the flats have become a contentious feature of the Wellington skyline.

This move by Wellington City Council illustrates the extraordinary measures local authorities must take when buildings have deteriorated beyond repair resulting in a loss of national heritage and identity. The solution must be to enable proactive measures that address deteriorating conditions before buildings reach this level of decay.

Attachment 4 - Seized buildings in Gisborne

For almost a decade, five prominent Gisborne buildings have been the subject of an ongoing legal dispute between the Police and silent offshore owners. One of these buildings is Gisborne's finest, the heritage-listed [Masonic Hotel](#), and another features prominently in the Gisborne skyline (Figures 13 and 14, overleaf).

In 2016, Singaporean national Thomas Cheng was arrested in Gisborne for the importation and supply of methamphetamine. The Police subsequently obtained restraining orders over six commercial properties in Gisborne as part of a wider investigation into alleged tax evasion and money laundering by Cheng's father, William Cheng, and stepmother Nyioh Chew Hong, who live in Singapore.

An investigation into the "complex" ownership structure of the buildings saw restraining orders placed on associated bank accounts along with nine other buildings across Whanganui, Te Puke, Pahiatua, Timaru, and Gisborne. In 2020, the Police applied for the forfeiture of these buildings and associated bank accounts. The courts have recently declared the buildings to be beyond the reach of the drug investigation. However, legal proceedings continue to restrain the buildings.

In 2023, the Wellington High Court [ruled](#) that Cheng Jnr does not hold an interest in or have effective control of Cheng Snr's property. Therefore, the properties are not subject to forfeiture relating to Cheng Jnr's drug crimes. However, as the Police have appealed the ruling, the buildings remain in limbo, further complicated by possible [tax-evasion and money laundering](#) by Cheng Snr and Ms Hong.

Council has found it impossible to address building issues via Cheng Snr's New Zealand representatives. Cheng Snr is likely reluctant to undertake works without knowing what percentage of the buildings he will retain. The Police will not do anything as they are temporary custodians ill-equipped to deal with building remediation and unsure what percentage of the buildings they will retain.

This contested ownership status prevents building remediation, even under dangerous building notices, as no party assumes responsibility for remediating the unsafe conditions. Council has issued one seized building with a dangerous building notice; however, as ownership is contested, mitigation of dangerous conditions is not easily progressed. The restrained buildings, including the Masonic Hotel, continue to decline but are a long way from becoming Dangerous. Continued attempts by Council to engage building owners have met with little success.

Seized building: Gisborne's Masonic Hotel (now closed) prior to its decline. 46 Gladstone Rd



Seized building (left). 200 Gladstone Road.



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// 07

Appropriate funding models for central government initiatives

Remit: *That LGNZ proactively promote and lobby for the development of a more equitable and appropriate funding model for central government initiatives.*

Proposed by: Northland Regional Council

Supported by: Zone 1 (Northland Regional Council, Far North District Council, Whangarei District Council).

Why is this remit important?

The constant reprioritisation of funding has a major impact on the ability of local government to provide quality infrastructure and services to the communities they are legally obliged to serve.

The development of a more equitable and appropriate funding model for central government initiatives would mitigate the risks and challenges the current funding model creates.

Background and Context

The reprioritisation of spending from community needs and services, to the implementation of central government policy and regulation, continues to be a major challenge for many councils.

Experience to date has shown that the current funding model needs to be reviewed and improved, to better reflect the community and operational realities of local government.

Zone 1 members firmly believe that central government should fully fund initiatives they wish to implement, or provide funding to local government in situations where they are required to implement a central government initiative.

How does this remit relate to LGNZ's current work programme?

This proposal aligns with LGNZ's policy that states:

- Remits must be relevant to local government as a whole rather than exclusively relevant to a single zone or sector group or an individual council;
- Remits should be of a major policy nature (constitutional and substantive policy) rather than matters that can be dealt with by administrative action.

In accordance with LGNZ's strategy, this proposal would strengthen local government as a whole to support our communities to thrive – environmentally, culturally, economically and socially.



How will the proposing council help LGNZ to make progress on this remit?

Northland Regional Council, with the support of Far North District Council and Whangarei District Council, will advocate the case for the development of an improved equitable funding model for central government initiatives.



// 08

Goods and services tax (GST) revenue sharing with local government

Remit: *That LGNZ be proactive in lobbying central government on sharing GST revenue with local government, derived from local government rates and service fees related to flood protection mitigation, roading, and three waters, for investment in these areas.*

Proposed by: Northland Regional Council

Supported by: LGNZ Zone 1 (Northland Regional Council, Far North District Council, Whangarei District Council).

Why is this remit important?

Local government faces funding and resourcing challenges due to current funding models. The sharing of GST revenue derived from local government rates and service fees related to flood protection, roading, and three waters, would allow for increased spending and investment in these areas.

Background and Context

S&P Global Ratings note that local government rates have not increased, as a percentage of the economy, in the past 100 years – compared with central government taxation which has gone up 200% in the same period.

This funding gap presents many challenges for local government and its ability to provide infrastructure and services to its communities.

Member councils of Zone 1 have not lobbied central government individually to date. However, there was full support for the position of LGNZ given on the matter on 27 February 2024.

This proposal seeks to elevate the matter and make it a high priority for LGNZ to lobby, with a view to achieve, the diversion of GST revenue for localised investment in flood protection mitigation, roading, three waters, and the related capital expenditure and debt servicing.

How does this remit relate to LGNZ's current work programme?

This proposal aligns with LGNZ's policy that states:

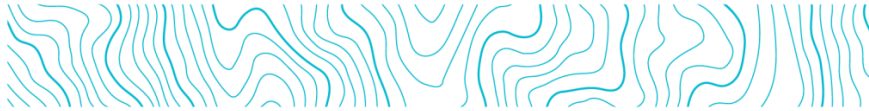
- Remits must be relevant to local government as a whole rather than exclusively relevant to a single zone or sector group or an individual council;
- Remits should be of a major policy nature (constitutional and substantive policy) rather than matters that can be dealt with by administrative action.

In accordance with LGNZ's strategy, this proposal would strengthen local government as a whole to support our communities to thrive – environmentally, culturally, economically and socially.



How will the proposing council help LGNZ to make progress on this remit?

Northland Regional Council, with the support of Far North District Council and Whangarei District Council, will advocate, lobby, and promote the case for the sharing of GST revenue with local government from the areas noted in this proposal.



Appendix 2: LGNZ Remits 2024

#	Proposed remit	Sponsor	Key points for Hutt City Council delegates
1	Representation reviews <ul style="list-style-type: none"> That LGNZ advocate for changes that support the provision of timely and accurate regional and sub-regional population data to councils for use in council representation reviews. 	Waikato Regional Council	<p>Out-of-date Census data makes it difficult for the representation review process to make informed recommendations about how our council can serve the needs of our residents.</p> <p>Reliance on out-of-date Census data for representation reviews could undermine community confidence in the representation processes recommended and applied.</p> <p>Up-to-date administrative data is more reflective of the make-up of our communities (than out-of-date Census data) and can therefore better assist councils to understand their communities and give them a voice.</p> <p>Hutt City Council supports a 4-year electoral term across all government with all elections, local and general, occurring on the one day.</p>
2	Community Services Card <ul style="list-style-type: none"> That LGNZ advocate to Central Government to amend the Health Entitlement Cards Regulations 1993 so that the cardholder can use the Community Services Card as evidence for the purposes of accessing Council services which would otherwise rely on a form of means testing. 	Palmerston North City Council	<p>Hutt City Council has recently approved an initiative making swimming free for children under 10 in families with a Community Services Card (CSC). Requesting a CSC for this service makes enables easy access.</p> <p>This remit would reduce administrative tasks for council officers to determine a person's income for Council services.</p>

			It would also remove the need for residents to produce documentation that has been provided to another organisation for the same means test.
3	Local government constituencies & wards should not be subject to referendum <ul style="list-style-type: none"> That LGNZ lobbies central government to ensure that Māori wards and constituencies are treated the same as all other wards in that they should not be subject to a referendum. We oppose the idea that Māori wards should be singled out and forced to suffer a public referendum. 	Palmerston North City Council	<p>The intent of Māori Wards is to ensure Māori are represented and can participate in local government decision-making. Hutt City Council had confirmed to establish a Māori Ward, representing Council's ongoing commitment to bring Māori voices into the heart of decision-making.</p> <p>The vote to establish a Māori Ward is part of Hutt City Council's Representation Review, which will ensure communities in Lower Hutt are fairly and effectively represented at Council and not subject to public referendum.</p>
4	Entrenchment of Māori wards seats for local government <ul style="list-style-type: none"> That LGNZ proactively promote and lobby to entrench the Māori Wards and Constituencies for the 64 councils which currently have these, to require the support of a supermajority of parliament should either parliament or councils seek their removal. 	Northland Regional Council	<p>Hutt City Council resolved on 21 November 2023 that at least one Māori Ward be established for the 2025 triennial elections.</p> <p>Hutt City Council is in support of Māori wards for local government.</p>
5	Graduated driver licensing system <ul style="list-style-type: none"> That LGNZ advocate for changes to the fee structure for driver licensing, better preparing young people for driver license testing and greater testing capacity in key locations throughout New Zealand, in order to relieve pressure on the driver licensing system and ensure testing can be conducted in a quick and efficient manner. 	Ashburton District Council	<p>This remit aligns to user pays and encourages people to consider their preparedness before booking.</p> <p>The focus perhaps needs to shift to investing in the support provided to help prepare people for the theory and practical tests.</p> <p>There will be concern for people who cannot afford to sit the test; perhaps a subsidy for low-medium income earners could be applied.</p> <p>Note: NZTA introduced a change in the fee structure for driver's license test effective 8 July 2024 that</p>

			addresses the concerns raised in this remit.
6	Proactive level to mitigate the deterioration of unoccupied buildings <ul style="list-style-type: none"> That LGNZ advocate to Government: <ul style="list-style-type: none"> For legislative change enabling local authorities to compel building owners to remediate unoccupied derelict buildings and sites that have deteriorated to a state where they negatively impact the amenity of the surrounding area To incentivise repurposing vacant buildings to meet region-specific needs, for example, accommodation conversion. 	Gisborne District Council	<p>The Building Act serves Councils well with tools to support and enforce the management of commercial buildings which are currently in use. However, if a building is no longer in public use and is vacant, its safety systems, which are there to protect the public when using the building, can fall into disarray. The criteria needing to be met for Council to issue a Dangerous Building Notice is quite high, and in the interim the building often becomes a community concern, and the Council has no powers to respond to those community concerns.</p>
7	Appropriate funding models for central government initiatives <ul style="list-style-type: none"> That LGNZ proactively promote and lobby for the development of a more equitable and appropriate funding model for central government initiatives. 	Northland Regional Council	<p>There is a significant affordability challenge for Hutt City Council ratepayers as evidenced by the recently approved LTP which prioritises spending on infrastructure (water, roading). We were unable to include the full scale of investment needed (e.g. for water infrastructure) due to the financial challenges, e.g. debt headroom capacity constraints.</p> <p>We are working closely with government and following their new policies and processes. Funding to enable us to deliver against these may be needed to offset further demands on our community.</p>

8	<p>Goods and services tax (GST) revenue sharing with local government</p> <ul style="list-style-type: none">• <i>That LGNZ be proactive in lobbying central government on sharing GST revenue with local government, derived from local government rates and service fees related to flood protection mitigation, roading and three waters for investment in these areas.</i>	Northland Regional Council	No further comments
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TE KAUNIHERA O TE AWA KAIRANGI | 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
Friday 17 May 2024 commencing at 4.06pm

PRESENT:

Mayor C Barry (Chair)
Cr G Barratt
Cr B Dyer
Cr A Mitchell
Cr C Parkin
Cr T Stallinger

Deputy Mayor T Lewis
Cr K Brown
Cr S Edwards
Cr K Morgan
Cr N Shaw
Cr G Tupou

APOLOGIES:

Cr J Briggs for lateness

IN ATTENDANCE:

J Miller, Chief Executive
A Blackshaw, Director Neighbourhoods and Communities
J Griffiths, Director Strategy and Engagement
B Hodgins, Acting Director Environment and Sustainability
J Kingsbury, Director, Economy and Development
J Livschitz, Group Chief Financial Officer
D Nunnian, Manager Financial Strategy and Planning
R Hardie, Head of Strategy and Policy
K Glanville, Senior Democracy Advisor
J Randall, Democracy Advisor

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: (Cr Dyer/Cr Brown)
24201(3)

Minute No. C

"That the apology received from Cr Briggs for lateness be received."

3. PUBLIC COMMENT

There was no public comment.

4. CONFLICT OF INTEREST DECLARATIONS

There were no conflict of interest declarations.

5. RECOMMENDATIONS TO COUNCIL FROM THE LONG TERM PLAN/ANNUAL PLAN SUBCOMMITTEE MEETING HELD ON 17 MAY 2024

RESOLVED: (Mayor Barry/Cr Tupou)

Minute No. C 24202(3)

"That Council adopts the recommendations made on the following reports, and any amendments agreed at the Long Term Plan/Annual Plan Subcommittee meeting held on 17 May 2024:

- a) Long Term Plan Engagement Results;*
- b) Final Long Term Plan 2024-2034 – Financial aspects;*
- c) Development and Financial Contributions Policy 2024 update;*
- d) Petone Wharf;*
- e) Update on Huia Pool refurbishment and decarbonisation project; and*
- f) Proposed equity initiative – under 10s swim free."*

6. QUESTIONS

There were no questions.

7. CLOSING FORMALITIES - KARAKIA WHAKAMUTUNGA

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

There being no further business the Chair declared the meeting closed at 4.09pm.

C Barry
MAYOR

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

TE KAUNIHERA O TE AWA KAIRANGI | 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 Hanganua | Wellington Water Committee

15 March 2024

RESOLVED: (Mayor Barry/Cr Briggs)

Minute No. C 24222(4)

"That the minutes of the Komiti Ngā Wai Hanganua | 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"> <i>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)</i> <i>2. Dog Control Act 1996 DOG CONTROL OFFICER pursuant to s11</i> <i>3. 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"> <i>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)</i> <i>2. 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"> <i>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)</i> <i>2. 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"> <i>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)</i> <i>2. Dog Control Act 1996 DOG CONTROL OFFICER pursuant to s11</i> <i>3. 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"> <i>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)</i> <i>2. 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"> <i>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)</i> <i>2. Dog Control Act 1996 DOG CONTROL OFFICER pursuant to s11</i> <i>3. 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:

<i>(A)</i>	<i>(B)</i>	<i>(C)</i>
<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>

Minutes of the Komiti Hanganga | Infrastructure and Regulatory Committee held on 9 May 2024: National Land Transport Programme (NLTP) 2024-27 Verbal Update

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))

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.

Civic Honours Awards 2024.

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.

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

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))

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.

Minutes of the Te Kaunihera o Te Awa Kairangi | Hutt City Council held on 6 May 2024: Chief Executive's Recruitment Process

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.

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

Attachment 1	Submission on draft Māori Wards bill
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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 Tā kai 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

■ 9

Joint submission with Mana Whenua on the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill	Page 5
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Attachment 1	Submission on draft Māori Wards bill
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Hutt City Council Mayor Campbell Barry

Te Rūnanganui o Te Āti Awa Chair Kura
Moeahu

Taranaki Whānui ki Te Upoko o Te Ika Trust
Chair Te Whatanui Winiata

Palmerston North Māori Reserve Trust
Chair Liz Mellish

Wellington Tenth Trust Chair Anaru
Smiler

Te Rūnanga o Toa Rangatira Chair Callum
Katene

TE KAUNIHERA O TE AWA KAIRANGI | 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 4 June 2024 commencing at 5.17pm

PRESENT:

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

APOLOGIES: There were no apologies.

IN ATTENDANCE:

J Miller, Chief Executive
A Blackshaw, Director Neighbourhoods and Communities
T Johnstone, Acting Director Environment and Sustainability
J Kingsbury, Director, Economy and Development
J Livschitz, Group Chief Financial Officer
B Cato, Chief Legal Officer
C Parish, Head of Mayor's Office
D Nunnian, Manager Financial Strategy and Planning
A Andrews, Finance Transaction Services Manager
K Glanville, Senior Democracy Advisor
H Clegg, Minute Taker

PUBLIC BUSINESS**1. OPENING FORMALITIES - KARAKIA TIMATANGA**

Whakataka te hau ki te uru	<i>Cease the winds from the west</i>
Whakataka te hau ki te tonga	<i>Cease the winds from the south</i>
Kia mākinakina ki uta	<i>Let the breeze blow over the land</i>
Kia mātaratara ki tai	<i>Let the breeze blow over the ocean</i>
E hī ake ana te atakura	<i>Let the red-tipped dawn come with</i>
He tio, he huka, he hau hū	<i>a sharpened air.</i>
Tihei mauri ora.	<i>A touch of frost, a promise of a</i>
	<i>glorious day.</i>

2. APOLOGIES

There were no apologies.

3. PUBLIC COMMENT

There was no public comment.

4. CONFLICT OF INTEREST DECLARATIONS

There were no conflict of interest declarations.

5. RECOMMENDATIONS TO COUNCIL FROM THE LONG TERM PLAN/ANNUAL PLAN SUBCOMMITTEE MEETING HELD ON 4 JUNE 2024

The Chair thanked the submitters involved in the Long-Term Plan process involved in the Long Term Plan process, noting that a significant portion of the work needed to adopt the Plan had been completed.

Cr Stallinger asked that part a) be taken separately.

RESOLVED: (UNANIMOUS parts b), c) and d)) (Mayor Barry/Cr Morgan)
Minute No. C 24301

"That Council adopts the recommendations made on the following reports, with any amendments agreed at the Long Term Plan/Annual Plan Subcommittee meeting held on 4 June 2024:

- a) Final decisions on the Long Term Plan 2024-2034;*
- b) Development and Financial Contributions Policy 2024;*
- c) Three Waters Investment; and*
- d) Micromobility Options 2024/25 onwards."*

Crs Barratt and Stallinger requested that their dissenting vote be recorded against part a) above.

6. QUESTIONS

There were no questions.

7. EXCLUSION OF THE PUBLIC

RESOLVED: (Mayor Barry/Cr Briggs) **Minute No. C 24302**

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

- 8. *Recommendations to Council from the Long Term Plan/Annual Plan Subcommittee meeting held on 4 June 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>Recommendations to Council from the Long Term Plan/Annual Plan Subcommittee meeting held on 4 June 2024: Te Wai Takamori o Te Awa Kairangi (Riverlink) Funding and Commercial Matters.</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>
<i>Recommendations to Council from the Long Term Plan/Annual Plan Subcommittee meeting held on 4 June 2024: Potential Long Term Plan savings in neighbourhood hubs</i>	<i>The withholding of the information is necessary to protect the privacy of natural persons. (s7(2)(a)). 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>
<i>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."</i>		

There being no further business, the Chair declared the public part of the meeting closed at 5.21 pm and the public excluded part of the meeting closed at 5.23pm.

C Barry
MAYOR

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

TE KAUNIHERA O TE AWA KAIRANGI | 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
Thursday 27 June 2024 commencing at 4:00 pm

PRESENT:

Mayor C Barry (Chair)	Deputy Mayor T Lewis (until 5.49pm)
Cr G Barratt	Cr J Briggs
Cr B Dyer	Cr S Edwards
Cr A Mitchell	Cr K Morgan
Cr C Parkin	Cr N Shaw
Cr T Stallinger	Cr G Tupou

APOLOGIES:

Cr K Brown and Deputy Mayor Lewis for early departure

IN ATTENDANCE:

J Miller, Chief Executive
K Chitham, Acting Director Neighbourhoods and
Communities (part meeting)
J Griffiths, Director Strategy and Engagement (part meeting)
A Geddes, Director Environment and Sustainability
J Kingsbury, Director Economy and Development
J Livschitz, Group Chief Financial Officer (part meeting)
B Cato, Chief Legal Officer
D Nunnian, Manager Financial Strategy and Planning
R Hardie, Head of Strategy and Policy
W Botha, Corporate Planning Lead
A Andrews, Finance Transaction Services Manager
P Hewitt, Head of Transport (part meeting)
Y Chung, Senior Financial Accountant (part meeting)
O Miller, Policy Advisor
C Parish, Head of Mayor's Office
S Bascand, Acting Head of Engagement
K Stannard, Head of Democratic Services (part meeting)
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 Briggs)

Minute No. C 24301(2)

"That the apology received from Cr Brown be accepted and leave of absence granted and the apology received from Deputy Mayor Tui Lewis for early departure be accepted."

3. PUBLIC COMMENT

Comments are recorded under the item to which they relate.

4. CONFLICT OF INTEREST DECLARATIONS

Deputy Mayor Lewis declared a conflict of interest in relation to item 9) Seaview Marina Limited (SML) Statement of Intent for the three years – 2024/25 to 2026/27. Deputy Mayor Lewis was Council's representative on the Board of SML. Deputy Mayor Lewis took no part in discussion or voting on matters relating to SML.

5. **ADOPTION OF THE LONG TERM PLAN 2024-2034**

Report No. HCC2024/3/153 by the Corporate Planning Lead

John Whittal, Audit Director from Audit New Zealand, was in attendance for the item.

The Corporate Planning Lead elaborated on the report.

John Whittal elaborated on the final audit opinion, attached as pages 16-19 to the minutes.

Cr Stallinger discussed the challenging process and difficult decisions required while drafting the Long Term Plan (LTP). He congratulated everyone involved and supported the final LTP document to show respect to those involved. However, he continued to oppose the proposed increase in rates revenue for reasons that he had previously provided at earlier meetings.

Cr Dyer expressed support for the LTP document and recognised officers' efforts to keep the budgets as low as possible despite significant cost increases in the past year. He noted that at the start of the process, the proposed rates increase was 30%.

Councillor Briggs expressed support for the Long-Term Plan (LTP) document. He acknowledged the financial challenges faced during its drafting. He believed the LTP reflected the changes made due to the city's financial challenges and priorities. He also believed that the future would be more difficult if Council had not agreed to acknowledge past under-investment in infrastructure.

Cr Shaw recognised the challenges in drafting the LTP, given the infrastructure and financial constraints. She expressed gratitude to the officers involved for the thoroughness of their work and emphasised the importance of doing what was best for the city. Cr Shaw expressed support for the LTP document.

Mayor Barry agreed with the comments made by the previous speakers. He acknowledged the work of everyone involved in the LTP process and the respectful debates that had occurred. He thanked the officers for their advice and the challenging questions from members, which resulted in the development of an LTP that everyone could be proud of. He noted that a highlight of the LTP was the significant investment in the transport and infrastructure budgets due to historical under-investment. He also stated that changes were required by central government in how infrastructure was funded throughout the country.

RESOLVED: (UNANIMOUS): (Mayor Barry/Cr Dyer)

Minute No. C 24302(2)

"That Council:

- (1) notes that the Long Term Plan 2024-2034 has been prepared based on the final decisions of the Long Term Plan/Annual Plan Subcommittee on 4 June 2024 and feedback from the audit process;*
- (2) notes the summary of changes to the Long Term Plan 2024-2034 attached as Appendix 1 to the supplementary agenda;*
- (3) notes the Long Term Plan 2024-2034 attached as Appendix 2 to the supplementary agenda and corresponding financial tables to be included in the published version of the plan attached as Appendix 3 to the supplementary agenda;*
- (4) receives the audit opinion from Audit New Zealand to be included in the published Long Term Plan 2024-34 attached as Appendix 4 to the supplementary agenda;*
- (5) resolves that it is financially prudent to have an unbalanced operating budget until 2028-29, as outlined in Section D of Report No. HCC2024/3/153;*
- (6) agrees to adopt the Revenue and Financing Policy, included as part of the Long Term Plan attached as Appendix 2 to the supplementary agenda;*
- (7) agrees to adopt the Long Term Plan 2024-2034, attached as Appendices 2 and 3 to the supplementary agenda; and*
- (8) agrees to delegate authority to the Chief Executive, in consultation with the Mayor, to make any minor editorial changes that may arise as part of the Long Term Plan 2024-2034 publication process."*

6. SETTING OF RATES FOR 2024-25

Report No. HCC2024/3/154 by the Manager Finance Transaction Services

Cr Stallinger addressed comments made about him at a previous meeting. He believed officers could find ways to mitigate costs and prevent rates increases. He highlighted a \$90M shortfall in the water capex expenditure budget due to an error. He noted that officers could adjust the timing of other projects, thereby avoiding a significant potential rates increase. He reiterated opposition to the proposed rates increase, emphasising that not enough had been done to keep the increase as low as possible despite recognising that a large portion of the increase was unavoidable. He also stated that he always expressed his opinions respectfully.

Cr Parkin expressed support for the proposed rates increase, citing it as necessary. He stated that while ratepayers were responsible for spending cost-effectively, postponing investment in critical infrastructure was not a viable solution. He pointed out that a significant portion of the proposed rate increase was earmarked for water infrastructure. Additionally, he mentioned that the \$90M error would be offset by specific projects not proceeding as planned, and funds would need to be allocated for these projects in the future.

Cr Briggs said he stood by his comment made at a previous meeting. He maintained that he had been respectful and acknowledged that Cr Stallinger felt offended. He supported the LTP, viewing it as the best course of action for the city.

RESOLVED: (Mayor Barry/Cr Briggs)

Minute No. C 24303(2)

"That Council resolves to set the rates and add penalties to unpaid rates during the 2024-25 rating year by passing the following resolution:

Targeted and General Rates

1. *In accordance with the relevant provisions of the 2024-34 Long Term Plan and the Funding Impact Statement, including Rates for 2024-2025, the Council hereby resolves, pursuant to Section 23 of the Local Government (Rating) Act 2002, to set and assess the following Hutt City Council rates for the year commencing 1 July 2024 and ending 30 June 2025. All amounts are inclusive of Council's GST obligations.*

- (a) *A Targeted Rate (Water Supply Rate) set and assessed under sections 16 to 18 of the Local Government (Rating) Act 2002. The water supply charges for 2024-25 are as follows:*

1. *A charge of \$746.00 per separately used or inhabited part (SUIP) on a rating unit which is connected to the water reticulation system and is not metered.*
2. *A charge of \$373.00 per SUIP on a rating unit that is not connected to, but is able to be connected to, the water reticulation system.*
3. *A charge of \$746.00 per rating unit which is connected to the water reticulation system and contains more than one separately used or inhabited part, where a water meter has been installed to measure the total water consumed.*

- (b) *A Targeted Rate (Wastewater Rate) set and assessed under sections 16 to 18 of the Local Government (Rating) Act 2002. The wastewater charges for 2024-25 are as follows:*

1. A charge of \$766.00 per SUIP on a rating unit which is connected to the city wastewater system.
 2. For rating units in the commercial categories (CMC, CMS and UTN), an additional charge of \$383.00 (50% of the above charge) for the second and subsequent water closet or urinal connected to the wastewater system from each rating unit.
- (c) A Recycling Collection Targeted Rate set and assessed under sections 16 to 18 of the Local Government (Rating) Act 2002. The recycling charge for 2023-24 will apply as follows:

CATEGORY	Provision or availability	Per SUIP
Residential and Rural rating units	Able to be serviced	\$130.00
Community Education Facility, CF1, CF2 and CF3 rating units	Opt-in to the Service (provision)	\$130.00

- (d) A Refuse Collection Targeted Rate set and assessed under sections 16 to 18 of the Local Government (Rating) Act 2002. The refuse charges for 2024-25 are as follows:

CATEGORY	Provision or availability	Per SUIP
Residential, Rural, Community Education Facility, CF1, CF2 and CF3 rating units	80 Litre or equivalent	\$128.00
Residential, Rural, Community Education Facility, CF1, CF2 and CF3 rating units	120 Litre or equivalent	\$192.00
Residential, Rural, Community Education Facility, CF1, CF2 and CF3 rating units	240 Litre or equivalent	\$384.00
Residential and Rural rating units	Able to be serviced but not serviced	\$128.00

- (e) A Green Waste Collection Targeted Rate set and assessed under sections 16 to 18 of the Local Government (Rating) Act 2002. The green waste charge for 2024-25 is \$115.00 per SUIP on every rating unit in the Residential, Rural, Community Education Facility, CF1, CF2 and CF3 categories that has opted in to receive the green waste service.
- (f) A Targeted Rate (Jackson Street Programme Rate) set and assessed under sections 16 to 18 of the Local Government (Rating) Act 2002. The Jackson Street Programme charge for 2024-25 is 0.0006413 cents per dollar of capital value on every rating unit in the Commercial Suburban differential category having frontage to Jackson Street, Petone, between Hutt Road and Cuba Street.
- (g) A General Rate set and assessed under sections 13 and 14 of the Local Government (Rating) Act 2002. The general rate charge for the 2024-25 rating year is as follows:

CATEGORY	DIFFERENTIAL	CHARGE PER \$ OF CAPITAL VALUE
<i>Residential</i>	1.000	0.254690 cents
<i>Rural</i>	0.747	0.190254 cents
<i>Commercial Central</i>	3.525	0.897824 cents
<i>Commercial Suburban</i>	2.847	0.724999 cents
<i>Utility Networks</i>	3.426	0.872677 cents
<i>Community Facilities 1</i>	1.000	0.254690 cents
<i>Community Facilities 2</i>	0.500	0.127345 cents
<i>Community Facilities 3</i>	2.344	0.596994 cents

Rates Instalments

2. The Council resolves that the targeted rates and the general rate for the financial year ending 30 June 2025, as set out above, are payable in six equal instalments by the following due dates:

INSTALMENT NUMBER	DUE DATE	PENALTY DATE
<i>One</i>	20 August 2024	21 August 2024
<i>Two</i>	20 October 2024	22 October 2024
<i>Three</i>	20 December 2024	24 December 2024
<i>Four</i>	20 February 2025	21 February 2025
<i>Five</i>	20 April 2025	23 April 2025
<i>Six</i>	20 June 2025	24 June 2025

Penalties on unpaid rates

3. The Council resolves, pursuant to sections 57 and 58 of the Local Government (Rating) Act 2002, except as stated in 4 below, that:

- a) A penalty of 10% will be added to the amount of any instalment remaining unpaid by the relevant due date above. The penalty will be added on the relevant penalty date stated above.

- b) *A penalty of 10% will be added to the amount of any rates assessed in previous years remaining unpaid on 5 July 2024 being 5 working days after the date of the resolution. The penalty will be added on 21 August 2024.*
- c) *A further penalty of 10% will be added to the amount of any rates to which a penalty has been added under b) above and which remain unpaid on 21 February 2025.*
4. *No penalty shall be added to any rate account if:*
- *A direct debit authority is in place for payment of the rates by regular weekly, fortnightly or monthly instalments, and payment in full is made by the end of the rating year.*
 - *Any other satisfactory arrangement has been reached for payment of the current rates by regular instalments by the end of the rating year."*

Crs Barratt and Stallinger requested their dissenting vote against be recorded against the above matter.

7. DEVELOPMENT CONTRIBUTION REMISSIONS AND REBATES FOR COMMUNITY HOUSING PROVIDERS

Report No. HCC2024/3/155 by the Manager Financial Strategy and Planning

Dwayne Fletcher, from Vale Consulting, was in attendance for the item.

Dwayne Fletcher elaborated on the report via audio-visual link. He assured members that he would report back if policy changes were needed to align with central government directives.

RESOLVED: (Mayor Barry/Deputy Mayor Lewis)

Minute No. C 24304(2)

"That Council:

- (1) *approves the Development Contribution Remissions and Rebates for Community Housing Providers Policy 2024 (the policy) (attached as Appendix 1 to Report No. HCC2024/3/155);*
- (2) *delegates to the Chief Executive, in conjunction with the Chair of the Policy, Finance and Strategy Committee, the authority to decide on a request for remission or rebate and the authority to approve such requests; and*
- (3) *approves the Chief Executive to make minor editorial changes to the policy."*

8. PARKING – IMPLEMENTATION OF LONG TERM PLAN CBD PARKING DECISIONS

Report No. HCC2024/3/151 by the Head of Transport

The Director Economy and Development elaborated on the report.

In response to questions from members, the Director Economy and Development clarified that overnight parking would not be allowed in the P120 carparks. He explained that maintaining the P120 time limits in the H2 areas was to maintain consistency and avoid confusion for patrons who might find it confusing to have different parking zones with inconsistent prices throughout the city. He mentioned that the impact of the RiverLink construction works and the Riverbank carpark's closure had been considered in all calculations. He noted that efforts were underway to explore alternative areas for car parking, and he committed to providing a finalised timeline for the citywide parking review in the future. He stated that several channels had been used to advertise the proposed parking fee changes and confirmed that all existing signage would be updated.

RESOLVED: (Mayor Barry/Cr Edwards)

Minute No. C 24305(2)

"That Council:

- (1) receives and notes the information;*
- (2) approves, pursuant to clause 4.1(b) of the Hutt City Council Traffic Bylaw 2017 (the Bylaw), paid parking in zones HC2, HC3, HC4 and the Riverbank Carpark to be seven days per week, 9:00am to 5:00pm;*
- (3) approves the extension of parking enforcement in zones HC2, HC3, HC4 and the Riverbank Carpark to seven days per week; operating between 9:00am to 5:00pm;*
- (4) approves the hourly rate increase to \$3.00 per hour for zone HC2;*
- (5) approves the hourly rate increases and daily charge increases to \$3.00 per hour, with a \$10.00 per day maximum charge, for zones HC3, HC4 and the Riverbank Carpark;*
- (6) approves the monthly pass charge for the Riverbank Carpark of \$150.00;*
- (7) notes that public holidays are still unrestricted for all parking zones;*
- (8) approves, pursuant to clause 4.1(d) of the Bylaw, paid parking changes in the Lower Hutt Central Business District coming into effect from 9.00am, 1 July 2024;*
- (9) notes parking for Petone is intended to commence on 1 October 2024, allowing time to procure and install meters and that a report seeking approval of Council to the new traffic controls will be sought before that date; and*
- (10) rescinds any previous resolutions pertaining to traffic controls made pursuant to any bylaws to the extent that they conflict with the traffic controls described in this recommendation."*

9. **SEAVIEW MARINA LIMITED STATEMENT OF INTENT FOR THE THREE YEARS - 2024/25 TO 2026/27**

Report No. HCC2024/3/156 by the Financial Accountant

Deputy Mayor Lewis declared a conflict of interest and took no part in the discussion or voting on the matter.

Tim Lidgard, Chief Executive of Seaview Marina Limited (SML), was in attendance for the item.

The Senior Financial Accountant elaborated on the report.

Tim Lidgard advised that SML had encountered numerous challenges and had to compromise when finalising the Statement of Intent (SOI). He stated that in the next three years, there would be opportunities to better understand the customer base and concentrate on providing the best service. He noted that several years of investment in refurbishing the Seaview Marina were beginning.

In response to questions from members, Tim Ligard explained that the lower than expected revenue from the ramp was caused by bad weather, which led to fewer customers. He also explained that the lower live-aboard revenue was due to a budget error.

Cr Stallinger expressed support for the SOI but raised concern about the proposed dividends exceeding the after-tax profits. He suggested that SML's dividend policy be re-evaluated to ensure that a certain percentage of profits was paid rather than a fixed amount. He also commended SML for its work so far.

RESOLVED: (Mayor Barry/Cr Morgan)

Minute No. C 24306(2)

"That Council:

- (1) notes the changes made to the final Statement of Intent outlined in paragraphs 6 to 16 in Report No. HCC2024/3/156;*
- (2) receives and agrees to the final Statement of Intent for Seaview Marina Limited for the three years commencing 1 July 2024, attached as Appendix 1 to Report No. HCC2024/3/156;*
- (3) agrees to increase the loan facility to Seaview Marina Ltd from \$4.9M to \$8.1M for the period 1 July 2024 to 30 June 2027 to allow for the purchase of the Breakwater and to fund the pier refurbishment programme;*
- (4) notes dividend payments have been reduced and budgeted at \$100k per annum; and*
- (5) notes the 10 year plan, attached as Appendix 2 to Report No. HCC2024/3/156."*

10. **URBAN PLUS LIMITED GROUP STATEMENT OF INTENT FOR THE THREE YEARS - 2024/25 TO 2026/27**

Report No. HCC2024/3/157 by the Senior Financial Accountant

Daniel Moriarty, Chief Executive and Pamela Bell, Board Chair of Urban Plus Limited (UPL), were in attendance for the item via audio-visual link.

The Senior Financial Accountant elaborated on the report.

Daniel Moriarty expressed gratitude to everyone involved in developing the Statement of Intent. He stated that UPL was excited to continue with current projects and explore new opportunities next year.

Pamela Bell agreed with Daniel Moriarty's comments. She mentioned that UPL strategy meetings had identified opportunities and challenges in the current environment, and plans were underway to address them. She also noted several positive developments coming out of the projects UPL was engaged in.

Mayor Barry congratulated UPL and encouraged them to share the good news stories.

Cr Stallinger acknowledged the projects' fluidity and was pleased with the profits for the next three years. However, he expressed concern about a limited net surplus forecast beyond that.

Daniel Moriarty stated that conservative forecasting and uncertainty about future opportunities led to these results. He explained that the market's vulnerability contributed to the uncertainties about the future. He assured members they would be kept informed as the economic climate changed.

RESOLVED: (Mayor Barry / Cr Stallinger)

Minute No. C 24307(2)

"That Council:

- (1) notes the changes made to the final Statement of Intent as outlined in paragraphs 6 to 11 of Report No. HCC2024/3/157;*
- (2) receives and agrees to the final Statement of Intent for Urban Plus Limited Group for the three years commencing 1 July 2024, attached as Appendix 1 to Report No. HCC2024/3/157;*
- (3) agrees the loan facility for Urban Plus Ltd at \$43M for the period of the Statement of Intent and that aligns with the Long Term Plan 2024-2034, as detailed in paragraph 11 of Report No. HCC2024/3/157; and*
- (4) notes the 10 year projections for Urban Plus Group, attached as Appendix 2 to Report No. HCC2024/3/157."*

11. REPRESENTATION REVIEW REPORT AND INITIAL PROPOSAL

Report No. HCC2024/3/158 by the Policy Advisor

Speaking under public comment, **Bruce Spedding, representing Eastbourne Community Board**, spoke to a statement attached as pages 20-21 to the minutes.

In response to questions from members, Bruce Spedding advised that community board members represented their communities by promptly addressing issues, communicating with Council, and resolving matters. He emphasised their role in handling resilience issues and highlighted that resident groups and associations, as they were not elected, were not held accountable. He emphasised that community board members worked for the entire community and brought everyone together.

Speaking under public comment, **Mike Fisher, Chair of Petone Community Board (PCB) and Semi Kuresa, Petone Community Board member**, expressed support for the comments made by the Eastbourne Community Board and acknowledged the upcoming public consultation process. Mike Fisher emphasised that the Harbour Ward would be under-represented if there was only one councillor, especially if the community board was disestablished. He believed that the current environment necessitated the presence of community boards. He stated that the Harbour Ward faced several complex issues, which increased the workload for the community board. He questioned the number of survey responses regarding the retention of community boards compared to those favouring it.

Semi Kuresa inquired whether Council was open to empowering community boards to have more authority in their decision making. He stressed the importance of allowing community boards to represent the various interest groups. He highlighted that community boards served as stepping stones for leadership and engaging rangatahi.

In response to questions from members, Mike Fisher explained that historically, Korokoro had been part of the Harbour Ward because of its ties to Petone. He suggested that a fair solution would be to establish community boards in every city ward. He said this would help councillors work more efficiently and reduce their workload. He mentioned that the PCB had met to discuss the proposal but had not yet had the time to gather input from the community.

In response to questions from members, Semi Kuresa explained that the Pasifika community's culture was to take care of themselves, which he believed was also true for many other ethnic groups. He emphasised the importance of finding effective ways to engage with all communities and stressed the need for grassroots democracy to facilitate meaningful connections within communities.

Paul Swain, Chair of the Independent Representation Review Panel (the panel), was in attendance for the item.

The Policy Advisor elaborated on the report. She informed members about three minor changes made by officers to better align with the Local Government Commission's guidance. She said these changes included adding "General" to the Ward title in paragraph 1c), adding "Māori" to the Ward title in paragraph 1d), and separating out the reference about the number of councillors increasing to 13 compared to the current total

of 12 councillors in paragraph 2a).

Paul Swain raised concerns about the unequal distribution of councillors proposed for each ward. He mentioned that this was a common issue nationwide, with 80% of the 53 councils with ward systems having an unequal number of councillors. He recognised the valuable contributions of the community boards in Petone, Eastbourne, and Wainuiomata. He emphasised that the proposal would undergo a public consultation process. He acknowledged the challenges in engaging all communities of interest, as highlighted during the public comments. He directed members to Chapter 10 of the panel's report, titled 'Building a better bridge to the community', which contained suggestions on engaging with the public. He clarified that the survey conducted by the panel was not a referendum or a poll, and therefore, the results were not statistically validated. He also addressed a misunderstanding in the community regarding the role of community boards.

Paul Swain clarified that the proposed Community Agent was not meant to replace community boards but to engage with specific interest groups, such as ethnic, youth, and disabled communities. He explained that the idea of having community boards in all wards had been considered. He stated that the current community boards had been operating as effectively as possible within Council's guidelines but believed they could have been utilised more effectively. He expressed doubts about the availability of resources to completely overhaul the community board system, including promoting and educating people about how they function.

In response to questions from members, Paul Swain explained that because of time constraints, some scenarios could not be explored in detail. He said the panel debated the recommendation to have five at-large councillors, and there was a consensus not to change the total number of councillors, considering that a Māori Ward would be created. He added that they also applied the +/- 10% rule, which meant councillors should represent the average number of residents in their area. He noted that the only exception was the Wainuiomata Ward, a distinct geographical area. He mentioned that adding another councillor for the Central and Northern Wards was not considered due to the +/- 10% rule.

In response to further questions from members, Paul Swain explained that Chapter 10 of the panel's report had been proposed as a way forward if the community board system was disestablished. He mentioned that it included a series of steps that could be used to help Council engage with communities of interest. He stressed the importance of meeting people on their own turf and overcoming language barriers. He concluded that if the level of engagement improved, an effective representation structure would follow. He noted that membership numbers for community boards had not been investigated, as the panel recommended disestablishing the community board system.

Deputy Mayor Lewis left the meeting at 5.42pm.

In response to further questions from members, Paul Swain acknowledged the low survey response rate from rangatahi and said the panel believed some of the suggestions in Chapter 10 of the report could help engage with them. He added that a targeted and tailored approach was more effective than encouraging rangatahi to be elected to community boards.

Deputy Mayor Lewis rejoined the meeting at 5.44pm.

Cr Morgan agreed with the comments about rangatahi. She welcomed options for community representation and wanted to explore the panel's suggestion of portfolios further.

Deputy Mayor Lewis left the meeting at 5.49pm.

The Chief Executive stated that the public consultation documents included Frequently Asked Questions.

Mayor Barry stated that Council's Engagement team would lead the public consultation process. He mentioned that community boards could submit their responses. He recognised the panel's independence.

Cr Briggs emphasised the importance of using consistent language in public consultation documentation.

Cr Stallinger expressed support for releasing the report for public consultation. He suggested exploring options for replacing community boards before deciding to disestablish them potentially.

Mayor Barry thanked Paul Swain and the panel for their work. He advised against proposing alternative options at this stage and suggested that Council might explore them after the 2025 local authority elections.

RESOLVED: (Mayor Barry/Cr Barratt)

Minute No. C 24308(2)

"That Council:

- (1) notes that under the Local Electoral Act 2001 (the Act), Council is required to undertake a representation review ahead of the next triennial elections in 2025;*
- (2) notes that on 30 May 2023 Council agreed to establish an Independent Representation Review Panel to undertake the representation review and provide recommendations to inform Council's initial representation proposal;*
- (3) notes the Independent Panel's report and recommendations, attached as Appendix 1 to Report No. HCC2024/3/158;*
- (4) notes that officers have reviewed the Panel's recommendations and are comfortable that they meet the legislative requirements of the Act;*
- (5) agrees to adopt the initial representation proposal attached as Appendix 2 to Report No. HCC2024/3/158;*
- (6) agrees that in accordance with the requirements of the Act, Council gives public notice of its initial representation proposal on 1 July 2024, with the last day for submissions on 1 August 2024;*
- (7) notes the timeline for completing the representation review outlined in Table 1 of Report No. HCC2024/3/158; and*
- (8) notes that if Council decides to amend the initial representation proposal and consult on the proposed amendment, this could affect the timeframes required to meet the statutory steps for a representation review."*

12. QUESTIONS

There were no questions.

13. CLOSING FORMALITIES - KARAKIA WHAKAMUTUNGA

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

There being no further business, the Chair declared the meeting closed at 5.59pm.

C Barry
MAYOR

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



To the readers:

Independent Auditor's report on Hutt City Council's 2024-34 Long-term Plan

I am the Auditor-General's appointed auditor for Hutt City Council (the Council). The Local Government Act 2002 (the Act) requires the Council's Long-term plan (plan) to include the information in Part 1 of Schedule 10 of the Act. Section 94 of the Act requires an audit report on the Council's plan. Section 259C of the Act requires a report on disclosures made under certain regulations. I have carried out this work using the staff and resources of Audit New Zealand. We completed our report on 27 June 2024.

Qualified opinion

In our opinion, except for the possible effects of the matter described in the Basis for qualified opinion section of our report:

- the plan provides a reasonable basis for:
 - long-term, integrated decision-making and co-ordination of the Council's resources; and
 - accountability of the Council to the community;
- the information and assumptions underlying the forecast information in the plan are reasonable; and
- the disclosures on pages [XX to XX] represent a complete list of the disclosures required by Part 2 of the Local Government (Financial Reporting and Prudence) Regulations 2014 (the Regulations) and accurately reflect the information drawn from the plan.

This opinion on the plan also does not provide assurance that the forecasts in the plan will be achieved, because events do not always occur as expected and variations may be material. Nor does it guarantee the accuracy of the information in the plan.

Basis for qualified opinion

Our work on the value of three waters assets was limited

As outlined on page [...], the Council is in the process of obtaining an independent valuation of its three waters assets in preparation for its 2024 financial statements. There are indications that the increase in the value of these assets could be significantly higher than the assumptions applied in the Council's prospective financial statements. However, the valuer's work is not finalised.

Because the revaluation will only be completed after the date of the audit report, our work on the value of these assets was limited. There were no satisfactory audit procedures that we could adopt to determine the reasonableness of the value of these assets. We were therefore unable to determine whether the value required any adjustments and what flow on effects this could have on future depreciation costs and rates.

We carried out our work in accordance with the International Standard on Assurance Engagements (New Zealand) 3000 (Revised) *Assurance Engagements Other Than Audits or Reviews of Historical Financial Information*. In meeting the requirements of this standard, we took into account particular elements of the Auditor-General's Auditing Standards and the International Standard on Assurance Engagements 3400 *The Examination of Prospective Financial Information* that were consistent with those requirements.

We assessed the evidence the Council has to support the information and disclosures in the plan and the application of its policies and strategies to the forecast information in the plan. To select appropriate procedures, we assessed the risk of material misstatement and the Council's systems and processes applying to the preparation of the plan.

Our procedures included assessing whether:

- the Council's financial strategy, and the associated financial policies, support prudent financial management by the Council;
- the Council's infrastructure strategy identifies the significant infrastructure issues that the Council is likely to face during the next 30 years;
- the Council's forecasts to replace existing assets are consistent with its approach to replace its assets, and reasonably take into account the Council's knowledge of the assets' condition and performance;
- the information in the plan is based on materially complete and reliable information;
- the Council's key plans and policies are reflected consistently and appropriately in the development of the forecast information;
- the assumptions set out in the plan are based on the best information currently available to the Council and provide a reasonable and supportable basis for the preparation of the forecast information;
- the forecast financial information has been properly prepared on the basis of the underlying information and the assumptions adopted, and complies with generally accepted accounting practice in New Zealand;
- the rationale for the Council's activities is clearly presented and agreed levels of service are reflected throughout the plan;
- the levels of service and performance measures are reasonable estimates and reflect the main aspects of the Council's intended service delivery and performance; and

- the relationship between the levels of service, performance measures, and forecast financial information has been adequately explained in the plan.

We did not evaluate the security and controls over the electronic publication of the plan.

Emphasis of Matters

Without further modifying our opinion, we draw attention to the following matters:

Uncertainty over the delivery of the capital programme

Page [redacted] outlines that the Council is proposing a significant increase in its capital programme. While the Council has put in place a number of initiatives, there is an inherent level of uncertainty and risk that the Council may not be able to deliver on the programme, especially when it has increased substantially. The Council notes the potential impacts of not achieving the capital programme, such as not meeting planned levels of service, or greater costs in the long term.

Uncertainty and risks over planned renewals of three waters assets

Page [redacted] outlines that the Council cannot fund all the investment required in three waters assets over the next 30 years. The Council's proposed level of funding for renewals over the 10 years of the plan has therefore been capped by what it considers to be affordable.

Page [redacted] outline that the Council's forecasting for its three waters assets is primarily based on the age of existing assets. Using mostly age-based information creates uncertainty over which assets to prioritise for renewal, the timing thereof, and the forecast amounts required, resulting in a risk of asset failure and reduced levels of service.

To reduce the risk, the Council has committed funding to repair the backlog of leaky pipes and to continue to collect better information about its underground assets.

Responsibilities of the Council and auditor

The Council is responsible for:

- meeting all legal requirements affecting its procedures, decisions, consultation, disclosures, and other actions relating to the preparation of the plan;
- presenting forecast financial information in accordance with generally accepted accounting practice in New Zealand; and
- having systems and processes in place to enable the preparation of a plan that is free from material misstatement.

We are responsible for expressing an independent opinion on the plan and the disclosures required by the Regulations, as required by sections 94 and 259C of the Act. We do not express an opinion on the merits of the plan's policy content.

Independence and quality management

We have complied with the Auditor-General's:

- independence and other ethical requirements, which incorporate the requirements of Professional and Ethical Standard 1 *International Code of Ethics for Assurance Practitioners (including International Independence Standards) (New Zealand)* (PES 1) issued by the New Zealand Auditing and Assurance Standards Board. PES 1 is founded on the fundamental principles of integrity, objectivity, professional competence and due care, confidentiality, and professional behaviour; and
- quality management requirements, which incorporate the requirements of Professional and Ethical Standard 3 *Quality Management for Firms that Perform Audits or Reviews of Financial Statements, or Other Assurance or Related Services Engagements* (PES 3) issued by the New Zealand Auditing and Assurance Standards Board. PES 3 requires our firm to design, implement and operate a system of quality management including policies or procedures regarding compliance with ethical requirements, professional standards, and applicable legal and regulatory requirements.

Other than our work in carrying out all legally required external audits, we have carried out engagements in the areas of a limited assurance engagement related to the Council's debenture trust deed, which is compatible with those independence requirements. Other than these engagements, we have no relationship with, or interests in, the Council or its subsidiaries and controlled entities. we have no relationship with or interests in the Council or any of its subsidiaries.

John Whittal, Audit New Zealand

On behalf of the Auditor-General, Wellington, New Zealand

Kia ora Mayor Campbell, councillors and council officers.

I am speaking on behalf of the Eastbourne Community Board in response to the Representation Review report and proposals. This is a board only response as we have not yet had the opportunity to consult with our community, something we plan to do extensively in the near future.

The board met briefly with the Panel early on in the process. The meeting was largely taken with the Panel describing their role and the processes they were planning to follow, there was little opportunity to actually consult or present our experiences and involvement in communicating with, consulting and representing our community, and we did not know that this one meeting would be the only face-to-face contact the board would have with our community.

The Panel have emphasised they are looking for fairness, equity and an appropriate 21st century approach to communicating and working with communities, and communities of interest within the Hutt City.

Their own surveying shows that communities with community boards understand their representation and identify most strongly with their community at 70% to 80%. Their survey results also makes it clear that the least understanding and satisfaction in the current system lies with the Northern Ward (50%) - but also identifies that the Northern Ward is the most interested in community board representation (75%) after those wards where boards already exist.

They also note that attempts at other forms of community representation such as appointed committees and panels have not survived the test of time.

They conclude that positioning community boards between community and council is not likely to be successful, despite the fact that the communities themselves have indicated significant satisfaction.

Their proposal is to instead appoint an unpaid community "agent" to fulfill the role currently occupied by the community boards.

Elected community boards are answerable and accountable to both the community and the council. An appointed unpaid "agent" is answerable to neither, and appointment has already been demonstrated not to work in a community context.

A community board has multiple representatives, each with their own skills, networks and areas of interest and focus. They live within the community and have contact with individuals and groups on a daily basis. The load is shared, allowing board members to be students, parents, working or retired and still carry out their duties. They will represent and be representative of their community.

A single appointed “agent” will have a limited network, will unlikely to be able to sustain any other responsibilities, and will only represent their own demographic. The candidates for the “agent” roles have been identified as “community leaders”, suggesting they are probably already fully occupied in their involvement in the community in some form or other. Where will such a person find the time and energy to take on such a significant responsibility?

Boards such as ours meet formally every 2 months, informally every few weeks, more frequently as issues arise, and we share the responsibility.

It is proposed that an appointed agent meets with the responsible councillor every 6 months, and there is no suggestion on how or when the “agent” will interact or communicate with the community at all. This would probably require significant support and resources from council to be effective.

The 21st century has started out marked by an increased need for community resilience, highlighting a need for localised response to an event. A community board, with its own developed communications and networks has been shown to be most effective at responding in the early stages, giving the central council time to triage, marshal their resources, and respond at a higher level.

The community board model has been demonstrated to be the most resilient, popular and effective form of community engagement out of all the options covered. We feel that this model could be adapted and used for all wards to gain the equity and fairness desired by the Panel. We encourage the council explore the revised ward model as proposed, and then implement a community board structure in each ward as the most equitable and effective way of engaging the communities.

HUTT CITY COUNCILKOMITI ITI MAHERE Ā-NGAHURUTANGA / MAHERE Ā-TAU
LONG TERM PLAN/ANNUAL PLAN SUBCOMMITTEE

Minutes of a hearings held in the Council Chambers, 2nd Floor,
30 Laings Road, Lower Hutt on
Wednesday 15 May 2024 commencing at 9.30am and Thursday 16 May 2024
commencing at 9.30am

PRESENT:

Mayor C Barry (Chair)	Deputy Mayor T Lewis
Cr G Barratt (part meeting)	Cr J Briggs (part meeting)
Cr K Brown	Cr B Dyer
Cr S Edwards (part meeting)	Cr A Mitchell
Cr K Morgan	Cr C Parkin
Cr N Shaw	Cr T Stallinger
Cr G Tupou (part meeting)	

APOLOGIES:

Apologies were received from Cr Barratt for early departure on Wednesday 15 May 2024 and Crs Briggs, Edwards and Tupou for early departure on Thursday 16 May 2024.

IN ATTENDANCE:

J Miller, Chief Executive (part meeting)
A Blackshaw, Director Neighbourhoods and Communities
J Griffiths, Director Strategy and Engagement
B Hodgins, Acting Director Environment and Sustainability
J Kingsbury, Director, Economy and Development
J Livschitz, Group Chief Financial Officer
J Lamb, Head of Business and Economy (part meeting)
R Hardie, Head of Strategy and Policy (part meeting)
M Nuth, Principal Advisor, Research and Evaluation (part meeting)
S Bascand, Acting Engagement Lead (part meeting)
H Singh, Advisor, Strategic Planning and Business
K Stannard, Head of Democracy Services (part meeting)
K Glanville, Senior Democracy Advisor (part meeting)
V Gilmour, Democracy Advisor (part meeting)
J Kilty, Democracy Advisor (part meeting)
J Randall, Democracy Advisor (part meeting)

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 Briggs)

Minute No. LTPAP 24201

"That the apologies from Cr Barratt for early departure on Wednesday 15 May 2024 and Crs Briggs, Edwards and Tupou for early departure on Thursday 16 May 2024 be accepted."

3. CONFLICT OF INTEREST DECLARATIONS

Cr Dyer declared a conflict of interest in relation to Minoh House and Netball Hutt Valley.

4. VERBAL UPDATE ON LONG TERM PLAN ENGAGEMENT RESULTS

The Head of Strategy and Policy elaborated on Council's consultation objectives and the engagement.

In response to a question from a member, the Head of Strategy and Policy advised that officers had highlighted key submission trends and grouped them.

5. HEARING OF SUBMISSIONS ON THE DRAFT LONG TERM PLAN 2024-2034 – 15 MAY 2024

Julie Kay Vry presented the submission.

Alan Eldridge Smith presented the submission.

Greg Moore presented the submission.

Graeme Lyon presented the submission.

Gary Quirke presented the submission and spoke to a written statement attached as pages 12-13 to the minutes.

Robert Gell presented the submission.

John Welch presented the submission.

Robyn Morete, representing Wellington Rugby League (WRL), presented the WRL's submission, tabled a letter from WRL attached as pages 14-15 to the minutes and shared a presentation available here [Wellington Rugby League Presentation](#)

Jan Wijninckx presented the submission (via audio-visual link).

Bernard Gresham presented the submission.

Mayor Barry agreed to follow up with his office to inquire why Bernard Gresham did not receive a reply to his email from February 2024.

Allen Bennett, representing Bin Inn Wholefoods Petone, presented Bin Inn's submission.

Lynne Philp, representing the Citizens Advice Bureau Lower Hutt, presented the bureau's submission.

Members asked that officers report back on the following:

- the timing for Cuba Street bridge strengthening;
- whether the sports ground improvements in place advance as quickly as possible;
- the rationale for fee changes and inconsistency with charges for swimming pools;
- to discuss with Wellington Water Limited on water pressure software that can alter pressure during the day;
- the criteria for how Council funds groups and what that is based on;
- the cost difference for introducing sand-based pitches, in addition to the \$10M Council are already planning to invest; and
- how Council charges for four-bedroom houses in relation to development and finance contribution policy.

The meeting adjourned at 11.40am and reconvened at 12:05pm.

Cr Brown rejoined the meeting at 12.06pm.

Cr Stallinger rejoined the meeting at 12:07pm.

Elizabeth Lochore speaking on behalf of Katherine Elizabeth Clark presented the submission.

Members asked that officers distribute Katherine Clark's submission to all members.

Mary Elizabeth Lochore presented the submission.

Cr Dyer declared a conflict of interest with Netball Hutt Valley and did not participate in questions or discussions.

Sandra Bednarek, representing Netball Hutt Valley, presented the submission.

Mayor Barry asked that officers follow up on the resurfacing of the Taitā netball courts.

Gordon Parr presented the submission.

John Terris, representing the Hutt Multicultural Council, presented the council's submission.

Chris MacKay presented the submission via audio-visual link.

Sam Faisandier, representing the Faisandier Group, presented the group's submission.

Sarah Murray, representing Recreation Aotearoa, presented Recreation Aotearoa's submission.

Mark Macfarlane, representing Lucas Land Surveys Limited, presented Lucas Land Survey's submission.

Dr David Tripp presented the submission via audio-visual link, spoke to a written statement attached as pages 16-17 to the minutes and shared a presentation available here [Submission on HCC 10 Year Plan David Tripp - May 2024](#)

Shani Leach, representing Britannia Street Body Corporate, presented the corporate's submission via audio-visual link.

Patrick McKibbin, representing Hutt Valley Chamber of Commerce, presented the Chamber's submission.

Colin McElwain, representing Cuttriss Consultants Limited, presented Cuttriss Consultation's submission.

Beryl Anderson, representing the Hutt Valley National Council of Women of New Zealand, presented the council's submission.

RESOLVED: (Mayor Barry/Cr Dyer)

Minute No. LTPAP 24202

"That the late verbal submission from Vincent Tamihere be accepted."

Vincent Tamihere spoke in support of the submission from Wellington Rugby League. He said that rugby league fields in the city had not been maintained and that it was important to upgrade the fields. He said there was an issue with the McEwan Park toilets.

The Director of Neighbourhoods and Communities advised that drainage upgrades were proposed to be funded for Naenae Park, Te Whiti Park, Frederick Wise Park and McEwan Park with the \$10M investment over the next 10 years. She said that officers would investigate the details surrounding the McEwan Park toilets.

Dave Gillespie, President of Taitā Cricket, presented the cricket's submission.

In response to a member's question, Dave Gillespie advised that the Taitā Cricket Club would be interested in purchasing the building located at Fraser Park from Council.

James Beban, a representative of Urban Edge Planning Limited, presented Urban Edge's submission.

Mayor Barry asked that officers address the issues raised by James Beban.

Cr Parkin left the meeting at 2:06pm and rejoined the meeting at 2:09pm.

Gene Clendon presented the submission.

Mayor Barry left the meeting at 2:15pm. Deputy Mayor Lewis assumed the Chair.

Mayor Barry rejoined the meeting at 2:18pm and resumed the Chair.

Deputy Mayor Lewis left the meeting at 2:19pm and rejoined the meeting at 2:20pm.

Quentin Duthie presented the submission.

Paul Duffin, a representative of Hutt Sister City Foundation, presented the foundation's submission.

The meeting adjourned at 2:27pm and reconvened at 2.40pm.

Graeme Hall presented the submission.

Graeme Hall, representing the Great Harbour Way/Te Aranui o Poneke Trust, presented the trust's submission and shared an electronic presentation available here: [The Great Harbour Way Vision](#)

Ruth Mansell presented the submission.

Malcolm Wheeler presented the submission.

Annette Margaret Turner presented the submission.

Silva Noakes, representing Eastbourne Community Fitness Limited, presented Eastbourne Community Fitness's submission via audio-visual link.

Rachel Tallon, representing Friends of Waiwhetu Stream, presented the friends submission.

Lillian Pak presented the submission.

Lillian Pak, a representative of the TEAM Naenae Trust, presented the trust's submission.

Dr Marion Leighton, representing Doctors for Active, Safe Transport, presented the transport's submission via audio-visual link.

Dean Raymond, representing Heritage New Zealand, presented the heritage's submission.

Pete Matcham presented the submission.

Pete Matcham, representing Hutt City Grey Power, presented Grey Power's submission.

Cr Barratt left the meeting at 4.20pm.

Rod Badcock presented the submission via audio-visual link and shared a presentation available here [*10 Year Plan Submission Prof. Rod Badcock*](#)

Ty Williams, representing GBH Boxing, presented GBH's submission.

Mayor Barry said that officers would continue to work with GBH Boxing to find a new venue if its current one were to be demolished.

Jo Clendon presented the submission.

Jo Clendon, representing Hutt Cycle Network, presented the cycle's submission.

The meeting adjourned at 4:26pm and reconvened at 4:38pm.

Malcolm Wheeler presented the submission.

Bruce Anderson presented the submission.

Prue Lamason, representing Save Petone Wharf, presented Save Petone Wharf's submission.

Neelu Jennings presented the submission via audio-visual link.

Cr Brown left the meeting at 5:04pm.

Matt Roberts presented the submission via audio-visual link.

Etuate Cocker presented the submission via audio-visual link.

Members asked that officers report back on the following:

- research potential venues for GBH Boxing;
- address the issue of unmanned netball courts at the Walter Nash Centre;
- provide more information about the resurfacing of the netball courts at the Walter Nash Centre;
- report on the condition of the toilets at McEwan Park;
- discuss parking consent conditions on the outdoor courts for the Walter Nash Centre;
- explore the possibility of selling the building at Fraser Park back to the Taitā Cricket Club;
- consider annual grants for groups other than St John Ambulance; and
- determine the entity responsible for the heritage assessment of Petone Wharf.

In response to a question from a member, the Director of Neighbourhoods and Communities stated that the multi-fest event received \$12,000 from Council in the

previous year.

In response to a question from a member, the Chief Executive stated that the law required the cost of growth to be covered by catchment areas. She clarified that Council could not distribute the growth costs across the city.

The meeting adjourned at 5:33pm and reconvened at 9.30am on Thursday 16 May 2024.

Thursday 16 May 2024 commencing at 9.30am

5. HEARING OF SUBMISSIONS ON THE DRAFT LONG TERM PLAN 2024-2034 – 16 MAY 2024

Stephen Grenside, Lowry Bay Residents Association, presented the association's submission via audio-visual link.

Finn Cordwell, representing Greater Wellington Living Wage, presented the living wage's submission.

George MacKay presented the submission.

Allan Brown presented the submission.

Andrew Leslie, representing Nuku Ora, presented Nuku Ora's submission.

Casey Diver, representing Stokes Valley Football Club, presented the club's submission.

Daniel Chrisp presented the submission.

Mike Fisher, Chair of Petone Community Board, presented the Board's submission.

Sally-Ann Moffat presented the submission.

Sally-Ann Moffat, representing Petone Community House Incorporated, presented the house's submission.

Cr Briggs left the meeting at 11.00am.

Robbie Schneider, representing Jackson Street Programme (JSP), presented JSP's submission.

Cr Brown left the meeting at 11.07am.

John Donnelly, representing Jackson Street Programme (JSP), presented JSP's submission.

Cr Brown rejoined the meeting at 11.09am.

Anna Boyack, representing Viva Mexico, presented Viva Mexico's submission.

Nik Zangouropoulos, representing Jackson Street Programme (JSP), presented JSP's submission.

Cr Briggs rejoined the meeting at 11.32am.

Shane Legarth, representing Bea DnD Games, presented Bea DnD Games' submission.

Hellen Swales, representing Jackson Street Programme (JSP), presented JSP's submission.

Cr Parkin left the meeting at 11.45am and rejoined the meeting at 11.48am.

Cr Brown and Cr Tupou left the meeting at 11.50am.

Raewyn Hailes, representing CCS Disability Action, presented CCS's submission.

Cr Tupou rejoined the meeting at 11.56am.

Merran Bakker presented the submission.

Cr Brown rejoined the meeting at 11.58am

Ian Pike, representing E Tu Awa Kairangi Hutt Valley Public Art Trust, presented the trust's submission.

Cr Parkin left the meeting at 12.09pm.

Denis Hulston presented the submission.

Cr Parkin rejoined the meeting at 12.10pm.

Karen Clansey presented the submission.

The meeting adjourned at 12.00pm and reconvened at 12.15pm.

Cr Stallinger rejoined the meeting at 12.25pm.

John Roper presented the submission.

Cr Dyer and Cr Parkin rejoined the meeting at 12:37pm.

Derek Wilshere presented the submission.

Hamish Findlay, representing Aspeq, presented Aspeq's submission.

Nicholas O'Kane presented the submission.

Bruce Chase, representing Avalon Rugby Club, presented the Club's submission.

Marian Melhuish, representing Lower Hutt Transition Towns, presented the Towns submission.

Michael Yates, representing the Hutt City Association Football and Sports Club, presented the club's submission.

Sally Ann Smith presented the submission.

Karen Arraj-Fisher presented the submission.

Mike Fisher presented the submission.

Iuri Lima presented the submission via audio-visual link.

Penny Martell, representing Sacred Heart Petone, presented the school's submission.

Cr Edwards left the meeting at 1:42pm.

Ailsa Webb, representing Wilford School, presented the school's submission.

Pam Hanna, representing Save Petone Wharf group, presented the group's submission and shared a presentation available here [Save Petone Wharf Group LTP Submission May 2024](#)

Members recognised the public submissions regarding the Petone Wharf and requested officers to explore potential solutions to move forward.

Cr Dyer left the meeting at 2:10pm.

Brian John Hill presented the submission.

Cr Dyer rejoined the meeting at 2:17pm.

Jasmina Kovacev presented the submission.

Megan Drayton presented the submission.

Barbara Scott presented the submission.

Francis O'Riley, representing GK Shaw Ltd, presented GK Shaw's submission and spoke to a written statement attached as pages 18-19 to the minutes.

Cr Edwards rejoined the meeting at 2:28pm.

Crs Parkin and Shaw left the meeting at 2:30pm and rejoined the meeting at 2:31pm.

Cr Tupou left the meeting at 2:46pm.

The meeting adjourned at 2:50pm and reconvened at 3:00pm.

Elle Abel and her daughter, Shakira, presented the submission.

Elle Abel, representing Disability Submission, presented Disability's submission.

Nik Zangouropoulos, representing the Petone Historical Society, presented the Society's submission.

Justin Cullen, speaking on behalf of Tom Hudig, presented Tom Hudig's submission.

Laura Skilton, presented the submission and shared a presentation available here [Long Term Plan Submission - Laura Skilton](#)

Daniel Jones, representing Korokoro Environmental Group, presented the group's submission.

Members asked that officers:

- keep collaborating with Lower Hutt Football Club;
- research adult fitness equipment in parks;
- explore potential options for Petone Wharf; and
- provide details on the feasibility of creating an earthquake break between the stem and head of the Petone Wharf.

The Director of Neighbourhoods and Communities advised that officers would not be able to provide further information about Petone Wharf ahead of the Subcommittee on 17 May 2024.

In response to a question from a member, the Director of Neighbourhoods and Communities stated that officers were installing disability toilets at Naenae Pool and Bay Street for \$800,000.

In response to a question from a member, the Director of Neighbourhoods and Communities stated that the consultation on increasing cost recovery and the possibility of selling a small number of buildings had been included in the Long Term Plan (LTP). She stated that if the approach outlined in the draft LTP was approved, officers would present a proposal outlining the details of cost recovery to the Communities, Culture and Partnerships Committee.

In response to questions from members, the Chief Executive advised that sufficient stock of science kits was available to Council for another year. She stated that Council had previously funded the delivery of science kits to schools, but in the future, schools may be able to facilitate this themselves.

In response to questions from members about Council's Living Wage Policy (the policy), the Chief Executive advised that Council Controlled Organisations and contractors have

been expected to pay the living wage since 2022. She stated that the policy had been incorporated into the budget.

In response to a question from a member, the Acting Director Environment and Sustainability advised that water meters were to be installed in the earlier years of the Long Term Plan. He further noted that money would be made available for a trial in 2024/25, and the implementation of water meters would occur between 2025 and 2030.

Cr Tupou left the meeting at 3:45pm.

In response to questions from members, the Director of Neighbourhoods and Communities highlighted several costs and requirements that needed to be considered before the buildings could be divested. She stated that the buildings at Fraser Park needed repair, as Council intended to demolish them once the Ricoh Sports Centre building was finished. She mentioned that asbestos and seismic reports were necessary for the buildings. She also pointed out that any issues with the outer buildings would affect the central building, which the sports clubs were interested in divesting.

In response to a question from a member, the Director of Neighbourhoods and Communities stated that procedures were in place to ensure accessibility for all in new Council projects. She said that this included involving disability advocates in consultation groups for projects.

6. CLOSING FORMALITIES - KARAKIA WHAKAMUTUNGA

Unuhia!	<i>Release us from the supreme sacredness</i>
Unuhia!	<i>of our tasks</i>
Unuhia i te uru-tapu-nui	<i>To be clear and free</i>
Kia wātea, kia māmā	<i>in heart, body and soul in our continuing journey</i>
Te ngākau, te tinana, te wairua i te ara takatū	<i>Oh Rongo, raise these words up high</i>
Koia rā e Rongo whakairihia ake 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.	

There being no further business, the Chair declared the hearings closed at 4.16pm.

C Barry
MAYOR

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

SUBMISSION TO HUTT CITY COUNCIL ON 2024-2034 10 YEAR PLAN

MAY 2024

Hi, my name is Gary Quirke and I am here today to add my views on the 10 year plan covering 2024-2034. My views are as a Ratepayer. I have completed the feedback document which was included in the Consultation Document but feel that I should also make a submission.

The Consultation Document was very comprehensive and I would like to say that it represents one of the most informative documents in the past few years that the HCC has delivered. So a well done to those involved.

In submitting my views today I decided that I would focus on a few items that the HCC has signalled through this plan and the previous one.

First of all let me comment on the level of **RATES INCREASE**-not only for 2024/25 but over the next few years.

I know many people and organisations have commented on the significant increase proposed and perhaps the reality of the increase has not yet set in as they are not marching in the streets yet.

The proposed increase of some 50% over the next 4 years is **NOT SUSTAINABLE**.

The HCC sets out in the preparation of the Plan that one of its Guiding Principles is **AFFORDABILITY** – i.e. the ability to pay rates at both a macro and micro level. This Guiding Principle is totally misleading if this Council is to continue on its path of **RATE** increases at the level shown in the plan.

You may say that this will change as a result of the Central Government providing funding relief to Councils to enable them to replace ageing assets, specifically water related and to cater for population growth.

However, how will it benefit the population of the Hutt Valley-with its ageing population, its asset rich but cash poor community and its lower socio economic community who are dependent on the Central Government for their wellbeing.

The people of Hutt Valley are facing many challenges as a result of the cost of living increases and here in this area items such as insurances (Plus 30%) etc. are adding to the burden of day to day living. Incidentally the plan is based on a CPI increase factor but this is generally a lower rate than the Cost of Living rate as the former **EXCLUDES INTEREST RATES**.

The **second point** I would make today is about **DEBT LEVELS** and its relative the so called requirement to have a **BALANCED OPERATING BUDGET**. I am sure that Councillors will have a foggy memory as to what they said to residents of Hutt City in the 2021-2031 Plan and now what the Plan is saying.

The maximum **DEBT** level is now expected to reach its peak in 2029-2030 and then the ceiling will be only some 20 base points behind the maximum allowed –that does not provide very much headroom to cater for the many risks that are highlighted in the full document i.e. Riverlink and other major projects highlighted in the Capital Expenditure Plan, General inflation in excess of assumptions in the Plan and increases through interruptions in the supply chain factor and cost

increases as a result of suppliers taking advantage of the market place conditions. This increasing DEBT profile does not allow for the cost of any natural disaster (big or small), nor the probable factor that the Hutt City is UNDERINSURED.

My third point relates to **OPERATIONS** and its related costs. In the previous plan (2021-2031) the theme was "Getting the basics right" and was based on focusing on the **INFRASTRUCTURE** and **SERVICES** that support all of the people of the city. I would comment that since the last plan we have now seen a further significant increase in the amount of investment required in the core infrastructure, especially that relating to the 3 waters. WHY?
Will we see a further increase in the next Plan?

I note with some interest that 10 of the local Councils in the lower part of the North Island have agreed to work together in the interest of the required 3 Water reinvestment. I would at this stage question as to whether Wellington Water (or its nominee) with its lesser number of Councils will be able to complete (or at least meet the specified programme) they have submitted for the Hutt City. The level of both operational and capital requirements for each Council are now being submitted to Wellington Water and all no doubt will have their priorities. With the Wellington City having a daily water consumption that is 1 ½ times more than the Hutt Valley who do you think will have a greater priority?

While the HCC no doubt complies with various regulatory requirements that it is obliged to do one must question the common sense of some of the operational costs that relate to some of the practices-whether it be road safety management or transport related (pedestrian crossings, footpaths) the ratepayer like me only sees a deterioration in some of the facilities that this Council provides. It then becomes a question of what makes up the operational cost?

If the HCC wishes to continue with the level of RATE increases it is proposing then it needs to ensure that its facilities are maintained to a reasonable standard.

So what are some of the ways these items referred to above can be addressed

- Amalgamate all of the HUTT VALLEY Councils into one-go further than just having shared services?
- Amalgamate some of the key elements of the current Councils activities i.e. Transport
- Consider deferring any major projects until the outlook (both regulatory and economic) looks clearer.
- Do not incur any greater DEBT levels as interest rates are to remain higher than forecast in the Plan.

Thank you for your time.

Gary Quirke



WELLINGTON RUGBY LEAGUE

93 Hutt Park Road, Lower Hutt Wellington 5010

Hutt City Council
30 Laings Road
Lower Hutt
New Zealand

Wednesday, 1 May 2024

Tēnā koutou Hutt City Council,

Attn: Hutt City Council 10-year plan 2024 - 2034 submission

The vision of Wellington Rugby League is, "to enhance the mana and hauora of our people", and we have a strong focus on promoting equity and accessibility so people, especially children, can participate in Rugby League to improve their collective wellbeing and strengthen their sense of belonging. As a Regional Sport Organisation deeply invested in the growth of Rugby League in Lower Hutt and the wider region, we believe that the Hutt City Council's 10-year plan 2024-2034 presents a crucial opportunity to shape the future of our sport and our communities.

Wellington Rugby League's member clubs in Lower Hutt include the Randwick Kingfishers based at Naenae Park, Te Aroha Eels based at Te Whiti Park, Petone Panthers based at McEwan Park and the Wainuiomata Lions based at Frederick Wise Park. The history and whakapapa of Wellington Rugby League has come from and flourished out of working people's communities. Lower Hutt is where games are at our strongest, but we have the worst sports grounds and facilities in the city. We are asking Hutt City Council to work alongside Wellington Rugby League to prioritise and support our communities to improve this dire situation.

Wellington Rugby League is committed to ensuring all children can actively participate in our game regardless of their background or circumstances. To enable children to play Rugby League, we have a zero fees policy for junior club players and teams. Our clubs and communities have responded positively, and junior Rugby League teams have nearly doubled from 42 in 2022 to 81 in 2024. However, this growth is a financial burden that Wellington Rugby League are struggling to carry at our own expense.

Furthermore, Wellington Rugby League have sought to ensure accessibility for senior club men's and women's teams by keeping affiliation fees affordable. 100% of affiliation fees collected from Member Clubs for senior teams covers the expenses to run all local competitions, specifically Council grounds fees and Referees charges. It is of note that Hutt City Council charges Wellington Rugby League more than double the next most expensive local authority in the Wellington region.

Wellington Rugby League and our member clubs have been committed to growing participation at all levels of the game. One of our proudest achievements has been the growth of juniors and women's within our sport, reflecting a growing demand for opportunities for young people and women to engage in Rugby League at both grassroots and high-performance levels.

Wellington Rugby League
Pelorus Trust Sports House
Hutt Park Road
Lower Hutt
PO Box 38-285
Wellington Mail Centre
Lower Hutt 5045





WELLINGTON RUGBY LEAGUE

93 Hutt Park Road, Lower Hutt Wellington 5010

Wellington Rugby League hold aspiration to continue to grow these participation levels, but we need Hutt City Council to help us with that growth by prioritizing Rugby League. As participation numbers continue to rise so too does the need for fit-for-purpose facilities to accommodate this growth. In the 2023 Nuku Ora Regional Sports Field/Artificial Turf report, Rugby League was highlighted "in terms of overall demand, the modelling shows that regionally we have a shortfall of sports fields supporting rugby league" (p.29). Without suitable sports grounds and facilities, we risk hindering the growth of Rugby League in Lower Hutt and depriving our communities of the benefits that Rugby League brings.

Rugby league has suffered inequitably through the historic underinvestment of sports grounds by consecutive Councils. Our players, including children, can't access essential facilities- they are playing and training on muddy, waterlogged and poorly lit sports grounds, and we are finding it increasingly difficult to access quality playing and training grounds.

We have several instances where teams have had to cancel their training sessions and games due to ground quality. Sometimes the teams have to travel to other locations to train. Cancelling sessions and travelling distances for training is costly for the teams and their whānau, particularly for those already struggling to pay the fees. This often leads players and their whānau to lose interest and disengage from the sport.

Wellington Rugby League has a strong focus on going beyond the game to place the hauora and wellbeing of our people, clubs, and communities at the forefront of the work we do. We have collaborated with health system partners to create safe spaces and opportunities for our players and their families and communities. Some of our hauora specific work has included alcohol free, smoke free and vape free sidelines, integrating hauora in to our Learning and Development work with players, coaches, trainers and managers, opening rounds for all grades are the Hauora round in partnership with local health providers, 'Find your Front' workshops for all youth representative players with a focus on mental wellbeing, and 'Find your Front' Club Champions with special responsibility to promote hauora support amongst players and families.

As we look towards the future, Wellington Rugby League is committed to working collaboratively with Hutt City Council to identify and prioritize the needs of our sport, our clubs, and our communities. We believe that by investing in fit-for-purpose sports grounds and facilities and supporting initiatives that promote equity and accessibility, we can create a healthier, more active, and more connected Hutt City Council. In closing, we would like to extend our gratitude to Hutt City Council for its ongoing support of rugby league. Together, we can continue to enhance the mana and hauora of our people and communities to positively contribute to a thriving Lower Hutt.

Ngā mihi,

Robyn Morete
Board Chair
Wellington Rugby League

Andre Whittaker
Chief Executive Officer
Wellington Rugby League

Wellington Rugby League
Pelorus Trust Sports House
Hutt Park Road
Lower Hutt
PO Box 38-285
Wellington Mail Centre
Lower Hutt 5045



Oral Comments on Long Term Plan 2024

David Tripp

May 2025

{Opening slide} Thank you for the opportunity to speak to you.

I want to acknowledge how incredibly challenging this plan must have been to put together – you face many issues well beyond your control and are having to make hard decisions.

In particular, I support you wanting to fix our pipes. This is a can that has been kicked down the road for far too long.

My concern is that we are kicking a much bigger can even further down the road.

{CLICK} This is a map of Petone in 2100, under increasingly conservative assumptions.

While I am most concerned about my house, please also note that the grandstand, Library and access to the wharf will all be under water – places in which your plan commits to significant investment.

{CLICK} The bottom line is that, in 65 years' time, my daughter will be showing her grandchildren where she grew up by boat.

We get one chance to do anything about this – and that chance is now.

{CLICK} To not act decisively now, is to commit our children and grandchildren to catastrophic costs. This would be contrary to the first of your financial guiding principles – which is to equitably spread costs over generations.

{CLICK} To mitigate climate change, we need to reduce our emissions in line with your climate goals. I applaud the work Hutt City is doing in the areas of corporate emissions and waste management. Sadly, these pale into insignificance unless we talk about the elephant in the room – which is transport.

To achieve your climate goals, you need 30% mode shift away from cars in the near future.

In the words of your Integrated Transport Strategy, we need to “break our habit of car use”.

{CLICK} However, transport investment in the Draft 10 Year Plan is focused around a very few ‘signature projects’ that cement car use as the predominant form of transport – in particular Riverlink and the Cross Valley Link.

This will exacerbate congestion, and damage our health and our climate.

{CLICK} In contrast, your KPI for both shared and cycle paths over the next 10 years is to “hold or increase length”. According to your plan, achieving no change at all would be an acceptable outcome for council.

{CLICK} For the sake of my future grandchildren, will you please consider the following:

- Producing a plan that says what you would need to do to achieve your climate goals – so we have can have transparency and informed discussion
- Produce an implementation plan for your integrated transport strategy – so we know what would be involved in achieving this plan
- Spend the money you’ve put aside for cycling, whether or not you get Waka Kotahi’s subsidy.

Hutt City Council Long Term Plan 2024 – 2034 Submission

Topic: PETONE WHARF

Name: Francis O'Riley

Organisation: GK Shaw Ltd



Based on notes from my Power Point presentation given to HCC staff (Andrea Blackshaw and Arthur Nelson) on 2 May 2024:

1. GK Shaw has been refurbishing wharves throughout NZ for over 30 years.
2. Recently we have rebuilt Rona Bay Wharf for HCC in 2018 and Seatoun Wharf for WCC in 2022. We also repaired 21 piles with FRP jackets and releveled the deck at Petone wharf in early 2021.
3. We have used actual figures from these projects to establish realistic costings for the sqm rate to refurbish Petone Wharf.
4. We believe the wharf approach (275 m long x 4 m wide) can be completely refurbished for around \$9M (Contractor's rate \$7,500 /m2 x 1200 m2).
5. The wharf head (108 m long x 10 m wide) should be demolished. There would be additional cost associated with demolishing the wharf head.
6. This scenario reduces the overall wharf length by less than 30%. The new end of the wharf is still in deep water for fishing and future berthing of vessels if required. The new length of the wharf at 275 m still provides valuable amenity to the public.
7. The refurbishment of the wharf approach would be like-for-like using FRP jackets to strengthen and protect the existing timber piles. A like-for-like replacement can be classified as maintenance work to potentially minimise costly and time-consuming consultant reporting and consenting processes.
8. GK Shaw has installed 100's of FRP jackets to wharf structures in Wellington Harbour over the last 30 years. There have been no reported failures of piles strengthened using FRP jackets. They are a proven reliable long term pile strengthening system.
9. If it suited the council, there may be a way to spread the refurbishment over a number of years. This may be helpful for annual budget allocations or to promote the annual maintenance argument to minimise consenting requirements.

10. A realistic scenario is as follows:
 - i. After a first round of critical pile strengthening (around 20 piles), the wharf approach structure (275 m long) can be reopened to the public.
 - ii. The existing barrier can be moved to the wharf head.
 - iii. Each year the wharf is temporarily shut down in the colder months while a contractor progressively rebuilds each span working out from the landside.
 - iv. Each summer the wharf is reopened to the public.
11. A lot of work has already been done over the years strengthening the wharf approach piles that will not need to be redone during a refurbishment. Once the remaining critical piles are repaired, we believe the structure is currently quite safe for pedestrian loading in the short term until the refurbishment work is complete.
12. If the consultants are still uncertain as to the safety of the existing deck structure, we can assist with simulated load testing to convince them beyond a doubt.
13. Early contractor involvement with an experienced contractor and exploring design-build relationships will help council better define and share the risks before committing to a refurbishment contract.
14. Local Hutt Valley based contractors and suppliers are available to undertake this specialist work on their back doorstep.
15. Even the demolition of the wharf head can be turned into a positive. Only the upper deck structure need be demolished leaving the piles in place (saving cost and minimising disturbance to the aquifer). This will serve as a visual nod to the past. Then interested groups could sink approved condemned boats amongst the piles to create a reef for marine life and establish an accessible recreational exploration area for divers. The possibility of keeping the wharf for future generations and creating new opportunities is exciting.
16. Why spend \$10M on years of consultant reports, hearings and consenting procedures; and then completely demolish the wharf, when for the same money you can fully refurbish 70% of the wharf?
17. GK Shaw stands ready and willing to assist the council in all stages of the process to partially retain and refurbish Petone Wharf.

HUTT CITY COUNCILKOMITI ITI MAHERE Ā-NGAHURUTANGA / MAHERE Ā-TAU
LONG TERM PLAN/ANNUAL PLAN SUBCOMMITTEE

Minutes of a meeting held in the Council Chambers,
2nd Floor, 30 Laings Road, Lower Hutt on
Friday 17 May 2024 commencing at 10.32am

PRESENT:

Mayor C Barry (Chair)	Deputy Mayor T Lewis
Cr G Barratt	Cr J Briggs (until 3.53pm)
Cr K Brown	Cr B Dyer
Cr S Edwards	Cr A Mitchell
Cr K Morgan	Cr C Parkin
Cr N Shaw	Cr T Stallinger
Cr G Tupou (from 11.10am)	

APOLOGIES:

Cr G Tupou for lateness

IN ATTENDANCE:

J Miller, Chief Executive
A Blackshaw, Director Neighbourhoods and Communities (part meeting)
J Griffiths, Director Strategy and Engagement
B Hodgins, Acting Director Environment and Sustainability (part meeting)
J Kingsbury, Director, Economy and Development
J Livschitz, Group Chief Financial Officer
D Nunnian, Manager Financial Strategy and Planning
R Hardie, Head of Strategy and Policy (part meeting)
A Nelson, Head of Parks and Reserves (part meeting)
I Brown, Head of Aquatics (part meeting)
R Barton, Head of Building Control (part meeting)
A Andrews, Finance Transactions Services Manager (part meeting)
T Johnstone, Head of Planning (part meeting)
J Scherzer, Head of Climate, Waste and Resource Recovery (part meeting)
K Stannard, Head of Democratic Services (part meeting)
A Laban, Head of Assets and Facilities Management (part meeting)
K Glanville, Senior Democracy Advisor
J Randall, Democracy Advisor

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/Deputy Mayor Lewis) **Minute No. LTPAP 24201(2)**
"That the apology from Cr G Tupou for lateness be received."

3. **PUBLIC COMMENT**

Comments are recorded under the item to which they relate.

4. **CONFLICT OF INTEREST DECLARATIONS**

There were no conflict of interest declarations.

5. **RECOMMENDATIONS TO TE KAUNIHERA O TE AWA KAIRANGI
 COUNCIL - 17 May 2024**

a) Long Term Plan 2024-2034 10 Year Plan: Analysis of Submission

The Head of Strategy and Policy elaborated on the report.

In response to questions from members, the Head of Strategy and Policy explained that consolidating the Petone projects in the consultation document allowed submitters to have a comprehensive view of Petone funding requests. He stated that the consultation had been structured to reflect the various Long Term Plan funding envelopes.

RECOMMENDED: (Mayor Barry/Cr Briggs) **Minute No. LTPAP 24202(2)**

"That the Subcommittee recommends Council:

- (1) notes that consultation for the 10 Year Plan took place between 2 April and 3 May 2024;*
- (2) notes the range of communications and engagement activity undertaken at Appendix 1 attached to the report;*
- (3) notes that during the consultation period, Council received a total of 1,770 submissions;*
- (4) notes that hearings on submissions took place on 15 and 16 May 2024; and*
- (5) notes the full analysis of submissions is attached at Appendix 2 attached to the report."*

- b) Progressing decisions on the final Long Term Plan 2024-2034 - Financial aspects

Speaking under public comment, **Karen Yung** urged Council to assess its goals before implementing parking charges in Petone. She emphasised the need to review the impact of user-pays parking fees on local businesses, residents, and visitors.

In response to a question from a member, Karen Yung said user-pay parking would ideally target times of day when people visit from out of town.

The Group Chief Financial Officer elaborated on the report and shared a presentation that can be viewed here: [Decisions for Final Long Term Plan 2024-2034](#).

In response to questions from members, the Group Chief Financial Officer advised that if the parking revenue from Petone were removed from the proposed budget, an adjustment would be necessary, either through increased rates or by finding additional cost savings.

PRECEDENCE OF BUSINESS

RESOLVED: (Mayor Barry/Cr Briggs)

Minute No. LTPAP 24203(2)

"In accordance with Standing Order 10.4, Mayor Barry accorded precedence to items 5c) 'Development and Financial Contributions Policy 2024 Update', 5d) 'Petone Wharf update', 5e) 'Update on Huia Pool refurbishment and decarbonisation project' and 5f) Proposed initiative to improve equity in access to aquatic services'."

The items are recorded in the order that they appear in the agenda.

b) Progressing decisions on the final Long Term Plan 2024-2034 - Financial aspects

The Chair directed members to Tables 2, 3, 4, and 5 (consultation matters requiring review and decisions) in the officer's report.

Members discussed Table 2.

Food Organics and Green Organics collection (FOGO)

In response to questions from members, the Chief Executive noted that government funding for organic waste was uncertain and that the proposal needed better community support during the Long Term Plan consultation. She said officers would continue to investigate procurement options and work in partnership with Wellington and Porirua City Councils. She suggested that officers report back to the Subcommittee later in 2024.

The Chair advised that funds for FOGO would be retained in budgets until a decision was made later. He agreed that further work was needed before Council could decide whether to proceed with the initiative.

RECOMMENDED: (Mayor Barry / Cr Briggs) **Minute No. LTPAP 24204(2)**

"That the Subcommittee recommends that, recognising feedback received from our community during the consultation, as well as the uncertainty regarding food and organic participation rates, reliance on unconfirmed government funding, and the need to accommodate those who currently compost, asks officers to do further work to identify how these concerns might be met before proceeding further."

Rates Remissions Policy – proposed rates relief for low income households

The Chair proposed an annual \$250,000 emergency relief fund for individual cases as an alternative to the proposals in the Rates Remissions Policy (the policy). He highlighted that this was half the cost of the policy proposals.

In response to questions from members, the Chair confirmed that the fund would not be available to those renting.

Members agreed to consider the Chair's proposal to establish an annual emergency relief fund for individual cases. The Chair asked for more information on the fund's administration to decide on 4 June 2024.

Members endorsed the remaining budgets in Table 2 and all in Table 3.

Members discussed Table 4.

Petone Parking Fees

In response to questions from members, the Director of Economy and Development confirmed that if parking meters were installed in Petone, it would be feasible to temporarily suspend charging until the road works were completed in 2025. He advised that Council would still be required to pay a rental fee for the meters. Additionally, he confirmed that it would be possible to implement parking charges after the first hour of parking. He also agreed to report back to the Subcommittee on the feasibility of applying parking charges after the first half hour of parking.

Mayor Barry stated that Council would need to consider whether to suspend

parking charges in Lower Hutt during the RiverLink project.

Members asked that officers provide data and survey results from a previous parking trial in Lower Hutt and assess the trial's impact on retailers. They also asked for a report on the hours of operation for paid parking in Lower Hutt, focussing on ensuring consistency across the city.

RECOMMENDED: (Mayor Barry / Cr Briggs) **Minute No. LTPAP 24205(2)**

"That the Subcommittee recommends that Council:

- (1) agrees with the introduction of paid parking in Petone; and*
- (2) directs officers to provide options around the timing of the implementation date and the first half hour free, the first hour free or full payment at the Subcommittee meeting on 4 June 2024."*

Cr Stallinger requested that his dissenting vote be recorded against the above matter.

Members endorsed the remaining budgets in Table 4.

Cr Brown left the meeting at 2.59pm.

Members discussed Table 5.

Integrated Transport Strategy (the strategy)

In response to a question from a member, the Director Economy and Development said the strategy set out officers' operational decision making process. He advised that a plan for major infrastructure projects would follow the strategy and include KPIs. He confirmed that officers would provide the process and timeline for the Subcommittee meeting on 4 June 2024.

Urban placemaking rephasing

Cr Tupou left the meeting at 3.01pm.

In response to a question from a member, the Director Economy and Development stated that the Urban Placemaking Programme would help attract people back to the Lower Hutt CBD.

Parks building renewals

In response to a question from a member, the Director Neighbourhoods and Communities explained that the costs associated with the process and consent for demolishing buildings on heritage sites had increased. She clarified that the \$1.02M mentioned in the officer's report would not be used solely for demolishing buildings on a heritage park site. She agreed to report to the Subcommittee with more information on the demolition costs.

Members endorsed the remaining budgets in Table 5.

Cr Tupou rejoined the meeting at 3.05pm.

Proposed fees and charges

In response to a question from a member, the Director Neighbourhoods and Communities agreed to report back to the Subcommittee explaining the significant changes to the proposed Little Theatre fees and bookings structure.

Proposed rates revenue changes

In response to questions from members, the Chief Executive agreed to report back to the Subcommittee on 4 June 2024 regarding the possibility of further budget reductions through staff, project or service reductions. She mentioned that Council maintained a 6% vacancy budget for staff. She clarified that staffing costs were not contributing to the increase in rates. She suggested that Council's Corporate Leadership Team was best positioned to advise on changes to staffing numbers.

Cr Mitchell asked that the financial information for the 4 June 2024 meeting include the impact of each decision Council voted on.

Cr Stallinger expressed dissatisfaction regarding the proposed increase in rates.

Cr Brown rejoined the meeting at 3.18pm.

Rangatahi Action Plan

Cr Morgan emphasised that appointing a person to lead the Rangatahi Action Plan would facilitate meaningful and sustainable engagement with rangatahi.

In response to a question from a member, Cr Morgan confirmed that rangatahi had made it clear they wanted a specific point of contact to partner with them and champion their issues.

The Chair indicated that if members agreed, officers would be tasked with scoping a new role to lead the Rangatahi Action Plan. He confirmed that the workload would only be distributed among certain roles.

The Chief Executive asked that members consider the desired outcomes and the additional level of service they were seeking from the proposed role.

In response to a question from a member, the Director of Strategy and Engagement confirmed that the officer's advice was that the Rangatahi Strategy plan could be delivered using existing staff resources. He agreed with the Chief Executive's comments that officers would need to understand what specific outcomes members sought from the additional resource.

The Chair asked that officers provide the Subcommittee with high-level information on the additional level of service required for the proposed role and its budget implications.

RECOMMENDED: (Cr Morgan/Cr Briggs) **Minute No. LTPAP 24206(2)**

"That the Subcommittee recommends the Council directs officers to appoint a full-time FTE position (covered by one person as the one point of contact) to lead the Rangatahi Action Plan."

Cr Edwards and Deputy Mayor Lewis requested that their dissenting votes be recorded against the above matter.

Science kits for schools

The Chair reaffirmed the recommendation to remove funding for school science kits and urged organisations to collaborate on funding.

Cr Parkin expressed opposition to the recommendation.

Water meters

Members asked that officers provide additional information for the meeting on 4 June 2024.

Minoh House

Crs Dyer and Mitchell abstained from the discussion and voting on the matter.

The Chair confirmed that the payment proposed in the report for a 30-year celebration of Minoh House was a one-off payment and would not impact rates.

RECOMMENDATION: (Mayor Barry/Cr Briggs) **Minute No. LTPAP 24207(2)**

"That the Subcommittee recommends that Council agrees to fund \$30,000 for Minoh House's 30 year celebration with \$15,000 from the Events budget and \$15,000 from the Parks and Reserves budget."

Sister Cities

The Chair confirmed that funding for Sister Cities travel was not currently included in Council's budget.

The Chair asked for a report to the Subcommittee on the equity of students selected for Sister Cities travel before deciding on 4 June 2024.

Cross Valley Link

The Director Economy and Development advised that officers were awaiting government direction on funding priorities and its associated infrastructure outcomes. He mentioned that more information would be included in a comprehensive business case to be delivered by Council and Waka Kōtahi.

Micromobility programme

The Director Economy and Development agreed to report to the Subcommittee on 4 June 2024 regarding cycleway options if government funding was not received. He advised that the report's completion would depend on having the necessary information available in time for the meeting.

The Chair asked that the report include options, such as budget allocation and project priorities, in case government subsidy was not forthcoming.

In response to a question from a member, the Group Chief Financial Officer agreed to report to the Subcommittee on whether the capital budget for cycleways would be included in the final three years of the draft Long Term Plan at the meeting on 4 June 2024.

The meeting adjourned at 3.53pm and resumed at 4.03pm.

Cr Briggs left the meeting at 3.53pm.

RECOMMENDED: (Mayor Barry/Deputy Mayor Lewis)

Minute No. LTPAP 24208(2)

"That the Subcommittee recommends that Council:

- (1) *notes that the public consultation on the draft Long Term Plan 2024-2034 took place from 2 April to 3 May 2024;*
- (2) *notes the separate report included in the agenda which provides the results and analysis of the public consultation and related feedback;*
- (3) *agrees to the budget and policy matters as detailed in Table 2 contained in the report, included in the consultation process, as per the feedback and direction provided at the meeting;*
- (4) *agrees to the budget matters as detailed in Tables 3, 4 and 5 as per the feedback and direction provided at the meeting;*
- (5) *notes that further advice is to be presented to the Long Term Plan/Annual Plan Subcommittee meeting on 4 June 2024 relating to RiverLink, Infrastructure Acceleration Fund projects and Wellington Water Limited advice;*
- (6) *notes the latest projected debt and balanced operating budget results, as detailed in Section G and graphs 2 and 3;*
- (7) *agrees the fees and charges to be included in the final Long Term Plan 2024-2034, refer to Section F contained in the report and as per feedback provided at*

- the meeting;*
- (8) notes that officers found cost savings and re-prioritised within the base budget to balance rising costs where possible, which is reflected in the proposed rates revenue increase of 16.9% (after growth);*
 - (9) endorses the rates revenue increase of at least 16.9% plus a 1.1% growth assumption for 2024-25 as set out in Sections G and H of the officer's report, subject to further information to be provided at the 4 June 2024 meeting;*
 - (10) endorses the adjustments to the rates revenue increases for full 10-year period of the final Long Term Plan as detailed in table 6, subject to further information to be provided at the 4 June 2024 meeting; and*
 - (11) notes the further direction and guidance provided to officers ahead of the preparation of the final Long Term Plan 2024-2034 reports and advice to be presented to the Long Term Plan/Annual Plan Subcommittee on 4 June 2024."*

c) Development and Financial Contributions Policy 2024 Update

Dwayne Fletcher, from Vale Consulting, was in attendance for the item (via audio-visual link).

Dwayne Fletcher elaborated on the report and shared a presentation that can be viewed here: [Decisions for Final Development and Development Contributions Policy](#). He highlighted two significant proposed changes to the Development and Financial Contributions Policy 2024 (the policy):

- adding a category for ‘four plus bedroom’ houses to ensure fair funding for development contributions; and
- the new growth programme by Council would be covered under the principle that growth pays for growth. This would increase charges, especially for the valley floor and Wainuiomata.

Cr Tupou joined the meeting at 11.10am.

Dwayne Fletcher advised that while submitters had been mostly indifferent, more were in favour of the policy than against it. He mentioned that if Council chose to implement the development contribution changes, the variance would need to be financed through a loan.

In response to questions from members, Dwayne Fletcher provided the following advice:

- it would be reasonable to anticipate a similar level of development to occur over the next 10 years.
- the higher charges proposed for some areas were not expected to discourage development in those places since the increases were small relative to house values.
- if development were only part of community housing, the development contributions charge would be applied in two parts.
- the policy excludes Kainga Ora housing, so any changes in their structure would not affect the policy.
- if the sale and purchase agreements fell through, remissions for the owners of developments might need to be retrospective.
- the level of development contributions Council received would not be affected by staged development contributions. Staged development Contributions could be included in the final policy for adoption.
- residential developments from 2013-2018 included approximately 16% of four-plus bedroom units.

- the recommended option of a 20% reduction in year one would not result in a leap in charges from year two. From 2027, the revised Long Term Plan charges would need to be reviewed.
- environmental mitigations should be assessed based on merit. Detention tanks should not be considered a mitigation as they do not reduce property discharges.

In response to a question from a member, the Chief Executive explained that a clawback period would apply if a Community Housing Provider (CHP) decided to sell a development on the open market.

In response to questions from members, the Group Chief Financial Officer suggested that Council could reconsider the policy in a year once there was more clarity on government housing policy changes. She explained that a rates-funded fund for CHP remissions had been proposed to avoid increasing debt and incurring higher interest. She estimated that the 20-30 CHP units built annually would utilise \$500,000 in remissions.

In response to questions from members, the Director Economy and Development said there were still pending road improvements for intensively developed streets. He also noted that approximately 100 streets still needed to be assessed. He expressed doubt that Council would secure funding for the necessary work through government's Land Transport Policy.

The Chair said he would ask the Policy, Finance and Strategy Committee to consider a targeted review of development contributions in its work programme.

Members provided their preferred direction for Dwayne Fletcher's summary in the presentation.

Mayor Barry suggested gradually increasing development contributions over a three-year period for the valley floor, following option 2 in the officer's report. He also recommended implementing a clawback period of 15 years for CHPs' remissions. He asked officers to provide additional advice for the Subcommittee meeting on 4 June 2024.

Members discussed assessments conducted in bedrooms for housing units with four-plus bedrooms.

The Chair asked that officers supply additional information on the requirement proposed in the policy for 'four plus bedroom' houses.

RECOMMENDED: (Mayor Barry/Cr Stallinger) **Minute No. LTPAP 24209(2)**

"That the Subcommittee recommends that Council:

- (1) notes the separate report, which provides the results and analysis of the public consultation and related feedback;*
- (2) agrees to the proposed project changes as detailed in table 1 of the officer's report for the final Development and Financial Contributions Policy 2024;*
- (3) based on feedback from within our consultation process, agrees to option 2 for development contribution charges, which would see Development Contributions for the valley floor catchment increase over a three-year period;*
- (4) supports the introduction of a Development Contributions remission for registered Community Housing providers as proposed in Section D of the officer's report;*
- (5) agrees to change the assessment rate for aged care rooms to 0.4 EHUs for water, wastewater, and stormwater and to 0.2 EHUs for transport;*
- (6) agrees to change the assessment rate for retirement units to 0.4 EHUs for transport;*
- (7) agrees to maintain the extension of bedroom-based assessment to four or more bedrooms;*
- (8) asks the Policy, Finance and Strategy Committee to consider within its workplan any further review of targeted Development Contribution remissions to help support broader city outcomes; and*
- (9) notes the further direction and guidance provided to officers ahead of the preparation of the final Development and Financial Contributions policy 2024 to be presented to the Long Term Plan/Annual Plan Subcommittee on 4 June 2024."*

d) Petone Wharf and assets update

The Director Neighbourhoods and Communities elaborated on the report.

The Chair advised the following:

- independent advice would be sought to ensure that \$12M for the Petone Wharf repair would be sufficient for the work.
- the officers would advise on the tender process and timeframes.
- the Petone Wharf would be demolished if the budget did not allow remediation.

In response to questions from members, the Director Neighbourhoods and Communities provided the following advice:

- a report would be commissioned to assess the lifetime costs, conduct

a quantitative risk assessment, and provide a timeline for the repair of the Petone Wharf. This would help officers in managing the cost of the process. Additionally, an updated report on the cost of demolishing the Petone Wharf would be commissioned.

- the risk for the Petone Wharf project had been set at a P95 rating, but officers would seek advice.
- officers would seek advice from project leaders regarding the need for an engineering report before inviting tenders. An engineering report would ensure cost certainty.
- the additional budget allocated to the Petone Grandstand was meant to cover the cost of retaining the roof and seating.
- \$5M was the initial cost estimate for repairing the Petone Library building, excluding additional work or upgrades. Further assessment would be required to scope the project properly.

Mayor Barry asked that officers provide advice on the P-rating needed at Petone Wharf before the Subcommittee meeting on 4 June 2024. He emphasised the significance of Council engaging with the Petone Community Board, the Petone Steering Group, and the Save Petone Wharf campaign throughout the independent process Council was organising. He stressed the importance of all parties having trust in the process.

RECOMMENDATION: (Mayor Barry/Cr Edwards)

Minute No. LTPAP 24210(2)

“That the Subcommittee recommends that Council:

- (1) directs officers to commission an independent report to consider the options for Petone Wharf, including the merits of different technology, heritage aspects, lifetime costs and associated risks;*
- (2) agrees for the report to be considered by the Petone Community Board and the Pito One Steering Group for feedback before being considered by Council for a decision on which option to progress;*
- (3) agrees to budget a maximum cap of \$12M in the Long Term Plan (LTP) 2024-34 for Petone Wharf, and any options explored through the independent process must not exceed this budget;*
- (4) agrees to budget \$5M in the LTP 2024-34 to repair Petone Library, noting this is a high-level estimate, and the facility is in poor condition; and*
- (5) agrees to budget \$3M in the LTP 2024-34 for Petone Recreation Ground Grandstand and directs officers to report back on options for the grandstand, including the toilets and changing block.”*

The meeting adjourned at 12.48pm and resumed at 1.17pm.

e) Update on Huia Pool refurbishment and decarbonisation project

The Director Neighbourhoods and Communities elaborated on the report.

In response to questions from members, the Director Neighbourhoods and Communities mentioned that \$4.1M from the Assets Maintenance and Renewals Contingency Fund (the fund) had been redirected to the work on the Huia Pool. She anticipated that there would be fewer requests for maintenance and renewals from the fund due to Council's Asset Management Plans.

RECOMMENDATION: (Mayor Barry/Cr Brown) **Minute No. LTPAP 24211(2)**

"That the Subcommittee recommends that Council:

- (1) notes the increased cost of the Huia Pool refurbishment and decarbonisation projects;*
- (2) notes the options provided by officers;*
- (3) agrees to option 1 - progressing the projects in 2024/25 as planned; and*
- (4) agrees to fund this by reallocating \$0.9M from lower-priority projects within the decarbonisation programme and reducing the Assets Maintenance and Renewals contingency fund to \$670k over the 10 years of the Long Term Plan."*

f) Proposed initiative to improve equity in access to aquatic services

The Director Neighbourhoods and Communities elaborated on the report.

In response to questions from members, the Head of Aquatics explained that discounted access and free entry for their caregivers were already provided for individuals with disabilities.

In response to questions from members, the Director of Neighbourhood and Communities explained that offering free casual entry for all Community Services Card holders would result in a substantial revenue loss. She agreed to calculate the estimated revenue loss if discounted casual entry was provided to Lower Hutt pools. She committed to sharing the financial modelling with members at the upcoming Subcommittee meeting on 4 June 2024.

RECOMMENDED: (Mayor Barry/Cr Mitchell) **Minute No. LTPAP 24212(2)**

"That the Subcommittee recommends that Council:

- (1) notes officers were asked to provide options for elected members to consider which would provide better equity in access to aquatic services; and*
- (2) agrees to the proposed option of 'under 10s swim free where whānau have a Community Services Card.'*

The meeting moved to the public excluded business part of the meeting at 1.28pm. The public part of the meeting resumed at 2.05pm.

6. **QUESTIONS**

There were no questions.

7. **EXCLUSION OF THE PUBLIC**

RESOLVED: (Mayor Barry/Deputy Mayor Lewis) **Minute No. LTPAP 24213(2)**

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

8. *Long Term Plan 2024-34 Financial aspects - Supplementary savings information*

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:

<i>(A)</i>	<i>(B)</i>	<i>(C)</i>
<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>Long Term Plan 2024-34 Financial aspects - Supplementary savings information.</i>	<i>The withholding of the information is necessary to protect the privacy of natural persons. (s7(2)(a)). 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>

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 meeting closed at 4.06 pm.

C Barry
CHAIR

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

HUTT CITY COUNCILKOMITI ITI MAHERE Ā-NGAHURUTANGA / MAHERE Ā-TAU
LONG TERM PLAN/ANNUAL PLAN SUBCOMMITTEE

Minutes of a meeting held in the Council Chambers,
2nd Floor, 30 Laings Road, Lower Hutt on
Tuesday 4 June 2024 commencing at 1.00pm

PRESENT:

Mayor C Barry (Chair)

Deputy Mayor T Lewis (via
audio-visual link)Cr G Barratt until 2.44pm (via
audio-visual link) and from 3.17pm
(in person)

Cr J Briggs

Cr K Brown

Cr B Dyer

Cr S Edwards

Cr A Mitchell

Cr K Morgan

Cr C Parkin

Cr N Shaw

Cr T Stallinger

Cr G Tupou (from 1.03pm) (via
audio-visual link)**APOLOGIES:**

There were no apologies.

IN ATTENDANCE:

J Miller, Chief Executive

A Blackshaw, Director Neighbourhoods and Communities

T Johnstone, Acting Director Environment and Sustainability

J Kingsbury, Director, Economy and Development

J Livschitz, Group Chief Financial Officer

B Cato, Chief Legal Officer

C Parish, Head of Mayor's Office

C Ellis, Head of Chief Executive's Office (part meeting)

K Stannard, Head of Democratic Services (part meeting)

E Anand, Head of City Delivery

P Hewitt, Head of Transport (part meeting)

D Millin, Principal Advisor – Micromobility Programme (part
meeting)

D Nunnian, Manager Financial Strategy and Planning

A Andrews, Finance Transaction Services Manager

B Hodgins, Strategic Advisor (part meeting)

R Hardie, Head of Strategy and Policy

V Jones, Senior Communications Advisor (part meeting)

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
 Tīhei 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 Stallinger)

Minute No. LTPAP 24301(2)

"The apologies from Cr Tupou for lateness and Cr Barratt, who was travelling to rejoin the meeting in person, be accepted."

3. **PUBLIC COMMENT**

Comments are recorded under the item to which they relate.

Cr Tupou joined the meeting at 1.03pm via audio-visual link.

4. **CONFLICT OF INTEREST DECLARATIONS**

There were no conflict of interest declarations.

5. **RECOMMENDATIONS TO TE KAUNIHERA O TE AWA KAIRANGI
 COUNCIL - 4 June 2024**

a) Final decisions on the Long Term Plan 2024-2034

Speaking under public comment, **Louise Black and Lynne Fraser** spoke to the submission and expressed their opposition to the proposed paid parking in Petone, as attached as pages 21-22 of the minutes. Louise Black requested that the parking arrangement at the back of the Petone Library remain as it was. Lynne Fraser expressed concern that paid parking would negatively impact people with disabilities.

In response to questions from members, Louise Black suggested that free parking in Petone should be retained due to the high number of elderly residents in the area. Lynne Fraser also mentioned that there were only two disability parking spots in the Peel Street carpark.

Speaking under public comment, **Paul Duffin** spoke to his statement, attached as pages 23-24 of the minutes.

In response to questions from members, Paul Duffin clarified that all candidates were treated equally, with a fair and equitable selection process involving Hutt Valley schools.

Speaking under public comment, **Nik Zangaouropoulos** opposed paid parking in Petone, stating it would have minimal impact on the budget and negatively affect local businesses. He suggested delaying the implementation until after major water pipe works on Jackson Street were completed. He also proposed offering the first hour of parking for free, with a review after a year, and establishing a working group to find future funding sources and support business growth in the Hutt Valley.

Speaking under public comment, **Nik Zangaouropoulos, President of the Petone Historical Society**, thanked Council for listening to the Society's concerns and for instigating an independent review.

Speaking under public comment, **Dave Gillespie, representing Taitā Cricket Club**, stated the clubs at Fraser Park Sportsville were interested in open dialogue to create a "win-win" model. He emphasised the goal of retaining facilities for the community and asked for information on building code requirements and cost estimates.

Speaking under public comment, **Mick Yates, representing Lower Hutt Soccer**, emphasised that the clubs at Fraser Park Sportsville needed more information about the required work. He mentioned that once the clubs have these details, they can start investigating how to carry out the necessary work.

The Chair expressed his readiness to have an open discussion with the clubs at Fraser Park Sportsville. He mentioned that the \$240,000 budgeted for demolishing the buildings could not be used for strengthening works. He also emphasised that there were other recreational facilities in the city that required urgent attention.

Speaking under public comment, **Mike Fisher, Chair of the Petone Community Board**, emphasised the need for the first hour of parking to be free and for the Peel Street carpark to be exempt from paid parking fees. Additionally, he expressed the Board's preference to postpone the paid

parking proposal due to the ongoing construction work on Jackson Street and raised concerns about the potential impact of the RiverLink project.

Speaking under public comment, **Pete Fahy** asked Council to preserve the Petone Wharf. He stated that the Petone Wharf held historical significance and was an attraction for tourists. He emphasised that the bulkhead of the Petone Wharf was its most significant feature and should not be dismantled.

In response to a question from a member, Pete Fahey advised that seahorses used to live under the Petone Wharf and that the area was a marine sanctuary.

Speaking under public comment, **Thomas Doolan** expressed support for Pete Fahy's comments. He suggested seeking sponsorship to sell naming rights to the wharf to fund the necessary renovations. Additionally, he mentioned that local contractors could handle the restoration work.

PRECEDENCE OF BUSINESS

RESOLVED: (Mayor Barry/Cr Briggs)

Minute No. LTPAP 24302 (2)

"In accordance with Standing Order 10.4, precedence be accorded to items 5b) 'Final Development and Financial Contributions Policy 2024, 5c) 'Three Waters Investment', 5d) 'Micromobility Options 2024/25 onwards'."

The items are recorded in the order they are listed on the order paper.

Section D of the Report

Water Services Investment Proposal

Julie Alexander, General Manager Network Strategy and Planning and Peter Wells, Head of Service Planning from Wellington Water Limited (WWL) were in attendance for the item.

The Strategic Advisor recommended a review of the proposed operational expenditure in the Long Term Plan (LTP) for the three water networks. He noted that WWL had advised that the costs of providing drinking water over a 10 year period would rise due to an ageing network. He also mentioned that funds were currently being allocated to the wastewater network for necessary works at the expense of other networks. He further explained that WWL proposed an additional annual allocation of \$1.5M to address water leaks and the ageing of pipes.

The Group's Chief Financial Officer explained that an additional \$2.8M had been added to the budget in line with a previous Council decision. She stated that this would lead to a 1% increase in rates for each of the first two years of the LTP, followed by no further rates increase. She proposed that the \$2.8M be fully funded in the first year, resulting in a 2% rates rise for that year. She also recommended budgeting an additional \$1.5M for each of the subsequent years of the 10 year LTP, with a subsequent 1% rates rise for each of those years.

In response to questions from members, the Strategic Advisor stated that an extra \$1.5 M per year would be necessary to cover the 10 year programme aimed at fixing water leaks, including work to repair the most vulnerable parts of the network. He clarified that the original advice from WWL did not consider the accelerated rate of deterioration of the pipe network that had now been identified. Additionally, he said that Taumata Arowai required monthly updates from WWL regarding the condition of the water network. He also confirmed that if the extra funds were not needed to fix leaks, they would be reallocated to renewals to continue the upgrade works on the network.

Members discussed the increasing need for more funding for Three Waters requirements. The Chair recommended addressing short-term issues to achieve long-term gains.

The Chief Executive stated that the proposal to increase the Three Waters budget by \$1.5M for years two through to 10 of the LTP did not require engagement with the community as outlined in Council's Significance and Engagement Policy. She explained that while the amount differed from the one consulted on, it was not significantly different and was necessary for the same network improvement activity.

In response to further questions from members, the Strategic Advisor confirmed that the key performance indicator for responding to leaks was no more than 20 days. He acknowledged that an ageing pipe network may

require increased funding over the life of the LTP.

Cr Barratt rejoined the meeting (in person) at 3.17pm.

In response to questions from members, the General Manager Network Strategy and Planning, WWL advised that if funding were provided, WWL would have enough capacity to complete the works.

The Chair advised that providing the requested extra funding was a prudent course of action.

In response to a further question from a member, the Strategic Advisor was uncertain about the course of action available to Taumata Arowai if WWL did not meet their expectations.

Members discussed the request for additional funding. They recognised the challenging financial circumstances and the worsening condition of the networks. Additionally, they observed that the implementation of water meters could impact water usage and lead to the identification of more leaks.

RECOMMENDED: (Mayor Barry/Cr Edwards) **Minute No. LTPAP 24303(3)**

"That the Subcommittee recommends Council approves additional water services opex funding of \$1.5M per annum from years 2 to 10 of the Long Term Plan (adjusted for inflation)."

Food organics and green organics collection service (FOGO)

Cr. Stallinger suggested that the FOGO proposal be reconsidered as part of the next LTP and that the budget allocated for it be removed from this LTP.

The Chair, Crs Briggs and Mitchell, spoke in favour of retaining the FOGO budget to allow for potential government directives and cross-regional collaboration with other local authorities.

Water services investment proposal

Members supported the water services option 1 outlined in Section D of the report.

Petone assets investment proposal

Members supported the Petone assets option 3 outlined in Section D of the report.

Rates Relief for Low Income Households

In response to questions from members, the Group Chief Financial Officer stated that if this item were not included, the rates would be reduced by 0.28%.

Cr Mitchell did not support the proposed rates relief for low-income households. He noted his earlier decision not to contribute to any further rates increase.

Deputy Mayor Lewis, Crs Dyer, Edwards and Parkin agreed with Cr Mitchell's comments.

Cr Brown expressed support for retaining the proposed rates relief, emphasising that residents in need required assistance. She said that the relief could be the deciding factor in whether someone kept their home or was forced to sell.

Cr Briggs supported Cr Brown's comments, adding that the impact of the proposed rates increase was minimal.

Crs Morgan and Tupou supported the retention of the proposed rates relief for low income households.

The Chair acknowledged the difficulty of the decision, noting that providing welfare was outside Council's role. He suggested that Council could do more to promote its existing policy.

Table 2: Other proposed budget changes requiring Council decisions

Infrastructure Acceleration Fund

Members agreed to carry over and rephase the funding.

Petone Parking Options

The Chair advised that if a decision were made to implement any of the proposed options, more details regarding timing would be available by the end of June 2024.

In response to questions from members, the Director Economy and Development advised that the parking limit in the Peel Street carpark would be reduced from four hours to two hours. He said this change aimed to align with parking regulations in other areas of the city and to match the working hours of Council's Enforcement officers. He agreed to provide more detailed information about the Peel Street carpark at a later time. He confirmed that the proposal for a period of free parking before charges apply would be specific to Petone and not found elsewhere.

MOVED: (Cr Parkin/Cr Morgan)

"That the Subcommittee recommends that Council approves for inclusion in the final Long Term Plan 2024-2034 the Petone Paid Parking option 3 being paid parking seven days per week but first 30 minutes free, as outlined in Table 2 of the report."

The motion was declared LOST by a show of hands.

Crs Barratt, Briggs, Dyer, Edwards, Shaw, and Tupou spoke in support of option 1, which proposed implementing paid parking in Petone seven days a week. They believed the CBD and Petone had an unfair parking situation and noted that the RiverLink project would disrupt the CBD.

Cr Stallinger spoke in support of option 5, which would involve paying to park in Petone seven days a week but implemented in July 2027.

Cr Mitchell spoke in support of option 2, which involved paid parking in Petone seven days a week, but the first 60 minutes were free until 2027, and then the transition to option 1, which involved paid parking seven days per week. He mentioned a preference for an option that gradually introduced paid parking in Petone.

The Chair spoke in support of option 1, which proposed implementing paid parking in Petone seven days a week. He highlighted the disparities between the CBD and Petone.

The Director Economy and Development agreed to provide a report on how to implement the proposal and its implications for Council's Enforcement team.

RECOMMENDED: (Cr Briggs/Cr Edwards) **Minute No. LTPAP 24304(3)**

"That the Subcommittee recommends that Council approves for inclusion in the final Long Term Plan 2024-2034 the Petone Paid Parking option 1 being paid parking in Petone seven days per week, as outlined in Table 2 of the report."

Crs Stallinger and Mitchell requested that their dissenting vote be recorded against the above matter.

Rangatahi action plan

In response to a question from a member, the Director Neighbourhoods and Communities advised that one officer held the portfolios for disability, rainbow, seniors, rangatahi, Pasifika, new migrants, and kai.

Cr Morgan spoke in support of appointing a full-time FTE position to lead the Rangatahi action plan.

Cr Mitchell spoke in opposition to the proposal. He agreed with the officers' advice that the portfolio could be delivered by existing officers. He supported the Rangatahi Strategy, but he believed other communities should also be represented.

Deputy Mayor Lewis and Cr Edwards supported the comments made by Cr Mitchell. Cr Edwards believed that the timing was not right to increase the staffing levels for this initiative.

Crs Briggs, Brown, Dyer, Parkin, Stallinger and Tupou spoke in support of the proposal, emphasising the importance of involving youth in democracy and endorsing the initiative to encourage youth engagement.

RECOMMENDED: (Cr Morgan/Cr Shaw) **Minute No. LTPAP 24305(3)**

"That the Subcommittee recommends that Council approves for inclusion in the final Long Term Plan 2024-2034 the service level improvement through the inclusion of additional budget to lead the coordination and implementation of the Rangatahi action plan, as outlined in Table 2 of the report."

Sister City Programme

Cr Morgan expressed support for including the funding in the LTP, emphasising that the experience benefited many students who then went on to contribute to the city. She pointed out that Council's contribution was relatively small compared to the individual fundraising efforts required.

Councillor Dyer and Councillor Edwards also supported including \$12,500 for the Sister City programme in the LTP.

In response to a question from a member, the Chair advised that further discussions concerning the wider Sister City programme were required at a later date.

MOVED: (Cr Morgan/Cr Parkin)

“That the Subcommittee recommends Council does not approve funding for the Sister City Programme to be included in the final Long Term Plan.”

The motion was declared LOST on the voices.

RECOMMENDED: (Cr Dyer/Cr Barratt) **Minute No. LTPAP 24306(3)**

“That the Subcommittee recommends that Council approves \$12,500 for inclusion in the final Long Term Plan for the Sister City Programme.”

Deputy Mayor Lewis and Crs Morgan and Parkin requested their dissenting vote be recorded against the above matter.

The meeting adjourned at 4.34pm and resumed at 4.48pm.

Concessions for Community Services Card Holders

In response to a question from a member, the Director Neighbourhoods and Communities explained that the figures provided were derived from the number of community service card holders living in the city. She said that the effect on rates could be lower than anticipated. She also confirmed that data would be gathered if the proposal was approved.

RECOMMENDED: (Cr Mitchell/Cr Morgan) **Minute No. LTPAP 24307(3)**

“That the Subcommittee recommends that Council

- (1) agrees to amend the Swimming Pools fees to include a standard discount for adults with Community Services cards, to be the same discount as for students and seniors; and*
- (2) notes that this impacts rates increases by 0.03%.”*

Water OPEX

In response to a question from a member, the Group Chief Financial Officer stated that the proposed rates increase for 2024-25 was currently 16.7%, based on decisions made so far.

Members considered an additional 0.2% increase in rates revenue for 2024/25 and a 0.8% increase for 2025/26 to address water leaks. This would result in an overall rates revenue increase of 16.9% in 2024/25 and 13.4% in 2025/26. Members acknowledged that the 16.9% increase in 2024/25 was agreed upon after consulting with the community.

RECOMMENDED: (Mayor Barry/Cr Dyer) **Minute No. LTPAP 24308(3)**
"That the Subcommittee recommends Council approves an additional rates revenue increase of 0.2% in 2024/25 and 0.8% in 2025/26 to fund water leaks."

Fees And Charges

Members agreed to the revised fees and charges and agreed that the LTP Working Group has the authority to make any necessary minor decision changes.

Rates Revenue Increases

In response to questions from members, the Group Chief Financial Officer advised that based on the decisions made at the meeting, the 16.9% rates revenue increase for 2024/2025 was correct. She said that the proposed rates revenue increase for subsequent years would require further confirmation by officers. She said that officers would report back with final figures by the end of June.

Cr Stallinger stated that he would vote against the proposed rates revenue increase. He recognised the need for a significant rate increase to address water infrastructure costs, but he opposed the rising costs associated with officer numbers. While he acknowledged the necessity of some increase in staff numbers, he believed that the proposed amount was excessive. He commended officers for their support during the LTP process.

Cr Briggs spoke in support of the increase in rates revenue. He provided reasons for why the staff increases were necessary, pointing out that they were not as costly as the previous member had stated. He considered it a cop-out if members voted against the rates revenue increase, as all members had been part of the LTP discussions and had voted for a majority of the projects.

Cr Stallinger raised a point of order in relation to the previous member's statement.

The Chair asked Cr Briggs to proceed with his next point

Cr Briggs believed the proposed increase in rates was a direct result of underfunding by a series of previous councils.

The meeting adjourned at 5.10pm and resumed at 5.14pm.

The motion was taken in parts. Parts (1)-(6) and (8)-(18) were declared CARRIED on the voices and part (7) was declared CARRIED by a show of hands.

RECOMMENDED: (Mayor Barry/Cr Dyer) **Minute No. LTPAP 24309 (3)**

"That the Subcommittee recommends that Council:

- (1) notes that on 27 March 2024, Council approved the draft Long Term Plan 2024-2034 Consultation Document and underlying information for public consultation;*
- (2) notes that the detailed analysis and results of public consultation were reported to Council on 17 May 2024;*
- (3) notes that Council provided initial direction to officers for finalising the Long Term Plan 2024-2034 on 17 May 2024;*

RECOMMENDED: (Mayor Barry/Cr Morgan) **Minute No. LTPAP 24310(3)**

"That the Subcommittee recommends that Council:

- (4) approves for inclusion in the final Long Term Plan 2024-2034 the water services option 1 being an investment of \$1.6B over 10 years, refer to Section D in the report for further details;*
- (5) approves for inclusion in the final Long Term 2024-2034 the Petone assets option 3 being an investment of \$20M (Petone wharf \$12M, Petone Library \$5M, Petone Rec grandstand \$3M), refer to Section D in the report for further details;"*

RECOMMENDED: (Mayor Barry/Cr Briggs) **Minute No. LTPAP 24311(3)**

"That the Subcommittee recommends that Council:

- (6) approves for inclusion in the final Long Term 2024-2034 the food organics and green organics collection service option 1, however notes that in recognition of the feedback received from our community during the consultation, as well as the uncertainty regarding food and organic participation rates, reliance on unconfirmed government funding, and the need to accommodate those who currently compost, officers have been asked to do further work to identify how these concerns might be met before proceeding further;"*

Cr Stallinger requested that his dissenting vote be recorded against part (6) above.

RECOMMENDED: (Cr Dyer/Deputy Mayor Lewis)

Minute No. LTPAP 24312(3)

"That the Subcommittee recommends that Council:

- (7) *agrees that Option 1 for rates relief for low-income households is not approved for inclusion in the final Long Term 2024-2034, refer to Section D in the report for further details;"*

Crs Barratt, Briggs and Brown requested that their dissenting vote be recorded against part (7) above.

RECOMMENDED: (Mayor Barry/Cr Dyer)

Minute No. LTPAP 24313(3)

"That the Subcommittee recommends that Council:

- (8) *agrees the budget matters as detailed in Table 2 in the report and agrees decisions on these matters for the final Long Term Plan 2024-2034 as per feedback provided at the meeting;*
- (9) *notes the latest projected debt and balanced operating budget results, as detailed in Section D and graphs 2 and 3 in the report;*
- (10) *notes that the report includes financial projections based on a number of assumptions about final budgets and the associated rates increases;*

RECOMMENDED: (Mayor Barry/Cr Mitchell)

Minute No. LTPAP 24314 (3)

"That the Subcommittee recommends Council:

- (11) *agrees to the rates revenue increases (after growth) to be included in the final Long Term Plan 2024-2034 as follows (refer to Section H in the report) and agrees that these will be updated to reflect final Council decisions as required;*

	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34
Rates revenue increase	16.9%	13.4%	12.6%	12.6%	12.4%	12.0%	7.0%	7.0%	7.0%	7.0%

Crs Barratt and Stallinger requested their dissenting vote be recorded against part (11) above.

RECOMMENDED: (Mayor Barry/Cr Dyer) **Minute No. LTPAP 24315(3)**

"That the Subcommittee recommends Council:

- (12) notes the projected rating impact for 2024-25 for the average residential ratepayer is \$10.81 per week, refer to Section E in the report;*
- (13) agrees the fees and charges to be included in the final Long Term Plan 2024-2034, refer to Section F in the report;*
- (14) endorses the proposed updates to Long Term Plan 2024-2034 narratives to reflect the latest information, refer to Section F in the report;*
- (15) notes that final reviews are being carried out as well as an external audit process that is to be completed and that further changes may be required to the Long Term Plan 2024-2034 as a result of these processes;*
- (16) agrees that the Long Term Plan Working Group (comprising the Mayor, Deputy Mayor and Chairs of Committees) be delegated the authority to make decisions as required in preparing the Long Term Plan 2024-2034 for Council adoption on 27 June 2024 ;*
- (17) requires that any such decisions made by the Long Term Plan Working Group be reported back to Council at its meeting on 27 June 2024; and*
- (18) notes the further direction and guidance provided to officers ahead of the preparation of the final Long Term Plan 2024-2034 to be adopted by Council on 27 June 2024. "*

b) Final Development and Financial Contributions Policy 2024

Dwayne Fletcher, Vale Consulting elaborated on the report via audio visual link.

The Group Chief Financial Officer confirmed that the changes to the Development and Financial Contributions Policy (the policy) have been factored into the proposed 16.9% rates increase. She mentioned that due to the policy changes, there would be no impact on rates for the first year of the LTP. However, she also noted that higher rates increases than initially predicted would occur in the later years of the LTP.

RECOMMENDED: (Mayor Barry/Cr Morgan) **Minute No. LTPAP 24316(3)**

"That the Subcommittee recommends that Council:

- (1) notes that the final Development and financial contributions policy 2024 has been updated to reflect the decisions and direction provided by Council on 17 May 2024, refer to Section B of the officer's report for further details;*
- (2) notes that a separate policy on a proposed Development Contributions Remission for Community Housing providers will be presented separately to Council for approval on 27 June 2024;*
- (3) approves the final Development and financial contributions policy 2024, attached as Appendix 1 to the report; and*
- (4) approves the Chief Executive and the Chair of the Policy, Finance and Strategy Committee to make minor editorial changes to the Development and Financial Contributions Policy 2024. "*

c) Three Waters Investment

Julie Alexander, General Manager Network Strategy and Planning, and Peter Wells, Head of Service Planning from Wellington Water Limited (WWL), were in attendance for this item.

The Strategic Advisor elaborated on the report.

In response to questions from members, the Strategic Advisor advised that final decisions on the timings of the Jackson Street renewal project were being worked through. He noted that the work would occur in blocks from Queen Street moving east and that future work on The Esplanade pipes would also need to be factored in. He confirmed that plans would be discussed with Council's Transport team. He advised that the backlog of renewals over the next two years would increase by approximately 10-20 kms in relation to the proposed 200kms of pipes to be renewed.

In response to further questions from members, the Strategic Advisor confirmed there was always a risk involved when projects were delayed. He said that to date, Upper Hutt City Council had not raised any concerns with the upgrade to the collector sewer being delayed to 2027.

The Head of Services Planning, WWL, explained that funding for the design stage had been increased for this project whilst construction was delayed.

In response to questions from members, the Head of Services Planning, WWL, stated that Council contributed the most to the WWL investment programme compared to other local authorities in the region. He acknowledged concerns about potential leaks and assured that WWL was fully committed to the programme. He confirmed that the introduction of water meters would improve leak detection and response times.

The Chief Executive advised that officers would report on the impact of providing additional funding for fixing leaks in years six and seven.

RECOMMENDED: (Mayor Barry/Cr Edwards) **Minute No. LTPAP 24317(3)**

"That the Subcommittee recommends Council:

- (1) notes the advice from Wellington Water Limited (WWL) to assist Council in finalising investment in three waters for its 2024-2034 Long Term Plan;*
- (2) agrees to incorporate the changes proposed by WWL to the CAPEX programme, noting that such changes have been made within the overall investment envelope as proposed in the draft Long Term Plan;*
- (3) notes that the most significant change to the CAPEX programme is the inclusion of WWL project management costs, which had been mistakenly omitted by WWL in previous advice and is estimated to be \$20.1M for the first three years;*
- (4) notes that this will impact all major projects, including growth projects, such that Development Contribution charges will be updated to reflect the changes as per the WWL advice;*
- (5) notes that the renewal of Petone Collecting Sewer has been deferred two years to commence in year three and that both the proposed Jackson Street network renewals and Western Hills Trunk main renewal are not currently included in the detailed three year programme and will need to be considered once further information is available;*
- (6) notes that investigations for network renewals in Jackson Street, Petone have been undertaken and that engagement with businesses through the Jackson Street Programme (JSP) is underway to assist Council with deciding on a preferred option;*
- (7) notes that the proposed investment programme is expected to result in an overall improvement in levels of service for water and wastewater services;*
- (8) notes the risks that WWL has identified for Council's three water assets, as summarised in paragraph 17 of the report, based on the proposed investment programme; and*
- (9) agrees to retain investment in universal water metering in the Long Term Plan on the basis that the Business Case being prepared for the region in year one is favourable and in line with the positive benefits identified in the work done to date, noting that Council could redirect such investment to network renewals if this were not the case. "*

d) Micromobility Options 2024/25 onwards

The Principal Advisor – Micromobility Programme elaborated on the report.

In response to a question from a member, the Director Economy and Development advised that additional business case investigations were required due to gaps in the cycling network and the need for wider strategic awareness.

The Principal Advisor – Micromobility Programme added that the new business cases would build on existing knowledge and provide more detailed information, enabling accurate quantification of benefits.

In response to further questions from members, the Director Economy and Development confirmed that a key performance indicator related to mode shift was being developed. He emphasised the importance of establishing a realistic target and preparing business cases for government subsidies in three years' time.

In response to questions from members, the Principal Advisor – Micromobility Programme confirmed that funding had been allocated for year four and onward in the LTP. He mentioned that this timeline aligned with the expected availability of government subsidies and emphasised the importance of having projects prepared for construction by that time.

In response to further questions from members, the Director Economy and Development clarified that the connection between Stokes Valley and Eastern Beltway was a distinct project. He mentioned that the possibility of a cycleway between Stokes Valley Centre and Eastern Hutt Road had already been explored.

Cr Mitchell spoke in support of option A, citing forthcoming government subsidies and goodwill among the cycling community and officers.

Cr Dyer spoke in support of option A but was hesitant to fund another round of strategic documents.

Cr Shaw spoke in support of option A, stating that it would enhance cycling connections in the northern parts of the city, including Stokes Valley.

Cr Stallinger spoke in support of option A but expressed concern about the escalating costs of construction projects.

RECOMMENDED: (Cr Dyer/Cr Mitchell)

Minute No. LTPAP 24318(3)

"That the Subcommittee recommends Council:

- (1) receives and notes the report;*
- (2) notes that Council has a \$7.28M budget available over the period 2024-27, based on the DLTP, to fund Micromobility projects itself;*
- (3) notes that Micromobility funding should be prioritised for projects that are already underway or are ready for construction (eg Taitā);*
- (4) notes that updated project costs that fall within the category above will be investigated and reported back through the Infrastructure and Regulatory Committee at its 12 September 2024 meeting;*
- (5) notes this report does not cover any micromobility projects included in the Cross Valley Connections and RiverLink programmes; and*
- (6) agrees to increase the Long Term Capital budget by \$6.8M (inflated) per year in the Long-Term Plan for years 2031/32 to 2033/34. Subsidies, at 51%, are assumed together with debt funding of the balance. The specific projects this funding relates to will be informed by the cycleway review in 2024/25."*

The meeting moved into the public excluded part of the meeting at 2.29pm. The items are recorded in the order that they appear in the agenda.

The meeting moved to the public part of the meeting at 3.00pm and considered item 5a) Final decisions on the Long Term Plan 2024-2034.

6. QUESTIONS

There were no questions.

Cr Brown left the meeting at 2.30pm.

7. EXCLUSION OF THE PUBLIC

RESOLVED: (Mayor Barry/Cr Briggs)

Minute No. LTPAP 24319(3)

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

8. *Te Wai Takamori o Te Awa Kairangi (RiverLink) Funding and Commercial Matters*
- and 9. *Potential Long Term Plan savings in neighbourhood hubs*

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:

<i>(A)</i>	<i>(B)</i>	<i>(C)</i>
<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>

Te Wai Takamori o Te Awa Kairangi (RiverLink) Funding and Commercial Matters.

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)).

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.

Potential Long Term Plan savings in neighbourhood hubs.

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

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)).

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."

The public excluded business closed at 2.44pm. Cr Barratt left the meeting (via audio-visual link) at 2.44pm.

There being no further business, the Chair declared the meeting closed at 5.17 pm.

C Barry
CHAIR

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

Submission in opposition to paid car parking in Petone

We are a group of older women and men who use the facilities located at the Petone Library for a number of group activities several times per week.

We are :

Louise Black

Louise Black

Rebecca Carras

R

28 April 2024

Lynne Fraser

Lynne Fraser

Coral Williams

C. E. Williams

Susan Dopson

S. Dopson

Leila Rutherford

Rutherford

30/4/24

Peter Dopson

P. Dopson

Julie Parsons

J. Parsons

Irene Paton

I. M. Paton

Julian Paton - of N. Paton

*West Fawcett
New Fawcett*

Irene

Barnitt

E. B. Barnitt

Katherine Cotton

K. Cotton

On Fridays 6 or more of the above attend the Koha Cafe run by Timebank and held at the Depot, which is directly opposite the library. Koha Cafe is held from 11am - 3pm. After lunch at about 2pm we then cross back to the library to attend a collage - making activity until 3pm. Approx.

As to be expected the time taken for these activities is from four to 5 hours and we all park in the carpark at the back of the library.

On Sunday the same group of men and women attend a colouring group. It is a private group which used to be held in one of the rooms off the library foyer and has been recently moved to inside the library. This group runs from 1pm until 4pm.

The peace and enjoyment of these meetings would be completely eroded if the Hutt City Council placed more physical and financial stress on the retirees of this area. Some of the group can't walk far or fast and rely on the handiness of the library and its environs for access to Jackson Street, nearby cafes and The Lighthouse cinema.

Two of our group use walking sticks, one has recently been in hospital and one is recovering from cancer.

These members would like speak in person with regard to the above.

P.T.O -

Yours with respect,

Louise Black (member of the above group)

Louise Black — Mobile: [REDACTED]
[REDACTED] email: [REDACTED]
[REDACTED]

Public Comment – Paul Duffin - What happens when in Tempe.

Following on from the presentation to the Long Term Plan here is some more information of what happens during and after the exchange to Tempe.

When in Tempe the Hutt Valley students will be with the other delegates that are part of the Tempe Sister City exchange, these delegates coming from 11 countries from around the world, these countries being China, Ireland, France, Germany, Sweden, Mali, Ecuador, Peru, Macedonia, India.

Our delegates will learn about the other countries during their 3 weeks there as they are in each others company constantly. The trips away to places like the Grand Canyon where they camp for 2 nights, Disneyland where they are once again in constant contact with the other delegates will only firm up their bonds. I do know from personal experience that the friendships they make will be with them for life.

One of the things we emphasize when the 3 delegates are selected is that nothing comes for free and they and their families and friends have a lot of fundraising ahead of them. Since selected late last year this years group have worked at numerous events at the stadium on behalf of Red Badge Security, run two sausage sizzles at Bunnings Petone, sold firewood as well as other activities. This work has raised over \$9000 with a portion going towards airfares with the balance being to cover expenses incurred while showing the Tempe delegates what New Zealand has to offer both locally and within the country.

Part of the selection process is that numerous e-mails are sent to every secondary school in the Hutt Valley. This has previously resulted in delegates from Naenae College, Taita College, Wainuiomata High, St Bernards, Sacred Heart and Chilton St James. We also fund a billboard on a Council site.

Since covid we have been in a rebuilding phase and are now thinking outside the box on how we can get delegates from more than one school as we have this year. It is our intention once the 2024 delegates have returned is to visit all Hutt Valley based secondary along with the 2024 delegates to speak to year 11 and 12 year students about the exchange and what it can mean for the rest of their lives.

An example of the benefit how lives are changed is below.

Kacie from Wainuiomata High travelled overseas the next year to be an Au Pair in Italy for a year.

Krishna also from Wainuiomata went on to gain a tourism qualification and spent a year working in Florida before returning to New Zealand and joining our board.

Hazel from Naenae College spent three years gaining a qualification at Massey University and travelled to London to be a nanny for 12 months. She is now travelling back to New Zealand via Asia.

These three young ladies were quite shy when they were selected but the exchange gave them the confidence to travel overseas and proudly say they are from Lower Hutt.

Some families who have a person selected have the funding means to pay for such an exchange but we make it very clear that this is not an option and that only hard work from everyone concerned will achieve the goal. At the end of the process they become a tight unit having to work together to achieve the target. All through the process everyone is guided along the journey by the Hutt Sister City Board and previous delegates when required as they have all experienced that hard work that it takes and what the outcome of this is.

Hutt Sister City is held in high esteem by Tempe Sister Cities who are in fact adopting some of best practices and ensuring the other countries involved step up to the mark in this regard.

HUTT CITY COUNCIL**KOMITI ITI AHUMONI I TŪRARU**
AUDIT AND RISK SUBCOMMITTEE

Minutes of a meeting held in the Council Chambers, 2nd Floor, 30 Laings Road,
Lower Hutt on

Tuesday 25 June 2024 commencing at 2:00 pm

PRESENT: S Tindal (Independent Chair)
Cr S Edwards
Cr K Morgan

Cr T Stallinger
Cr J Briggs
Deputy Mayor T Lewis

APOLOGIES: Mayor C Barry (Deputy Chair)

IN ATTENDANCE: J Miller, Chief Executive
A Geddes, Director Environment and Sustainability
J Kingsbury, Director Economy and Development
J Livschitz, Group Chief Financial Officer
B Hodgins, Strategic Advisor
J Kilty, Democracy Advisor

PUBLIC BUSINESS**1. OPENING FORMALITIES - KARAKIA TIMATANGA**

Whakataka te hau ki te uru	Cease the winds from the west
Whakataka te hau ki te tonga	Cease the winds from the south
Kia mākinakina ki uta	Let the breeze blow over the land
Kia mātaratara ki tai	Let the breeze blow over the ocean
E hī ake ana te atakura	Let the red-tipped dawn come with a
He tio, he huka, he hau hū	sharpened air.
Tihei mauri ora	A touch of frost, a promise of a
	glorious day.

2. APOLOGIES

RESOLVED: (S Tindal/Cr Briggs) **Minute No. ARSC 24301**

"That the apologies received from Mayor Barry be accepted and a leave of absence be granted."

3. PUBLIC COMMENT

There was no public comment.

4. CONFLICT OF INTEREST DECLARATIONS

There was no conflict of interest declarations.

5. THREE WATERS MATTERS

Report No. ARSC2024/3/145 by the Strategic Advisor

The Strategic Advisor elaborated on the report and provided an update on the State Highway 2 main wastewater pipe. He advised that the physical work required would take some time and would not be ready in the calendar year. He said the work might require overseas advice, expertise, and materials in order to be finished. He noted that water leak reporting would now be done fortnightly. He added that the number of active leaks had reduced to below 400.

The Chief Executive advised that she had appeared in front of the Finance and Expenditure Select Committee hearing submissions on the Local Government (Water Services Preliminary Arrangements) on behalf of Taituarā. She noted that the time scale in which a water plan should be submitted under the legislative timeframe was a challenge. She said that the 12 month timeframe would be difficult for the creation of a Council Controlled Organisation. She stated that the proposed lifetime of a water service plan of 10 years would be too short as some risks and issues would not occur within that timeframe. She added that the issues and risks would impact financial sustainability and, therefore, the water service plan as a whole, even while falling outside of the scope of the plan.

The Chief Executive further advised that she would be supporting Dame Kerry Prendergast on behalf of the delegation in submitting a collective council submission to the Select Committee later in the week. She noted that the lack of legislative clarity remained a challenge.

The Chair noted that she was the Deputy Chair of the Infrastructure Commission, which had been providing advice and input on Three Waters to the relevant Select Committees, Department of Internal Affairs, and others. She noted that all advice was publicly available information.

Cr Stallinger thanked the staff at Wellington Water Limited for their work on mitigating water leaks.

RESOLVED: (S Tindal/Cr Edwards)

Minute No. ARSC 24302

"That the Subcommittee:

- (1) notes the Active Risk Register for three waters, attached as Appendix 1, which was considered by Council in its Long Term Plan deliberations;*
- (2) notes the report and findings of the Wellington Water Limited (WWL) independent review of its systems and processes, following the omission of corporate overheads in its advice on the Draft Long Term Plan capital works programme, will be reported to the next meeting of this subcommittee for consideration;*
- (3) notes that work on the high-level conceptual design for a preferred future regional water delivery model is progressing at pace and that there is likely to be a budget shortfall to progress this work over the coming financial year;*
- (4) notes that work is progressing on the scope and constraints of the urgent project to upgrade a section of the main wastewater pipe under and adjacent to State Highway 2 (SH2) and that the funding for this work will need to be further considered by Council once costs are known; and*
- (5) notes that progress on eliminating the backlog of leaks is on track with the plan WWL has put in place."*

6. INFORMATION ITEMS

a) **Whakatupu Ngaengae**

Memorandum dated 10 June 2024 by the Project Manager (Naenae)

The Chief Executive elaborated on the report.

In response to a question from a member regarding the quantitative risk assessment table, the Group Chief Financial Officer explained that the deduction from the amounts spent on the project, under 'OPEX (Operational Expenditure) budget transfer' referred to costs that could not be capitalised at the beginning of the project. She added that the costs had to be transferred to OPEX.

RESOLVED: (S Tindal/Cr Morgan)

Minute No. ARSC 24303

"That the Subcommittee:

- (1) receives and notes the information; and*
- (2) notes the following progress that has been made on the Whakatupu Ngaengae project:*
 - (a) work on the new Naenae Pool and Fitness Centre is progressing to plan and confidence remains high that the project can be completed within budget;*
 - (b) the conversion of the old Naenae Post Office to a community centre is complete save for a few finishing items that will be completed before handover to operator Team Naenae Trust. The centre will open to the public on 29 June 2024;*
 - (c) concept design of the Walter Mildenhall Park is currently being finalised following feedback from the community. A preliminary version will be presented to the Naenae Community Advisory Group on 12 June 2024."*

b) Verbal Update on the Long Term Plan by the Group Chief Financial Officer

John Whittal, Audit Director from Audit NZ was in attendance for the item.

The Group Chief Financial Officer advised that the Audit NZ audit opinion was completed and attached as pages 7-10 to the minutes. She noted the thoroughness of the audit process throughout the draft Long Term Plan (LTP) and the consultation document. She thanked John Whittal and his team for their outstanding work. Speaking to Audit NZ's audit opinion, she highlighted two areas of emphasis: capital deliverability and the three waters forecast information. She said these matter areas had carried forward from the draft LTP audit opinion.

The Group's Chief Financial Officer further advised that there was new information about the qualified opinion and the three waters asset valuation process. She stated that from an accounting standards perspective it was important that councils assets reflected fair value. She said there had been an asset re-evaluation every two years, with the previous re-evaluation taking place in 2021-22. She added that following the last asset re-evaluation process there were some improvements needed in the calculation of comparative unit rates across the region. She stated that Council needed to clarify the differences between Council's unit rates, and those of Upper Hutt City Council (UHCC) and Wellington City Council (WCC). She added that this time, Hutt City Council, UHCC and WCC had worked together with the same valuers and worked alongside Wellington Water Limited during the asset re-evaluation process for three waters. She said a draft report from the new valuers had been completed, revealing an increase in the value of Council's three water assets compared to the estimates in the LTP. She noted that the report could not be included in this year's LTP as it would not be finalised before the completion of the LTP process.

John Whittal noted that, since the draft report was not finalised, there was still uncertainty about the reported increase in asset value.

In response to questions from members, the Group Chief Financial Officer explained that Council's unit rates were lower than other councils in the Wellington region in the 2021-22 asset valuation as different valuers were used. She said that UHCC and WCC had not received their three waters asset review draft reports yet. She noted that the asset evaluation could be substantially higher than a 5-10% increase on the LTP estimates based on the findings of the draft report. She added that there were a number of factors at play, such as the unit rate increasing and better information about asset data.

The Chief Executive advised that it was necessary to discuss the asset re-evaluation for the 2025/26 Annual Plan.. She acknowledged the spirit in which people had worked together to put forward an LTP in a challenging situation for local government. She thanked the Chair and noted how Council's good governance had shone through during the LTP process. She acknowledged the pragmatism of elected members in their decision making.

c) **Audit and Risk Subcommittee Forward Programme 2024**

Memorandum dated 30 May 2024 by the Democracy Advisor

RESOLVED: (S Tindal/Cr Morgan)

Minute No. ARSC 24304

"That the Subcommittee receives and notes the Forward Programme for 2024 attached as Appendix 1 to the memorandum."

7. **QUESTIONS**

There were no questions.

8. **CLOSING FORMALITIES - KARAKIA WHAKAMUTUNGA**

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

There being no further business, the Chair declared the meeting closed at 2:24 pm.

S Tindal
CHAIR

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

To the readers:

Independent Auditor's report on Hutt City Council's 2024-34 Long-term Plan

I am the Auditor-General's appointed auditor for Hutt City Council (the Council). The Local Government Act 2002 (the Act) requires the Council's Long-term plan (plan) to include the information in Part 1 of Schedule 10 of the Act. Section 94 of the Act requires an audit report on the Council's plan. Section 259C of the Act requires a report on disclosures made under certain regulations. I have carried out this work using the staff and resources of Audit New Zealand. We completed our report on **27 June 2024**.

Qualified opinion

In our opinion, except for the possible effects of the matter described in the Basis for qualified opinion section of our report:

- the plan provides a reasonable basis for:
 - long-term, integrated decision-making and co-ordination of the Council's resources; and
 - accountability of the Council to the community;
- the information and assumptions underlying the forecast information in the plan are reasonable; and
- the disclosures on pages **[XX to XX]** represent a complete list of the disclosures required by Part 2 of the Local Government (Financial Reporting and Prudence) Regulations 2014 (the Regulations) and accurately reflect the information drawn from the plan.

This opinion on the plan also does not provide assurance that the forecasts in the plan will be achieved, because events do not always occur as expected and variations may be material. Nor does it guarantee the accuracy of the information in the plan.

Basis for qualified opinion

Our work on the value of three waters assets was limited

As outlined on page **[...]**, the Council is in the process of obtaining an independent valuation of its three waters assets in preparation for its 2024 financial statements. There are indications that the increase in the value of these assets could be significantly higher than the assumptions applied in the Council's prospective financial statements. However, the valuer's work is not finalised.

Because the revaluation will only be completed after the date of the audit report, our work on the value of these assets was limited. There were no satisfactory audit procedures that we could adopt to determine the reasonableness of the value of these assets. We were therefore unable to determine whether the value required any adjustments and what flow on effects this could have on future depreciation costs and rates.

We carried out our work in accordance with the International Standard on Assurance Engagements (New Zealand) 3000 (Revised) *Assurance Engagements Other Than Audits or Reviews of Historical Financial Information*. In meeting the requirements of this standard, we took into account particular elements of the Auditor-General's Auditing Standards and the International Standard on Assurance Engagements 3400 *The Examination of Prospective Financial Information* that were consistent with those requirements.

We assessed the evidence the Council has to support the information and disclosures in the plan and the application of its policies and strategies to the forecast information in the plan. To select appropriate procedures, we assessed the risk of material misstatement and the Council's systems and processes applying to the preparation of the plan.

Our procedures included assessing whether:

- the Council's financial strategy, and the associated financial policies, support prudent financial management by the Council;
- the Council's infrastructure strategy identifies the significant infrastructure issues that the Council is likely to face during the next 30 years;
- the Council's forecasts to replace existing assets are consistent with its approach to replace its assets, and reasonably take into account the Council's knowledge of the assets' condition and performance;
- the information in the plan is based on materially complete and reliable information;
- the Council's key plans and policies are reflected consistently and appropriately in the development of the forecast information;
- the assumptions set out in the plan are based on the best information currently available to the Council and provide a reasonable and supportable basis for the preparation of the forecast information;
- the forecast financial information has been properly prepared on the basis of the underlying information and the assumptions adopted, and complies with generally accepted accounting practice in New Zealand;
- the rationale for the Council's activities is clearly presented and agreed levels of service are reflected throughout the plan;
- the levels of service and performance measures are reasonable estimates and reflect the main aspects of the Council's intended service delivery and performance; and

- the relationship between the levels of service, performance measures, and forecast financial information has been adequately explained in the plan.

We did not evaluate the security and controls over the electronic publication of the plan.

Emphasis of Matters

Without further modifying our opinion, we draw attention to the following matters:

Uncertainty over the delivery of the capital programme

Page [...] outlines that the Council is proposing a significant increase in its capital programme. While the Council has put in place a number of initiatives, there is an inherent level of uncertainty and risk that the Council may not be able to deliver on the programme, especially when it has increased substantially. The Council notes the potential impacts of not achieving the capital programme, such as not meeting planned levels of service, or greater costs in the long term.

Uncertainty and risks over planned renewals of three waters assets

Page [...] outlines that the Council cannot fund all the investment required in three waters assets over the next 30 years. The Council's proposed level of funding for renewals over the 10 years of the plan has therefore been capped by what it considers to be affordable.

Page [...] outline that the Council's forecasting for its three waters assets is primarily based on the age of existing assets. Using mostly age-based information creates uncertainty over which assets to prioritise for renewal, the timing thereof, and the forecast amounts required, resulting in a risk of asset failure and reduced levels of service.

To reduce the risk, the Council has committed funding to repair the backlog of leaky pipes and to continue to collect better information about its underground assets.

Responsibilities of the Council and auditor

The Council is responsible for:

- meeting all legal requirements affecting its procedures, decisions, consultation, disclosures, and other actions relating to the preparation of the plan;
- presenting forecast financial information in accordance with generally accepted accounting practice in New Zealand; and
- having systems and processes in place to enable the preparation of a plan that is free from material misstatement.

We are responsible for expressing an independent opinion on the plan and the disclosures required by the Regulations, as required by sections 94 and 259C of the Act. We do not express an opinion on the merits of the plan's policy content.

Independence and quality management

We have complied with the Auditor-General's:

- independence and other ethical requirements, which incorporate the requirements of Professional and Ethical Standard 1 *International Code of Ethics for Assurance Practitioners (including International Independence Standards) (New Zealand)* (PES 1) issued by the New Zealand Auditing and Assurance Standards Board. PES 1 is founded on the fundamental principles of integrity, objectivity, professional competence and due care, confidentiality, and professional behaviour; and
- quality management requirements, which incorporate the requirements of Professional and Ethical Standard 3 *Quality Management for Firms that Perform Audits or Reviews of Financial Statements, or Other Assurance or Related Services Engagements* (PES 3) issued by the New Zealand Auditing and Assurance Standards Board. PES 3 requires our firm to design, implement and operate a system of quality management including policies or procedures regarding compliance with ethical requirements, professional standards, and applicable legal and regulatory requirements.

Other than our work in carrying out all legally required external audits, we have carried out engagements in the areas of a limited assurance engagement related to the Council's debenture trust deed, which is compatible with those independence requirements. Other than these engagements, we have no relationship with, or interests in, the Council or its subsidiaries and controlled entities. we have no relationship with or interests in the Council or any of its subsidiaries.

John Whittal, Audit New Zealand

On behalf of the Auditor-General, Wellington, New Zealand

HUTT CITY COUNCIL**KOMITI KAUPAPA TAIAO**
CLIMATE CHANGE AND SUSTAINABILITY COMMITTEE

Minutes of a meeting held in the Council Chambers, 2nd Floor, 30 Laings Road,
Lower Hutt on

Tuesday 2 July 2024 commencing at 2:00 pm

PRESENT:

Cr J Briggs (Chair)

Cr K Brown

Deputy Mayor T Lewis

Cr C Parkin (Deputy Chair)

Mayor C Barry

Cr S Edwards (from 2.02pm)
(via audio-visual link)

Cr A Mitchell

Cr N Shaw

APOLOGIES:

There were no apologies.

IN ATTENDANCE:

A Geddes, Director Environment and Sustainability

J Scherzer, Head of Environment and Sustainability

G Roberts, Waste and Resource Recovery Manager

A Saker, Senior Advisor, Climate and Solid Waste

(part meeting)

J Randall, Democracy Advisor

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**

An apology for lateness was received from Cr Edwards.

3. PUBLIC COMMENT

There was no public comment.

Cr Edwards joined the meeting at 2.02pm.

4. PRESENTATION

a) Te Ara Whakamua Group work update

Bruce Anderson and Karen Yung, representatives of Te Ara Whakamua Group (the group), provided an update on the group's work.

Bruce Anderson and Karen Yung acknowledged the group's progress had been limited with discussion not progressing to action. They advised that the group had recently decided to continue its work and was planning future actions. They highlighted that the group would hire a part-time researcher and secretary to assist with the workload. They said the group planned to meet with local environmental groups, hold public meetings and improve its communications.

In response to questions from members, Karen Yung advised that the group had struggled with the scale of work involved in mobilising action. She said it did not have the capacity for the level of work required. She explained the group had instead focused on providing information and getting others involved to prepare for future action. She confirmed the group would be taking the time to understand the information needed for different communities and demographic groups.

In response to a question from a member, Bruce Anderson explained that the group intended to draw ideas from local environmental groups rather than from models further afield.

5. CONFLICT OF INTEREST DECLARATIONS

There were no conflict of interest declarations.

6. UPDATE ON COUNCIL'S CLIMATE CHANGE WORK

Report No. CCASC2024/3/159 by the Senior Advisor - Climate and Sustainability

The Head of Climate, Waste and Resource Recovery elaborated on the report.

In response to questions from members, the Head of Climate, Waste and Resource Recovery advised the majority of Low Carbon Acceleration Fund (the Fund) recipients had been given a delivery milestone of three to six months for project delivery. He clarified that the Fund contract allowed Council to showcase projects to promote the Fund to other organisations. He said officers would organise workshops for sports clubs and businesses. He added that these would be an opportunity for groups to share what they had learned, and would help launch a broader range of funding bids for the next round later in 2024. He agreed to report back with a communications plan to the meeting on 4 September 2024.

In response to a question from a member, the Head of Climate, Waste and Resource Recovery stated that Waste Management Limited (the contractor) would not be able to provide a fully electric fleet in 2024. He explained that the contractor was developing a new facility expected to be completed by 2025, allowing for a fully electrified fleet. He

added there was a possibility the contractor could use the heavy vehicle charging station at the Silverstream Landfill in the meantime.

RESOLVED: (Cr Briggs/Cr Brown)

Minute No. CCASC 24301

"That the Committee:

- (1) notes the update on climate change workstreams currently underway;*
- (2) notes that updates are only provided for those projects or activities where significant progress has been made or where significant changes have occurred from the previous update from 23 April 2024; and*
- (3) notes that some work streams are new or are not explicitly covered in Council's Carbon Reduction and Resilience Plan 2021-31 or the Lower Hutt Climate Action Pathway."*

7. UPDATE ON SOLID WASTE AND WASTE MINIMISATION MATTERS

Report No. CCASC2024/3/160 by the Waste and Resource Recovery Manager

The Waste and Resource Recovery Manager elaborated on the report.

In response to questions from members, the Waste and Resource Recovery Manager explained that the trial for extraction and processing would be evaluated against parameters such as its use in Australia and food and green organics (FOGO) collections. He advised the cost of high contamination rates for kerbside recycling was up to \$30,000 per month. He explained it was difficult to remove repeatedly contaminated bins as they were often concealed by residents. He said officers were considering equipping Waste Management Limited's trucks to facilitate bin removal. He advised that officers were still refining a method to prevent contaminated recycling from entering the recycling system. He confirmed officers would collaborate with Kāinga Ora to provide targeted information to educate residents and reduce contamination. He agreed to explore more effective methods of bin removal and report back to the Committee meeting on 4 September 2024.

In response to questions from members, the Head of Climate, Waste and Resource Recovery said that the contamination rate, as determined by an independent auditor in 2023, had aligned with bin scoop tests that Council commissioned regularly. He said conducting scoop tests across the city would take six to seven months. He suggested a repeat audit later in 2024 to determine whether contamination rates had reduced due to Council's education efforts. He confirmed contamination data could be available at property, street and suburb levels. He said guidance booklets had been developed for Kāinga Ora multi-unit developments, along with more active guidance for building managers and residents.

In response to questions from members, the Head of Climate, Waste, and Resource Recovery said it was uncertain whether the Ministry for the Environment's Waste Strategy would allow residents to opt out of FOGO. He suggested that Council was likely to attract higher rates of opting in if residents were required to take action to opt out. He highlighted that a higher participation rate would lower costs and benefit all residents.

The Chair asked officers for a cost/benefit analysis of options to reduce contamination

rates, including each option's social and financial impacts. He asked officers to report back to the Committee meeting on 4 September 2024.

RESOLVED: (Cr Briggs/Cr Parkin)

Minute No. CCASC 24302

"That the Committee:

- (1) receives and notes the update on various solid waste management and minimisation matters; and*
- (2) requests that officers develop a business case for options that could be implemented to reduce the contamination levels of kerbside recycling."*

8. CLIMATE CHANGE AND SUSTAINABILITY COMMITTEE FORWARD PROGRAMME 2024

Report No. CCASC2024/3/161 by the Democracy Advisor

RESOLVED: (Cr Briggs/Deputy Mayor Lewis)

Minute No. CCASC 24303

"That the Committee receives and notes the Forward Programme for the remainder of 2024 attached as Appendix 1 to the report."

9. QUESTIONS

There were no questions.

10. CLOSING FORMALITIES - KARAKIA WHAKAMUTUNGA

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

There being no further business, the Chair declared the meeting closed at 2.58 pm.

J Briggs
CHAIR

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

HUTT CITY COUNCILKOMITI HAPORI AHUREA ME NGĀ RANGAPŪ
COMMUNITIES, CULTURE AND PARTNERSHIPS COMMITTEE

Minutes of a meeting held in the Council Chambers, 2nd Floor, 30 Laings Road,
Lower Hutt on

Wednesday 3 July 2024 commencing at 2:00 pm

PRESENT:

Cr K Brown (Chair)	Mayor C Barry
Cr G Barratt	Cr J Briggs (until 3.31pm)
Deputy Mayor T Lewis	Cr K Morgan (Deputy Chair)
Cr C Parkin (via audio-visual)	Cr N Shaw
Cr G Tupou	

APOLOGIES:

There were no apologies.

IN ATTENDANCE:

K Chitham, Acting Director Neighbourhoods and Communities
B Gall, Community Facilitator (part meeting)
L Moananu, Head of Connected Communities (part meeting)
A Nelson, Head of Parks and Reserves (part meeting)
M McKenzie, City Safety Manager (part meeting)
A Quinn, Project Manager (Naenae) (part meeting)
J Lamb, Head of Business & Economy (part meeting)
V Gilmour, Democracy Advisor

PUBLIC BUSINESS**1. OPENING FORMALITIES - KARAKIA TIMATANGA**

Kia tau ngā manaakitanga a te mea
ngaro
ki runga ki tēnā, ki tēnā o tātou
Kia mahea te hua mākihikihi kia toi te
kupu, toi te mana, toi te aroha, toi te
Reo Māori
kia tūturu, ka whakamaua kia tina!
Tina! Hui e, Tāiki e!

*Let the strength and life force of our ancestors
Be with each and every one of us
Freeing our path from obstruction
So that our words, spiritual power, love, and
language are upheld;
Permanently fixed, established and understood!
Forward together!*

2. APOLOGIES

There were no apologies.

3. PUBLIC COMMENT

Comments are recorded under the item to which they relate.

4. CONFLICT OF INTEREST DECLARATIONS

Cr Tupou declared that he was a Māori warden volunteer.

Cr Shaw declared that she was a council representative of the Pōmare Taitā Community Trust Board.

Cr Briggs declared that he was Acting Chief Executive of Hutt Valley Youth Health Trust (Vibe) and trustee of Naenae Boxing Academy.

5. COMMUNITIES OF INTEREST UPDATE - KAI

Report No. CCPC2024/3/162 by the Community Facilitator

Speaking under public comment, **Angela McLeod, representing the Regional Kai Network**, said this was a positive beginning for community initiatives with Council's support. She acknowledged Council's role in future food system development and expressed interest in exploring opportunities for Council to assist with funding or connect with funding providers in the future.

In response to a question from a member, Angela McLeod said Phase Two of the Regional Food System Plan (RFSP) involved piloting projects in the region. She noted the importance of considering the community's needs.

Tessa Ackerson, Senior Public Health Advisor from Te Whatu Ora, was in attendance for the item.

The Community Facilitator elaborated on the report. He explained that over the years, discussions in both Council and the community had occurred around the necessity of a unified approach to food in Hutt City. He noted that during this period, the RFSP was developed, causing Council to pause its efforts to support this initiative. He said that Council ensured that any plan integrated Te Ao Māori and Te Tiriti principles. He added that the RFSP fulfilled these criteria and received contributions from Healthy Families Hutt Valley.

Tessa Ackerson advised that Te Whatu Ora was collaborating with the six local Iwi, nine Council's and various community organisations and growers to develop a sustainable, fair and locally driven food system. She thanked Council for its leadership in this area and highlighted a pilot project in Wainuiomata that focused on sourcing local products and school feeding. She emphasised how this initiative could strengthen the local economy and educate children about food. She spoke to tabled information attached as pages 10-14 to these minutes.

In response to questions from members, Tessa Ackerson confirmed that the RFSP was designed to connect the region, particularly areas with available land for cultivation. She noted that urban areas like Lower Hutt did not have enough land to sustain their population. She said that the main goal of the plan was to improve food literacy in the community. She stressed the importance of involving additional community partners to promote cooking and food production. She explained that as Phase Two progressed, Te Whatu Ora aimed to refine and specify the goals and identify potential supporters to advance the RFSP.

In response to a question from a member, the Community Facilitator confirmed that discussions had occurred with the District Plan Review Committee. He explained that officers had asked the Committee to consider using language for the District Plan that would support the RFSP initiatives.

Mayor Barry left the meeting at 2.33pm.

RESOLVED: (Cr Brown/Cr Morgan)

Minute No. CCPC 24301

"That the Committee:

- (1) receives and notes the information, including the Regional Food System Plan and Phase One report attached as Appendix 2 to the report; and*
- (2) notes that Council officers will continue to work with the regional group in Phase Two and identify local projects to support."*

Mayor Barry rejoined the meeting at 2.34pm.

6. PARKS AND RESERVES WORK PLAN 2024-2025

Report No. CCPC2024/3/164 by the Head of Parks and Reserves

The Head of Parks and Reserves elaborated on the report.

In response to a question from a member, the Head of Parks and Reserves advised that Council had limited spaces available for leasing. He explained that as part of the process to approve leases, Council informed groups that if space was available in the same complex, they would consider accommodating additional groups.

In response to a question from a member, the Head of Parks and Reserves advised that Victoria University students were expected to present their final proposals on repurposing the Gibbes Watson Conservatory, Tutukiwi Orchid House and the Riddiford Garden Aviary to Rotary by the end of the month. He added that Rotary would engage with Council to explore potential investment opportunities for these sites. He advised that these locations were reaching the end of their economic and operational viability and that any future investment would require substantial funding.

In response to further questions from a member, the Head of Parks and Reserves advised that the operating budget was facing pressure due to new developments, which required more street gardens. He explained that the Parks and Reserves team (the team) could not take on additional landscaping or street garden projects due to budget constraints. He added that art maintenance was a previously unaccounted for cost. He further advised that the team aimed to complete at least 85% of their work programme, recognising that external factors may influence some work.

In response to a question from a member, the Acting Director Neighbourhoods and Communities advised that officers were exploring options to fund the maintenance of public art, as there was currently no dedicated budget for this purpose. He said collaborating with the community could be a potential approach but highlighted the need to understand the maintenance requirements for effective long-term management.

RESOLVED: (Cr Brown/Cr Tupou)

Minute No. CCPC 24302

"That the Committee recommends that Council:

- (1) receives and notes the 2024/25 Parks and Reserve work plan and projects within the report;*
- (2) notes that in the 2023/24 Financial Year, Parks and Reserves anticipates delivering 88% of its capital programme, with carry-overs for a number of pieces of work, including Point Howard Wharf demolition;*
- (3) notes that Parks and Reserves operating budgets will continue to be under pressure, and choices will need to be made between increasing budgets or reducing service levels; and*
- (4) notes the carry-over of \$1.1M from the Parks Buildings Capital Renewal budget from 2023/24 into 2024/25 has been approved by Council and that the plan is to utilise this funding to investigate further and facilitate the planning, consenting, demolition and landscaping of the Gibbes-Watson, Tutukiwi and Aviary sites in Riddiford Gardens."*

7. CITY SAFETY - SIX MONTHLY UPDATE

Report No. CCPC2024/3/163 by the City Safety Manager

Speaking under public comment, **Jonathon Gillbert** shared his frustrations about his year-long effort to get city safety work going with Council. He mentioned that despite Council's approval of \$150,000 in the Long Term Plan for CCTV cameras for businesses, he had not seen any progress. He expressed hope that the suggestions in the report would be put into action.

In response to questions from members, Jonathon Gillbert mentioned that he had access to 25 public-facing cameras. He highlighted that community members had installed their own CCTV cameras on their properties and regularly shared footage to his Facebook group, Hutt Valley Security Notice Board, in response to posted information. He said that as long as the shared footage captured and verified an incident or person, it could be shared publicly. He added that this information was also shared with the Police. He further said that last year, he met with Mayor Barry and Cr Dyer, who acknowledged the crime issues in Hutt City. He noted that this meeting played a role in establishing the \$150,000 fund for installing cameras in the city.

The City Safety Manager elaborated on the report.

In response to questions from members, the City Safety Manager provided the following advice:

- Council had utilised the Māori wardens and planned to collaborate with them more in the future.
- five suburbs of interest were identified: the CBD around Queensgate, Petone, Moera, Wainuiomata and Naenae. 40% of theft incidents occurred in the CBD and Petone. Anti-social vehicle behaviour was sporadic and challenging to police and did not contribute to the overall crime statistics in Lower Hutt.
- part of the retail training session included understanding who to call, when to call and the reasons for doing so. Council's Contact Centre was knowledgeable about the appropriate contacts.
- the criteria for the business support fund covered CCTV cameras, fog cannons, bollards and panic alarms. The scope had expanded due to overlapping with the national Police fund. Support could be extended beyond the CBD and Petone as some high-risk stores now qualified for Police funding. No funds had been spent on businesses to date. A plan of action was scheduled for July-August 2024, where businesses would be provided with details of how to apply for this fund at the first retail safety programme training session in July 2024.
- this was the first report to the Committee on the City Safety Plan.

The Head of Connected Communities acknowledged the need for regular reporting to the Committee, especially given the shift in elected members' expectations regarding the fund's purpose and current direction.

The Head of Business and Economy indicated that many retailers and businesses could benefit from this fund. He mentioned that an investment of \$150,000 would have a small impact on improving store security. He said that the Council was prioritising efforts in areas with the greatest need and that the City Safety Manager had been visiting businesses across the City to assess recent incidents.

In response to questions from members, the City Safety Manager advised that high-end violence had decreased but was still a concern. He highlighted the extension of Kokiri Marae's afternoon school programme, which accommodated up to 30 at-risk children and helped reduce or disperse crimes. Additionally, he explained that city safety initiatives were used to break cycles for up to six weeks, yet believed long term results were community based. He confirmed that officers were continuing to look at holding 'coffee with a cop' within the community. He further advised that evidence collected from the five suburbs of interest spanned a 20 year period. He added that this had helped to identify patterns of crime throughout the City.

In response to a question from a member, the City Safety Manager agreed to report back to the Committee with improved progress reporting on CCTV cameras and related issues.

Mayor Barry left the meeting at 3.25pm.

RESOLVED: (Cr Brown/Cr Barratt)

Minute No. CCPC 24303

"That that Committee receives and notes the information in the report."

8. **INFORMATION ITEMS**

a) **Whakatupu Ngaengae**

Memorandum dated 10 June 2024 by the Project Manager (Naenae)

The Project Manager (Naenae) elaborated on the report.

Mayor Bary rejoined the meeting at 3.28pm.

In response to a question from a member, the Project Manager (Naenae) advised that officers had a flow diagram outlining the construction process from now until the pool's opening day. He agreed to share this chart with the Committee to show the remaining tasks, stages and key milestones. He also mentioned that officers were preparing for a grand opening.

Cr Briggs left the meeting at 3.31pm.

In response to questions from a member, the Project Manager (Naenae) advised that while there were still minor tasks to complete, Te Mako was now in the maintenance phase. He said he was working with Team Naenae Trust and the Head of Connected Communities to ensure Te Mako reached 100% completion. He noted that the Council's Connected Communities team had taken over management of the space as a business-as-usual project. He added that officers were not planning any design changes but were focusing on working with the operator to ensure the facility was used as designed.

Cr Tupou left the meeting at 3.36pm.

RESOLVED: (Cr Brown/Cr Morgan)

Minute No. CCPC 24304

"That the Committee:

(1) receives and notes the information; and

(2) notes the following progress that has been made on the Whakatupu Ngaengae project:

- (a) work on the new Naenae Pool and Fitness Centre is progressing to plan and confidence remains high that the project can be completed within budget;*
- (b) the conversion of Naenae Post Office to a community centre is complete and will be handed over to operator Team Naenae Trust prior to public opening on 29 June 2024, on-time and on budget and to high stakeholder satisfaction; and*
- (c) concept design plans for the Walter Mildenhall Park are being shared with the community at the opening of Te Mako – Naenae Community Centre at Matariki, following extensive community engagement and endorsement by the Naenae Community Advisory group."*

b) **Neighbourhoods and Communities Director's Report**

Report No. CCPC2024/3/70 by the Director Neighbourhoods and Communities

The Acting Director Neighbourhoods and Communities elaborated on the report.

RESOLVED: (Cr Brown/Cr Barratt)

Minute No. CCPC 24305

"That the Committee receives and notes the report."

Cr Tupou rejoined the meeting at 3.39pm.

c) **Communities, Culture and Partnerships Committee Forward Programme 2024**

Memorandum dated 13 June 2024 by the Democracy Advisor

In response to a member's question, the Acting Director, Neighbourhoods and Communities, advised that funding for the Boulcott Memorial project had just begun. He said Council was in the process of hiring a researcher and concept developer to move the project forward, with the goal of completing it in the upcoming financial year.

RESOLVED: (Cr Brown/Cr Shaw)

Minute No. CCPC 24306

"That the Forward Programme 2024 for the Communities, Culture and Partnerships Committee be received and noted."

9. **QUESTIONS**

There were no questions.

10. **CLOSING FORMALITIES - KARAKIA WHAKAMUTUNGA**

Mai te tohi rangi, ki te tohu nuku,
Tiaho I roto, mārāma I roto,
Tupu mauri ora ki te whai ao ki te ao
Mārāma
Haumi e, hui e tāiki e

Of heavenly and terrestrial blessings may it
twinkle and shine within me and allow my
being to grow out into the work of life and
light
Draw together!
Affirm!

There being no further business, the Chair declared the meeting closed at 3.41pm.

K Brown
CHAIR

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

A need to support and enable the development of a sustainable and resilient kai system as part of a thriving city

Food touches every aspect of our lives and feeds into all four of the well beings (Social, cultural, economic, and environmental) **Hand out**

SO foundational, and also so at risk! The food system is HUGE.

Council has access to major levers and planning related to the food system, such as: **hand out**

- Land use and planning- protecting from housing, supporting local community and local food production
- Climate change and emergency preparedness
- Waste
- Supporting community initiatives
- Infrastructure
- **A whole-of-council approach**

The urgency for this plan is higher now more than ever.

Good news is that Hutt City is already doing lots towards this. Barry and Eddie have been doing a lot, and have been involved with this work from the beginning (having dedicated FTE is great!). Others are working towards it, too. You can keep leading this work!

- Great support and connection with community initiatives and mana whenua
 - Wainuiomata pilot
- Mapping available land, easier consent for access to available land
- Indigenous biodiversity plan
- Connecting with local businesses and supporting the local food economy

More that you can do:

- Local Procurement for all council events to drive up local food demand
- Working with public housing to have community gardens
- Supporting infrastructure for food system (hubs, production houses, incubators, etc)
- Emergency preparedness
- Planning across all infrastructure
- Stay involved in development of this strategy and continue on local development
- Fund iwi and community initiatives in your area

Whole region heading towards the same thing- stronger together, rely on each other to feed our region

Council can help ensure local efforts are feeding into the larger strategy

Regional Food Security & Food Systems Planning

DECISION MAKING TOOL FOR COUNCILS

Planning for food security, local food supply and food infrastructure will ensure everyone in the region has access to nourishing food, as well as lead to higher resilience when facing an adverse event. The following tool correlates with the Regional Food System Plan. When planning and work within councils is viewed through a “food lens,” outcomes become richer and more vibrant.

Review the examples and come up with your own ideas that are unique to your area and council!



EXAMPLES

Ways councils can implement food system planning within existing projects

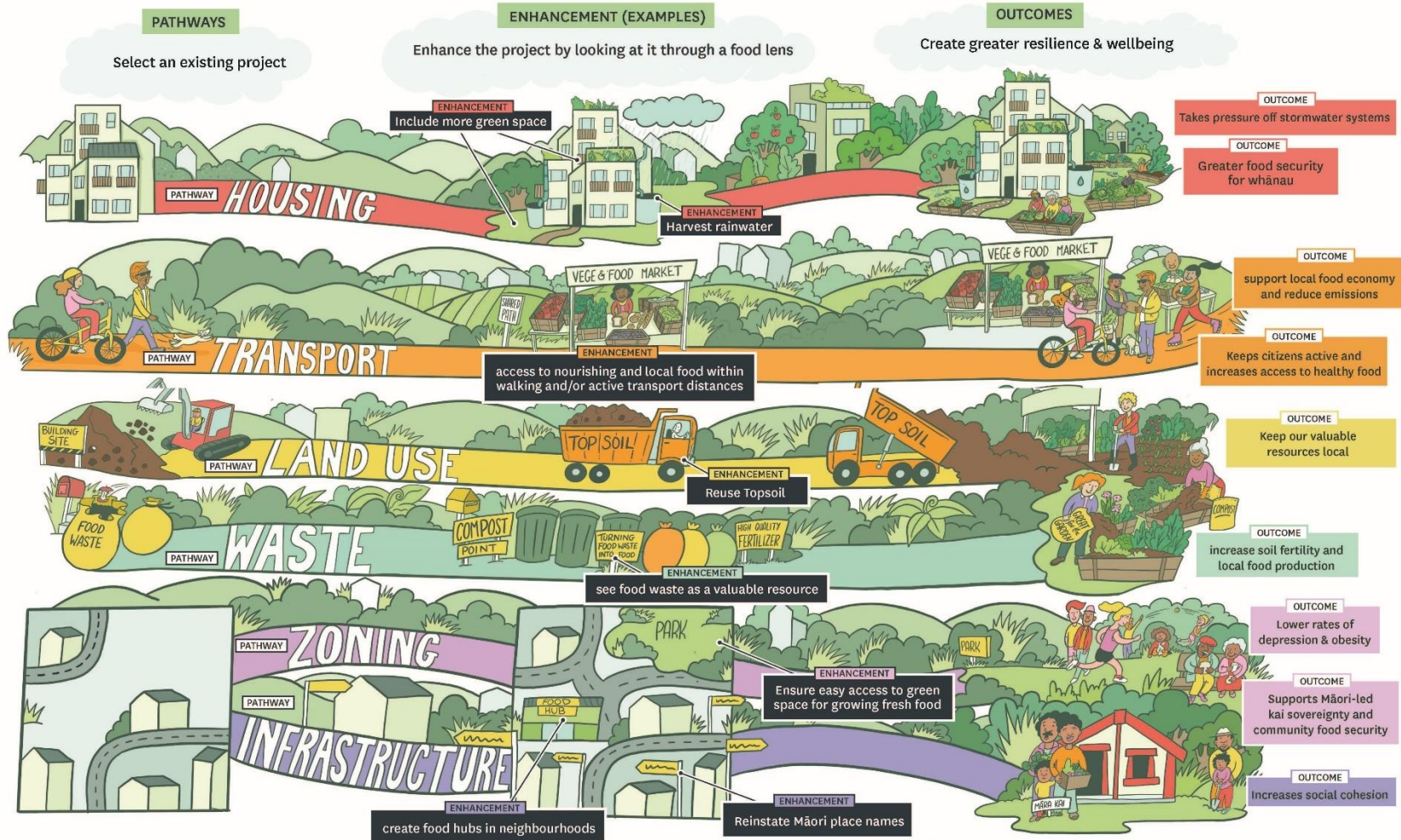
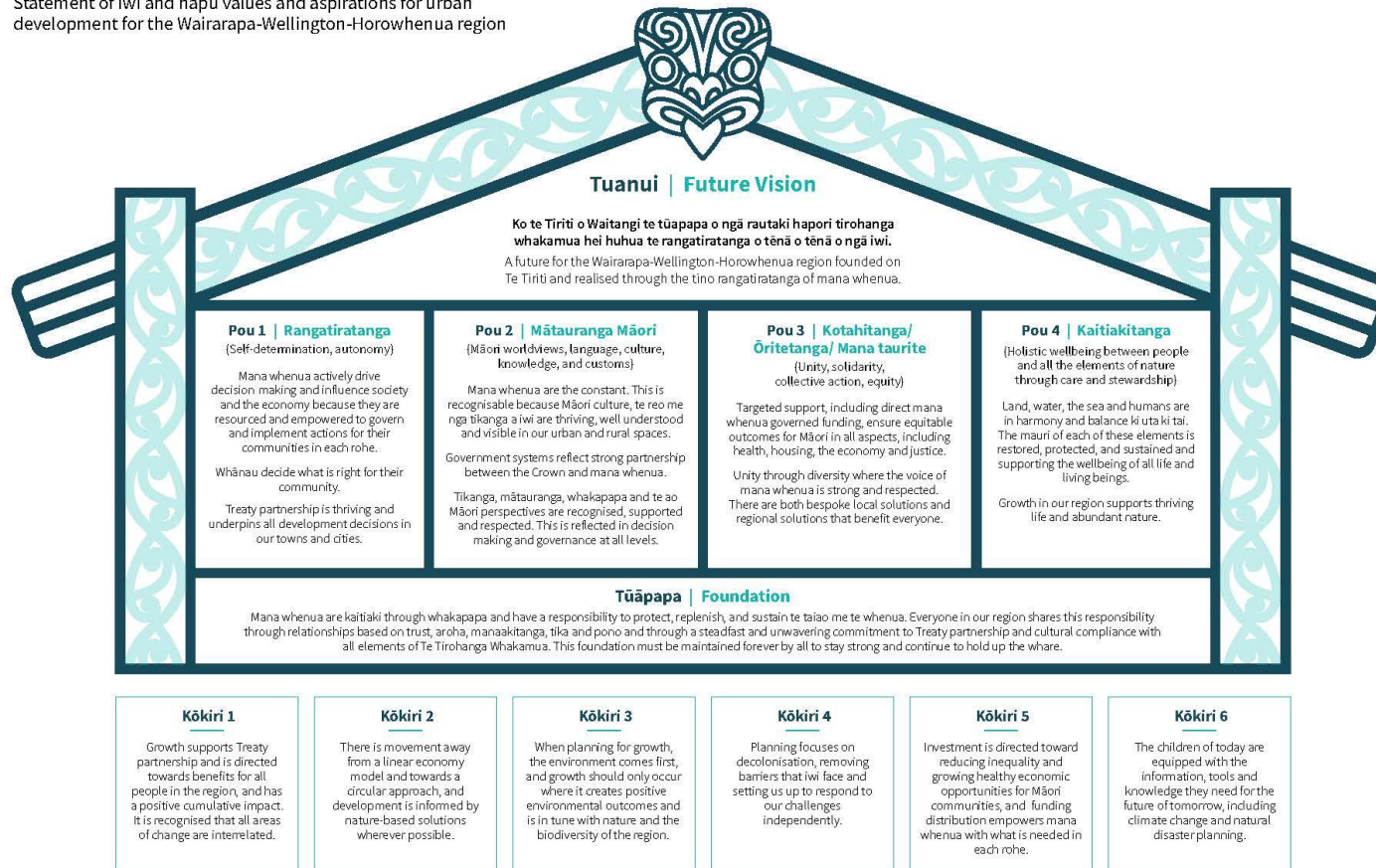


Illustration by: Yasmine El Orfi
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Values:

Te Tirohanga Whakamua

Statement of iwi and hapū values and aspirations for urban development for the Wairarapa-Wellington-Horowhenua region



Vision:

A regional food system that is sustainable, equitable and locally-led for the wellbeing of our for the wellbeing of our environment and our people.

FUTURE STATE**Oranga taiao (healthy environment)**

Te Taiao is flourishing with healthy soils, seas, freshwater bodies and climate.

Oranga tangata (healthy people)

Tangata are thriving with resilient livelihoods and access to good kai.

Mana motuhake (locally-led)

The mana of our region is strong with a self-determined and resilient regional food system.

HOW WE'LL KNOW WE GOT THERE

Sustainable/Agroecology is the norm, powered by a skilled growing workforce

Food production supports biodiverse, thriving ecosystems and high animal welfare

We have a de-carbonised, zero-waste food system operating on 100% renewable energy

Our food system supports and builds capacity of small/medium scale and locally owned food operations. They are enabled to access land, produce and distribute good food

All communities can easily access good food, including local and home-grown produce

Strong food literacy across our population and institutions

Mana whenua are leaders and decision-makers in our regional kai systems

We meet most of our regions kai needs with locally-produced and locally-processed kai

We invest in, share, and celebrate the kai traditions and stories unique to our region

OUR GROUNDING TRUTHS

Our taiao and the tangata who work with te taiao to produce food are the foundations of our food system. When they are not thriving, our food system is at risk.

Kai is a taonga. In Aotearoa New Zealand, our kai system needs to uphold Te Tiriti o Waitangi.

Many elements of our current food system undermine oranga taiao (healthy environment), oranga tangata (healthy people) and Te Tiriti o Waitangi.

We need to transform our food system to ensure a safe food future generations to come.

Transformation of our food system requires everyone.

HUTT CITY COUNCIL**KOMITI AROTAKE MAHERE Ā-ROHE | DISTRICT PLAN REVIEW COMMITTEE**

Minutes of a meeting held in the Council Chambers, 2nd Floor, 30 Laings Road

Lower Hutt on

Thursday 4 July 2024 commencing at 2:00 pm**PRESENT:**

Cr B Dyer (Chair)	Mayor C Barry
Cr J Briggs	Cr S Edwards (Deputy Chair)
Deputy Mayor T Lewis	Cr A Mitchell
Cr K Morgan	Cr N Shaw
R Te One	

APOLOGIES:

There were no apologies.

IN ATTENDANCE:

Cr C Parkin
 A Geddes, Director Environment and Sustainability
 J Kingsbury, Director Economy and Development
 L Desrosiers, Head of Urban Development
 T Johnston, Head of Planning
 N Geard, Policy Planning Manager
 S Davis, Senior Policy Planner
 J Randall, Democracy Advisor
 H Clegg, Minute Taker

PUBLIC BUSINESS**1. OPENING FORMALITIES - KARAKIA TŪTURU: TĒNEI AU**

Tēnei au
 Tēnei au te hōkai nei o taku tapuwae Ko
 te hōkai nuku ko te hōkai rangi Ko te
 hōkai a tō tupuna a Tāne-nui-a- rangi
 Ka pikitia ai ki ngā rangi tūhāhā ki te
 Tihi-o-Manono
 Ka rokohina atu rā ko Io-Matua-Kore anake
 Ka tīkina mai ngā kete o te wānanga Ko
 te kete-tuauri
 Ko te kete-tuatea Ko te
 kete-aronui
 Ka tiritiria ka poupoua
 Ka puta mai iho ko te ira tāngata Ki te
 wheiao ki te ao mārama
 Tihei-mauri ora!

This
 This is the journey of sacred footsteps
 Journeyed about the earth journeyed about the
 heavens
 The journey of the ancestral god Tānenuiarangi
 Who ascended into the heavens to Te Tihi-o-
 Manono
 Where he found Io, the parentless source
 From there he retrieved the baskets of knowledge
 Te kete-tuauri
 Te kete-tuatea
 Te kete-aronui
 These were distributed and implanted about the
 earth
 From which came human life
 Growing from dim light to full light
 There was life.

2. APOLOGIES

There were no apologies.

3. PUBLIC COMMENT

Comments are recorded under the item to which they relate.

4. CONFLICT OF INTEREST DECLARATIONS

Richard Te One declared a conflict of interest in Item 5: District Plan Zoning – 30 Benmore Crescent, Manor Park, and took no part in discussion or voting on the matter.

5. DISTRICT PLAN ZONING - 30 BENMORE CRESCENT, MANOR PARK

Report No. DPRC2024/3/165 by the Senior Policy Planner

Speaking under public comment, **Shellene Eksteen, a member of the Manor Park Community Association**, expressed concern about recent earthworks on the 30 Benmore Crescent site, stating that they had been approved without public input. She was worried about the potential impact of a proposed recycling station on the site and emphasised the importance of consulting with Manor Park residents.

Speaking under public comment, **Vee Sivorarath, a member of the Manor Park Community Association**, mentioned that Benmore Crescent used to have a variety of plants, trees, native birds, and lizards before the earthworks took place. He pointed out that the stream in the area was a listed 'Water Body of Regional Significance' under the Regional Plan. He expressed disappointment that the area was now a bare wasteland and was concerned that industrial zoning would allow activities producing offensive noise, dust, and odour.

In response to questions from members, Vee Sivorarath explained that previous land uses had not significantly affected the natural environment. He also mentioned that the Benmore stream currently had very little wildlife and occasionally runs dry, confirming that these changes occurred in the last 18 months due to earthworks.

Speaking under public comment, **Shayne Hawtin, a member of the Manor Park Community Association**, expressed concerns expressed concerns about a proposed waste transfer station, stating that it would be unsuitable for the area. He suggested that there were better locations further away from residential areas and with easier access to a state highway. He also mentioned that the community prefers a Mixed Use zone and urged Council to consider all options before deciding on the zoning.

In response to questions from members, Shayne Hawtin stated that having intrusive industrial activities near residential areas with a significant increase in traffic was offensive. He was concerned that the industrial zoning would pave the way for a waste transfer station. He pointed out that this zoning could lead to over 500 trucks entering Manor Park. He suggested the site would be better utilised for small businesses, green spaces, and residential areas.

Speaking under public comment, **John Harrison, a member of the Manor Park Community Association**, expressed his opposition to the proposed site rezoning. He said that the application and Council officers had made incorrect traffic assumptions. He

pointed out that the NZ Transport Agency Waka Kotahi had projected an additional 2,500 vehicle movements per day in Benmore Crescent, which he believed would lead to traffic queues blocking the roundabout. He requested that Council thoroughly analyse all data and consider the community's perspective.

In response to questions from members, John Harrison recommended that the site be used for light commercial purposes, market gardens, mixed-use development, or storage facilities. He noted that trucks making a left turn from Benmore Crescent onto the state highway on-ramp to head south would have to cross the centre line, posing a risk to other road users.

Speaking under public comment, **Dr Anne Alkema, representing Manor Park Golf Club**, asked that the proposed rezoning be delayed until Council had finished its current work on a Spatial Plan and Development Strategy. She expressed concerns about the lack of community consultation regarding the approved earthworks and the application for a transfer station. Dr Alkema believed that the industrial zoning would undermine the environmental efforts of the golf club.

Speaking under public comment via audio-visual link, **Ben Farrell, an Environmental Planner representing the Manor Park Community Association**, expressed concern that the application to change access points and road designations did not allow public engagement. He pointed out that Plan Change 1 to the Regional Plan excluded the site from the planned urban land category. He raised concerns about the apparent pre-determined position by Council. He stressed the importance of including proposed District Plans in assessing any resource consent application under section 104 of the Resource Management Act (RMA). He highlighted the significance of giving weight to a District Plan once advertised. He asked for a pause in the proposed rezoning for further investigation, research, and a thorough public engagement process.

In response to members' questions, Ben Farrell emphasised the site's ideal location close to transport networks for a Mixed-Use zone. He suggested further investigation and non-statutory engagement with objectors. He asked for the Spatial Plan and Future Development Strategy to be completed before deciding on land uses for the city.

Speaking under public comment, **Tony Werry** expressed concern regarding the potential for increased traffic and large truck volumes on Benmore Crescent and the Haywards Interchange roundabout. He mentioned that the traffic associated with industrial zoning was not anticipated when the Haywards roundabout was designed. He suggested that a storage facility would be a more appropriate land use because it would not generate such high traffic volumes.

Richard Te One declared a conflict of interest and took no part in the discussion or voting on the matter.

The Senior Policy Planner elaborated on the report. He explained that the Industrial Land Study was ongoing, and the Proposed District Plan would be open for public review in early 2025. He also mentioned that decisions on matters like Benmore Crescent would be regularly presented to the Committee leading up to December 2024. He discussed the importance of considering proposed District Plans when evaluating resource consent applications under section 104 of the RMA.

In response to questions from members, the Head of Planning provided the following advice:

- two resource consent applications for the site, both of which were put on hold at the applicants' request due to uncertainties about access.
- if the assessment of the current applications resumed, a decision on the notification level would be made.
- any delay in deciding on the site could potentially set back the proposed District Plan timeline.
- officers would seek legal advice on the impact of removing the site from the Proposed District Plan process while resource consent processes were ongoing.
- it was not considered good practice to postpone a District Plan Change while waiting for the outcome of a resource consent process.

In response to questions from members, the Senior Policy Planner provided the following advice:

- the decision on the site zoning could be delayed until later in 2024.
- the site was separated from the residential area by a double railway track and an access road. traffic impacts would be assessed under the resource consent application, and high trip-generating activities would trigger a traffic management assessment.
- if the site's status quo was retained, the general zone rules should be sufficient for evaluations.
- stormwater management requirements had arisen due to the unique location of the stream on the site.
- all options proposed in the report risked being appealed and overturned.

The Policy Planning Manager confirmed a green waste operation would be a non-complying activity under the Operative District Plan.

The meeting adjourned at 3.48pm and resumed at 3.57pm.

The members discussed that no decisions have been made regarding the site. They would assess the evidence and consider the community's views to determine what would be best for the city. They noted that the landowners would also submit their evidence and views. They also noted that the Committee's decision would not impact the Waste Management Limited resource application. They emphasised that there would be additional opportunities for people to submit their views through the District Plan.

MOTION: (Cr Edwards/Cr Dyer)

"Recommends option 4 General Rural or Rural Lifestyle zones."

Members expressed support for the motion.

In response to a question from a member, the Head of Planning stated that officers needed guidance on whether the Committee was recommending General Rural or Rural Lifestyle zones.

The meeting, by agreement of the majority of members present, amended the motion with the agreement of the mover and seconder.

RESOLVED: (Cr Edwards/Cr Dyer)

Minute No. DPRC 24301

"That the Committee:

- (1) notes the content of this report; and*
- (2) directs officers to prepare a General Rural Zone chapter for the proposed District Plan as it relates to 30 Benmore Crescent, Manor Park, in accordance with recommended option 4 contained in the report, by:*
 - (a) applying the General Rural Zone to 30 Benmore Crescent, Manor Park;*
 - (b) considering any site-specific provisions for 30 Benmore Crescent, Manor Park; and*
 - (c) applying General Industrial zone-wide changes outlined in the report in response to feedback on the draft District Plan."*

6. SPATIAL PLAN

Report No. DPRC2024/3/166 by the Head of Urban Development

The Head of Urban Development elaborated on the report.

In response to questions from members, the Head of Urban Development confirmed that the 'Action' for Waterloo Station would also be included in Strategic Move 2: Building up the Central and Northern Valley Floor as a strategic transport interchange. She mentioned that specific climate change solutions were not incorporated in the Spatial Plan. She explained that the Spatial Plan's role was to highlight the need for a strategic decision to address the challenge of climate change.

RESOLVED: (Cr Dyer/Cr Morgan)

Minute No. DPRC 24303

"That the Committee:

- (1) approves the general direction of the Spatial Plan;*
- (2) instructs officers to prepare a Draft Spatial Plan for community engagement on the basis of the Preliminary Spatial Plan in Appendix 1 to the report, subject to text refinements and content from Mana Whenua and maps being added;*
- (3) instructs officers to seek Committee approval for the Draft Spatial Plan prior to community engagement;*
- (4) approves the approach to community engagement attached as Appendix 2 to the report, which has the engagement on the Draft Spatial Plan and the Proposed District Plan starting at the same time;*
- (5) notes the risks associated with the approach to community engagement; and*
- (6) approves changing the name of the document from "Spatial Plan" to "Sustainable Growth Strategy 2025-2055" to mitigate the community engagement risks identified."*

7. UPDATE ON THREE WATERS AND NATURAL HAZARDS AND COASTAL HAZARDS CHAPTERS FOR THE PROPOSED DISTRICT PLAN.

Report No. DPRC2024/3/167 by the Head of Planning

James Beban, Director of Urban Edge Planning, was in attendance for the item.

In response to questions from members, James Beban mentioned that Wellington Water Limited (WWL) did not have local evidence showing that greywater tanks significantly reduced stormwater demand and management. He confirmed that Plan Change 1 had implemented Whaitua recommendations. He agreed that greywater data might have been used to develop Plan Change 1 to the Regional Natural Resources Plan. He also agreed to request data from WWL on the impact of greywater systems on the three waters. He explained that Plan Change 1 had been notified, and the hearing of submissions was expected to take place toward the end of 2024. He confirmed no directives in Plan Change 1 for District Plan upgrades within a natural resources plan.

In response to questions from members, James Beban confirmed that the digital water meters installed in new housing could be adjusted if Council decided to switch to a different metering system. He explained that in areas with significant infrastructure and high-risk coastal hazards, certain activities were categorized as "Restricted Discretionary," allowing for minimising risks instead of complete avoidance. He highlighted that the Seaview Industrial Area was an important regional industrial hub, emphasising the necessity of allowing some development in that zone.

RESOLVED: (Cr Dyer/Cr Mitchell)

Minute No. DPRC 24304

"That the Committee:

- (1) notes the content of this report;*
- (2) directs officers to explore further evidence on water tanks; and*
- (3) directs officers to complete the Three Waters and Natural and Coastal Hazards chapters for the Proposed District Plan."*

8. INFORMATION ITEM

District Plan Review Committee Forward Programme 2024

Memorandum dated 30 May 2024 by the Democracy Advisor and the Head of Planning

RESOLVED: (Cr Dyer/Cr Mitchell)

Minute No. DPRC 24305

"That the Committee receives and notes the Forward Programme for the District Plan Review Committee for the remainder of 2024."

9. QUESTIONS

There were no questions.

10. **CLOSING FORMALITIES - KARAKIA WHAKAMUTUNGA**

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

There being no further business, the Chair declared the meeting closed at 4.41 pm.

Cr Dyer
CHAIR

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

Report no: HCC2024/3/19

Sealing Authority

Recommendations

It is recommended 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) 11 Lees Grove, Wainuiomata

Lees Grove Developments Limited and Hutt City Council
57WNMYAPPKJ5-1407309756-749

- b) 15-17 Awamutu Grove, Lower Hutt

Wolfbrook Residentiall No15 Limited and Hutt City Council
57WNMYAPPKJ5-1407309756-751

- c) 20 Fitzherbert Road, Wainuiomata

Wolfbrook Residential No9 Limited and Hutt City Council
57WNMYAPPKJ5-1407309756-756

- d) 90A Rata Street, Lower Hutt

Piran Thomas Pigneguy & Courtney Alice Vis and Hutt City Council
57WNMYAPPKJ5-1407309756-758

- e) 9 Mahoe Street, Lower Hutt

Brian Alfred Dee and Jane Margaret Dee and Hutt City Council
57WNMYAPPKJ5-1407309756-757

- f) 31 Hay Street, Lower Hutt

Brian Nguon and Hutt City Council
57WNMYAPPKJ5-1407309756-759

- g) 47-49 Laings Road, Lower Hutt

JNS Holdings Limited and Hutt City Council
57WNMYAPPKJ5-1407309756-762

- h) 49 Reynolds Street, Lower Hutt

The Wellington Diocesan Board of Trustees and Hutt City Council
57WNMYAPPKJ5-1407309756-760

- i) 147-149 Reynolds Street, Lower Hutt

147 Reynolds Limited and Hutt City Council
57WNMYAPPKJ5-1407309756-761

- j) 12 Leighton Avenue, Lower Hutt

Nicola Anne Gallacher & Richard Scott Lillyston and Hutt City Council
57WNMYAPPKJ5-1407309756-784

- k) 61-63 Lincoln Avenue, Lower Hutt

Broadsword Investments Limited and Hutt City Council
57WNMYAPPKJ5-1407309756-786

- l) 92-93 Cambridge Terrace, Lower Hutt

Cambridge Terrace Developments (92) Limited and Hutt City Council
57WNMYAPPKJ5-1407309756-788

A & I, easement instrument and two partial surrenders of easement

- a) 80 Parkway, Wainuiomata

Parkway Rise Limited and Hutt City Council
57WNMYAPPKJ5-1407309756-750

A & I for Discharge of Encumbrance

- a) 47-49 Laings Road, Lower Hutt

JNS Holdings Limited and Hutt City Council
57WNMYAPPKJ5-1407309756-752

A&I for Cancellation of Certificate s241 Resource Management Act 1991

- a) 47-49 Laings Road, Lower Hutt

JNS Holdings Limited and Hutt City Council
57WNMYAPPKJ5-1407309756-754

A&I for Withdrawal of Caveat (Caveat Instrument dated 22 August 1974)

- a) 49 Reynolds Street, Taita, Lower Hutt

57WNMYAPPKJ5-1407309756-753

A&I for Partial Cancellation of Building Line Restriction (Certificate pursuant to Section 327A Local Government Act 1974 dated 17 April 2024)

- a) 61 Totara Street, Wainuiomata, Lower Hutt

57WNMYAPPKJ5-1407309756-763

Section 461 of the Local Government Act 1974 Certificate Authorised by Council in Report No. CCPC2023/1/45 Minute No. CCPC 23104.

- a) 90A Rata Street, Lower Hutt

Courtney Alice Vis and Piran Thomas Pigneguy and Hutt City Council
57WNMYAPPKJ5-1407309756-764

**Agreement for Sale & Purchase of Real Estate (The Council resolution for the sale was passed on 27 March 2024 - minute C24118(3))
A & I and tax statement pursuant to Agreement for Sale & Purchase dated 25 June 2024**

509-510 Marine Drive, Sunshine Bay, Eastbourne
Hamish Richard Cargill McMaster and Hutt City Council
57WNMYAPPKJ5-1407309756-781
57WNMYAPPKJ5-1407309756-785

SCHEDULE 2 - DEEDS

- a) Deed of Covenant
 Kata Varga and Khang Nguyen Phan and Hutt City Council
 268 Stratton Street, Normandale, Lower Hutt
 57WNMYAPPKJ5-1407309756-787

SCHEDULE 3 - WARRANTS

Fenton Dalziel WARRANT-24-24 AMOURGUARD	<ol style="list-style-type: none"> 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 3. Control of Animals Bylaw 2018 AUTHORISED OFFICER pursuant to cl 1.1
Abdullah-Al-Karim Samim WARRANT-24-25 AMOURGUARD	<ol style="list-style-type: none"> 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 3. Control of Animals Bylaw 2018 AUTHORISED OFFICER pursuant to cl 1.1
Riki Comins WARRANT-24-26 SOLUTIONS TEAM	<ol style="list-style-type: none"> 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. Building Act 2004 AUTHORISED OFFICER pursuant to s222
Symon Bell WARRANT-24-27 AMOURGUARD	<ol style="list-style-type: none"> 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 3. Control of Animals Bylaw 2018 AUTHORISED OFFICER pursuant to cl 1.1