



TE KAUNIHERA O TE AWA KAIRANGI

30 August 2024

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

Friday 6 September 2024 commencing at 3:00 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
Friday 6 September 2024 commencing at 3:00 pm.

ORDER PAPER

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

No apologies have been received.

3. PUBLIC COMMENT

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

4. CONFLICT OF INTEREST DECLARATIONS

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

5. DECISION TO ESTABLISH MĀORI WARDS AT THE 2025 ELECTIONS

Report No. HCC2024/4/238 by the Head of Strategy and Policy

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MAYOR'S RECOMMENDATION:

"That recommendations (1), (2), (3) and (5) contained in the report be endorsed and part (4) to read:

- (4) agrees to reaffirm its decision of 21 November 2023 to establish a Māori ward in Te Awa Kairangi ki Tai Lower Hutt."

6. PITO ONE NAME CHANGE JOINT SUBMISSION

Report No. HCC2024/4/239 by the Senior Policy Advisor | Pou Tohutohu
Kaupapa Here Matua-Māori 12

MAYOR'S RECOMMENDATION:

"That recommendations (1), (2), (3) and (5) contained in the report be endorsed and part (4) to read:

(4) agrees to endorse the joint submission attached as Appendix 1 to the report."

7. PROPOSED NAME FOR NEW NAENAE POOL

Report No. HCC2024/4/240 by the Director Neighbourhoods and
Communities 16

MAYOR'S RECOMMENDATION:

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

8. AMENDMENTS TO HUTT CITY COUNCIL STANDING ORDERS - REMOTE PARTICIPATION

Report No. HCC2024/4/241 by the Senior Democracy Advisor 20

MAYOR'S RECOMMENDATION:

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

9. RECOMMENDATIONS TO COUNCIL FROM THE LONG TERM PLAN/ANNUAL PLAN SUBCOMMITTEE MEETING HELD ON 26 AUGUST 2024

Recommendations to Council from the Long Term Plan/ Annual Plan
Subcommittee meeting held on 26 August 2024 27

10. 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.

11. 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 mā mā	<i>in heart, body and soul in our continuing journey</i>
Te ngākau, te tinana, te	<i>Oh Rongo, raise these words up high</i>
wairua i te ara takatū	<i>so that we be cleansed and be free,</i>
Koia rā e Rongo	<i>Yes indeed, we are free!</i>
whakairihia ake ki runga	<i>Good and peaceful</i>
Kia wātea, kia wātea!	
Ae rā, kua wātea!	
Hau, pai mārire.	

Kate Glanville
SENIOR DEMOCRACY ADVISOR

08 August 2024

Report no: HCC2024/4/238

Decision to establish Māori Wards at the 2025 elections

Purpose of Report

1. The purpose of this report is to support Council decision making as to whether to reaffirm or rescind the decision to have a Māori ward. Under the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024, the decision must be made by 6 September 2024.

Recommendations

It is recommended that Council:

- (1) notes that on 21 November 2023, Council resolved to establish a Māori ward in Te Awa Kairangi ki Tai Lower Hutt;
- (2) notes that the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024 requires Council to actively consider and resolve to reaffirm or rescind its resolution on 21 November 2023 to establish a Māori ward;
- (3) notes that provisions of the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024 impose additional, unbudgeted costs on Council;
- (4) agrees to either:
 - (a) reaffirm its decision of 21 November 2023 to establish a Māori ward in Te Awa Kairangi ki Tai Lower Hutt; OR
 - (b) rescind its decision of 21 November 2023 to establish a Māori ward in Te Awa Kairangi ki Tai Lower Hutt; and
- (5) notes that if Council decides to reaffirm its decision to establish a Māori ward, there will be a binding poll in the 2025 election on the question of continuing to have a Māori ward in Te Awa Kairangi ki Tai Lower Hutt.

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

Background

2. On 21 November 2023, Council resolved to establish a Māori ward in Te Awa Kairangi ki Tai Lower Hutt.
3. At its meeting on 28 May 2024, Council noted that because of its decision to establish a Māori ward it would have to hold a binding poll in the 2025 election on the question of continuing to have a Māori Ward.
4. A Māori ward was factored into Council's Initial Representation Proposal that went out for consultation from 1 July to 1 August 2024. Submissions included public feedback on the establishment of a Māori ward.
5. On 29 May 2024, Council provided a joint submission with Mana Whenua partners on the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill (the Bill) asking the Justice Committee to:
 - a. acknowledge and implement the recommendations of the Waitangi Tribunal, in its Māori Wards and Constituencies Urgent Inquiry Report (WAI 3365); and
 - b. remove changes that will require a poll at the 2025 local body elections on any Māori wards and Māori constituencies established without a poll.
6. On Tuesday 30 July 2024, the Bill had its third reading and become law: Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024 (the Amendment Act).
7. Local Government New Zealand (LGNZ) has noted that the Amendment Act adds significant and unnecessary cost to councils, especially at a time of significant funding challenges for councils that have higher priority areas for investment (including delivering on other key Government priorities such as Local Water Done Well).

Discussion

8. In its initial drafting, the Bill only required councils to make an active decision to disestablish their Māori wards or to rescind the decision to establish them.
9. Ahead of the final reading of the Bill, a change was made, requiring Council now to actively consider and resolve whether it wishes to affirm or rescind the resolution to establish a Māori ward. The legislation requires the decision to be made by 6 September 2024. This will be the third time that Council will have made a decision on Māori wards.
10. As a result, Council had to schedule an additional, unbudgeted Council meeting on 6 September 2024 to meet the legislative requirements of the Act.
11. The Amendment Act imposes additional, unbudgeted costs on Council, including costs of approximately \$80,000 associated with holding a binding poll as part of the 2025 elections.

Engagement to inform the decision

12. Mana Kāwanatanga ā Rohe | Local Government Commission has advised that Council does not have to run a special consultative procedure before considering whether to resolve to affirm the resolution to establish Māori wards.
13. Officers advise that recent consultation ahead of the decision to establish a Māori ward (November 2023) and on the Initial Representation Proposal (July 2024) has provided opportunities for elected members to hear broad community views on the establishment of Māori wards. Further consultation would be unlikely to provide views that are different to what Council has already heard.

Options

14. That Council agrees to either:
 - a. reaffirm its decision of 21 November 2023 to establish a Māori ward in Te Awa Kairangi ki Tai Lower Hutt; OR
 - b. rescind its decision of 21 November 2023 to establish a Māori ward in Te Awa Kairangi ki Tai Lower Hutt.
15. If Council decides to reaffirm its decision to establish a Māori ward, there must be a binding poll in the 2025 election on the question of continuing to have a Māori ward in Te Awa Kairangi ki Tai Lower Hutt. The outcome of the referendum will apply to the next two triennial elections in 2028 and 2031.
16. If Council rescinds its decision on Māori wards, the resolution will trigger a new legislative representation process for the 2025 elections. Elected members will need to agree either to retain the current representation arrangements, or run a truncated review process which must be publicly notified no later than 13 September 2024.

Climate Change Impact and Considerations

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

Consultation

18. Council has undertaken formal consultation on the decision to establish a Māori ward in November 2023 and included a Māori ward as part of the consultation on its Initial Representation Proposal in July 2024.
19. The question of Māori wards was discussed with Mana Whenua at hui in October 2023, May and August 2024.
20. The hui supported the establishment of Māori Wards as a step in the right direction to strengthen the voice of Māori in the governance of our community.

21. The hui also acknowledged that Wards do not represent, nor should they replace Te Tiriti o Waitangi partnership between Mana Whenua and Kawanatanga at the local level. Council will continue to build its partnership with Mana Whenua to deliver on the Treaty obligations.

Legal Considerations

22. The decisions in this report are required to comply with the Amendment Act 2024.

Financial Considerations

23. The binding poll requirements of the Amendment Act impose additional, unbudgeted costs of approximately \$80,000 associated with holding a referendum as part of the 2025 elections.

Appendices

There are no appendices for this report.

Author: Richard Hardie
Head of Strategy and Policy

Reviewed By: Bradley Cato
Chief Legal Officer

Reviewed By: Jarred Griffiths
Director Strategy and Engagement

Approved By: Jo Miller
Chief Executive

Report no: HCC2024/4/239

Pito One Name Change Joint Submission

Purpose of Report

1. The purpose of this report is to seek endorsement of a joint submission (attached as Appendix 1) on behalf of Council and Mana Whenua to Ngā Pou Taunaha o Aotearoa | The New Zealand Geographic Board (NZGB) regarding the proposed Pito One name change.

Recommendations

It is recommended that Council:

- (1) notes that authority for changing suburb names sits with the Ngā Pou Taunaha o Aotearoa | The New Zealand Geographic Board;
- (2) notes that prior to Ngā Pou Taunaha o Aotearoa | The New Zealand Geographic Board making a decision on the proposal to change the suburb name "Petone" to "Pito One" it has sought public submissions by 10 September 2024;
- (3) notes the draft joint submission attached at Appendix 1 was developed in consultation with Mana Whenua;
- (4) **EITHER**
 - (a) agrees to endorse the joint submission; **OR**
 - (b) agrees not to endorse the joint submission; and
- (5) authorises the Mayor to make minor amendments and sign the letter on behalf of Council.

Background

2. The NZGB is the agency with the authority to change the name of a suburb in New Zealand.
3. On 21 December 2023, Wellington Tenth Trust (the WTT) and Palmerston North Māori Reserve Trust (the PNMRT) asked the NZGB to consider changing the suburb name "Petone" to "Pito One".
4. On 21 November 2023, Council agreed to provide a letter to the NZGB in support of the WTT and PNMRT application.
5. On 30 April 2024 the NZGB decided to undertake public consultation on the proposed name change. The consultation period is from 6 June 2024 to 10 September 2024.

6. In partnership with Mana Whenua, Council has committed to putting forward a joint submission as part of the consultation process. Council has gathered and applied feedback on a draft joint submission from Mana Whenua (attached at Appendix 1 to the report).

Discussion

7. Following the public consultation process, final decisions will be made by the NZGB or the Minister for Land Information. The date for a final decision has not been set.

Options

8. Agrees to either:
- a. **Option 1:** endorse the draft joint submission; **OR**
 - b. **Option 2:** not endorse the draft joint submission.
9. If endorsed, officers recommend that Council authorises the Mayor to make minor amendments and sign the letter on behalf of Council.

Climate Change Impact and Considerations

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

Consultation

11. The draft joint submission has been discussed with Mana Whenua at quarterly hui.
12. Council is not responsible for public consultation on proposed name changes for suburbs. This process sits with the NZGB.

Legal Considerations

13. There are no legal considerations for this report.

Financial Considerations

14. There are no financial considerations for this report.

Appendices

No.	Title	Page
1↓	Draft joint submission on the Pito One name change	14

Author: Holly Houpapa, Senior Policy Advisor | Pou Tohutohu Kaupapa Here Matua-Māori

Reviewed By: Richard Hardie, Head of Strategy and Policy

Reviewed By: Jarred Griffiths, Director Strategy and Engagement

Approved By: Jo Miller, Chief Executive



[00] September 2024

Secretary of the New Zealand Geographic Board
PO Box 5501
Wellington 6145

Hutt City Council and Mana Whenua Joint Submission on the Pito One Name Change Proposal

Tēnā koutou,

Hutt City Council, Taranaki Whānui ki Te Upoko o Te Ika, Te Rūnanganui o Te Āti Awa, Te Rūnanga o Toa Rangatira, Wellington Tenth Trust and Palmerston North Māori Reserve Trust write in collective support of the proposal to change the name of Petone to **Pito One**. This will give clarification to the meaning, and return mana to the name.

We believe that respecting and restoring the correct spelling of the name Pito One is the right thing to do.

Respecting the historical context

The current spelling is an anomaly that perpetuates a historical lack of knowledge, care, and respect for Te Reo Māori and Mana Whenua who reside here.

As the New Zealand Geographic Board is aware, the kōrero associated with the name refers to burial of “pito” in the “one” and this symbolises the tethering of a newborn to the land and their tūrangawaewae.

The Pito One pā was located between the foreshore and current day Jackson Street and from Korokoro Stream to current day Victoria Street.

30 Laings Road, Lower Hutt
Private bag 31-912, Lower Hutt 5040



/huttcitycouncil

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▲ The pattern at the top of this page is inspired by the natural landforms: hills, river, and coastline surrounding Lower Hutt. It represents our people, our place, and our home.

Alignment with Naming Policy

Correcting the spelling of Pito One aligns with the intent of the Hutt City Council *Kaupapa Here Tapanga Naming Policy 2021–31*. The Policy recognises that the names of significant sites and areas in Te Awa Kairangi ki Tai are important to Māori and a key matter on which Council and Mana Whenua will work together.

Assisting to embed the name change

Over many years Hutt City Council has worked closely with Mana Whenua to drive change and address inequity. Through the Tākai Here partnership agreements we work together to create a more inclusive and sustainable future for all our people.

If the Board decides to change the name – Hutt City Council, Taranaki Whānui ki Te Upoko o Te Ika, Te Rūnanganui o Te Āti Awa, Te Rūnanga o Toa Rangatira, Wellington Tenth Trust, Palmerston North Māori Reserve Trust; all stand prepared to play our parts in enabling a smooth transition within our community.

We have the opportunity to make sure that our future generations grow up knowing the area by the same name that our past generations knew it by – Pito One. Though we cannot change the past, help us to stay connected to our history and model what it is to be the very best of our nation.

Ngā manaakitanga,

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

Te Rūnanga o Toa Rangatira Chair Callum
Katene

Palmerston North Māori Reserve Trust
Chair Liz Mellish

Wellington Tenth Trust Chair Anaru Smiler

Report no: HCC2024/4/240

Proposed name for new Naenae Pool

Purpose of Report

1. To seek Council's support for a proposed name for the new Naenae Pool.

Recommendations

It is recommended that Council:

- (1) notes that the Mana Whenua Naming Committee has proposed Te Ngaengae as the name for the new Naenae Pool;
- (2) notes this has been supported by Council's Mana Whenua partners and by the community and;
- (3) approves Te Ngaengae as the name for the new Naenae Pool.

For the reason that this process for determining the name is consistent with what is required in Council's naming policy; it aligns with Council's aim of indigenising community spaces and places.

Background

2. In 2020, as part of the initiation of the Whakatupu Ngaengae Project, Council entered into an agreement with Mana Whenua representatives of Te Rūnanganui o Te Āti Awa to work in partnership on the project.
3. Te Rūnanganui o Te Āti Awa agreed to provide a cultural narrative for the project, a recommendation on a lead artist and propose names for the new facilities.
4. In May 2024 Council approved the proposed name Te Mako for the community centre.

Discussion

5. Since then, a Mana Whenua Naming Committee has been established to consider naming requests. That group has proposed Te Ngaengae as the name for the pool.
6. The story of Te Ngaengae is intrinsically linked to the narrative of the rivers, Waiwhetū and Te Awamutu, and the creation of Te Whanganui a Tara.

7. After the hauling up of the great fish, the actions of Māui's brothers caused the great many lacerations and scars on the land. But they also caused the awakening of many beings from deep within its bowels – two of which lived at the place called Te Ngaengae.
8. Te Kāhui Mouna, the Mountain Clan, had already been summoned to the head of the fish to calm the Great Fish o Māui. While here, the Mountain Clan placed a rāhui (ritual prohibition) over the lake at Te Ngaengae, forbidding the people to visit due to the two man eating serpents that dwelled there - Kume and Rona. There they remained at Te Ngaengae, sleeping. Centuries passed by with no incident until a young child slipped and fell into the lake, awakening these ancient beings from their slumber with the scent of mankind. In their frenzy to be the first to devour the young child, a great battle ensued between them.
9. They shook the earth with their ravenousness behaviour, creating landslides, changing the landscape, and drying up the lake. In their frenzied madness, they carved and scarred the land, fashioning the sacred rivers that are known today as Te Awamutu and Waiwhetū. Eventually, they reached the freshwater lake – Te Waimānga - where they were gobbled up by their tuākana, Whake and Whāitaitai.
10. A Te Ngaengae (Waiata ā-ringā/action song) composed by Kura Moeahu is attached as Appendix 1.
11. Te Ngaengae would be the main name for the facility, with 'Pool + Fitness' added as a sub-heading, as is consistent with other pools in Council's network.
12. Council's Naming Policy requires that Mana Whenua are asked to provide feedback on the proposed name. This has happened through regular hui with partners and there is broad support.
13. Support has also been received from the Community Advisory Group which has been part of the pool project.
14. The original pool was called the Naenae Olympic Swimming Pool, and as a tribute and reference to that history, the metal lettering from the front of the old facility has been retained and will be displayed inside the new pool.

Options

15. Council can approve or not approve the proposed name and provide guidance on the next steps.

Climate Change Impact and Considerations

16. There are no climate change impacts in this decision.

Consultation

17. Consultation is outlined in the report.

Legal Considerations

18. There are no legal considerations.

Financial Considerations

19. There are no financial considerations. The project includes budget for signage for the new facility.

Appendices

No.	Title	Page
1↓	Te Ngaengae (Waiata ā-ringa/ action song)	19

Author: Andrea Blackshaw
Director Neighbourhoods and Communities

Author: Kaanihi Butler-Hare
Tumuaki Māori

Approved By: Jo Miller
Chief Executive

Te Ngaengae (Waiata ā-ringa)*Nā Kura Moeahu i whakahī*

Hurihuri noa ana ngā tipua o Te Ngaengae
 Mai rua tipua, mai rua tawhito
 Ka piua, ka rurea i ngā au
 Ngengere mai ana mō te kiri tangata

Tē ai o mahara, ka mate koe i Te Ngaengae
 Ka mania mai koe i roto i te wai
 Hei kai mā tipua, hei kai mā tawhito
 Hei kai mā te putanga

Ka ngateri (ka ngateri te whenua)
 Ka ngāueue (ka ngaue te pūtake) o te ao
 Ka hora ngā tini kararehe
 Ka mimiti ngā puna wai
 Ka maroke ngā tarataru
 Ngā ngāherehere i te koraha

Te tai māturuturu (mai te kāuru) o Te Ngaengae
 Nā ngā tipua (i whakairotia) ngā wai e rere nei
 i te ao, i te pō
 Te wai inuino o Te Awamutu
 Te wai tuku kiri o Waiwhetū
 Taupae atu rā ki Te Wai Mānga
 ka taka kōrua i te pō

Ināianeī rangi ahakoa kia rere noa atu
 Tahuri mai ana tēnei whenua i te ao
 He au o Waiwhetū
 He au o Te Awamutu
 Oreore tonu ngā au
 O ngā tipua
 O ngā tawhito

Nō reira e te iwi
 E kai ō mata ki nga wai o kui mā, o koro mā e
 Ka whakatanguru i te ao, i te pō
 Te Awamutu, te au o Waiwhetū

Te Ngaengae (Action song)*Composed by Kura Moeahu*

Turning aimlessly, the guardians of Te Ngaengae
 From the great depths, from the realm
 Tossed and buffeted by its currents
 Groaning for the flesh of man

Without thought of the danger at Te Ngaengae
 You slipped into the water
 As food for the metaphysical, for the ancient ones
 As food for their freedom

The land vibrates
 The earth's core rumbles
 The creatures have scattered
 The springs have dried up
 The vegetation withers and dries
 The forests are barren

The trickling tides from the source of Te Ngaengae
 The ancient ones who carved the waters that flow
 day and night
 The drinking waters of Te Awamutu
 The sustaining waters of Waiwhetū
 Drifting beyond into the freshwater lake
 Where you met your demise

Now days although they flowed long ago
 The landscape has changed the world
 The current of Waiwhetū
 The current of Te Awamutu
 The currents still quiver
 oh the metaphysical beings (the land tremors)
 oh the ancient ones (the earth's core rumbles)

Therefore, oh multitudes
 Feast your eyes on the waterways of our people
 That murmur day and night
 Te Awamutu, the currents of Waiwhetū

UNCONFIDENTIAL-RELEASE EXTERNAL

12 August 2024

Report no: HCC2024/4/241

Amendments to Hutt City Council Standing Orders - Remote Participation

Purpose of Report

1. The purpose of this report is to seek amendments to three of Hutt City Council's Standing Orders to align with legislative changes that allow remote participation at Council meetings to be counted as quorum.

Recommendations

It is recommended that Council:

- (1) receives and notes the report;
- (2) adopts amendments to Hutt City Council's Standing Orders that allow remote participation at Council meetings counting towards quorum attached as Appendix 1 to the report; and
- (3) notes the requirement to achieve the agreement of at least 75% of members present at a meeting to amend Standing Orders.

For the reason that the Local Government Act 2002 has been amended to allow members attending a meeting via audio-visual link, to be counted as part of the quorum of meetings of a local authority.

Background

2. Local authorities are required to adopt Standing Orders for the conduct of their meetings under clauses 27(1) and (2) of Schedule 7 of the Local Government Act 2002 (LGA). Standing Orders reflect the requirements of the LGA, the Local Government Official Information and Meetings Act 1987 and other legislation concerning the conduct of meetings. The amendment and adoption of Standing Orders require the agreement of at least 75% of members present at a meeting. Council can amend the Standing Orders at any time.
3. Council adopted amendments to its current Standing Orders on 22 November 2022.

Discussion

4. Audio-visual technology has become increasingly used over the past few years. However, members who have used this technology have traditionally not been able to be counted as quorum.

5. In response to COVID-19 and, more recently, the effects of Cyclone Gabrielle, the government has amended legislation to allow members joining the meeting remotely to be counted towards quorum requirements. This assists Council and community boards in continuing their business uninterrupted by having members join remotely if they are unable to attend the meeting in person.
6. The Local Government Legislation Amendment Act 2023 amended Schedule 7 s25A(4) of the Local Government Act 2002 to allow for members joining the meeting remotely to be counted as quorum and enables councils to manage remote participation through their standing orders.
7. The change will take effect on 1 October 2024, and local authorities must amend their standing orders by this date to allow for remote participation.
8. The below table outlines the recommended changes to the standing orders that relate to members attending meeting by audio or audio-visual link.

Standing Order	Recommended change
Ngā whakamārama Definitions	<p>Delete the current definition:</p> <p><i>Present at the meeting to constitute quorum means the member is to be physically present in the room.</i></p> <p>Replace with:</p> <p><i>Present at the meeting to constitute quorum means the member is to be either physically present in the room or attending the meeting by audio/audio-visual link, should this be enabled by their council's standing orders.</i></p>
SO 12.1 Ngā hui Kaunihera Council meetings	<p>Delete the word 'physically':</p> <p>The quorum for a meeting of the council is:</p> <p>(a) Half of the members physically present, where the number of members (including vacancies) is even; and</p> <p>(b) A majority of the members physically present, where the number of members (including vacancies) is odd.</p>
SO 14.8 Te tūnga a te mema: kōrama Member's status: quorum	<p>Delete:</p> <p>Members who attend meetings by electronic link will not be counted as present for the purposes of a quorum.</p>
SO 14.9 Te tūnga a te mema: te pōti Member's status: voting	<p>Delete the word 'physically':</p> <p>Where a meeting has a quorum, determined by the number physically present, the members attending by electronic link can vote on any matters raised at the meeting.</p>

Options

Options	Advantages	Disadvantages
Option A (recommended) Amend Standing Orders to allow for remote participants to be counted towards quorum	Amendment to the Standing Orders reflects a practice that is already occurring to good effect and is already allowed in legislation. There is less possibility of losing the quorum	None identified as members are already able to join remotely; this is only a change to count them as present for quorum
Option B (not recommended) Do not amend Standing Orders to allow for remote participants to be counted towards quorum	None identified	Online meetings as needed cannot continue after 1 October 2024 There is a possibility of losing quorum

Climate Change Impact and Considerations

9. Climate change considerations are not considered relevant to the consideration of this report, which deals with an administrative matter.

Consultation

10. There is no requirement for consultation on this matter. The amendments to Standing Orders for use at meetings are a matter to be determined in accordance with the provisions of the Local Government Act 2002.
11. The amended Standing Orders will be made available on Council's website and copies will be provided to all elected members via diligent. The amended Standing Orders will also be included in the local governance statement.

Legal Considerations

12. The adoption of Standing Orders requires in every case a vote of not less than 75% of the members present. The Appendices, as an attachment to the Standing Orders, do not require a vote of 75% of the members present, but rather a majority vote.

Financial Considerations

13. There are no financial considerations in respect of adopting amendments to Standing Orders.

Appendices

No.	Title	Page
1↓	Appendix 1 - Amendements to Hutt City Council's Standing Orders - Remote Participation	24

Author: Kate Glanville
Senior Democracy Advisor

Reviewed By: Kathryn Stannard
Head of Democratic Services

Approved By: Jarred Griffiths
Director Strategy and Engagement

Mover means the member who initiates a motion.

Newspaper means a periodical publication published (whether in New Zealand or elsewhere) at intervals not exceeding 40 days, or any copy of, or part of any copy of, any such publications; and this includes every publication that at any time accompanies and is distributed along with any newspaper.

Notice of motion means a motion given in writing by a member in advance of a meeting in accordance with, and as provided for, in these Standing Orders.

Officer means any person employed by the council either full or part time, on a permanent or casual or contract basis.

Pecuniary Interest includes any interest described in s 3 and 6 of the Local Authorities (Members Interests) Act 1968.

Open voting means voting that is conducted openly and in a transparent manner (i.e. enables an observer to identify how a member has voted on an issue) and may be conducted by electronic means. The result of the vote must be announced immediately it has concluded. Secret ballots are specifically excluded.

Order paper means the list of items for consideration at a meeting together with reports and other attachments relating to those items set out in the order in which they will be considered. An order paper is also referred to as an agenda.

Ordinary meeting means any meeting, other than the first meeting, of a local authority publicly notified in accordance with ss 46(1) and (2) of LGOIMA.

Petition means a request to a local authority which contains at least 20 signatures.

Powhiri means a formal welcome involving a Karanga from the Tangata Whenua (the home people) followed by formal speech making. A Powhiri is generally used for formal occasions of the highest significance.

~~**Present at the meeting to constitute quorum** means the member is to be physically present in the room.~~

Present at the meeting to constitute quorum means the member is to be either physically present in the room or attending the meeting by audio/audio-visual link, should this be enabled by their council's standing orders.

Presiding member means the chairperson.

Procedural motion means a motion that is used to control the way in which a motion or the meeting is managed as specified in Standing Orders 26.1 – 26.7.

Public excluded information refers to information which is currently before a public excluded session, is proposed to be considered at a public excluded session, or had previously been considered at a public excluded session and not yet been released as publicly available information. It includes:

10.14 Public excluded business on the agenda/Ngā take o te rārangi take kāore e whārikihia ki te marea

Items that are likely to be discussed under public-excluded must be indicated on each agenda, including the general subject of the item. The chief executive, however, may exclude public access to any reports, or parts of reports, which are reasonably expected to be discussed with the public excluded.

LGOIMA, s 46A(9).

10.15 Qualified privilege relating to agenda and minutes/Te maru whāiti e pā ana ki te rārangi take me ngā meneti

Where any meeting is open to the public and a member of the public is supplied with a copy of the agenda, or the minutes of that meeting, the publication of any defamatory matter included in the agenda or in the minutes is privileged. This does not apply if the publication is proved to have been made with ill will, or improper advantage has been taken of the publication.

LGOIMA, s 52.

Meeting Procedures/Ngā Tikanga Hui/

11. Opening and closing/Te whakatuwhera me te whakakapi

Local authorities and community boards may, at the start of a meeting, choose to recognise the civic importance of the occasion through some form of reflection. This could be an expression of community values, a reminder of the contribution of members who have gone before or a formal welcome, such as a mihi whakatau.

Options for opening a meeting could include a karakia timitanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting where appropriate.

12. Quorum/Kōrama

12.1 Council meetings/Ngā hui Kaunihera

The quorum for a meeting of the council is:

- (a) Half of the members ~~physically~~ present, where the number of members (including vacancies) is even; and
- (b) A majority of the members ~~physically~~ present, where the number of members (including vacancies) is odd.

LGA 2002, sch 7, cl 23(3)(a).

meetings) then the office held by the member will become vacant. A vacancy created in this way is treated as an extraordinary vacancy.

LGA 2002, sch 7, cl 5(d).

14.7 Right to attend by audio or audiovisual link/Te mōtika kia tae atu mā te hononga ā-oro, ataata-rongo rānei

Provided the conditions in Standing Orders 14.11 and 14.12 are met and a quorum for the committee is met, members of the local authority and its committees (and members of the public for the purpose of a deputation approved by the chairperson), have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

~~14.8 Member's status: quorum/Te tūnga a te mema: kōrama~~

~~Members who attend meetings by electronic link will not be counted as present for the purposes of a quorum.~~

~~*LGA 2002, sch 7, cl 25A(4).*~~

14.9 Member's status: voting/Te tūnga a te mema: te pōti

Where a meeting has a quorum, determined by the number ~~physically~~ present, the members attending by electronic link can vote on any matters raised at the meeting.

14.10 Chairperson's duties/Ngā mahi a te ūpoko

Where the technology is available and a member is attending a meeting by audio or audiovisual link, the chairperson must ensure that:

- (a) The technology for the link is available and of suitable quality; and
- (b) Procedures for using the technology in the meeting will ensure that:
 - i. Everyone participating in the meeting can hear each other;
 - ii. The member's attendance by audio or audio-visual link does not reduce their accountability or accessibility of that person in relation to the meeting;
 - iii. The requirements of Part 7 of LGOIMA are met; and
 - iv. The requirements in these Standing Orders are met.

LGA 2002, sch 7, cl 25A(3).

If the chairperson is attending by audio, or audio-visual link, then chairing duties will be undertaken by the deputy chairperson, or a member who is physically present.

HUTT CITY COUNCIL

KOMITI ITI MAHERE Ā-NGAHURUTANGA / MAHERE Ā-TAU
LONG TERM PLAN/ANNUAL PLAN SUBCOMMITTEE

Recommendations to Council of a meeting held in the Council Chambers,
2nd Floor, 30 Laings Road, Lower Hutt on
Monday 26 August 2024 commencing at 9:00 am

1. **RECOMMENDATIONS TO TE KAUNIHERA O TE AWA KAIRANGI**
COUNCIL - 6 September 2024

a) Draft Annual Plan 2025-26 initial direction setting

RECOMMENDED: (Mayor Barry/Cr Edwards) **Minute No. LTPAP 24401**

"That the Subcommittee recommends that Council:

- (1) notes that there are a range of challenges and opportunities that were considered as part of the Long Term Plan 2024-2034 (LTP) process and that these remain relevant in the preparation of the Draft Annual Plan 2025-26, as detailed in section A of Report No. LTPAP2024/4/231;*
- (2) agrees to the high-level plan and approach to the Draft Annual Plan 2025-26 as outlined in table 1 in Report No. LTPAP2024/4/231;*
- (3) notes that there may be inflationary cost pressures impacting on Council operations and capital investment programme and that officers will undertake work on potential offsetting mechanisms for Council consideration, such as non-rates funding sources, savings, rephasing and reprioritisation of work programmes;*
- (4) notes the risks relating to a downgrade of Council's Standard and Poors Credit Rating have been highlighted throughout the Annual Plan 2023-24 and the LTP process, and that a downgrade would result in higher borrowing costs as outlined in Report No. LTPAP2024/4/231 in paragraphs 16 and 17;*
- (5) notes the water reform financial modelling completed to provide early indicative impacts for the Council, as detailed in Appendix 1 attached to Report No. LTPAP2024/4/231;*

- (6) *notes the potential increase in depreciation costs based on the revaluation of three waters assets as part of the Annual Report 2023-2024 as outlined in section B in the report and that further analysis and officer advice will be presented to the Subcommittee on 25 November 2024;*
- (7) *notes the key assumptions as detailed in sections C, D, E and F in the report, together with Appendix 2 attached to Report No. LTPAP2024/4/231;*
- (8) *agrees with the proposed approach to the inflation assumptions as outlined in paragraphs 29 to 31 and table 2 of Report No. LTPAP2024/4/231;*
- (9) *agrees with the proposed approach to the interest cost assumption as outlined in paragraphs 33, 34 and table 3 of Report No. LTPAP2024/4/231;*
- (10) *notes the proposed approach to the staff salary increase assumption remaining unchanged from the LTP as outlined in paragraphs 35 and table 4 of Report No. LTPAP2024/4/231;*
- (11) *notes the rates increases adopted through the Long Term Plan 2024-2034 as outlined in Table 6 in Report No. LTPAP2024/4/231;*
- (12) *notes that further officer advice will be considered by the Subcommittee on the long term Financial Strategy considerations on 25 November 2024, including the approach to the balanced operating budget and setting a budget that is financially prudent as required by legislation;*
- (13) *supports in principle and directs officers to provide further advice on the potential inclusion of a voluntary targeted rate for wastewater and stormwater repairs on private properties for the Draft Annual Plan 2025-26 as outlined in section G of Report No. LTPAP2024/4/231;*
- (14) *agrees to only consider an extension of the Jackson Street Programme footprint and not an increase in the targeted rate generally. Before advancing this any further, directs officers to undertake light consultation with ratepayers who would be affected by the extension of the footprint and report back to Council on that engagement for further direction;*
- (15) *notes that light community engagement is proposed for the Draft Annual Plan 2025-26; and*
- (16) *notes the direction and guidance provided to officers in the preparation of the Draft Annual Plan 2025-26."*

b) Jackson Street Three Waters Renewals

RECOMMENDED: (Mayor Barry/Cr Stallinger) **Minute No. LTPAP 24402**

"That the Subcommittee recommends that Council:

- (1) notes the Council resolution of 25 July 2024 that the renewal of three waters infrastructure within a 560-metre stretch of Jackson Street, Petone be undertaken simultaneously;*
- (2) notes that, apart from a \$3.5M stormwater carry-over from 2023-24 to 2024-25, the cost of these works, estimated to be \$24.35M over a three year period has not been included as a specific renewal project within the 2024-2034 Long Term Plan;*
- (3) notes the options identified in this report to fund this renewal project;*
- (4) direct officers to provide further advice to the next meeting of the subcommittee on projects, other than within the three waters activity, that might be deferred to offset the cost of this work; and*
- (5) notes the overall financial impact of the bring forward of budget option for three water renewals will result in additional interest cost for debt funding, with a rates impact of approximately 0.7% in 2026-27."*

c) Three Waters Capital Carry-Overs

RECOMMENDED: (Mayor Barry/Cr Dyer) **Minute No. LTPAP 24403**

"That the Subcommittee recommends that Council:

- (1) notes that for the 2023/24 financial year the three waters CAPEX budget was underspent by \$10.4M;*
- (2) notes that the main items contributing to this variance were:*
 - (a) Jackson Street Stormwater Renewal due to deferral while investigations carried out into widening the scope of the project;*
 - (b) Naenae stormwater investigations that were not completed;*
 - (c) Pressure Management works as approved by Council in February 2024, which took longer to commence than planned;*
 - (d) Howard Road watermain renewal due to delays with the programme;*
 - (e) Eastern Hills Reservoir required to obtain resource consents from both Hutt City Council and Greater Wellington Regional Council; and*
 - (f) Wastewater works which include trunk main outfall overflow consent investigations, Petone Collecting sewer and trunk main renewal (Totara Park) and*
- (3) agrees to carry-over to the 2024/25 financial year a sum of \$5.9M and to the 2025/26 financial year \$4.5M in respect of these underspent budgets."*

d) Micromobility Programme

RECOMMENDATION: (Cr Stallinger/Cr Shaw) **Minute No. LTPAP 24404**

"That the Subcommittee recommends that Council:

- (1) receives and notes the report;*
- (2) notes the June 2024 report LTPAP2024/3/140 Micromobility Options 2024/25 onwards was considered by the Long Term Plan/Annual Plan Subcommittee; and*
- (3) approves a \$7.28M unsubsidised budget available over the 2024-2027 Long Term Plan period to fund Micromobility projects."*

e) Proposed budget changes for 2024-25 and later years

RECOMMENDED: (Mayor Barry/Cr Parkin) **Minute No. LTPAP 24405**

"That the Subcommittee recommends that Council:

- (1) notes the 2023-24 year-end budget changes to projects as outlined in Report No. LTPAP2024/4/236;*
- (2) agrees to amend the operating and capital budgets for 2024-25 and later years as detailed in this report due to the budget changes that have been identified, refer to Tables 1 and 2 contained in Report No. LTPAP2024/4/236 and Appendix 1 attached to Report No. LTPAP2024/4/236; and*
- (3) agrees to the operating and capital budget changes for 2024-25 and future years as detailed in Table 3 of this report to be included in the Revised budget 2024-2025 and the Draft Annual Plan 2025-2026."*