

## Notice of Meeting:

I hereby give notice that an ordinary meeting of Hamilton City Council will be held on:

**Date:** Thursday 10 March 2016  
**Time:** 9:00am  
**Meeting Room:** Committee Room 1  
**Venue:** Municipal Building, Garden Place, Hamilton

Richard Briggs  
Chief Executive

---

## Business and Investment Subcommittee OPEN AGENDA

---

### Membership

Chairperson Her Worship the Mayor J Hardaker  
Members Cr M Forsyth  
Cr A King  
Cr A O'Leary  
Cr R Pascoe

**Quorum:** Three members

**Meeting Frequency:** Quarterly – or as required

---

Brendan Stringer  
**Committee Advisor**

**4 March 2016**  
Telephone: 07 838 6768  
Brendan.Stringer@hcc.govt.nz  
www.hamilton.govt.nz

**Terms of Reference:**

- To enhance Hamilton's economic position.
- Promote investment and business attraction opportunities for Hamilton.
- Oversee implementation of the Economic Development Agenda.
- To receive information and provide advice in relation to potential major developments.
- Recommend funding for Hamilton & Waikato Tourism (HWT) and Hamilton Central Business Association (HCBA) and receive six monthly/quarterly and annual reports.
- Develop and recommend to the Strategy and Policy Committee the Central City Transformation Plan.
- Develop and recommend a strategy to optimize use of the Municipal Endowment Fund and the Domain Endowment Fund by 30 March 2014.

**Special Notes:**

- The sub-committee may request expert advice through the Chief Executive when necessary.
- This sub-committee monitors Hamilton Properties Ltd.

**Power to act:**

- Recommend funding for Hamilton & Waikato Tourism (HWT) and Hamilton Central Business Association (HCBA) to the Finance Committee or Council.
- Make operational decisions that are aligned to the outcomes of the Economic Development Agenda.

<b>ITEM</b>	<b>TABLE OF CONTENTS</b>	<b>PAGE</b>
<b>1</b>	<b>Apologies</b>	<b>4</b>
<b>2</b>	<b>Confirmation of Agenda</b>	<b>4</b>
<b>3</b>	<b>Declarations of Interest</b>	<b>4</b>
<b>4</b>	<b>Public Forum</b>	<b>4</b>
<b>5</b>	<b>Business and Investment Subcommittee Open Minutes 18 November 2015 and 9 February 2016</b>	<b>5</b>
<b>6</b>	<b>Business and Investment Subcommittee Action List - Open - 10 March 2016</b>	<b>17</b>
<b>7</b>	<b>Business Improvement District Policy Review</b>	<b>19</b>
<b>8</b>	<b>Regional Business Hub</b>	<b>48</b>
<b>9</b>	<b>Resolution to Exclude the Public</b>	<b>51</b>

**1 Apologies**

**2 Confirmation of Agenda**

The Committee to confirm the agenda.

**3 Declaration of Interest**

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

**4 Public Forum**

No Public Forum is required.

**Committee:** Business and Investment Subcommittee

**Date:** 10 March 2016

**Report Name:** Business and Investment Subcommittee Open Minutes 18 November 2015 and 9 February 2016

**Author:** Brendan Stringer

<b>Status</b>	<i>Open</i>
---------------	-------------

## Recommendation

That the Subcommittee confirm and adopt as a true and correct record:

- a) the Open Minutes of the Business and Investment Subcommittee Meeting held on 18 November 2015; and
- b) the Open Minutes of the Business and Investment Subcommittee Meeting held on 9 February 2016.

## 1. Attachments

2. Attachment 1 - Business and Investment Subcommittee Minutes 18 November 2015
3. Attachment 2 - Business and Investment Subcommittee Minutes 9 February 2016

---

## Business and Investment Subcommittee

### OPEN MINUTES

---

Minutes of a meeting of the Business and Investment Subcommittee held in Committee Room 1, Municipal Building, Garden Place, Hamilton on Wednesday 18 November 2015 at 9.30am.

#### PRESENT

Chairperson	Her Worship the Mayor J Hardaker
Members	Cr M Forsyth Cr A King Cr A O'Leary Cr R Pascoe
In Attendance	Sean Murray – Director H3 & Events Chris Allen – General Manager Infrastructure Jason Harrison – Transportation Manager Helen Paki – Group Business Manager Community Tania Herman – River Plan Project Manager Lee-Ann Jordan – Chief of Staff
Committee Advisor	Mr B Stringer

---

#### 1. Apologies

There were no apologies.

#### 2. Confirmation of Agenda

**Resolved:** (Her Worship the Mayor Hardaker/Cr O'Leary)  
The Committee to confirm the agenda.

#### 3. Declarations of Interest

No members of the Committee declared a Conflict of Interest.

#### 4. Business and Investment Subcommittee Open Minutes 9 October 2015

**Resolved:** (Her Worship the Mayor Hardaker/Cr O'Leary)

That the Subcommittee confirm and adopt as a true and correct record the Open Minutes of the Business and Investment Subcommittee Meeting held on 9 October 2015.

#### 5. Business and Investment Subcommittee Action List - Open - 18 November 2015

It was noted that the BID Policy would be considered at the Subcommittee meeting in February 2016.

**Resolved:** (Her Worship the Mayor Hardaker/Cr Pascoe)

That the Report be received.

#### 6. Draft Central City Transformation Plan - Feedback Summary and Approval

The Director H3 & Events ('the Director') introduced the report and highlighted that there were no material amendments recommended to the proposed Central City Transformation Plan ('the CCTP') as a result of feedback received. The Director and General Manager Infrastructure ('General Manager'), supported by the Chief of Staff, responded to questions on the following points:

- **Property Council Submission**

The Property Council did not refer to any specific projects or priorities in relation to its recommendation for Council to allocate \$50 million towards rejuvenating the central city over a period of years. The Property Council requested that it be included in any discussions on funding for the CCTP initiatives.

- **Parking**

It was recommended that the CCTP's parking plans be implemented early in the 2016/17 financial year to align with the introduction of new parking technology; the timelines for which were detailed by the General Manager.

- **Shared Zones**

- i. Restrictions in the number of parking spaces located in the northern side of the Garden Place shared zone would be best considered as part of the design process. Information from other local authorities and shared zone best practice guidelines would assist staff in that regard.
- ii. Legislation specified that pedestrians had priority in shared zones. It was agreed the CCTP should also ensure the safety for all vulnerable road users who accessed those areas.
- iii. Parking charges could be determined as part of the shared zone design that would be referred back to Council for approval.
- iv. Staff considered the existing shared zone in Garden Place had generally operated successfully and was well accepted.
- v. The Hamilton Central Business Association supported the proposed shared zone on Alexandra Street.

**Resolved:** (Cr O'Leary/Her Worship the Mayor Hardaker)

**Recommendation to Strategy and Policy Committee**

That:

- a) the report be received; and
- b) the Central City Transformation Plan incorporating the changes in Attachment 2 of the staff report be recommended to the Strategy and Policy Committee for adoption with the following amendments:
  - i. Page 24 be amended to read: "right-of-way and include limited short-term parking options"; and
  - ii. Pages 38 and 41 be amended to add "and safety for all vulnerable road users" after "...pedestrian right-of-way."
- c) the Subcommittee recommends to the Strategy and Policy Committee that the changes to parking be implemented after 1 July 2016 to take into account integration with the parking technology project.

**Cr King dissenting**

**7. Hamilton Gateways Policy**

The Transportation Manager summarised the minor changes contemplated in the proposed Hamilton Gateways Policy, and noted that the development of main gateway entrances would align with the Waikato Expressway construction, where appropriate. The connection with the Thermal Explorer Highway and principal destinations was also clarified on the map to be included in the proposed Gateways Policy.

The Transportation Manager and General Manager responded to questions on the following points:

- **New Zealand Transport Agency ('NZTA') - Signage**  
Council was able to consult with NZTA on the content of highway signage, subject to mandatory destinations that legislation required to be displayed. If such signage did direct traffic to a specified destination in Hamilton City, Council would be responsible for ensuring local road signs were provided directing traffic to that location.
- **Public Engagement**  
Consultation on the proposed Gateways Policy had taken place with key stakeholders. Staff did not consider further engagement was required having considered the Significance and Engagement Policy.
- **Billboards**  
Billboards had already been used for promotion of activities in the city, which was managed by the Communications team. NZTA permission was required for billboards situated on main highways.
- **Public Art**  
It was expected there would be additional opportunities to incorporate a public art component at primary gateways, in consultation with NZTA, as part of the Waikato Expressway development. The proposed Gateways Policy contemplated both the specific site and Hamilton generally would be considered as part of concept plans for such public art.

**Resolved:** (Cr Pascoe/Her Worship the Mayor Hardaker)

**Recommendation to Strategy and Policy Committee**

That:

- a) the report is received;
- b) the draft Hamilton Gateways Policy is approved for recommendation to the Strategy and Policy Committee with the change to clause 6 to substitute the word “event” with “city”; and
- c) no public engagement is undertaken for this policy.

## 8. Streetscape Beautification and Verge Maintenance Policy

The Group Business Manager Community (‘the Business Manager’) stated there were no material changes to the proposed Streetscape Beautification and Verge Maintenance Policy (‘the proposed Streetscape Policy’), which was intended to simplify and clarify existing policies.

The Business Manager, supported by the General Manager, responded to questions on the following points:

- **Tree Species**  
Only native tree species could be planted along major arterial routes. Staff were asked to clarify what the Guidelines required in terms of planting of native and foreign tree species.
- **Standard of Level 2 Sites**  
The proposed Streetscape Policy provided a ‘direction of travel’ that operated within available funding. Staff envisaged that the approved budget would be re-prioritised to align with the level categorisation for sites, as detailed in the proposed Streetscape Policy.
- **Verge Maintenance**  
Staff would obtain further information as to the status of reserve land that borders verge areas, who was responsible for maintenance of such areas, and the number of people who were planting on verges.
- **Policy Amendments and Clarifications**  
Subcommittee Members suggested the following amendments to, and sought additional clarification on, the proposed Streetscape Policy:
  - i. Move the final bullet point under paragraph 8 (“where there is a safety concern”) to be the first bullet point;
  - ii. Amend the first bullet point under paragraph 11 as follows:  
“Planting on verges is permitted with the prior written approval from...”;
  - iii. With reference to the second bullet point under paragraph 11, clarify what extent of neighbour support was required;
  - iv. Add “...to an agreed standard.” at the end of the third bullet point under paragraph 11, or otherwise clarify the standard required;
  - v. With reference to paragraph 13, clarify the width that was required to be kept clear.

- **Policy Schedules**
  - i. The Subcommittee requested that a map be attached to the proposed Streetscape Policy to identify the different sites listed in the Policy’s schedules.
  - ii. The Policy’s schedules would be updated to reference the Hillcrest Roundabout situated on Cobham Drive.

**Resolved:** (Her Worship the Mayor Hardaker/Cr O’Leary)

**Recommendation to Strategy and Policy Committee**

That:

- a) the report be received;
- b) the draft Streetscape Beautification and Verge Maintenance Policy be approved for recommendation to the Strategy and Policy Committee with minor wording changes as discussed and inclusion of a map; and
- c) no public engagement is undertaken for this policy.

The Subcommittee requested that the staff include the following in the report to the Strategy and Policy Committee:

- i. responses to the points for which clarification was sought by Subcommittee members;
- ii. a tracked-change version of the proposed Streetscape Policy to reflect the changes suggested by the Subcommittee; and
- iii. elaboration on why staff were recommending that no public engagement was required.

**9. Resolution to Exclude the Public**

**Resolved:** (Her Worship the Mayor Hardaker/Cr Pascoe)

**Section 48, Local Government Official Information and Meetings Act 1987**

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

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 follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Business and Investment Subcommittee Action List - Public Excluded - 18 November 2015	) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C2. Development Site Update	)	

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

- Item C1. to prevent the disclosure or use of official information for improper gain or improper advantage Section 7 (2) (j)
- Item C2. to enable Council to carry out commercial activities without disadvantage Section 7 (2) (h)

Cr O’Leary retired from the Meeting (11:36am) at the end of Item 9.

**The Meeting went into Public Excluded session from 11:36am**

**The Meeting was declared closed at 11:55am.**

---

## Business and Investment Subcommittee

### OPEN MINUTES

---

Minutes of a meeting of the Business and Investment Subcommittee held in Committee Room 1, Municipal Building, Garden Place, Hamilton on Tuesday 9 February 2016 at 1:30pm.

#### PRESENT

Chairperson	Her Worship the Mayor J Hardaker
Members	Cr M Forsyth Cr A King Cr R Pascoe

In Attendance	Cr G Chesterman Cr M Gallagher
---------------	-----------------------------------

Sean Murray – Director H3 & Events  
 Debra Stan-Barton – Acting General Manager City Growth  
 Sean Hickey – General Manager Strategy & Communications  
 Kelvin Powell – City Safe Unit Manager  
 Julie Clausen – Programme Manager - Strategy

Committee Advisor	Mr B Stringer
-------------------	---------------

---

#### 1. Apologies

**Resolved:** (Her Worship the Mayor Hardaker/Cr King)  
 That the apologies from Councillor O’Leary be received and accepted.

#### 2. Confirmation of Agenda

The Chairperson referred the Subcommittee to an updated version of Item 6, Attachment 1 (*Amended Public Places Policy (Draft)*), which was tabled.

**Resolved:** (Her Worship the Mayor Hardaker/Cr Pascoe)

The Committee to confirm the agenda, subject to the updated version of Item 6, Attachment 1.

### 3. Declarations of Interest

No members of the Subcommittee declared a Conflict of Interest.

### 4. Public Places Bylaw 2016 ('the PP Bylaw') and Public Places Policy ('the PP Policy') - Hearings Report

The Chairperson welcomed the submitters present:

- **Thomas Gibbons**, representing the New Zealand Property Council ('the Property Council'), noted the following points:
  - i. It was queried how the PP Policy aligned with other Council plans;
  - ii. The Central Business District ('CBD') required special management compared to other areas in the city.
  - iii. The Property Council advocated that a CBD Board be empowered by Council to administer the range of issues contemplated in the PP Policy. Such board would comprise both Council, private and community sector membership and funding; the emphasis would be on business and property owners.
- **Susan Mellsopp**, representing CCS Disability Action Waikato ('CCS'), requested that the PP Policy be aligned with national guidelines on:
  - i. the minimum height for sun umbrellas and shade awnings; and
  - ii. the minimum clearway for outdoor furniture positioned by bus stops and disability parking zones.

CCS also considered fencing around outdoor furniture created a hazard for vulnerable people and that clearways should be monitored during business hours – two metres was adequate if enforced. Concern was also expressed in relation to the number of pet dogs present in outdoor dining areas.
- **Peter Hallett**, representing the New Zealand Fire Service ('the Fire Service'), observed that:
  - i. the PP Bylaw should provide an express reference to compliance with relevant fire safety regulations;
  - ii. there should be improved compliance monitoring of fire safety regulations. It was acknowledged that the Fire Service contributed to the education process for business owners in that regard.
- **Alan Sciascia**, representing Hospitality New Zealand ('Hospitality NZ'), noted the following concerns with the PP Policy:
  - i. An increase to the permitted hours for buskers to perform would give rise to unintended adverse consequences; the times set out in the current policy were sufficient.
  - ii. A permit for other activities on the footpath could be included within an existing permit application.
  - iii. Hospitality NZ did not support mobile shops within the central city as it would create an unfair advantage against local business owners situated within buildings. Mr Sciascia suggested Council should not be in competition with commercial tenants that are paying rates.
  - iv. The current clearway requirement for Victoria Street was adequate if enforced appropriately. To extend to the proposed two metres would adversely impact businesses.

- **John Lawrenson**, representing the Lawrenson Group, spoke on the following points:
  - i. Mr Lawrenson believed that mobile shops would have a negative impact on business proprietors that were already struggling.
  - ii. The Lawrenson Group considered the current clearway parameters for outdoor furniture were sufficient and did not require extension, which would cause increased business costs. It was suggested that vulnerable pedestrians were unlikely to be present at peak times of use for such furniture.
  - iii. Extending the hours buskers were permitted to perform would create issues with the number of vagrants in the central city, and would compete with professional bands playing in local bars.
  - iv. The current interface with Council staff worked well, though there did not appear to be significant monitoring of businesses once permitted.
- **Michael Wright**, from Russel McVeagh representing Home Direct Limited, spoke on the PP Policy's proposed restriction on mobile shops operating in zones where the speed limit was greater than 60 kilometres per hour. Mr Wright submitted that such prohibition would adversely impact Home Direct's ability to service its customers; he did not believe the safety of customers or operators were at risk in such areas.

Councillor Gallagher arrived during Item 4 (2:05pm).

**Resolved:** (Her Worship the Mayors Hardaker/Pascoe)

That:

- a) the report be received; and
- b) the respondents be thanked for their time.

## 5. Public Places Bylaw 2016 and Public Places Policy - Deliberation Report

The City Safe Unit Manager ('the Unit Manager') and Programme Manager – Strategy spoke to the report and responded to questions on the following points:

- **Outdoor Furniture**
  - i. Staff advised that the proposed two metre-wide clearway requirement was to provide consistency and clarity across all areas of the city. This was also in line with other major cities in New Zealand.
  - ii. With reference to the CCS submission, staff referred to the New Zealand Transport Authority's Pedestrian Planning and Design Guide ('the Pedestrian Planning Guide') that advocated for a minimum 1.8 metre-wide clearway. The Unit Manager could not find any reference in the Pedestrian Planning Guide to recommended spacing between outdoor furniture and bus stops or disabled parking bays.
  - iii. The Unit Manager suggested there was no connection between the PP Policy's provisions on outdoor furniture and fire safety regulations; the latter being separately monitored and enforced. Staff were requested to investigate whether recent changes to Health and Safety legislation would impact Council's liability in that regard.
  - iv. The amendment to clause 1.4.12 in the PP Policy was intended to provide clarity on when outdoor furniture located on the kerbside of the clearway must be removed.

- **Monitoring**  
City Safe patrollers undertook the monitoring and enforcement role of permitted establishments under the current policy.
- **Mobile Shops**
  - i. As there were a limited number of roads within the city boundaries that had a speed limit exceeding 60 kilometres per hour, staff believed the proposed restriction in the PP Policy would not impose a significant burden on mobile shop operators.
  - ii. The purpose of clause 5.1(VI) in Schedule 3 of the PP Policy was intended to require an applicant to evidence the uniqueness of the products they would sell; reference to a “200 metre radius” was meant to capture the immediate vicinity of the proposed location for the mobile shop.
  - iii. Some other local authorities allowed mobile shop operators to renew permits, though this may restrict the variety of such traders.
  - iv. In constructing the proposed permit fees for mobile shops, staff had consulted with commercial real estate agents who operated in the central city and reviewed the fee structure in other local authorities, which varied significantly. It was acknowledged that fees and charges would be determined separately from the PP Policy.
  - v. Permitted mobile shops operating outside the central city were able to move to more than one location.
  - vi. The second bullet point in paragraph 7 of the staff report should have read:  
*An increase of up to 3 mobile shops within the Central City*  
Staff advised that the proposed three mobile shops to be permitted to operate in the central city under the PP Policy were not intended to include the Old English Baked Potato van that traded by way of an exemption granted by Council resolution.
  - vii. The proposed requirement for mobile shop operators to hold public liability insurance cover of at least \$1 million was consistent with outdoor dining establishments.
- **Busking**
  - i. City Safe staff had not received feedback or complaints in relation to vagrants or other unintended consequences arising from buskers performing, as referred to by some submitters.
- **Charitable Organisations**
  - i. It was noted that the ability to revoke a permit issued to a charitable organisation for collecting donations meant Council could better manage this type of activity. Council staff also worked closely with charity representative groups to address any issues.
  - ii. A permit for charitable collections is granted to an organisation, not the individuals collecting on that charity’s behalf.

**The Meeting adjourned from 3:40pm to 3:55pm during discussion on the above item.**

The Subcommittee then worked through the PP Policy (as tabled).

**Resolved:** (Cr Forsyth/Her Worship the Mayor Hardaker)

That clause 5.1(VI) in Schedule 3 of the Draft Public Places Policy be amended to change “a 200m radius” to read “a 100m radius”.

**Councillor King dissenting.**

**Resolved:** (Her Worship the Mayors Hardaker/Pascoe)

That clause 5.2.1(III) of the Draft Public Places Policy be amended to change “11pm” to read “8:30pm”.

**Councillor King dissenting.**

The Subcommittee members considered that further information and assessment was required in relation to the proposed fee structure for activities captured in the PP Policy, particularly in relation to mobile shops.

**Resolved:** (Her Worship the Mayors Hardaker/Forsyth)

That:

- a) the report be received;
- b) the Draft Public Places Bylaw 2016 be recommended to the Strategy and Policy Committee for adoption;
- c) the Amended Draft Public Places Policy be recommended to the Strategy and Policy Committee for adoption; and
- d) staff present options for the proposed permit fees to the Strategy and Policy Committee meeting on 16 February 2016.

**Councillor King dissenting.**

**The Meeting was declared closed at 4:45pm.**

**Committee:** Business and Investment  
Subcommittee

**Date:** 10 March 2016

**Report Name:** Business and Investment  
Subcommittee Action List -  
Open - 10 March 2016

**Author:** Brendan Stringer

<b>Status</b>	<i>Open</i>
---------------	-------------

## Recommendation

That the Report be received.

### 1. Attachments

- Attachment 1 - Business & Investment Subcommittee Action List - Open - 10 March 2016

Updated: 01/03/16 13:24

## Business Investment Subcommittee - Action List - Open

Meeting Date	Item #	Action for Monitoring	GM Responsible	Comment	Status
15-Jul-14	6	The Hamilton Central Business Association to provide feedback on the Business Improvement District Policy to be reviewed by the Subcommittee at its meeting on 11 November 2014.	Sean Murray	<b>18 Nov 2015:</b> The BID Policy working group is due to meet three times prior to Christmas and a verbal update on progress will be given at the 18 November 2015 Subcommittee meeting.  The draft BID Policy will be reported back to the 10 March 2016 Subcommittee meeting.	In progress
20-Aug-14		Central City Transformation Plan would be finalised in November 2014. A first draft would be prepared and available for reviewing by the Subcommittee in September.	Sean Murray	CCTP, with amendments recommended by the Subcommittee, was adopted by Council at 15 December 2015 meeting. Changes to parking as recommended in the CCTP to be implemented after 1 July 2016.	Completed
15-Sep-15	9	Updates to be provided on the following Policies:  i. The Street and Directional Signage Policy be deleted  ii. Gateways Policy  iii. Streetscape Beautification and Management Policy  iv. Municipal Endowment Fund Investment Policy and Freeholding Council Domain and Municipal Endowment Leases Policy	i. Chris Allen  ii. Chris Allen  iii. Lance Vervoort  iv. Sean Murray	i. Council approved deletion of the Policy at its 15 December 2015 meeting.  ii. Council approved the Policy, with amendments as recommended by the Subcommittee, at its 15 December 2015 meeting.  iii. Council approved the Policy, with amendments and clarifications as recommended by the Subcommittee, at its 15 December 2015 meeting.  iv. An update will be presented at the meeting 10 March 2016.	Completed  Completed  Completed  In Progress
09-Oct-15	5	<b>Public Places Bylaw and Policy</b>  i. Staff to capture specific matters in their report to the S&P Committee of 3 November 2015, as highlighted by the Subcommittee, in relation to the draft Public Places Bylaw and Policy and mobile shops.  ii. The draft Bylaw and Policy be recommended to S&P for public engagement, with the Subcommittee to meet on 9 February 2016 to hold hearings and deliberate on the bylaw.	Debra Stan-Barton	i. Report to S&P Committee on 3 November 2015 addressed all issues highlighted by the Subcommittee.  ii. Subcommittee to meet on 9 February 2016 to hear submissions and recommend a draft Bylaw and Policy to Strategy and Policy Committee for adoption (16 February 2016).	Completed.  Completed.

**Committee:** Business and Investment  
Subcommittee

**Date:** 10 March 2016

**Report Name:** Business Improvement District  
Policy Review

**Author:** Kelvyn Eglinton

<b>Report Status</b>	<i>Open</i>
<b>Strategy, Policy or Plan context</b>	<i>Business Improvement District Policy</i>
<b>Financial status</b>	<i>The cost of this review is \$2,000 and is funded from existing budget.</i>
<b>Assessment of significance</b>	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

## 1. Purpose of the Report

- To approve the draft Business Improvement District Policy for targeted consultation with identified stakeholders.

## 3. Recommendations from Management

That:

- the report is received; and
- the **draft Business Improvement District Policy** is approved for targeted consultation with identified stakeholders and reported back to a Subcommittee meeting in April.

## 4. Attachments

- Attachment 1 - Draft Business Improvement District (BID) Policy
- Attachment 2 - Business Improvement District Policy Review Terms of Reference
- Attachment 3 - Current Business Improvement District Policy and map of the Central City Business Improvement District (HCBA)

## 8. Key Issues

### Background

- The Strategy and Policy Committee delegated review of the Business Improvement District Policy (BID Policy) to the Business and Investment Subcommittee. At its meeting of 15 September 2015, the Subcommittee approved the terms of reference for the review

(attachment 2) and authorised the General Manager, City Growth to appoint the BID Policy Review working group. See link below.

<http://www.hamilton.govt.nz/AgendasAndMinutes/Business%20and%20Investment%20Subcommittee%20Minutes%20-%20Unconfirmed%20-%202015%20September%202015.pdf>

10. The BID Policy was first approved in 2009 and the current policy was adopted by the Council in 2012.
11. The BID Policy applies to any BID that is proposed to be established or is established in Hamilton. Currently, Hamilton has one BID, which is defined as the central city area shown in the attached map (attachment 3) and is represented by the Hamilton Central Business Association.
12. The overall objective of the BID policy is to establish a partnership between Council and the local business community (as represented by a BID Association), to enhance and promote the business and public profile of the BID area.

#### BID Policy Review Working Group

13. The working group comprised Sandy Turner (HCBA), Councillor Angela O’Leary (Business and Investment Subcommittee), Michael Ibbetsen (retail), Nathan Sweetman (hospitality), David Graham (central city residential), Simon Lugton and Jeremy O’Rouke (real estate), and Ross Hargood (property development).
14. The working group met four times on 4 November 2015, 25 November 2015, 9 February 2016 and 29 February 2016 and considered information about other BIDs (or similar structures), including purposes and funding models.
15. The working group determined that:
  - The scope and principles of the current BID policy continued to be relevant to today’s business environment. However the intent of the policy could be made clearer by reframing these in a BID purpose statement.
  - The funding formula for BIDs was appropriately structured but should be inflation proofed.
  - BID association form and function was appropriate however related information was unnecessarily duplicated between the Policy and the Association’s Rules and could be clearer.
  - The Executive Committee should reflect the membership nature of the Association. However, changes to the composition of the BID Association’s Executive Committee to ensure the right depth, combination and complementarity of skills and experience were present through independent appointments would better enable the Executive Committee to fulfill the purpose of the BID under this policy.
  - Greater continuity of membership within the Executive Committee would enable a more effective approach to the planning and delivery of BID projects and activities while balancing this with ensuring the Executive Committee is continually refreshed by perspectives and skills provided by new membership.
  - Greater clarity was required in relation to the KPIs in the policy.
  - The policy would benefit from being more concisely and clearly worded.

16. In relation to the central city BID, the Working Group determined that:
- The central city BID area remained appropriate.
  - Activities such as participating in the delivery of the CCTP and managing public spaces such as Garden Place and Embassy Park, fall within the scope of the existing policy and could be undertaken by the BID Association.
  - The Executive Committee would need to reflect a broad range of strategic and business skills and acumen to extend their remit to include projects under the CCTP and central city activities currently managed by Council.
17. The Working Group recommended the following changes, principally related to the establishment of the Executive Committee:
- The addition of three independent members to the Executive Committee with those members being selected by the Council for required skills.
  - A reduction in the total number of Executive Committee members from 11 to 9 to ensure efficient functioning of the Committee.
  - An increase in the term of Executive Committee members from one year to two years for purposes of continuity and setting a limit for the number of consecutive terms a member may serve.
  - The Chair of the Executive Committee to be a member of the BID Association.
  - Removing the option for an Elected Member to be a member of the Executive Committee.
  - Inflation-proofing the targeted rate.
  - Clarifying the Council's and BID Association's respective responsibilities for setting, monitoring and reporting on measures of performance.
  - Clarifying the process by which a BID Association may request increases in funding to support delivery of its strategic plan and annual programme.

#### Policy

18. The policy has been updated to the new Council template and updated for plain language. Superfluous wording has been removed. Procedural content in the BID Policy that is duplicated in the BID Association Rules has been edited so that only information relevant to Council's and the BID Association's respective responsibilities under the policy are included in the policy. The Association Rules remain the same.
19. There is no change to the map for the Central City BID.
20. The policy changes incorporate all recommendations made by the Working Group:
- a) Adding a BID purpose statement (section 1).
  - b) Targeted rate inflation proofed (clause 6.6).
  - c) Addition of three independent members to the Executive Committee selected by Council on the basis of required skills (clause 3.6).
  - d) Extending the term of Executive Committee members from one to two years and limiting the number of consecutive terms that may be served by members (clause 3.6).
  - e) Requiring the Chairperson of the Executive Committee to be a member of the BID Association (clause 3.6).

- f) Establishing a quorum which requires a majority of elected members to be present (clause 3.6).
  - g) Clarifying policy provisions relating to BID funding (clauses 6.10, 6.11 and 6.12).
  - h) Rewording of policy provisions relating to measures of performance (section 9).
21. Having considered the Significance and Engagement Policy, no further public engagement is proposed, but some targeted feedback may be beneficial, for example with the local Property Council, Chamber of Commerce and the existing HCBA Executive Committee. This feedback could be reported back to a Subcommittee meeting in April to enable a recommendation to be made to the Strategy and Policy Committee meeting on 3 May.

**22. Financial and Resourcing Implications**

23. The cost to complete this review is \$2,000 which is made up of staff time and is funded from existing budgets.

**Signatory**

Authoriser	Kelvyn Eglinton, General Manager City Growth
------------	--

## Business Improvement District Policy

### CONTENTS

1. Definitions
2. Purpose and Scope
3. Policy
4. Monitoring and Implementation
5. Schedules

### Purpose and Scope

1. This Policy applies when setting up a Business Improvement District (BID) including its funding and Council's administration of BIDs.
2. This policy applies to any BID established within the Hamilton City Council's boundary.
3. This policy applies to business and commercial property ratepayers and does not apply to private property occupied by residents.

<i>First adopted:</i>	29/06/2012
Revision dates/version:	10/03/2016
Next review date:	30/06/2015
Engagement required:	
Document number:	D-2066640
Associated documents:	
<b>Sponsor/Group:</b>	General Manager City Growth

## Definitions

BID Proponent	The interested party or the Council that is making a proposal to establish a Business Improvement District
Business Improvement District or BID	A defined area over which a targeted rate will be set to fund a BID Association
Council	Hamilton City Council
BID Association	An incorporated society established to deliver the programme of work for the BID area
Returning Officer	A person from an independent election service body which has been approved by Council
SUIP	Separately used or inhabited part of a property

## Policy

### 1. Purpose of a Business Improvement District

#### 1.1 Business Development:

- 1.1.1 To support business creation, attraction, retention and expansion within a BID.
- 1.1.2 To assist and guide development and advancement of commercial interests of businesses and business people within a BID.
- 1.1.3 To provide a forum for networking and collaboration of members.

#### 1.2 To advocate for business interests within the BID.

#### 1.3 Promotion, events and marketing:

- 1.3.1 To market business interests within the BID locally, regionally and nationally.
- 1.3.2 To establish and support an identity for the BID.

#### 1.4 To support Council to ensure the physical environment of the BID is consistent with the BID identity.

- 1.4.1 To promote amenity, cleanliness, safety and connectivity within the BID.
- 1.4.2 To advocate for the preservation of heritage appropriate to the BID.
- 1.4.3 To advocate for quality urban design within the BID.

#### 1.5 To align strategic goals for the BID with Hamilton City Council's strategic plans.

#### 1.6 To work collaboratively and in a co-ordinated way with Hamilton City Council.

#### 1.7 To work with other organisations that have a role within the BID, for example The Waikato Chamber of Commerce and local branch of the Property Council of NZ.

### 2. Process to Establish a BID

#### 2.1 The Council approves setting up a BID.

#### 2.2 A proposal to establish a BID may be initiated at any time by the Council or any interested party (a BID proponent). A BID proponent should seek sufficient support for establishing a BID before making a request to the Council.

- 2.3 A Register of Eligible Voters will be established.
- 2.3.1 The Council will approve the potential BID boundary area and provide a map. This will occur in consultation with any BID proponent.
- 2.3.2 A list of property owners and businesses occupying property within the proposed BID boundary area will be prepared by the BID proponent with the assistance of the Council. The list must include property-owner name, valuation number, physical address, name of owner/occupier; email/electronic contact/website contact; mailing address; landline/mobile phone contact.
- 2.3.3 Each property owner and business occupier on the list must be contacted to determine who will be the registered voter and whose name is to be listed on the Register of Eligible Voters. This policy is based on the principle of 'one person, one vote' meaning each registered eligible voter will have one vote.
- 2.3.4 All registered voters automatically qualify to become members of the BID Association and the Register of Eligible Voters is the BID Association's membership register.
- 2.3.5 If the owner and/or occupier are an individual, that person should be registered as the voter unless they nominate someone else to act on their behalf. All future communication must be addressed to that nominated individual, unless the owner or occupier subsequently nominates a different representative.
- 2.3.6 If the owner and/or occupier is not an individual, communication must be with the senior management of that body (typically a company or trust) to nominate someone to act on their behalf.
- 2.3.7 Where an individual or organisation appears multiple times on the owner and/or occupier list (for example, they own a number of properties or businesses in the BID) that person or organisation may nominate only one name per property for the Register of Eligible Voters, noting each person must be different and not already on the voter register.
- 2.3.8 The following business owners are not eligible to register on the Register of Eligible Voters:
- Business owners who operate their businesses from residentially rated property within the BID boundary area.
  - Business owners who give a business address which is a commercial property within the BID boundary area, but who do not physically run their businesses from that address (for example businesses who use their accountant's address, or businesses who have mail delivered to a relative or friend running a business within the BID).
- 2.3.9 Business owners who operate from a residentially-rated property may choose to join the BID Association provided that they satisfy the BID Association they operate a business within the BID.
- 2.3.10 The following information must be included on the Register of Eligible Voters:
- Name of property owner or occupier
  - Name of representative (if applicable)
  - Contact details:
    - Email address
    - Mailing address
    - Physical address
    - Telephone, including mobile number / fax numbers
  - The voter's preferred method of communication (for example, email).

2.3.11 The Register of Eligible Voters must be agreed by Council staff and any disputes about eligibility for inclusion on the Register of Eligible Voters will be made by the Council.

2.3.12 Once established, it is the responsibility of the BID Association to maintain and update the membership register and immediately advise the Council of any changes.

2.3.13 The BID Association must not use nor pass on any personal information for any purpose other than administration of the BID Association.

2.4 A BID Poll will be conducted.

2.4.1 No BID will be established without a BID Poll and that BID Poll must achieve a voting return of 35% of voters listed on the Register of Eligible Voters and the majority of those votes are in favour of the proposition.

2.4.2 The BID Poll is the responsibility of the BID proponent.

2.4.3 The Council will pay for the cost of the BID establishment poll.

2.4.4 A Returning Officer approved by the Council must be engaged to conduct the BID Poll and they must be engaged as soon as the Register of Eligible Voters has been finalised to enable the election service to begin preparing for the Poll. Material prepared for the Poll must include:

- The Register of Eligible Voters.
- An easy to understand information sheet outlining the BID proposal.
- A ballot form approved by the Returning Officer.
- A contact update form.

2.4.5 All registered voters on the Register of Eligible Voters must be notified of the upcoming Poll and the key issues to be decided. These issues include, but are not limited to:

- The boundaries of the proposed BID.
- The total budget and approximate targeted rate to be assessed.
- The objectives of the BID strategic plan.
- The principal BID proponents for contact purposes.

2.4.6 The BID proponent must engage with the property owners and occupiers within the proposed BID through:

- At least one information meeting, open to all interested parties, must be held no less than 10 days prior to the poll closing.
- At least two advertisements about the upcoming Poll in local newspapers and on the Council's website with the last advertisement a minimum of three days prior to the poll closing. Other methods to inform eligible voters of the upcoming vote, such as social media, face-to-face meetings, email, fax or newsletters may be used.

2.4.7 All BID polls are run as postal ballots. The period between the mail out of the ballot papers and close off for return of ballots must not be less than 14 calendar days.

2.4.8 The Returning Officer will send out a pack including the information sheet, the ballot form, the contact update form and a prepaid return envelope. Any requests for replacement ballots should be directed to the Returning Officer.

2.4.9 Proxy voting is not permitted for BID polls. Registered voters who will be absent from their registered addresses during the period of the Poll but who wish to vote, should provide a forwarding address to the BID proponents.

2.4.10 The Returning Officer will receive, count and verify all returned ballot papers. It will then report the result of the poll to the BID proponent and the Council.

2.5 The final decision about whether to establish, extend, reduce or disestablish a BID is made by the Council because, under the Local Government (Rating) Act 2002, it is the Council alone that can set the targeted rate. In making that decision, the Council will take into account, but will not be bound by, the BID Poll result.

### **3. Set up of an Approved BID**

3.1 If the Council approves setting up a BID, a Business Association must be established and registered as an incorporated society and evidence of registration provided to the Council (refer to [www.societies.govt.nz](http://www.societies.govt.nz) ).

3.2 The Council will not approve a targeted a rate without evidence that the BID Association is an Incorporated Society as at 30 June of the given year.

3.3 As part of the incorporation process, a constitution (which is called Rules) must be lodged with the Incorporated Society Register.

3.4 Any changes to these Rules must be approved by the Council.

3.5 No subsequent changes may be made to the Rules without Council approval.

3.6 The BID Association will establish an Executive Committee consisting of a minimum of 5 voting members and up to 9 voting members, 3 of whom are appointed by the Council.

- Those members of the Executive Committee appointed by the Council are not required to be members of the BID Association and will be selected based on skills required to enable the Executive Committee to carry out its role;
- Executive Committee members serve a term of two years and must not serve more than three consecutive terms;
- The Chairperson of the Executive Committee serves a term of two years;
- The Chairperson must be a member of the BID Association and is voted by the Executive Committee members at its first committee meeting;
- The Chairperson may serve more than one term;
- The Executive Committee must meet at least six times per year;
- A quorum for any Executive Committee meeting requires a majority of BID Association members to be present;
- Decisions are by majority vote;
- No remuneration will be paid to members of the Executive Committee;
- A BID Manger must be appointed by the Executive Committee and they do not have any voting rights.

### **4. Inaugural Annual General Meeting (AGM)**

4.1 Following Council approval of the BID, an AGM must be held within 4 weeks of the Poll.

Registered voters on the Register of Eligible Voters must be notified of:

- The date and place of the first AGM of the BID Association.
- Their opportunity to nominate individuals to the BID Executive Committee, and how to do this.
- Their opportunity to view the proposed BID Association Rules.

- Their opportunity to study the proposed BID Association budget and Annual Programme.
- The proposal which was presented to Council regarding establishment of the BID.

4.2 Nominations for positions on the BID Executive Committee must be made in writing, signed by two registered BID members, and the nominee themselves. These should be delivered to the specified receiving office identified in the publicity about the AGM. Nominations will close three days before the scheduled date of the AGM.

4.3 The inaugural AGM will be chaired initially by a Council staff member assigned to the BID. The process for the inaugural AGM must include:

- The election of an Executive Committee.
- Approval of the proposed Rules.
- Approval of the proposed budget and targeted rate.
- Approval of the proposed Annual Programme.
- Approval of the Strategic Plan.

4.4 Subsequent AGMs will operate as set out in the BID Association Rules.

4.5 Decisions at the AGM are by majority vote of the assembled BID Association members present at the AGM.

4.6 The Council must be informed of the elected officers and their contact details.

## 5. Membership rights and responsibilities

5.1 Membership of the BID Association is automatic for any eligible voting business within the BID and the Register of Eligible Voters is the BID Association's membership register. Membership entitles the individual member to:

- Attend and vote at all annual and special general meetings.
- Attend all meetings of the BID Executive Committee (but not vote).
- Stand for election to the BID Executive Committee.
- Receive regular communications about BID activities.
- Receive notification of upcoming meetings and agenda items.

5.2 Members must ensure that their contact details are kept current on the register.

5.3 Businesses outside the BID are eligible to apply for associate membership and are required to pay an annual membership subscription as determined by the Executive Committee.

5.4 Associate members have no voting rights within the BID Association.

## 6. BID Funding

6.1 Once confirmation of incorporation has been received from the Registrar of Incorporated Societies, the BID Association can apply to the Council for a targeted rate in its BID. This application cannot be made until the BID Association has held its AGM meeting.

6.2 The purpose of the targeted rate is to fund the revenue required by the BID Association to enable it to deliver the Annual Programme approved by the BID Association members.

6.3 The BID Association must present the following information to the Council to support its application for a targeted rate:

- Evidence of a mandate (report from the Returning Officer).
  - Evidence of incorporation (Registrar of Incorporated Societies).
  - The agreed BID boundaries.
  - The approved budget that identifies the revenue required to carry out the Annual Programme (AGM Minutes).
  - The approved Annual Programme (AGM Minutes).
  - The Strategic Plan (AGM Minutes).
- 6.3 The Local Government Act 2002 and the Local Government (Rating) Act 2002 gives the Council authority to set a targeted rate for an activity such as a BID. The Council will make the final decisions on what targeted rate, if any, to set in any particular year (in terms of the amount and the geographic area to be rated).
- 6.4 Council will each year set the targeted rate as part of its Funding Impact Statement and Rate Resolution.
- 6.5 A BID Association will be funded by a targeted rate, rated by the Council each year and the full amount collected by the Council passed onto the BID Association in the form of a grant paid quarterly.
- 6.6 BID targeted rate will be calculated on a combination of a uniform basis flat charge and a targeted rate on a capital value basis for each rating unit or SUIP of a rating unit within the BID (the BID Formula) and will be adjusted each year by the inflation rate adopted by the Council.
- 6.7 New properties, within the BID area, coming into that area will be rated in the next financial year.
- 6.8 The financial year of any BID will be 1 July to 30 June.
- 6.9 Payment of the targeted rate must be separately accounted for in the BID Association's financial records.
- 6.10 Any request by the BID Association for an increase in revenue must be submitted to the Council by December in preparation for the financial year commencing the following 1 July with the following information:
- The Annual Programme identifying where the additional revenue is required and how this programme will achieve the BID Association's strategic plan.
  - The budget providing details of the additional revenue required.
  - Evidence of support from BID Association members (AGM Minutes).
- 6.11 In addition to the targeted rate, the BID Association may raise funds through other mechanisms, including sponsorship, advertising and grants.
- 6.12 The Council may contract the BID Association to carry out services on its behalf and/or enter into a service level agreement.

## **7. Adjustments to the BID Boundary Area**

- 7.1 A decision to change the boundary area of an approved BID must be made by the Council.

7.2 A proposal to change a boundary area can be made at any time but no decision can be made on a proposal until all eligible voters within the boundary area affected are polled.

7.3 If the proposal is for a boundary extension, only the property owners and occupiers in the proposed extension area are polled.

7.4 The BID will pay for any further polls to adjust the boundary.

7.5 The process for polling is that set out in clauses under 2.4 above.

## 8. Disestablishment of a BID

8.1 The Council may disestablish a BID at any time and is not required to conduct a Poll.

## 9. Management and Performance Accountability

9.1 The Executive Committee will act as the BID Association's interface with the Council and is responsible for running the BID in accordance with this policy and the approved Strategic Plan and budget.

9.2 The BID Association and Council will at all times communicate with each other in such a way as to most effectively further the strategic objectives of the BID Association members and to protect and enhance the partnership relationship between the BID Association and the Council.

9.3 An appropriate Council General Manager will be responsible for the BID Association relationship and will appoint a one point of contact staff member for the relationship interface.

9.4 The Executive Committee is expected to produce a strategic plan every three years which:

- Reflects a representative view of the BID members.
- Describes how the Plan will contribute to achieving the purpose of the BID as set out in clauses 1.1 to 1.7 of this policy.
- Describe how the Plan will contribute to any Council strategic aspirations, plans or projects relevant to the BID area.
- Include effective measures of performance that enable objective evaluation of delivery against the outcomes of the Plan and the performance of the BID Association over the three year period.

9.5 The Executive Committee must present an Annual Programme and Budget to the Council by 1 March of each year for the following financial year.

- The Annual Programme sets out in detail the projects and work the BID Association intends to undertake in the following financial year. It must align with the BID Association's strategic plan as in clause 9.4.
- The budget will be used to determine the overall level of the targeted rate and any requests for additional funding must comply with clause 6.10. The partnership between Council and the BID Association includes ensuring prudent use of any BID funding.
- Effective measures of performance that the success of the annual programme and which demonstrate a relationship to the Association's strategic plan outcomes must be included.
- The Annual Programme will also include measures of performance for the BID Executive Committee and management.

- 9.6 Measures of performance for both the Association's Strategic Plan (3 yearly) and Annual Programmes (annually) will be established in consultation with the Council in the form of key performance indicators (KPIs).
- 9.7 Council and the BID Association will agree data sources for KPIs included in the Strategic Plan and Annual Programmes as well as their respective responsibilities for data collection and data reporting.
- 9.8 The agreed performance measures must cover the economic performance of the BID and public and business perceptions of the BID identity against baseline measures (trend data). They will also include KPIs related to specific BID projects and activities. KPIs may include but are not limited to:
- BID contribution to central city GDP.
  - Total retail spend.
  - Type and number of businesses.
  - Number of employees.
  - Perceptions of safety.
  - Shopper/visitor satisfaction surveys.
  - Commercial rents.
  - Vacancy rates.
  - Visitor numbers (local, regional and overseas).
  - Pedestrian activity.
  - Economic impact assessment of events held in the BID.
  - Number of new businesses attracted to the BID.
  - Positive media (print, radio, social) coverage of the BID.
- 9.8 The BID Association must publish an Annual Report on its financial and strategic performance each year in August.
- 9.9 Council will review the performance of the BID against the stated strategic plan, KPIs, audited accounts and Annual Report. In August each year, the Executive Committee must provide the Council with a copy of the audited accounts and Annual Report for the previous financial year (including statements that the Association has acted in compliance with its Rules and all other relevant laws and regulations).
- 9.10 Where the Council has concerns with the progress or success of a BID, the grant from the targeted rate may be withheld until specific improvements or alterations have been made to the Annual Programme, business and strategic plans, or implementation processes.
- 9.11 The Council may initiate a review of all or any particular BID programme at any time.
- 10. Dispute Resolution**
- 10.1 The Council has the final decision about whether or not to set a targeted rate, the amount of that targeted rate, whether to provide for an additional rate or alter the boundaries of the area subject to the rate, and whether or not to establish, disestablish, reduce or extend the BID.
- 10.2 If there is a dispute about other matters the BID Association and the Council will attempt to resolve their dispute through mediation sharing the costs of mediation equally. If the dispute is not resolved, either party may refer the dispute to Arbitration in accordance with the Arbitration Act 1996. The award in the arbitration will be final and binding on the parties.

10.3 Disputes between BID members (ONR) and the BID Associations will be settled in accordance with the following procedure:

- Unless matters can be resolved quickly and informally, ONR are obliged to bring their concerns to the attention of the BID Association's Executive Committee in writing. An initial written response is required within seven working days, outlining the manner and the time frame in which the concerns will be addressed. Council as major fund provider should be made aware of any such issues.
- Having exhausted reasonable means of resolving the dispute, the BID Association may appoint a mediator to enable the parties to settle the dispute. If the dispute is not resolved within a further 30 days after appointment of a mediator, any party may then referred the dispute to arbitration in accordance with the Arbitration Act 1996. The award in the arbitration will be final and binding on the parties.

## Terms of Reference for Review of the Business Improvement District Policy

---

1. The Council wishes to review the Business Improvement District Policy (BID Policy) and the appropriateness of the current Hamilton Central Business Association (HCBA) structure as the Association to manage the central city BID area.
2. A working group consisting of up to 10 representatives from the following areas will be established to undertake this review:
  - HCBA
  - B&I Subcommittee member
  - Retail
  - Hospitality
  - Central City residential
  - Real estate
  - Property development
3. Purpose of the Review:
  - To assess the effectiveness of the BID policy including:
    - BID setup procedures
    - Funding model for BIDs
    - Association form and function
  - To consider the following:
    - The relevance of the BID policy's governance and operating model in today's business environment
    - The current BID Policy's ability to support and be actively engaged in deliver of the Central City Transformation Plan
    - The demarcation between what the Council does directly within its central city management programme and the activities better suited to the BID Association, including management of Garden Place and Embassy Park
    - The appropriate central city BID area
4. In conducting the review, the working group is:
  - To fully engage with and seek the views of the HCBA Executive Committee and its management on all aspects of this review
  - Seek views of BID members. This may be obtained through survey
  - To consider examples of how other BIDs operate in New Zealand and other places
5. The review will be support by Council staff, who will provide administration and policy support.
6. The outcome of the review, including recommendations and a draft revised BID Policy, is to be presented to the Business and Investment Subcommittee at its meeting on 18 November 2015.

## BUSINESS IMPROVEMENT DISTRICT (BID) POLICY

The purpose of this Policy is to provide guidance in the establishment and administration of BID programmes and their associated targeted rates.

---

### CONTENTS

1. Policy Objectives and Scope
2. Strategic Alignment
3. Principles of Policy
4. Policy Guidelines
5. Monitoring and Implementation
6. References

### REVISION HISTORY

<i>Revision #</i>	<i>Policy Sponsor</i>	<i>Approval Date and date of next scheduled review</i>	<i>Council or Committee Decision</i>	<i># TRIM Reference</i>	<i>Related Operating Guidelines</i>
1	General Manager Events and Economic Development	29/06/2012 Review by 30/06/2015	Council	D-358523	Hamilton Central Business Association Constitution D-32954

## 1. POLICY OBJECTIVES AND SCOPE

A Business Improvement District Programme is a partnership between a local authority and the local business community to promote the profile of a particular commercial district or business centre. They are financially supported by the levying of a targeted rate collected from all non-residential properties within the defined boundary.

The Policy addresses:

- The establishment of new BID programmes;
- The operations of existing BID programmes; and
- Managing the performance of BID programmes.

## 2. STRATEGIC ALIGNMENT

This policy assists in the delivery of Councils outcomes and goals as follows:

PROSPEROUS AND INNOVATIVE	OUTSTANDING CITY LEADERSHIP	PEOPLE LOVE LIVING HERE
<ul style="list-style-type: none"> <li>▪ Hamilton has a strong, productive economy and we build on our economic strengths.</li> <li>▪ We have a thriving CBD.</li> <li>▪ It's easy to do business here.</li> <li>▪ Our city grows and prospers in a sustainable way.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The city is led by effective, open and responsive governance.</li> <li>▪ Council's finances are sustainable for the long term.</li> <li>▪ We operate efficiently and provide exceptional service.</li> <li>▪ The city takes a leadership role regionally and nationally.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Hamilton embraces the Waikato River and it is the focal point of our city.</li> <li>▪ We value, preserve and protect Hamilton's natural, green environment.</li> <li>▪ Our city is attractive, well-designed and compact with outstanding architecture and distinctive public spaces.</li> <li>▪ Our city is a fun place to live with a vibrant Arts scene.</li> <li>▪ Hamilton is a safe city.</li> <li>▪ It's easy to get around.</li> <li>▪ We celebrate our people and many cultures.</li> </ul>

■ = primary contribution

## 3. PRINCIPLES OF POLICY

The guiding principles for this policy are as follows:

- Place based problems and issues demand place based responses.
- The role of a BID is to support business creation, attraction, retention and expansion within commercial districts and business centres and to help contribute to the vibrancy of the BID area.
- The BID's programme of work should reflect the short, medium and long term priorities of the area

## 4. POLICY GUIDELINES

### 4.1 Establishing a Business Improvement District

#### 4.1.1 Considering a Business Improvement District

Discussions to explore the possibility of establishing a BID may be initiated at any time by any interested party. Evidence must be sought that there is sufficient support among BID proponents to sustain the prolonged and comparatively demanding challenge of establishing a BID.

#### 4.1.2 Initial consultation

The Council will supply a map of the business area, with the proposed BID boundary indicated. BID proponents will discuss the proposed boundaries with key stakeholders within (and potentially outside) the proposed area. These stakeholders might include, for example, owners of businesses, local or central government agencies within the proposed BID, or interested community groups. A public meeting should be held to communicate the proposal to establish a BID.

Following this initial consultation, the BID proponents will give feedback to Council whether they wish to proceed with the establishment of a BID.

#### 4.1.3 Incorporated Society

Before a BID can be set up, a Business Association must be established and registered as an Incorporated Society (refer to [www.societies.govt.nz](http://www.societies.govt.nz)). Council will not strike a rate without evidence that the BID Association is an Incorporated Society as at the 30 June of the given year.

As part of the incorporation process, a constitution must be developed. It is a requirement of this policy that the BID Association's constitution must be agreed upon by Council prior to registration.

#### 4.1.4 Private residents

Private (non-business) residents are not covered under this policy, and as such will not become liable for the targeted rate. The Council will determine whether a particular property qualifies as a private residence or business premises for the purpose of this policy.

#### 4.1.5 BID boundaries

Primarily, the Council will allow BID proponents to determine the prospective boundaries. However, should the Council and BID proponents disagree; the Council's decision is final, as it is the Council who takes responsibility for the targeted rate.

#### 4.1.6 Developing a list of owners and occupiers

The BID proponents will compile a list of occupiers within the agreed boundaries of the BID.

Businesses occupying, but not owning property, will be identified by the BID proponents through the use of a survey, or other appropriate means.

The Council will prepare a list of property owners.

The two lists will be combined and filtered to avoid duplication and will form the basis of the voter register.

#### 4.1.7 Creating the voter register – eligible voters

BID proponents must next make contact with every owner and occupier, in order to determine who will be registered as a voter on the final voter register.

If the owner and/or occupier is an individual, that person should be registered as the voter unless they nominate someone else to act on their behalf. All future communication from the BID proponents or the eventual BID Association must be addressed to that nominated individual, unless the owner or occupier subsequently communicates a desire to nominate a different representative to the BID Association.

If the owner and/or occupier is not an individual, the BID proponents must communicate with the senior management of that body (typically a company or trust) and request the name of a nominated representative to register as a voter.

**This policy is based on the principle of 'one person, one vote'.**

Where an individual or organisation appears multiple times on the owner and occupier list (perhaps because they own a number of properties or businesses in the BID) that person or organisation may nominate one name per property for the voter register, noting each person must be different and not already on the register.

Voter information should include:

- Name of owner or occupier
- Name of representative (if applicable)
- Contact details:
  - Mailing address
  - Physical address
  - Email address
  - Telephone / fax numbers
- The voter's preferred method of communication

All registered voters automatically qualify to become members of the BID.

Once established, it is the responsibility of the BID to maintain and update the membership register. These should be updated no less than six monthly.

The BID Association shall not use any personal information for any purpose other than administration of the BID.

#### 4.1.8 Non-eligible business owners

The following business owners are not eligible to register on the BID voter register:

- Business owners who operate their businesses from residentially rated property within the BID
- Business owners who give a business address which is a commercial property within the BID, but who do not physically run their businesses from that address (for example businesses who use their accountant's address, or businesses who have mail delivered to a relative or friend running a business within the BID).

The BID proponents have the final decision over eligibility, in consultation with Council.

#### 4.2 Polling in a Business Improvement District

##### 4.2.1 BID polls must be run in the following circumstances:

- **Establishing a BID programme.** The Council will pay for the BID establishment poll.
- **Increasing or decreasing the boundary.** The BID Association may seek to expand the BID to include additional areas.

Where the BID is to be expanded, the BID must apply to the Council for a list of property owners and occupiers in the new area, and arrange for a poll to be conducted in the expansion area only. In the event of a BID boundary being reduced, a poll is conducted for the whole BID area because this change implies a reduction in budget for the whole programme.

For the purposes of financial planning, a boundary extension or reduction poll must be completed by the end of November at the latest in any given year and ratified by Council.

The BID will pay for any further polls to increase or decrease the boundary.

- **Dissolving a BID programme.** This may be called by the BID Association however, the Council does not need a disestablishment poll to stop setting a targeted rate.

All BID polls are run as postal ballots. The period between the mail out of the ballot papers and close off for return of ballots will be not less than 14 calendar days.

##### 4.2.2 Informing voters

BID proponents must inform all registered voters of the upcoming poll and ensure voters are aware of the key issues to be decided. Such issues include, but are not limited to:

- The boundaries of the proposed BID;
- The total budget and approximate targeted rate to be assessed;
- The objectives of the BID strategic plan;
- The principal BID proponents for contact purposes.

To achieve these aims, the BID proponents must:

- Advise and hold at least one information meeting, open to all interested parties, no less than 10 days prior to the poll closing.
- Place at least two advertisements about the upcoming poll in local newspapers with the last advertisement a minimum of three days prior to the poll closing.

BID proponents may use additional methods to inform eligible voters of the upcoming vote, such as face-to-face meetings, email, fax or newsletters.

##### 4.2.3 Sending out the ballots

The Council will provide the services of its Returning Officer or recommend one to BID proponents. They will contact the Returning Officer as soon as the voter register has been finalised to enable the election service to begin preparing for the Poll.

Material prepared for the Poll by Council will include:

- A copy of the register of voters;
- A copy of an easy to understand information sheet outlining the BID proposal;
- A copy of a ballot form approved by the independent election service;
- A copy of a contact update form which includes the name of the nominated representative of the business;
- Boundary information if the poll includes an increase or decrease of the BID boundary area.

Council's Returning Officer will send out an envelope including the information sheet, the ballot form, the contact update form and a prepaid return envelope. Any requests for replacement ballots should be directed to the independent election service.

#### 4.2.4 The Goals of the Poll

It is a goal of the BID Poll to achieve a voting return of at least 35% of the eligible voters for that poll; and for the majority of those votes being in favour of the proposition.

All eligible voters in the boundary area are polled, with the exception of a boundary extension in which only the property owners and occupiers in the proposed extension area are polled.

#### 4.2.5 Proxy and absentee voting

Proxy voting is not permitted for BID polls. Registered voters who will be absent from their registered addresses during the period of the Poll but who wish to vote, should provide a forwarding address to the BID proponents.

#### 4.2.6 Non-registered eligible voters

BID proponents should attempt to ensure all eligible voters in a BID area are registered. In the event that an individual believes he or she is entitled to vote, but does not appear on the register of voters used by Councils returning officer, the returning officer shall determine the status of the individual and whether a ballot should be issued to that individual.

#### 4.2.7 Confirming the result

The independent election service will receive, count and verify all returned ballot papers. It will then report the result of the poll to the BID proponents and the Council.

#### 4.2.8 Final Decision on BID changes to be made by the Council

The final decision about whether to establish, extend, reduce or disestablish a BID shall be made by the Council because, under the Local Government (Rating) Act 2002, it is the Council alone who can set the targeted rate.

**In making that decision, the Council will take into account, but will not be bound by, the poll result.**

#### 4.3 Targeted rate

#### 4.3.1 Setting the targeted rate

The Local Government (Rating) Act 2002 gives the Council authority to set a targeted rate for an activity such as a BID.

BID targeted rates will be calculated on a combination of a uniform basis flat charge together with a targeted rate on a capital value basis for each rating unit or separately used or inhabited part of a rating unit within the area defined for the BID.

New properties, within the BID area, coming into that area during any financial year shall not be rated until the following financial year.

#### 4.3.2 Application of the targeted rate

Once confirmation of incorporation has been received from the Registrar, the BID Association can move to apply to the Council for a targeted rate in its area. To be successful in its application, the BID Association must present the following information to the Council:

- Evidence of a mandate (report from the independent election service).
- Evidence of incorporation (Registrar of Incorporated Societies).
- The agreed BID boundaries
- The approved budget (AGM Minutes).
- The strategic plan (AGM Minutes).

#### 4.4 Operating a Business Improvement District

##### 4.4.1 Annual General Meetings

Following a successful establishment poll, the BID proponents must promptly notify registered voters of:

- The date and place of the initial AGM of the BID Association;
- Their opportunity to nominate individuals to the BID Executive Committee, and how to do this;
- Their opportunity to study the proposed changes to BID Association constitution;
- Their opportunity to study the proposed BID Association budget, strategic plan.

The Council will provide assistance (such as advice, templates, consultant contacts and visioning methods) with the creation of a long term strategic plan for the BID.

The AGM should be held at least two weeks after the poll, to allow for nominations for the election of officers, and consideration of the draft constitution and draft strategic plan.

Subsequent AGMs will follow the same procedure.

The AGM should be held annually and within four months from 1 July.

The founding AGM will be chaired initially by a council officer assigned to the BID or a facilitator as agreed by the Council. An interim chair will begin by reading out nominations and calling for a vote in favour in each case.

In subsequent years, the AGM is chaired by the outgoing chair up to the election process, at which point the BID Manager will chair the election procedure.

#### 4.4.2 Forming a BID Association Executive Committee

Nominations can be made for positions on the BID Executive Committee. Nominations must be made in writing, signed by two registered BID members, and the nominee themselves. These should be mailed, faxed or handed to the specified receiving office identified in the publicity about the AGM. Nominations will close three days before the scheduled date of the annual general meeting.

There must be a minimum of five voting members elected to the BID Association Executive Committee and a maximum of eleven voting members. The BID Association Executive Committee must meet at least six times per year.

All elected members have full voting rights on the Executive Committee.

The positions of Chairperson and Treasurer may be decided either by:

- a general member vote at the AGM or
- by the Executive Committee at its first meeting following the AGM.

The decision whether an election is made at the AGM, or by the Executive Committee, is made at an AGM, with that decision taking effect for the purposes of the following year's election.

No remuneration shall be associated with this governance role.

The BID Manager is eligible to be the Secretary of the Executive Committee but does not have any voting rights.

Council must be informed who elected officers and committee members are, with their full contact details.

#### 4.4.3 Ratification of key documents and decisions

Having elected the Executive Committee members, the AGM should move to a discussion and ratification of the documents and decisions made by the BID proponents or the standing BID Executive Committee, in particular:

- the draft BID Association constitution
- the strategic plan
- the draft budget

Formal acceptance of these documents and any amendments are subject to the majority vote of the assembled BID Association members.

**The draft BID Association Constitution must be approved by Council.** Once this approval has been sought and following the initial AGM, the BID secretary should, as soon as possible, register the approved BID Association constitution with the Registrar of Incorporated Societies. This process can take some time, which is why it is important for the BID proponents to do as much of the preliminary work before the Poll as possible.

#### 4.4.4 Changes to the committee and constitution

Following the AGM, the BID secretary must register the approved BID Association constitution or changes with the Registrar of Incorporated Societies. Changes to constitutions must also be advised to Council.

#### 4.4.5 BID Manager

Once the Council has released funds to the BID Association, a BID Manager should be hired. This position may be full or part-time as determined by the BID Executive Committee.

#### 4.5 Membership rights and responsibilities

Membership of the BID Association is automatic for any eligible voting business within the boundary area and entitles the individual member to:

- Attend and vote at all annual and special general meetings;
- Attend all meetings of the BID Executive Committee (but not vote);
- Stand for election to the BID Executive Committee;
- Receive regular communications about BID activities;
- Receive notification of upcoming meetings and agenda items.

Membership of a BID requires agreement to abide by the association's constitution and follow all rules.

Members must ensure that their contact details are kept current on the register.

Contact detail forms should be readily available from the BID proponents.

#### 4.5.1 Associate membership

Organisations outside of the boundary area or non-related members of the community are eligible to apply for associate membership. Associate members may join the committee if accepted by a majority vote of the Executive Committee. Their position is a purely advisory or liaison role, and they have no voting rights within the committee or at AGMs. Where appropriate, an annual membership subscription can be determined by the committee, and associate members are required to pay this subscription.

#### 4.6 Management and Performance

##### 4.6.1 The Executive Committee

The Executive Committee will be responsible to the BID Association for running the Business Improvement District Programme in accordance with the approved Strategic Plan and budget. The roles of the Executive Committee include: recommending projects and priorities; managing staff and contractors; overseeing the spending of approved budgets; and monitoring work progress against budgets and performance measures.

The BID Association Executive Committee must meet at least six times per year. A quorum for the transaction of business shall be any three voting members of the Executive Committee.

A financial summary shall be supplied at each Executive Committee meeting.

The Executive Committee may appoint sub-committees to address specific programme issues.

The BID Executive Committee will ensure that responsible employer practices and workplace conditions are provided as prescribed under the Employment Relations Act 2004 and Health and Safety in Employment Act 1992.

The BID Manager should liaise with BID Executive Committee members, BID Association members, and council staff as appropriate.

#### 4.6.2 Council – Executive Committee relationship

The BID Association and Council will at all times communicate with each other in such a way as to most effectively further the strategic objectives of the stakeholders and to protect and enhance the partnership relationship between the BID Association and the Council.

The Executive Committee will act as the BID Association's interface with the Council.

#### 4.6.3 Budgets

The BID Executive Committee is responsible for preparing annual budgets.

In addition to the targeted rate, Executive Committees may raise funds through other mechanisms, including sponsorship, advertising and grants.

Payment of the targeted rate must be separately accounted for in the BID Association's financial records.

In order for the Council to change the targeted rate, the BID Executive Committee must submit a detailed programme and budget. This must include performance reporting against KPIs and the business plan.

#### 4.6.4 Financial management

The financial year of any BID shall be 1 July to 30 June.

Any additional grants from Council will be paid at the start of a financial year annually to the BID Association

The funding generated from any BID targeted rate will be paid to the BID Association on a monthly basis.

#### 4.6.5 Quality management

- The **strategic plan** is the guiding document for the BID. This document should reflect a representative view of the needs of the BID members. The BID Association will need to work effectively with the Council; therefore the strategic plan should be aligned with Council's strategic aspirations.

The strategic plan should be updated every three years. The process of strategic planning is a continuous one and activities within a BID programme should be evaluated against the business association's strategic and business plans on an ongoing basis.

The strategic plan will include effective measures for the performance of the BID Association (its committee and management) and the performance of the BID.

One of the outcomes of the planning process is the preparation of a detailed budget that translates the BID objectives into a financial budget. The budget will be used to determine the overall level of the targeted rate. The partnership

between Council and the BID Association includes ensuring prudent use of any BID funding.

- **Key performance indicators (KPIs)** - To enable objective evaluation of BID projects, each BID Association will be expected to establish a number of benchmarks related to their strategic plan objectives. Performance measurement for the BID programme is essential to identify success and to provide opportunities for learning, rewarding success, correcting failure and winning support.

These benchmarks will provide baseline measures against which progress can be objectively measured. Benchmarks include, but are not limited to:

- Total retail sales;
- Business turnover increase;
- Pedestrian activity;
- Visitor numbers (local, regional and overseas);
- Local employment rates;
- Type and number of businesses;
- Commercial rents;
- Vacancy rates;
- Perceptions of safety;
- Street cleanliness surveys;
- Shopper/visitor satisfaction surveys.

BID Associations should develop key performance indicators for BID Executive Committee processes. Examples of such management KPIs include, but are not limited to:

- Production of financial information, strategic and annual plans;
- Frequency and quality of communication with members;
- Attendance at meetings and minutes; and,
- Number of business development initiatives.

All benchmarks and performance measures should be based on best practice management techniques and must be agreed upon by Council.

- **Annual Review** -Each year, eligible voters must be given an opportunity to review and comment on the strategic plan, budget and any proposed boundary change.

At a minimum this means that the BID Association must:

- Post a copy (physically or electronically) of the strategic plan, budget and boundary change to all eligible voters within the BID, and
- Provide an opportunity for written and/or verbal feedback.

#### 4.6.6 Council review

Council will review the performance of the BID against the stated strategic plan, KPIs, audited accounts and annual report.

In August each year, the BID Executive Committee must provide the Council with:

- A copy of the audited accounts and annual report for the previous financial year (including statements that the association has acted in

- compliance with its constitution and all other relevant laws and regulations); and
- Any proposed changes to the boundaries.

At the same time, the BID Executive Committee must also provide the Council with:

- A detailed programme and budget for the period 1 July to 30 June (the next financial year).

Eligible voters have a further opportunity to raise issues and concerns or to express support for the BID programme and budget through the Council's Annual Plan consultation process.

The BID Association is required to provide a standing committee of Council with a 6 monthly progress report in February each year.

Where the Council has concerns with the progress or success of a BID, the funds from the targeted rate may be withheld until specific improvements or alterations have been made to business, communication or strategic plans, or implementation processes.

In accordance with the provisions of the Local Government Act 2002 and the Local Government (Rating) Act 2002, the Council will make the final decisions on what targeted rate, if any, to set in any particular year (in terms of the amount and the geographic area to be rated).

The Council may initiate a review of all or any particular BID programme outside the annual and three yearly reviews. Such a review will be funded via general rates.

#### 4.7 Resolving Disputes

##### 4.7.1 Resolving disputes between the Council and the BID Association

Any decisions about whether or not to set a targeted rate, the amount of that rate, to provide for an additional rate or alter the boundaries of the area subject to the rate, and whether or not to establish, disestablish, reduce or extend the BID, are within the discretion of the Council to make as part of its annual funding and rating decision-making process.

Any other disputes between the BID Association and the Council will be settled in accordance with the following procedure:

- Having exhausted normal means of resolving a dispute or difference (by engaging in a process of good faith negotiation and information exchange), either party may give written notice specifying the nature of the dispute and its intention to refer such dispute or difference to mediation.
- If a request to mediate is made then the party making the request will invite the chairperson of the New Zealand Chapter of Lawyers Engaged in Alternative Dispute Resolution ('LEADR') to appoint a mediator to enable the parties to settle the dispute.
- All discussions in the mediation will be without prejudice and will not be referred to in any later proceedings. The parties will bear their own costs in the mediation and will equally share the mediator's costs.

- If the dispute is not resolved within 30 days after appointment of a mediator by LEADR, any party may then invoke the following provisions:
- The dispute will be referred to arbitration by a sole arbitrator in accordance with the Arbitration Act 1996.
- The award in the arbitration will be final and binding on the parties.

#### 4.7.2 Resolving disputes between owners or their nominated representatives and BID Associations

Disputes between owners or their nominated representatives (ONR) and the BID Associations will be settled in accordance with the following procedure:

- Unless matters can be resolved quickly and informally, ONR are obliged to bring their concerns to the attention of the BID Association's Executive Committee in writing. An initial written response is required within seven working days, outlining the manner and the time frame in which the concerns will be addressed. Council as major fund provider should be made aware of any such issues.
- Having exhausted reasonable means of resolving the dispute, the BID Association may approach the New Zealand Chapter of Lawyers Engaged in Alternative Dispute Resolution ('LEADR') to appoint a mediator to enable the parties to settle the dispute. All discussions in the mediation will be without prejudice and will not be referred to in any later proceedings. The parties will bear their own costs in the mediation and will equally share the mediator's costs.
- If the dispute is not resolved within a further 30 days after appointment of a mediator by LEADR, any party may then invoke the following provisions:
- The dispute will be referred to arbitration by a sole arbitrator in accordance with the Arbitration Act 1996.
- The award in the arbitration will be final and binding on the parties.

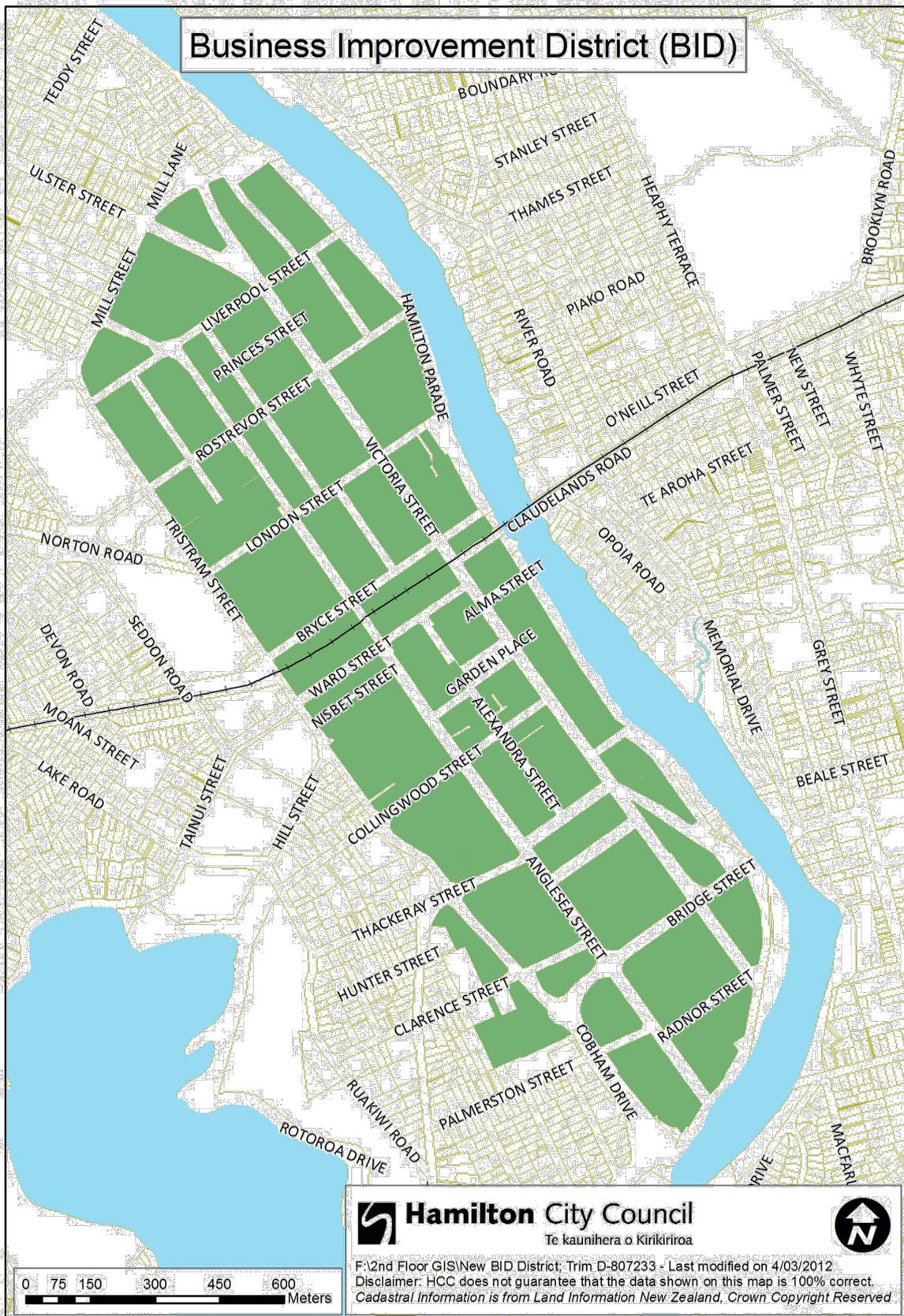
## 5. MONITORING AND IMPLEMENTATION

The General Manager Events and Economic Development will monitor the implementation of this policy.

The policy will be reviewed every three years or at the request of Council or in response to triggers, legislative and statutory requirements.

## 6. REFERENCES

- Economic Development Strategy
- District Plan
- Vista guidelines
- Hamilton City Public Places Bylaw and Policy
- Hamilton City Council Rating Policy



**Committee:** Business and Investment  
Subcommittee

**Date:** 10 March 2016

**Report Name:** Regional Business Hub

**Author:** Kelvyn Eglinton

<b>Report Status</b>	<i>Open</i>
<b>Strategy, Policy or Plan context</b>	<i>Hamilton Central City Transformation Plan Hamilton City Council Economic Development Agenda</i>
<b>Financial status</b>	<i>No budget required.</i>
<b>Assessment of significance</b>	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

## 1. Purpose of the Report

To inform the Business and Investment Subcommittee about the Regional Business Hub, a project under the Waikato Regional Economic Development Strategy implementation plan, and for which Hamilton City Council is the lead agency.

## 3. Recommendation from Management

That the report be received.

## 4. Attachments

5. There are no attachments for this report.

## 6. Discussion

### 7. Background

8. The establishment of a Regional Business Hub is an action in the Hamilton City Central Transformation Plan and is aligned to Hamilton's Economic Development Agenda.

9. The concept for a Regional Business Hub (Hub) has grown out of conversations about presenting a more collaborative and effective Waikato and Hamilton profile to business, government and potential investors.

10. Since mid-2015 a number of regional and city organisations and agencies that share a focus on business development within the city and wider region have participated in discussions facilitated by Hamilton City Council to explore establishing a Hamilton and Waikato Business Hub in Hamilton's Business District.

11. The organisations and agencies that are currently partnering to further these conversations are: Hamilton City Council, New Zealand Trade and Enterprise, Education New Zealand,

Waikato Chamber of Commerce, The University of Waikato, Hamilton Central Business Association, Hamilton Waikato Tourism, Te Puni Kokiri.

12. In parallel with these conversations, the Government's Business Growth Agenda, which has the priority to improve the growth of New Zealand's economy and to achieve the goal to increase the ratio of exports to GDP by 40% by 2025, included as a project, establishing regional business hubs outside Auckland and Christchurch. The Business Growth Agenda project statement is "business advisory entities from central and local government, and business associations can co-locate and work together to deliver support to businesses".
13. At government direction, New Zealand Trade and Enterprise (NZTE) and the Ministry of Business, Innovation and Employment (MBIE) have been investigating the feasibility of creating an initial three to four regional business hubs in key regions to promote regional growth, and serve as a one-stop hub for government interactions.
14. Hamilton and the Waikato are strategically aligned with opportunities offered through the Government's 2015 update to the Business Growth Agenda. In the Waikato context, this is the Waikato Economic Development Strategy which contains actions that focus on supporting and growing business, including growing global industries and making business easier.
15. The Hub project's alignment with national, regional, and city strategic initiatives provides a significant opportunity to improve the reputation of the Waikato and Hamilton as attractive and easy places to invest and do business. It is envisaged as a one-stop shop for services, support, information and advocacy that facilitates and enables business attraction, investment and development in Hamilton and the Waikato.
16. This project will be developed by the agencies and organisations themselves with the assistance of a project manager. To date the Council has taken a role in facilitating discussions between Hub partners and will act as the lead agency for the project to ensure it is delivered.
16. The Hub concept has been tested with, and supported by, a group of business leaders, the Waikato Mayoral Forum, the Waikato Regional Economic Development Steering Group, Minister Joyce, and Karl Woodhead, Manager, Enterprise Policy, Labour, Science & Enterprise, MBIE.
17. The Hamilton Waikato Business Hub
18. A brief summary of the Hub's attributes is:
  - a. Physical and virtual co-location while individual agency/organisation identity is preserved. Some of the organisations above are already in a position to move into new premises with leases having expired.
  - b. A one stop shop entry point and single point of contact to access agencies and organisations providing services, support, business intelligence, information and advocacy that facilitates and enables business attraction, investment and development in Hamilton and the Waikato.
  - c. An opportunity for agencies and organisations to work together.
  - d. A single source of information and 'truth' about region and city demographics, statistics and data, economic performance, business-relevant policies and regulatory information, lifestyle and liveability data, education data, land use and real estate data, business networks and promotional collateral.
  - e. An umbrella governance group to oversee the management the day to day operations of the hub.

- f. Opportunities for synergies for marketing and promotion, information-sharing and joint collateral, streamlining of customer interactions and the elimination of unnecessary duplication (through shared systems, processes and databases as appropriate).
  - g. Making it easier for business customers to find partners, access information, liaise between partners and network.
  - h. A location and identity for business networking and collaboration.
19. MBIE has confirmed support for establishing the Hub and funding to enable the appointment of a project manager with local knowledge and strong business credibility. The role of the project manager will be to work with the existing agencies and organisations involved as well as potential others to a point where the Hub is open for business with the appropriate governance and operational models in place.
  20. Organisations beyond those currently participating that have expressed interest in the Hub or are aligned with the concept include: Waikato-Tainui and Te Humeke Waikato Maori Business Network, EMA/Export NZ, ANZ bank, Institute of Directors and other government agencies not based in Hamilton, such as the Ministry of Foreign Affairs and Trade.
  21. The project partners are reputable agencies and organisations with aligned objectives and demonstrated experience and capability in the area of business development and attraction. The partners have indicated a willingness to commit funding, time and/or in-kind support relative to their involvement (e.g. some partners will be anchor tenants and are on month by month leases in anticipation of moving into the Hub).
  22. The partners are agreed that the location for the Hub will be Hamilton’s Business District.
  23. It is envisaged that the Hub will be launched with foundation partners at the end of the year.
  24. The Council’s role in this project is for the General Manager City Growth to appoint the project manager funded by MBIE on behalf of the group and provide oversight to ensure delivery of the project. The General Manager will report on the project’s progress to subsequent Business and Investment Subcommittee meetings.
  25. Council may also have a role in the Hub related to the economic development functions and responsibilities that sit with the City Growth team. This may include co-location of staff or a funding contribution, for example a financial contribution towards rent. Approval will be sought from the Business and Investment Subcommittee for any financial or in-kind contribution to the Hub proposed by staff.

**26. Financial and Resourcing Implications**

27. There is no budget required.

**Signatory**

Authoriser	Richard Briggs, Chief Executive
------------	---------------------------------

## Resolution to Exclude the Public

### Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

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 follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Business and Investment Subcommittee Public Excluded Minutes 18 November 2015	) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C2. Business and Investment Subcommittee Action List - Public Excluded - 10 March 2016	)	
C3. Development Site Update - Sonning Car Park Land		

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C3.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)