

**MINUTES of an ORDINARY MEETING of COUNCIL held in the Council Chambers,
Level 2, Civic Administration Building, 838-842 Fergusson Drive, Upper Hutt
on WEDNESDAY 09 AUGUST 2017 commencing at 4.30pm**

PRESENT: HIS WORSHIP THE MAYOR MR W N GUPPY (CHAIR), CRS C B G CARSON, R B T CONNELLY, J B GRIFFITHS, J C GWILLIAM, G T MCARTHUR, A R MCLEOD, H SWALES, S P TAYLOR AND D V WHEELER

APOLOGY: CR P E LAMBERT

ATTENDING: CHIEF EXECUTIVE, DIRECTOR ASSET MANAGEMENT AND OPERATIONS, DIRECTOR OF BUSINESS DEVELOPMENT SERVICES, DIRECTOR OF COMMUNITY SERVICES, DIRECTOR OF CORPORATE SERVICES, CITY SOLICITOR, CORPORATE PLANNER (UNTIL 5.20pm), DEPUTY ELECTORAL OFFICER (UNTIL 4.55pm) AND DEMOCRATIC SERVICES ADVISOR

A. PUBLIC BUSINESS

The Mayor opened the meeting with a prayer.

The Mayor introduced Councillor Gibb from Waikato District Council.

The Mayor advised three media studies students from Upper Hutt College would be filming the beginning of the meeting for their NCEA Project. There were no objections raised to this.

His Worship the Mayor made mention of the following:

- 6 July - GOLD Awards – overall winner was Flick Electric Co
- 8 July - Beyond the Page Opening Event at Expressions with Poetry and Pancakes Event
- 10 July - Beyond the Page with the Royal New Zealand Ballet and Sir John Trimmer
- 14 July - Unveiling of Don Griffin Grove Street Sign
- 20 July – citizenship ceremony for 98 people from 22 countries
- 21 July - Tuakana Teina Award ceremony
- 3 August – attend the official ribbon cutting of Haywards Interchange
- 3 August – Wellington Airport Community Awards

Passing of:

- 2 August - Tom Cunningham.
- 9 August - Glen Campbell.

APOLOGY

RESOLVED

THAT the apology from Councillor Lambert be received.

Moved

Cr Taylor / Cr McLeod

CARRIED

1. PUBLIC FORUM

Ms Mary Beth Taylor spoke about Participatory Democracy. She expressed her concern that this is not achieved to a high level in the city, and believes that stronger participation results in reduced risk of losing democracy. She further believed that Council did well to ask for public participation, but that the public did not respond well. She urged Council to “normalise” participation and that an education programme could assist to improve civic literacy.

2. GENERAL BUSINESS

Councillor McLeod declared one item of general business.

The Upper Hutt College students left at 4.43pm.

3. CONFLICT OF INTEREST DECLARATIONS

There were no conflicts of interest declarations

4. APPROVAL OF MINUTES**EXTRAORDINARY COUNCIL (M.P. 104-108 28/06/17)****RESOLVED**

THAT the minutes of the Extraordinary Council held on 28 June 2017 be approved.

Moved His Worship the Mayor / Cr Swales **CARRIED**

ORDINARY COUNCIL (M.P. 109-113 28/06/17)**RESOLVED**

THAT the minutes of the Ordinary Council held on 28 June 2017 be approved.

Moved His Worship the Mayor / Cr Taylor **CARRIED**

5. APPROVAL OF COMMITTEE MINUTES**(a) CITY SERVICES COMMITTEE (M.P. 114-118 19/07/17)**

In general discussion, Councillor Gwilliam believed the officer recommendations under Item 5 should be adopted rather than the Committee resolution. He believed the officer recommendations made sense, were easier to remember, and would reduce public confusion and the number of prosecutions.

RESOLVED

THAT the report of the City Services Committee held on 19 July 2017 be received and the recommendations contained therein be adopted, excluding the recommendation contained in Item 5.

Moved Cr Griffiths / Cr Taylor **CARRIED**

In general discussion, it was agreed the water restriction recommendation proposed by the officers should be resolved, including that the restrictions should apply all year round, noting that this latter part of the resolution is contrary to the Wellington Water Ltd recommendation.

RESOLVED

- 1. THAT the Water conservation – garden watering restrictions policy below (the new Policy) replaces the current Water conservation – garden watering restrictions policy in Chapter 4 paragraph 4.15 of the Manual of Policies from 24 September 2017:**

Water conservation – garden watering restrictions.

In the interests of conservation and responsible management Council will use measures to manage the water supply; measures will include the imposition of water restrictions in accordance with the Upper Hutt City Council Water Supply Bylaw 2008.

Watering restrictions apply for 12 months of the year.

During this time, a single garden watering system or sprinkler or soaker hose or an unattended hose may be used at each premise between 6am – 8am and 7pm – 9pm on alternate days.

People living in even-numbered properties can water on even-numbered days of the month (i.e. based on the date) and people living in odd-numbered properties can water on odd-numbered days.

Further water restrictions may be imposed by Council in times of drought or water shortage.

- 2. THAT the Director of Asset Management and Operations is delegated Authority to impose, notify and enforce restrictions contained in the new Policy in recommendation 1 to manage demand, high seasonal or other demands under Clause 9.6.3 of Council's Water Supply Bylaw 2008 in respect of such areas of the city and or such categories of properties during periods of such time as is determined to be necessary in the interests of conserving water.**

Moved

Cr Gwilliam / Cr McLeod

CARRIED

His Worship the Mayor and Councillor McArthur voted against the resolution.

(b) POLICY COMMITTEE (M.P. 119-123 26/07/17)

RESOLVED

THAT the report of the Policy Committee held on 26 July 2017 be received and the recommendations contained therein be adopted.

Moved

Cr McLeod / Cr Swales

CARRIED

6. REVIEW OF REPRESENTATION ARRANGEMENTS 2019 TRIENNIAL ELECTIONS

(306/10-011)

Report from the Senior Corporate Planner dated 27 July 2017 (agenda pages A6-1 to A6-8).

Councillor Gwilliam enquired as to why a final decision could not be made at this meeting, and what further information was expected in 2018.

His Worship the Mayor explained he was in constant dialogue with the marae.

RESOLVED

- 1. THAT the report be received.**
- 2. THAT relationships with Mana Whenua be carried out in the general manner as outlined in this report.**
- 3. THAT a further report is submitted to the Policy Committee in early 2018 outlining decisions that need to be made with a proposed timeline, and a proposed consultation approach.**

Moved

Cr Swales / Cr McLeod

CARRIED

7. ELECTORAL VOTING SYSTEM FOR 2019 TRIENNIAL ELECTIONS

(306/10-011)

Report from the Deputy Electoral Officer dated 25 July 2017 (agenda pages A7-1 to A7-4).

In general discussion, Councillor McArthur commented that recommendation (i) of the report would involve an immediate cost to Council, and that he supports recommendation (iii) providing there was a public education exercise.

Councillor Taylor explained he preferred the STV system when there were a small number of candidates involved (e.g. for mayoralty), and that he prefers the FPP system for councillor elections.

Councillor Carson asked what the definition of a “poll” was (in recommendation (iii)). The Chief Executive replied this would be an official election poll, at a cost of at least \$80,000.00.

Councillor Wheeler commented he preferred the status quo; that the STV system had cost implications; and that the public understand the FPP system.

Councillor Gwilliam said that he had no particular preference for either voting system and on that basis supported the retention of the status quo. However he noted that there would be no extra cost to the ratepayer in changing to STV unless the public requested a poll. He added the voting system was confusing in the Wellington Region as the two different systems of voting were used by the different councils and the District Health Board.

RESOLVED

THAT Council resolves to continue with the status quo, First Past the Post electoral system but publicly notify of a right to demand a poll on the electoral system to be used for the next two triennial elections by 19 September 2017.

Moved

Cr Griffiths / Cr Swales

CARRIED

Councillor Taylor voted against the Resolution.

8. EARTHQUAKE PRONE, DANGEROUS AND INSANITARY BUILDINGS POLICY 2006

(331/30-002)

Report from the Director of Planning and Regulatory Services dated 21 July 2017 (agenda pages A8-1 to A8-8).

Councillor Gwilliam commented that the existing Policy was implemented in 2006 and is due for revision. He questioned whether earthquake prone tagging on LIMS would remain should these recommendations be adopted, and what would happen to the extensive works officers had already carried out in this regard? The Chief Executive replied that works already undertaken would not be wasted and that Building Condition Assessments would still be valid. However, he added as of 1 July 2018, there is no Earthquake Prone Building List in Upper Hutt, and there would be a need for all building owners to be contacted again (page A8–7) with the onus on them getting back to the council within 12 months.

Councillor Carson enquired as to how the public would know which buildings in the city were Earthquake Prone. The Chief Executive replied there will be a National Register, and that a sticker system would operate (prone buildings would be stickered).

RESOLVED

- 1. THAT the report be received.**
- 2. THAT Council authorises the Director Planning and Regulatory Services to make the changes necessary to the current adopted Earthquake-Prone, Dangerous and Insanitary Buildings Policy 2006 and remove all provisions relating to earthquake-prone buildings, including minor consequential changes to the wording of the Policy**

Moved

His Worship the Mayor / Cr Taylor

CARRIED

9. ADOPTION OF THE WELLINGTON REGION WASTE MANAGEMENT AND MINIMISATION PLAN 2017-2023 (WMMP)

(330/09-000)

Report from the Acting Senior Policy Advisor through the Director Business Development Services dated 25 July 2017 (agenda pages A9-1 to A9-158).

Councillor Gwilliam asked why there was a requirement to revoke the current Plan, as he believed it would simply expire. The Director Business Development Services explained this recommendation was because of advice received.

Councillor Swales enquired why there was not a fourth recommendation, regarding financial implications. The Director Business Development Services advised the implications had already been discussed and debated, and that if there were any financial implications as the Plan was implemented, these would be reported back to council in due course.

Councillor Swales asked if the current amount of Waste Minimisation Levy collected covered the cost of all projects to be undertaken; how frequently the KPI's were managed, and where did Upper Hutt sit in relation to other authorities in the region (regarding Waste Minimisation)?

The Director Business Development Services advised there had been a number of council workshops in this regard and that this was the third time council had received a full report on Waste Minimisation. He further advised the KPI's are set to a high level and that detailed targets would be part of the Long-Term Plan process, enabling detailed analysis and reports back within the Annual Plan process.

Councillor McLeod added that the WMMP Committee would continue to meet six monthly to keep track of action points.

RESOLVED

- 1. THAT Council revokes the Wellington Region Waste Management and Minimisation Plan 2011-2017.**
- 2. THAT Council adopts the Wellington Region Waste Management and Minimisation Plan 2017-2023 at Attachment 3.**
- 3. THAT Council approves officers to make minor amendments or corrections that are not material changing (e.g. typographical) to the WMMP following this Council meeting.**

Moved

Cr McLeod / Cr Taylor

CARRIED

10. REVIEW OF THE CONTROL OF ADVERTISING SIGNS BYLAW 2005 (331/50-005)

Report from the City Solicitor dated 26 July 2017 (agenda pages A10-1 to A10-44).

There was general discussion on this item, with Councillor Taylor enquiring why there was to be a restriction of only permitting one sided signs. The City Solicitor replied this was a traffic safety issue, recommended by the Deputy Electoral Officer.

Councillor McLeod reminded the Council this Bylaw related to temporary signs.

Councillor Connelly asked how this Bylaw and the District Plan Signs requirements related to each other. She commented that very few current (general election) temporary signs would comply with the District Plan sign and lettering size requirements. Councillor Taylor enquired who enforces the Bylaw? The City Solicitor advised election signs are governed by the Electoral Officer for the Electorate. They do not come under Council's jurisdiction unless there is a breach of the Bylaw.

Councillor Carson advised that he had received an email from Council Officer's this morning stating it was officer advice which led to the one-sided sign recommendation. He believed the 3m² maximum sign size was too limiting, and that election signage especially was created according to cost restrictions. He further commented that he would support the removal of the Gibbons Street round-about area for signs as they created a traffic hazard. He asked for clarification about signs erected on private property, but visible from public places (e.g. school signs advertising galas).

The City Solicitor directed the Councillors to the definition of Temporary Sign as being a sign which can be put up without any specific permission, within designated temporary sign areas, according to the specific temporary signage rules (including sign size). Any other sign can be erected in any other area, providing Council permission is granted.

Councillor McLeod asked whether this report was to be released for public consultation?

The Mayor replied it was. The City Solicitor advised the District Plan Policy team are currently reviewing the signage chapter of the District Plan, and that there is a legal requirement for the Advertising Signs Bylaw to be reviewed and in place by December 2017.

There was general discussion on this item, with the Council agreeing a workshop is required before any decisions are made, as there were too many issues being raised to make an informed decision.

RESOLVED

THAT a Council workshop regarding the Review of the Advertising Signs Bylaw 2005 and the District Plan Sign Chapter be held as soon as practicable.

Moved His Worship the Mayor / Cr Swales

CARRIED

11. DOCUMENTS SEALED (311/01-003)

Schedule of Documents Sealed for the period 22 June 2017 to 1 August 2017 (agenda page A11-1 to A11-2).

RESOLVED

THAT the Schedule of Documents Sealed be received and the actions recorded therein be confirmed.

Moved His Worship the Mayor / Cr McArthur

CARRIED

12. SEALING AUTHORITY (311/01-003)

RESOLVED

THAT approval be given for the Common Seal to be affixed to all relevant documents in connection with decisions reported in respect of any of the foregoing and following items.

Moved His Worship the Mayor / Cr Taylor

CARRIED

13. GENERAL BUSINESS

Councillor McLeod enquired as to whether traffic safety issues on Akatarawa Road were being addressed. The Director Asset Management and Operations advised two contracts are currently under negotiation – one for the “cattle track” remedial works and a second for a retaining wall and road widening works at the top of the hill. The Mayor advised information regarding these contracts would be sent to the residents once details were confirmed.

Councillor McLeod asked that as well as a water restriction policy review, a review of how council promotes water conservation should also occur. She requested a District Plan review to include provision for private water storage in urban areas (as currently occurs in rural areas).

Councillor McLeod requested that in light of the recent earthquakes in Whitemans Valley, GNS Scientists present an earthquake report to Council.

Councillor McLeod requested the opening prayer to Council meetings be amended to include Foremothers as well as Forefathers (or similar).

Councillor Taylor requested waste minimisation information which had previously been in Public Excluded Business, now be made public, as a final decision (adoption of the Plan) had been made. Councillor McLeod advised this had already occurred, and she would confirm with the officers.

Councillor Swales informed the Council of her upcoming absence, but as there were no scheduled relevant committee or council meetings during the time, a formal request for leave of absence was not required. It was agreed should an Extraordinary Council meeting occur, Councillor Swales' apologies would be noted.

14. PUBLIC EXCLUSION

Resolution as follows required:

- B.1 APPROVAL OF MINUTES**
- B.2 APPROVAL OF COMMITTEE REPORT MINUTES**
- B.3 AMENITY LOAN APPLICATION**
- B.4 APPOINTMENT OF TRUSTEE TO EXPRESSIONS WHIRINAKI ENTERTAINMENT CENTRE**
- B.5 UPDATE ON CBD**
- B.6 GENERAL BUSINESS**

THAT the general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

(A) GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	(B) REASONS FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	(C) GROUND UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
Approval of Minutes	The withholding of information is necessary to protect information subject to an obligation of confidence.	Section 7(2)(c)
Approval of Committee Report Minutes	The withholding of information is necessary to protect information subject to an obligation of confidence.	Section 7(2)(c)
Amenity Loan Application	The withholding of information is necessary to protect information to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of any local authority.	Section 7(2)(f)(i)
Appointment of Trustee to Expressions Whirinaki Entertainment Centre	The withholding of information is necessary to protect the privacy of natural persons.	Section 7(2)(a)
CBD Update	The withholding of information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is subject of the information and to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(b)(ii) Section 7(2)(i)

General Business

The withholding of information is necessary to protect information subject to an obligation of confidence.

Section 7(2)(c)

This resolution is made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of the Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as specified in Column B above.

Moved

His Worship the Mayor / Cr Griffiths

CARRIED

RESOLVED

THAT Mr Simon Edmonds, Mr Jason Durry and Mr Gerry Bealing from Silverstream Railway Incorporated be permitted to attend item B.3 to be available for questions.

Moved

His Worship the Mayor / Cr Griffiths

CARRIED

The Public Business section of the meeting concluded at 5.26pm.

The Public Excluded section of the meeting concluded at 6.06pm.

Confirmed this 20th day of September 2017.

W N Guppy
MAYOR