

***The unconfirmed minutes are subject to confirmation at the Council meeting to be held on 23 May 2018.***

**MINUTES of an ORDINARY MEETING of COUNCIL held in the Council Chambers,  
Level 2, Civic Centre, 838-842 Fergusson Drive, Upper Hutt  
on WEDNESDAY 11 APRIL 2018 commencing at 4.30pm**

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

**APOLOGY: CR D V WHEELER**

**IN ATTENDANCE: CHIEF EXECUTIVE, DIRECTOR OF ASSET MANAGEMENT AND OPERATIONS, DIRECTOR  
OF BUSINESS DEVELOPMENT SERVICES, DIRECTOR OF COMMUNITY SERVICES,  
DIRECTOR OF CORPORATE SERVICES, DIRECTOR OF PLANNING AND REGULATORY  
SERVICES, PERFORMANCE AND CAPABILITY MANAGER, PARKS AND RESERVES  
MANAGER (part meeting), ECONOMIC DEVELOPMENT MANAGER, SENIOR POLICY  
ADVISOR, POLICY PLANNER (part meeting) AND DEMOCRATIC SERVICES ADVISOR**

**PUBLIC BUSINESS**

The Mayor opened the meeting with a prayer.

**APOLOGY**

**RESOLVED: C 180201(3)**

**THAT the apology received from Councillor Wheeler be accepted and leave of absence  
granted.**

Moved His Worship the Mayor/Cr Griffiths

**CARRIED**

His Worship the Mayor made mention of the following:

- 12 March - opening of the pop up business school;
- 15 March – unveiling of the mural at Upper Hutt train station;
- 16 March – Lions District Convention;
- 17 March – opening of the new Seido Karata dojo;
- 17 March – another successful March Madness;
- 22 March - World Water Day Forum at Expressions;
- 24 March – Race Relations Day event; and
- 25 March – DIY Marae at Orongomai.

## 1. **PUBLIC FORUM**

**Ms Carla Bentley from Upper Hutt Baptist Church and advocate at Upper Hutt BEST (Benefit Education Service Trust)** noted her concern regarding the homeless and housing affordability issue in Upper Hutt. She said a “Ladder Up” team had been formed to assist beneficiaries to build their own kit-set housing. She further said it was a training and housing solution that was sustainable and self-motivating for beneficiaries. She informed members that the “Ladder Up” project required land to build on and had made a submission to Council’s Long Term Plan asking that as Council land came up for sale favourable consideration would be given to the proposal.

**Lynne McLellan** acknowledged and thanked officers involved in the drafting of the Long Term Plan 2018-2028 and the workshop held at the Expressions Arts and Entertainment Centre. She asked that Council defer the decision regarding the disposal of the Whiteman’s Valley Reserve until the outcome of the District Plan review of the rural land and residential zones had been finalised for the following reasons: firstly, if the Whiteman’s Valley Reserve land was sold there would be no further community consultation about the community asset; secondly, the Upper Hutt Town and Country Association had been advocating through numerous consultation documents that this was the only Council land in the Whiteman’s Valley rural sector and should be kept for future generations and utilised as an asset; and thirdly, noted this land would assist Council in achieving its goal to develop a connectedness between the City and the great outdoors.

Mrs McLellan supported Council’s response to the Local Government Commission’s recommendations in the Strengthening the Wellington Region report.

**Bob McLellan** supported Council’s response to the Local Government Commission and the submission to the New Zealand Transport Agency regarding the lowering of the speed limit on State Highway 58. He noted the land in Whiteman’s Valley was the only reserve land in that area and once it was sold it would be lost to future generations. He said the land had not been utilised to date and could provide services in the future. He asked that Council defer the decision regarding the disposal of the Whiteman’s Valley Reserve until the outcome of the District Plan review of the rural land.

**Judy Dickson, Secretary of Upper Hutt Housing Trust** informed members of the limited low cost housing options in Upper Hutt. She said there was an increase in urgent requests for families who were homeless. She asked Council to consider options to support a range of housing options in the Long Term Plan 2018-2028.

His Worship the Mayor asked Ms Dickson to make a submission to the Long Term Plan outlining the housing requirements in Upper Hutt. Councillor Swales asked that the submission include statistics of homeless numbers in the City.

**Bill Kirkup, Upper Hutt Housing Trust** advised there was an increased need for affordable social housing in Upper Hutt. He noted that central government had reduced the number of social houses in Upper Hutt. He said the Trust was asking Council to lease land to enable social housing to be built on it.

His Worship the Mayor asked Mr Kirkup to make a submission to the Long Term Plan outlining the request.

### **RESOLVED:**

**C 180202(3)**

**THAT Public Forum be extended for an additional 30 minutes.**

Moved

Cr Taylor/Cr Gwilliam

**CARRIED**

**Hayden Allen, Pastor at the Upper Hutt Baptist Church** spoke in support of the Ladder-Up team. He said the Team was focussed on the betterment of the Upper Hutt community.

**Teresa Homan, Upper Hutt BEST** advised the Ministry of Social Development wanted to work with Council's to provide social housing. She noted that social housing based on income related rent was required. She asked Council to defer a decision regarding the disposal of land and investigate social housing in partnership with the Ministry of Social Development. She further asked that the land either be gifted or leased for social housing.

**Natalie Murphy, Upper Hutt BEST** provided examples of families who were struggling financially and required social housing. She said land was needed to provide social housing.

**Tony Chad** asked that the disposal of the reserve land in Whiteman's Valley not proceed. He asked Council to assist the rural community in developing a useful space for the wider community. He added that at times the rural community did not believe Council listened.

**Mary Beth Taylor** advised that the reserve land at Whiteman's Valley had been included in a number of consultation documents, including the rural strategy, and the community had asked for the land to be maintained for future use. She noted Council's Long Term Plan included a provision of services for freedom campers and questioned Council's understanding towards the rural community by not developing the reserve land at Whiteman's Valley. She asked that the disposal of the reserve land in Whiteman's Valley not proceed.

Roz Brown asked that the disposal of surplus land be deferred until Council's Sustainability Strategy had been completed. She asked that the strategy include food security for the City.

## **2. GENERAL BUSINESS**

Councillors Carson and McLeod each declared one item of general business.

## **3. CONFLICT OF INTEREST DECLARATIONS AND UPDATES**

Councillor McLeod advised she is a member of the Health Promotion Agency District Licensing Committee Advisory Group.

**4. APPROVAL OF MINUTES**

**a) COUNCIL (1-9 28/02/18)**

**RESOLVED**

**C 180203(3)**

**THAT the minutes of Council held on 28 February 2018 be approved.**

Moved His Worship the Mayor/Cr Taylor

**CARRIED**

**b) EXTRAORDINARY COUNCIL (1-6 21/03/18)**

**RESOLVED**

**C 180204(3)**

**THAT the minutes of the Extraordinary Council held on 21 March 2018 be approved.**

Moved His Worship the Mayor/Cr McArthur

**CARRIED**

**c) EXTRAORDINARY COUNCIL (1-57 27/03/18)**

**RESOLVED**

**C 180205(3)**

**THAT the minutes of the Extraordinary Council held on 27 March 2018 be approved.**

Moved His Worship the Mayor/Cr Griffiths

**CARRIED**

**5. APPROVAL OF COMMITTEE MINUTES**

**a) HUTT VALLEY SERVICES COMMITTEE (1-7 02/03/18)**

His Worship the Mayor asked to discuss Item 5: Proposed Health and Hygiene Bylaw.

**RESOLVED**

**C 180206(3)**

**THAT the report of the Hutt Valley Services Committee held on 2 March 2018 be received and the recommendations contained therein be adopted, excluding Item 5: Proposed Health and Hygiene Bylaw.**

Moved His Worship the Mayor/Cr Swales

**CARRIED**

His Worship the Mayor noted that Council had been advised that due to staff shortages and existing priorities of both Hutt City Council and Regional Public Health, it would not be possible to complete all the work for the bylaw as originally envisaged.

**RESOLVED****C 180207(3)**

1. **THAT Council agrees that the Proposed Health and Hygiene lie on the table for the reason that due to staffing shortages and existing priorities of both Hutt City Council and Regional Public Health, the Bylaw will not be completed within the timeframe originally proposed.**
2. **THAT Council notes an updated timeframe will be considered by the Hutt Valley Services Committee on Friday 4 May 2018.**

**CARRIED**

Moved Cr Swales/Cr Lambert

**b) HEARINGS PANEL (1-2 09/03/18)****RESOLVED****C 180208(3)**

**THAT the report of the Hearings Panel held on 9 March 2018 be received.**

Moved Cr McArthur/Cr Griffiths

**CARRIED****c) CITY SERVICES COMMITTEE (1-5 21/03/18)****RESOLVED****C 180209(3)**

**THAT the report of the City Services Committee held on 21 March 2018 be received and the recommendations contained therein be adopted.**

Moved Cr Griffiths/Cr Lambert

**CARRIED****d) POLICY COMMITTEE (1-5 28/03/18)**

Councillor Swales asked that the minutes be amended to reflect her attendance at the meeting.

Councillor McLeod asked to discuss Item 8: General Business.

**RESOLVED****C 180210(3)**

**THAT the report of the Policy Committee held on 28 March 2018 be received and the recommendations contained therein be adopted, noting that Cr Swales was present at the meeting and excluding Item 8: General Business.**

Moved Cr McArthur/Cr Taylor

**CARRIED**

Councillor McLeod asked that point one of the General Business item be amended to reflect that Councillors and officers were not advised of the 1080 aerial drop in the north Rimutaka area. She said her concern was with the whole consultation process of the project.

**RESOLVED****C 180211(3)**

**THAT Item 8: General Business within the report of the Policy Committee held on 28 March 2018 be received, noting Councillor McLeod's concern with the level of overall consultation in respect to the aerial 1080 project in the north Rimutaka area.**

**CARRIED**

Moved Cr McArthur/Cr Griffiths

**6. DECISION REPORT ON PROPOSED PLAN CHANGE 44 TO THE UPPER HUTT DISTRICT PLAN 2004: TEMPORARY ACTIVITIES (351/12-049)**

Report from the Policy Planner through the Director of Planning and Regulatory Services dated 27 March 2018.

His Worship the Mayor noted that two submissions had been received and officers had worked through any issues with the submitters.

Councillor Taylor commended staff for a smooth plan change process and for their discussions with the two submitters.

In response to a question from Councillor McLeod, the Policy Planner advised that 'commercial promotional events' were business events for promotional gain. He noted the reference to commercial promotional events had not been changed in the District Plan due to this Plan Change and was an existing reference.

**RESOLVED****C 180212(3)**

**THAT Council adopts the recommendations within section 9 of the officer's report, and resolves**

- 1. THAT pursuant to Clause 10 of the First Schedule of the Resource Management Act 1991, Council gives notice of its decision on submissions to Plan Change 44 in accordance with the recommendations of the officer's report.**
- 2. THAT the modifications outlined in Appendix 2, attached to the report, be made to Plan Change 44, prior to its inclusion in the Upper Hutt District Plan.**
- 3. THAT pursuant to Clause 17 of the First Schedule of the Resource Management Act 1991, Council resolves to make operative Plan Change 44 with the modifications as set out in Appendix 2, attached to the report.**
- 4. THAT pursuant to Clause 20 of the First Schedule of the Resource Management Act 1991, Council gives notice of Plan Change 44 becoming operative.**

**CARRIED**

Moved Cr Taylor/Cr McLeod

## **7. DISPOSAL OF SURPLUS LAND (318/51/009)**

Report from the Parks and Reserves Manager dated 14 March 2018.

His Worship the Mayor noted this had been a long process and officers had been asked to present a paper to Council. He said a number of issues had been raised during the Public Forum section of the meeting and considered it appropriate to defer a decision on the disposal of surplus land until the completion of the Long Term Plan 2018-2028 process.

Councillor McArthur queried whether Council could proceed with the disposal of some of the land, specifically Oaklands Grove, King Charles Drive and Hikurangi Drainage Reserve? He said he did not support the sale of the Whiteman's Valley Reserve land.

His Worship the Mayor considered it was best not to proceed in a piecemeal way.

Councillor Gwilliam supported the removal of Whiteman's Valley Reserve until the outcome of the District Plan review of the rural land and residential zones. He said the Open Space Strategy had identified that some of the land was not required for reserve land. He noted the land may be required for other purposes as identified during the Public Forum section of the meeting. He suggested that Council could proceed with the first step of revoking the reserve designation on the identified land.

In response to a question from Councillor Gwilliam, the Chief Executive advised the Minister of Conservation required that proceeds from the sale of reserve land be placed in a reserves fund rather than a general fund to be used for other purposes.

Councillor Taylor supported the comments about proceeding with the disposal of some of the land. He agreed with the removal of the Whiteman's Valley Reserve land from consideration. He considered the reserve revocation of Speargrass Grove could be progressed and that investigation into the use of Speargrass Grove and Timberlea Reserve for social housing be undertaken. He further agreed to the leasing of the Maidstone Park land identified in the report to Orongomai Marae for the Kohanga Reo.

Councillor Connelly supported the deferral of the identified land sales until the completion of the Long Term Plan process. She also supported the removal of the Whiteman's Valley Reserve land from consideration. She agreed that the reserve revocation process could be undertaken now while discussions regarding the purpose of the land were held. She said it was important to continue the discussion regarding social housing and supported proceeding with the leasing of land at Maidstone Park to Orongomai Marae.

Councillor Lambert supported the deferral of the identified sales until the completion of the Long Term Plan process. He also supported the removal the Whiteman's Valley Reserve land from consideration and proceeding with the leasing of land at Maidstone Park to Orongomai Marae.

Councillor Carson supported the removal of the Whiteman's Valley land from consideration and the leasing of land at Maidstone Park to Orongomai Marae. He agreed the purpose of the identified surplus land and the use of it for social housing should be investigated. He queried recommendation 8 in the officer's report about the funds generated by the sale of land used for the purpose of acquiring new reserves or development of the existing reserve network. He asked how that money would be spent, who would have authority to approve the spend and how it was integrated into the Long Term Plan and existing reserves. He said the proceeds of reserve land sale could be used for operating costs of existing reserves and asked that this be investigated.

Councillor Griffiths supported proceeding with the sale of some of the land.

**RESOLVED**

**C 180213(3)**

**THAT this report is received.**

**CARRIED**

Moved Cr Gwilliam/Cr Swales

**RESOLVED**

**C 180214(3)**

**THAT Council defers a decision regarding Whitemans Valley Road Reserve (Lot 8 and Lot 5 DP 58877) until the outcome of the District Plan review of the rural area.**

**CARRIED**

Moved Cr McLeod/Cr Taylor

MOVED: (His Worship the Mayor/Cr Connelly) (BY A SHOW OF HANDS)

THAT Council defers a decision regarding the following land: Oaklands Grove (Lot 15 DP50346); King Charles Drive (Lot 2 DP48416); McLeod Park (Lot 79 DP13831); Hikurangi Drainage Reserve (Lot 55 DP18653); Speargrass Grove (Part Lot 78 DP47344); Norana Road (Lot 2 DP72446); Pinehaven Road (Part Lot 74 and 75 DP9185); Orongomai Marae – Maidstone Park (outlined in Appendix C to the report); Timberlea Park (Lot 8 DP46164); and Larchmont Road Reserve (Lot 6 DP46315) until Council's Long Term Plan 2018-2028 has been finalised.

**For:**

His Worship the Mayor  
Cr Carson  
Cr Connelly  
Cr Lambert  
Cr McLeod

**Against**

Cr Griffiths  
Cr Gwilliam  
Cr McArthur  
Cr Swales  
Cr Taylor

The motion was declared carried on the casting vote of His Worship the Mayor.

**RESOLVED** (on the casting vote of His Worship the Mayor)

**C 180215(3)**

**THAT Council defers a decision regarding the following land: Oaklands Grove (Lot 15 DP50346); King Charles Drive (Lot 2 DP48416); McLeod Park (Lot 79 DP13831); Hikurangi Drainage Reserve (Lot 55 DP18653); Speargrass Grove (Part Lot 78 DP47344); Norana Road (Lot 2 DP72446); Pinehaven Road (Part Lot 74 and 75 DP9185); Orongomai Marae – Maidstone Park (outlined in Appendix C to the report); Timberlea Park (Lot 8 DP46164); and Larchmont Road Reserve (Lot 6 DP46315) until Council's Long Term Plan 2018-2028 has been finalised.**

**CARRIED**

Moved His Worship the Mayor/Cr Connelly



**8. STRENGTHENING THE WELLINGTON REGION – UPPER HUTT CITY COUNCIL’S RESPONSE TO THE LOCAL GOVERNMENT COMMISSION (301/51-009)**

Report from the Director of Business Development Services dated 4 April 2018.

**RESOLVED**

**C 180216(3)**

- 1. THAT Council receives the report from ‘Strengthening the Wellington Region’ from the Local Government Commission attached as Appendix 1 to the report.**
- 2. THAT Council respond as outlined in Appendix 2 attached to the report.**

Moved Cr McLeod/Cr Swales

**CARRIED**

**9. PROPOSAL TO LOWER SPEED LIMIT, STATE HIGHWAY 58 – UPPER HUTT CITY COUNCIL’S SUBMISSION TO NEW ZEALAND TRANSPORT AGENCY (325/11-005)**

Report from the Director of Asset Management and Operations dated 4 April 2018.

Councillor Taylor asked that the language be strengthened regarding the necessity to upgrade State Highway 58 (SH58) (point 4, agenda page 77). He said rather than wait for clarification of the capacity decision for four-laning SH58 it was important to use stronger language.

Councillor Carson supported a further review of the capacity for SH58. He noted the current government’s focus on safety measures and related New Zealand Transport Agency’s (NZTA) stance on the reduction in speed to this rather than undertaking costly roadworks.

Councillor McLeod supported safety improvements being made on SH58 and in the meantime supported a reduction in speed to 80kmph until those safety improvements were undertaken.

Councillor Gwilliam supported Councillor Taylor’s comments to strengthen the wording in point 4 of the submission. He asked that NZTA’s comment that ‘capacity was perceived to be an issue’ be challenged. He noted that resilience was a big issue especially with the future of the Petone Grenada route in question and the development that was occurring in the upper Valley, both residential and business. He said that when Transmission Gully was completed, the use of SH58 would increase. He agreed that safety improvements should be made to maintain the 100kmph speed limit.

Councillor Taylor asked that the submission be amended to state Council’s preference for SH58 to be upgraded to meet demand between Transmission Gully and SH2. He further asked that the submission include comment regarding supporting the safety measures to ensure a safer road however that Council’s preference was to upgrade SH58 to allow for a safer road.

**RESOLVED**

**C 180217(3)**

**THAT Council approves the submission to the New Zealand Transport Agency rejecting the proposal to lower the speed limit on State Highway 58 as per Appendix 1, attached to the report.**

Moved Cr McArthur/Cr Taylor

**CARRIED**

**10. DOCUMENTS SEALED (311/01-003)**

Schedule of Documents Sealed for the period 20 February 2018 to 23 March 2018.

**RESOLVED****C 180218(3)**

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

Moved His Worship the Mayor/Cr Taylor

**CARRIED****11. SEALING AUTHORITY (311/01-003)****RESOLVED****C 180219(3)**

**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 Swales

**CARRIED****12. GENERAL BUSINESS**

Councillor Carson said there was an increase in burnout incidents on roads in the area of Totara Park, Clouston Park Road and Liverpool Street. He said he advised residents to contact the Police, noting that those responsible for the burnouts usually moved on quickly.

His Worship the Mayor said he would raise this with the Community Police.

Councillor McLeod asked that a report comparing the amount of development contributions received from the rural area and the amount spent on rural roads be provided to Councillors.

Councillor Gwilliam noted the two tabled submissions from Wendy Darbyshire and Caleb and Vanessa Martin regarding Item 7: Disposal of Surplus Land, objecting to the sale of the Larchmont Grove lot.

**RESOLVED****C 180220(3)**

**THAT the tabled submissions from Wendy Darbyshire and Caleb and Vanessa Martin in relation to Item 7: Disposal of Surplus Land be accepted.**

Moved Cr Gwilliam/Cr Taylor

**CARRIED**

**13. PUBLIC EXCLUSION**

Resolution as follows required:

**THAT the public be excluded from the following parts of the proceedings of this meeting, namely:**

**14. APPROVAL OF MINUTES****15. APPROVAL OF COMMITTEE REPORTS****16. 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:**

<b>(A) GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</b>	<b>(B) REASONS FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER</b>	<b>(C) GROUND UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION</b>
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)
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

Cr Taylor/Cr Griffiths

**C 180221(3)**

**CARRIED**

The Public Business section of the meeting concluded at 6.03pm.

The Public Excluded section of the meeting concluded at 6.10pm.

Confirmed this 23<sup>rd</sup> day of May 2018.

W N Guppy  
**MAYOR**