

Notice of Meeting:

I hereby give notice that an ordinary Meeting of the Community and Services Committee will be held on:

Date: Tuesday 19 September 2017
Time: 9.30am
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Community and Services Committee OPEN AGENDA

Membership

Chairperson	Cr P Southgate
Deputy Chairperson	Cr M Bunting
Members	Mayor A King
	Deputy Mayor M Gallagher
	Cr M Bunting
	Cr J R Casson
	Cr S Henry
	Cr D Macpherson
	Cr G Mallett
	Cr A O'Leary
	Cr R Pascoe
	Cr G Taylor
	Cr L Tooman
	Cr P Yeung

Quorum: A majority of members (including vacancies)

Meeting Frequency: Six weekly

Lee-Ann Jordan
Governance Manager

12 September 2017

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Purpose

The Community and Services Committee is responsible for:

1. Guiding and monitoring the provision of strategic community infrastructure and services to meet the current and future needs of the city and its communities.
2. Governance of recreational, event, and community facilities and amenities.
3. Facilitating community and stakeholder involvement and discussion on community infrastructure, community safety and community wellbeing matters.
4. Ensuring Hamilton is performing to the highest standard in the area of civil defence and emergency management.
5. Funding to benefit the social, cultural, arts and environmental wellbeing of communities in Hamilton.

In addition to the common delegations on page 9, the Community and Services Committee is delegated the following Terms of Reference and powers:

Terms of Reference:

1. To provide direction on strategic priorities and resourcing for community infrastructure aligned to city development and oversight of strategic projects associated with those activities.
2. To develop policy, approve community-related strategies and plans, and monitor their implementation.
3. To receive and consider presentations and reports from stakeholders, government departments, organisations and interest groups on community development and wellbeing issues and opportunities.
4. To monitor Hamilton's social demographics and social climate to assess current and future impacts on the Council and Hamilton communities.
5. To monitor the performance of Hamilton's civil defence and emergency management response against Council's requirements under the Civil Defence Emergency Management Act including:
 - a. implementation of Government requirements;
 - b. contractual service delivery arrangements with the Waikato Regional Group Emergency Management Office
2. To determine the funding priorities for the Community Grants Allocation Committees, in line with the Community Assistance Policy, Long Term Plan and Annual Plan.
3. To determine the priority of Council projects suitable for contestable and philanthropic funding, excluding NZTA funding.
4. To make decisions on event sponsorship applications in accordance with the Event Sponsorship Policy and within the approved budget, and monitor any grants made to external organisations under that policy.
5. To coordinate and make decisions on proposals, applications for external funding, and the distribution of Council funding and funding provided to Council for public art, recreational and community facilities and amenity.
6. To monitor and oversee the delivery of Council's non-financial performance and non-financial key projects, against the Long Term Plan, excluding key performance indicator reporting which is the responsibility of the Finance Committee .

The Committee is delegated the following powers to act:

- Approval of Reserve Management Plans.
- Performing the Council's functions, powers and duties (excluding those matters reserved to the Council by law, by resolution of the Council or as otherwise delegated by Council) under the Burial and Cremation Act and the Reserves Act.
- Approval of purchase or disposal of land for parks and reserves required for designated works or other purposes within the Committee's area of responsibility which exceeds the Chief Executive's delegations and is in accordance with the Annual Plan or Long Term Plan.
- Approval of applications for Council projects suitable for contestable and philanthropic funding.
- Approval or otherwise of event sponsorship applications in compliance with the Event Sponsorship Policy and approved budget.
- Approval of funding for recreational and community facilities and amenities in accordance with the Long Term Plan.
- Approval of public art proposals put forward by the community and/or Council in accordance with the Public Art Development Process and approved budget.

The Committee is delegated the following recommendatory powers:

- The Committee may make recommendations to Council.
- The Committee may make recommendations to other Committees.

Oversight of Policies:

- *Citizens Initiated Referenda Policy*
- *City Honours Policy*
- *Class 4 Gambling Venue Policy*
- *Community Assistance Policy*
- *Community Occupancy Policy*
- *Disability Policy*
- *Dog Control Policy*
- *Event Sponsorship Policy*
- *External Funding Applications Policy*
- *Hamilton City Smoke-Free Environment Policy*
- *International Relations Policy*
- *Naming of Roads, Open Spaces and Council Facilities Policy*
- *Provisional Local Alcohol Policy*
- *Psychoactive Substances (Local Approved Products) Policy*
- *Public Places Policy (cross-over with Finance Committee)*
- *TAB Board Venue Policy*

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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

As per Hamilton City Council's Standing Orders, a period of up to 30 minutes has been set aside for a public forum. Each speaker during the public forum section of this meeting may speak for three minutes or longer at the discretion of the Chair.

Please note that the public forum is to be confined to those items falling within the terms of the reference of this meeting.

Speakers will be put on a Public Forum speaking list on a first come first served basis in the Council Chamber prior to the start of the Meeting. A member of the Council Democracy Team will be available to co-ordinate this. As many speakers as possible will be heard within the allocated time.

If you have any questions regarding Public Forum please contact Democracy by telephoning 07 838 6439.

Council Report

Committee: Community and Services
Committee

Date: 19 September 2017

Author: Amy Viggers

Authoriser:

Position: Committee Advisor

Position:

Report Name: Community and Services Committee Minutes - 8 August 2017

Report Status	<i>Open</i>
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Staff Recommendation

1. That the Community and Services Committee confirm the Open Minutes of the Committee Meeting held on 8 August 2017 as a true and correct record.

Attachments

Attachment 1 - Community and Services Committee - Unconfirmed Minutes - 8 August 2017

Community and Services Committee

OPEN MINUTES

Minutes of a meeting of the Community and Services Committee held in Council Chamber, Municipal Building, Garden Place, Hamilton on Tuesday 8 August 2017 at 9.30am.

PRESENT

Chairperson	Cr P Southgate
Deputy Chairperson	Mayor A King
Members	Deputy Mayor M Gallagher
	Cr M Bunting
	Cr J R Casson
	Cr S Henry
	Cr D Macpherson
	Cr G Mallett
	Cr A O'Leary
	Cr R Pascoe
	Cr G Taylor
	Cr L Tooman

In Attendance:	Richard Briggs – Chief Executive
	Sean Murray – General Manager Venues, Tourism, and Major Events
	Sean Hickey – General Manager Strategy and Communications
	Helen Paki – Acting General Manager Community
	Debbie Lascelles – Acting Unit Manager Community Development and Leisure
	Andy Mannering – Manager Social Development
	Maria Barry – Acting Unit Manager Parks and Open Spaces
	Jeff Neems – Communications Advisor
	Nick Johnston – Strategic Advisor – Arts and Community
	Lisa Topcsov – Partnership and Sponsorship Manager
	Julie Clausen – Programme Manager Strategy
	Riki Manarangi – Corporate Policy Specialist
	Sandra Larsen – Community Funding Advisor
	Kelvin Powell – City Safe Unit Manager
	Sarah Ulmer - (Te Awa Representative)
	Professor Alister Jones and Jeremy Bell - (University of Waikato Representatives)
	Aaron Chesham and Adrienne Clothier - (Meteor Theatre Representatives)
	Lee Hazlewood – Waikato Group Emergency Management Office Representative)
Governance Advisors:	Becca Brooke – Governance Team Leader
	Amy Viggers – Committee Advisor

Community and Services Committee 8 AUGUST 2017 - OPEN

1. Apologies

Resolved: (Crs Casson/Henry)

That the apologies from Councillor Yeung and Councillor O'Leary (for lateness) are accepted.

2. Confirmation of Agenda

Resolved: (Crs Casson/Henry)

That the agenda is confirmed.

3. Declarations of Interest

- In relation to Item 12 (Event Sponsorship Fund – Applications for Approval), Cr Taylor noted that he was heavily involved in Hockey.
- In relation to Item 11 (Funding Plan for Flagstaff Playgrounds), Cr Pascoe noted that he was a resident of the area and lived close to one of the proposed playgrounds.

4. Public Forum

Malcolm Barr (*Hamilton Citizens' Band Chairperson of Contest Committee*) - spoke to Item 12 (Event Sponsorship Fund - Applications for Approval). Mr Barr provided a summary of the history of the NZ Brass Band Championship's Event and asked that the Committee support the event by providing funding through the Events Sponsorship fund.

5. Community and Services Committee Minutes - 27 June 2017

Resolved: (Crs Bunting/Henry)

That the Community and Services Committee confirm the Open Minutes of the Community and Services Committee Meeting held on 27 June 2017 as a true and correct record.

6. Te Awa - The Great NZ River Ride

Sarah Ulmer (Te Awa Representative) presented an update on the progress of Te Awa's The Great NZ River Ride Project. She responded to questions from Committee Members concerning:

She responded to questions from Committee Members regarding:

- The costs of the project to complete the current River Ride project (approximately \$15 million) and the section within the boundary of Hamilton City Council (approximately \$2.5m)
- Te Awa's request that the Council consider funding options for the city section to be considered as part of the 10 Year Plan process
- Eligibility for external funding contributions and subsidies (such as NZTA subsidies)
- Te Awa's and Council's responsibilities for maintenance of the path and work on consistency of safety signage.

The GM Community noted that staff would provide information to Committee Members concerning Bylaw/Regulatory Guidelines on cycling in the Gardens.

Resolved: (Crs Bunting/Casson)

That the Community and Services Committee receives the report.

Resolved: (Crs Bunting/Casson)
That Council develops the Hamilton City Gardens facilities to enable cycling.
Crs Mallett and Pascoe Dissenting.

Cr O'Leary joined the meeting (10.03) during the discussion of the above item. She was present when the matter was voted on.

7. Gallagher Academy of Performing Arts Annual Report 2016

Professor Alister Jones and Jeremy Bell provided a summary on the annual activity relating to the Gallagher Academy of Performing Arts. They responded to questions from Committee Members concerning:

The quantum of Academy usage for community or educational purposes (35%) and the rate at which community events were charged (50% of the commercial rate). Ways in which the University might consider recognising Council for its initial and ongoing contribution to the Academy. Timing and process for the renewal of the contract.

The GM Community agreed to add future sponsorship of the Academy as a topic for an upcoming Elected Member Briefing.

Resolved: (Crs Gallagher/Casson)
That the Community and Services Committee receives the report.

The meeting adjourned 11.16am – 11.35am during the discussion of the above item.

8. Meteor Theatre Annual Report 2016/17

The Manager Social Development noted that the One Victoria Trust were doing a great job of running the Theatre and introduced Aaron Chesham and Adrienne Clothier (Meteor Theatre Representatives) who provided a summary of the Theatres annual activity. They noted that the capital works programme was now complete and had exceeded budget by approximately \$3000. All other KPIs had been met and exceeded.

The Trustees expressed their thanks to Council for gifting the theatre to the Community Trust as it greatly contributed to the cultural vibrancy of the City. They responded to questions from Committee Members concerning the future of the Theatre. It was noted that although the theatre could sustain itself over the coming year, there would likely be a point where funding may be sought from Council in the future.

Resolved: (Crs Southgate/O'Leary)
That the Community and Services Committee receives the report.

9. Community Occupancy Leases - Community Facilities 2018

Manager Social Development introduced the report, noting that Council were aiming to increase the feeling of belonging for community groups occupying council owned facilities. Staff responded to questions from Committee Members concerning lease arrangements and specifics around the selection criteria outlined in the Community Occupancy Guidelines and Policy.

Motion: (Crs Macpherson/Taylor)

- a) That Council decide on any approval of the leases for the organisations listed in 2(a) – (f) (of the staff report) from 1 July 2018; with term to be determined in February 2018; and
- b) notes that the Community Occupancy Lease Policy is due to be reviewed by February 2018, covering both the prices, and types of organisations covered.

Amendment: (Crs Pascoe/Casson)

That the Community and Services Committee:

- a) Approves the granting of a new community group lease under s61(2A)(a) of the Reserves Act 1977, to **Raukura Hauora o Tainui Trust** for space in Enderley Park Community Centre on Enderley Park up to 315m², being part of lot 2 DP:S7131, as shown on Attachment 1, subject to the following terms and conditions;
 - i. Term – 10 years commencing 1 July 2018;
 - ii. Rent - \$1,968.75 plus GST per annum (plus maintenance and utility charges) in accordance with the Community Occupancy Policy;
 - iii. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- b) Approves the granting of a new community group lease under s61(2A)(a) of the Reserves Act 1977, to **Hamilton Multicultural Services Trust** for space in Enderley Park Community Centre on Enderley Park up to 644m², being part of lot 2 DP:S7131, as shown on Attachment 1, subject to the following terms and conditions;
 - i. Term – 10 years commencing 1 July 2018;
 - ii. Rent - \$4,025.00 plus GST per annum (plus maintenance and utility charges) in accordance with the Community Occupancy Policy;
 - iii. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- c) Approves the granting of a new community group lease, under s54(1)(B) of the Reserves Act 1977, to **Te Whare o Te Ata** for space in Fairfield Park Hall on Fairfield Park, being part of lot 66 DP:S4963, as shown on Attachment 2, subject to the following terms and conditions;
 - i. Term – 10 years commencing 1 July 2018;
 - ii. Rent - \$1,728.13 plus GST per annum (plus maintenance and utility charges) in accordance with the Community Occupancy Policy;
 - iii. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- d) Approves the granting of a new community group lease, under s54(1)(B) of the Reserves Act 1977, to **Shinjokai Karate-do Incorporated** for space in Frankton Railway Institute Hall on Railway Park, being part of lot 1 DP:S37471, as shown on Attachment 3, subject to the following terms and conditions;
 - i. Term – 5 years commencing 1 July 2018;
 - ii. Rent - \$1,343.13 plus GST per annum (plus maintenance and utility charges) in accordance with the Community Occupancy Policy;
 - iii. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- e) approves the granting of a new community group lease to **Citizens Advice Bureau**

Hamilton Incorporated for space in The Former Reid Studio on Victoria Street, being located at Allot 449 of Hamilton West, as shown on Attachment 4, subject to the following terms and conditions;

- i. Term – 5 years commencing 1 July 2018;
 - ii. Rent - \$415.63 plus GST per annum (plus maintenance and utility charges) in accordance with the Community Occupancy Policy;
 - iii. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- f) Approves the granting of a new community group lease to **Waikato Dance Performance Trust** for space in Old St Peters Hall, being located at Allot 449 of Hamilton West and Allot 450 of Hamilton West, as shown on Attachment 4, subject to the following terms and conditions;
- i. Term – 5 years commencing 1 July 2018;
 - ii. Rent - \$1,085.00 plus GST per annum (plus maintenance and utility charges) in accordance with the Community Occupancy Policy;
 - iii. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.

The Amendment was put.

Those for the Amendment: Councillors Southgate, Casson and Pascoe.

Those against the Amendment: Mayor King, Councillors Bunting, Gallagher, Henry, Macpherson, Mallett, O'Leary, Taylor and Tooman.

The Amendment was declared lost.

The Motion was then put and declared carried.

Resolved: (Crs Macpherson/Taylor)

- a) That Council decide on any approval of the leases for the organisations listed in 2(a) – (f) (of the staff report) from 1 July 2018; with term to be determined in February 2018; and
- b) notes that the Community Occupancy Lease Policy is due to be reviewed by February 2018, covering both the prices, and types of organisations covered.

Cr Casson Dissenting.

The Meeting adjourned 12.56pm – 1.45pm during the discussion of the above item.

10. Gaming Trusts Funding

The Acting General Manager Community noted that the External Funding Policy attached to the staff report was an incorrect version. The correct version was tabled and circulated to Committee Members.

The report was taken as read. Staff responded to questions from the Elected Members concerning previous applications that Council had made to Gaming Trusts, and the scope of Councils Class 4 Gambling Venue Policy.

Motion: (Mayor King/Cr Casson)

That Council:

- a) receives the report;
- b) reviews the Class 4 Gambling Venue Policy, with a draft policy for consultation to be presented to Council in October 2017; and
- c) inserts a new Clause (Clause 10) to the External Funding Application Policy to read "Council will exclude from external funding sources Gaming Trust Funds and will not apply to Gaming Trusts Funds for external funding" and includes in Clause 1 a definition of Gaming Trust Funds to read "Any incorporated trust or organisation that derives revenue from gambling machines".

Amendment: (Crs Southgate/Pascoe)

That Council:

- a) receives the report;
- b) reviews of the Class 4 Gambling Venue Policy with a draft policy for consultation to be brought to Council in October 2017; and
- c) reviews the External Funding Application Policy during the 10 Year Plan process.

The Amendment was put.

Those for the Amendment: Councillors Southgate and Pascoe.

Those against the Amendment: Mayor King, Councillors Bunting, Casson, Gallagher, Henry, Macpherson, O'Leary, Taylor and Tooman.

The Amendment was declared lost.

The Motion was then put.

Those for the Motion: Mayor King, Councillors Bunting, Casson, Gallagher, Henry, Macpherson, Taylor and Tooman.

Those against the Motion: Cr Southgate, Councillors O'Leary and Pascoe

The Motion was declared carried.

Resolved: (Mayor King/Cr Casson)

That Council

- a) receives the report;
- b) reviews the Class 4 Gambling Venue Policy, with a draft policy for consultation to be presented to Council in October 2017; and
- c) inserts a new Clause (Clause 10) to the External Funding Application Policy to read "Council will exclude from external funding sources Gaming Trust Funds and will not apply to Gaming Trusts Funds for external funding" and includes in Clause 1 a definition of Gaming Trust Funds to read "Any incorporated trust or organisation that derives revenue from gambling machines".

Cr Mallet retired from the meeting (2.52pm) during the debate of the above item. He was not present when the matter was voted on.

11. Funding Plan for Flagstaff Playgrounds

The Acting General Manager Community noted that as a result of the resolution that was previously passed in relation to Gaming Trusts funding, the scope and funding plan for the Flagstaff Playground would differ from what was outlined in this report. Staff responded to questions from Committee Members concerning other potential sources of funding for playgrounds.

Action: Staff were asked to circulate information to Elected Members concerning playground funding sources for the last 20 years.

Resolved: (Crs Casson/Bunting)

That the Community and Services Committee approves the external funding plan for the Flagstaff Playgrounds Project; excluding applications to gaming trust funds.

Cr O'Leary retired from the meeting during the discussion of the above item. She was not present when the matter was voted on.

The meeting adjourned 3.34pm to 3.50pm.

12. Event Sponsorship Fund - Applications for Approval

The General Manager Venues, Tourism and Major Events introduced the report. He responded to questions from Committee Members concerning the visibility of Hamilton's Brand at events and the reliance of large community events on Council funding.

Resolved: (Crs Casson/Bunting)

That the Committee receives the management recommendations for the following Event Sponsorship applications for funding from the 2017/18 Event Sponsorship Fund and;

- a) Approves the following applications:
 - i Hamilton Summer Festival Foundation for the Hamilton Gardens Arts Festival 2018 for \$130,000;
 - ii Classic Events Limited for Balloons over Waikato 2018 for \$75,000;
 - iii Marching Waikato Association for the NZ Marching Championships 2018 for \$25,000;
 - iv Hamilton Christmas Trust for the Hamilton Christmas Events 2017 for \$70,000 noting the budget from the Event Sponsorship fund approved for this activity be redirected to the City Events Budget; and
- b) Declines the following applications:
 - i One Four Seven Communications for the Distinguished Gentleman's Ride 2017 for \$10,000;
 - ii Classic Events Limited for Round the Bridges 2017 for \$20,000;
 - iii Community Development Trust for HAKA 2018 for \$50,000;
 - iv Frankton Thunder Charitable Trust for the Frankton Thunder 2018 for \$11,000;
 - v Waikato Rowing Club for The Waikato 100 for \$30,000;

Community and Services Committee 8 AUGUST 2017 - OPEN

- vi NZ Water Ski Racing Association for the Bridge to Bridge Water Ski Race 2017 for \$10,000; and
- d) notes that the remaining funds of \$49,346 from the 2017/18 Event Sponsorship fund are redirected to the Event Leverage Fund to be managed by the General Manager Venues, Tourism and Major Events to support incremental promotion and activity around sponsored and major events.

Resolved: (Crs Casson/Bunting)

That the Committee receives the management recommendations for the following Event Sponsorship applications for funding from the 2018/19 Event Sponsorship Fund and;

- a) Approves the following applications:
 - i Hockey NZ for the National Hockey League and Seniors Tournament 2018 for \$50,000;
 - ii Silver Diamonds Leisure Marching for the National Leisure Marching Display Day 2019 for \$12,000;
 - iii Hamilton Christmas Trust for the Hamilton Christmas Events 2018 for \$70,000 noting the budget from the Event Sponsorship fund approved for this activity be redirected to the City Events Budget; and
- c) notes that the remaining balance of the 2018/19 Event Sponsorship fund will be allocated in July/August 2018, and

Resolved: (Crs Casson/Bunting)

That the Committee receives the management recommendation for the following Event Sponsorship application for funding from the 2019/20 Event Sponsorship Fund and;

- a) Approves the Hamilton Citizens' Band Inc for the NZ Brass Band Championships 2019 for \$50,000; and
- b) Notes that the remaining balance of the 2019/20 Event Sponsorship fund will be allocated in July/August 2019.

Cr Taylor retired from the meeting (4.20pm) at the conclusion of the above item. He was present when the matter was voted on.

13. Civil Defence Emergency Management (CDEM) Update

City Safe Unit Manager took the report as read. He responded to a questions from Committee Members regarding community engagement.

Resolved: (Mayor King/Cr Tooman)

That the Community and Services Committee receives the report.

The meeting was declared closed at 4.27pm.

Council Report

Committee: Community and Services
Committee

Date: 19 September 2017

Author: Amy Viggers

Authoriser:

Position: Committee Advisor

Position:

Report Name: Chair's Report

Report Status	<i>Open</i>
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Staff Recommendation

1. That the Community and Services Committee receives the report.

Attachments

Attachment 1 - Chair's Report - 19 September 2017



Chair's Report

As you are aware I received correspondence from the Friends of the Library and others expressing concerns over length of time taken to re-open the central library. I copied you all into the reply. We have since discussed the possible solutions at an update. It appears to me that there was a majority in favour of re-opening the Central Library short term and looking at the medium and longer term solutions/opportunities through the Long Term Plan. Meanwhile I consider we need to have a clear communication with the public around the timelines. The general public are not as fully informed as they need to be at this stage. I think we need to focus our communications with the public around “why” not just the “when”. The General Manager’s report will provide some further detail following on from the update. One good idea from our community was to consider how we support our migrant communities at our libraries and staff have had a look at the Wellington Library approach.

I also received a letter from the 60+ swim group and have copied you into the response. There is a lot of concern around what is going to happen to the pool and when. But also there are some level of service conversations required with key user groups. Thank you to the staff for talking with this group and beginning to address their concerns. Council will be having more discussions in an upcoming update about the levels of service at Waterworld.

I have now been in the role for 10 months and have been talking with our communities and stakeholders about how they would like to engage with us. Andy Mannering is also progressing that thinking. As you are aware the Deputy Mayor asked me to explore taking some level of meeting/update out into the wider community. This work has stalled pending a deeper look at best practice methods of public engagement. The CE will report to Council some thinking later this year. Meanwhile, I hold the view that we need to widen the opportunities for communities of interest to shape the way we involve them in our early thinking and decision scoping. I have chatted with a few of you but intend to set up an informal time for us to discuss this over a coffee and tap into your wider views.

I attended a celebration of the Mataariki canoe project at Wintec, which is a subject of a report today. This project is a multi-partner project with all keen to get the art installed in time for Mataarki next year. This has great synergies with the River Plan. It also encourages rewards the efforts of external parties promoting art proposals for the City.

Councillor Paula Southgate
Chair Community and Services Committee

Council Report

Item 7

Committee: Community and Services Committee
Date: 19 September 2017
Author: Lance Vervoort
Authoriser: Lance Vervoort
Position: General Manager Community
Position: General Manager Community
Report Name: General Manager's Report

Report Status	<i>Open</i>
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Purpose

1. To inform the Committee on the review of the Central City Safety Plan.
2. To inform the Committee on the progress of re-opening the central library.

Staff Recommendation

3. That the Community and Services Committee receives the report.

Central City Safety Plan

4. The Hamilton Central City Safety Plan, 2014-17 (the Plan), was adopted by Council in September 2014. The purpose of the Plan was that “people’s perception of safety is improved”. The Plan has followed two approaches: focusing on the public spaces within Council control, encouraging more people to use these spaces and make them feel safer; and providing help and support for homeless and vulnerable people through partnerships with other agencies, like The People’s Project.
5. Key outcomes of the Plan include:
 - The establishment and ongoing successes of the People’s Project;
 - 395 people housed, with 97% remaining housed
 - Perception of Safety has significantly increased;
 - Daytime perception of safety has increased from 63%-83%
 - Night time perception of safety has increased from 43%-62%
 - Police report crime in the central city has reduced 36% and specific disorder crimes have reduced 43% since the plan was adopted.
 - A steady increase across the past three years of the number of employees, businesses and workers within the central city.
 - Retail spend is up \$20M, from \$608M in 2015 to \$628M in 2017, and hospitality spend is up \$12M, from \$85M in 2015 to \$97M in 2017.
6. A task force chaired by Councillor O’Leary was established by Council in May 2017 to review the outcomes from the Plan and develop a new draft plan to be presented to the 31 October 2017 meeting of the Committee.

7. The taskforce is on track to provide a draft plan to the Community and Services Committee on 31 October 2017.

Central Library

8. Committee members will be aware of ongoing discussion and information regarding the next steps in the process with the Central Library.
9. Staff will be bringing a report to the full Council meeting on 21 September, recommending that Council proceeds with a repair of the existing Central Library building, at a cost of about \$650,000.
10. Should the Council pass a resolution to this effect, staff would immediately roll out a range of communications to inform the community and library stakeholders of the decision and resulting work.
11. While the Central Library has been closed libraries staff have received a growing amount of feedback on the situation and have been working with Communication Unit staff to update the public as new information or steps come to hand.

Attachments

Attachment 1 - Central City Safety Plan with completed actions

Attachment 2 - Central City Safety Plan 2017 Scorecard

HAMILTON CENTRAL CITY SAFETY PLAN 2014 - 2017

PLAN PURPOSE
PEOPLE'S PERCEPTION OF SAFETY IS IMPROVED

OUTCOMES

SAFE
People feel safe in the central city

ATTRACTIVE
People enjoy being in central city spaces

FOR EVERYONE
People feel pride in the central city

GOALS

Reported crime is reduced

Reported nuisance behaviours is reduced

Hamilton will not have a homeless population by 2016

Young people engaged in a safe and responsible way

People use and enjoy public spaces

2014 - 2017 ACTIONS

- Expand the CCTV Network to provide 360 degree coverage including the river pathway by 2017
- ✓ Review the role of the Alcohol Accord to deliver more effective support to the hospitality sector by June 2015
- ✓ Review the Public Places Liquor Control Bylaw
- Approve and implement the Local Alcohol Policy
- ✓ Explore expanding the Smoke-free Environments Policy to include the whole CBD with designated smoking areas by November 2014
- ✓ Implement the Local Approved Products Policy
- ✓ Monitor the effectiveness of the increased level of litter collection approved in the 2014 Annual Plan
- ✓ Investigate installing more effectively designed rubbish bins by June 2015
- ✓ Continue the current level of service for graffiti removal
- ✓ Monitor the effectiveness of the Alliance Contract delivery in the central city
- ✓ Increase vegetation management in key planting sites to improve central city appearance
- ✓ Support the HCBA's initiatives: "Lick of Paint" and "Steam Clean"
- ✓ City Safe and the central Library to work together to ensure library staff have strategies and training appropriate for dealing effectively with incidences of anti-social behaviour
- ✓ Develop a Communications and Engagement Plan by December 2014
- ✓ Develop and produce effective reporting on key data by October 2014
- ✓ With HCBA, support the People's Project in delivering self help training for businesses by October 2014
- ✓ Increase Police foot patrols by September 2014
- ✓ Complete a review of City Safe and implement any changes and new KPIs by December 2014
- ✓ Provide Māori Warden patrols during weekday afternoons
- ✓ Adopt the Safety in Public Places Bylaw by December 2014
- ✓ Adopt a Litter Infringement Policy and the appropriate enforcement sections of the Litter Act by November 2014
- ✓ Bylaw Enforcement Officers and Litter Control Officers by December 2014
- ✓ Provide clear and effective signage by December 2014
- ✓ The People's Project is implemented
- ✓ Work with HCBA to develop a Truancy Free "no sale" zone
- ✓ Monitor the effectiveness of truancy programmes delivered by other organisations (including Whai Marama Youth Services and schools)
- ✓ Continue to support Zeal
- ✓ Youth Advisory Panel to review the Youth Action Plan and recommend actions that contribute to the goals in this safety plan by June 2015
- ✓ Review the Public Places Liquor Control Bylaw
- ✓ Explore expanding the Smoke-free Environments Policy to include the whole CBD with designated smoking areas by November 2014
- ✓ Review the role of the Alcohol Accord to deliver more effective support to the hospitality sector by June 2015

✓ = completed

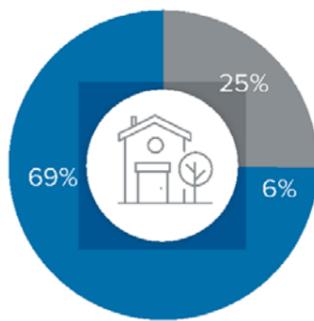
SUCCESS INDICATORS

- ✓ Reported satisfaction levels for safety amongst central city users is 80% or higher by 2017
- ✓ 15% reduction in specified crimes in the central city by 2017, in line with the police target. Specified crimes: assault; offences against a person; burglary; theft (including shoplifting); property damage and environmental pollution; public order offences
- ✓ 25% reduction on 2014 reported nuisance behaviours by 2017
- Homeless population is zero by 2016
- ✓ Youth Action Plan is implemented
- ✓ Safety in Public Places Bylaw is implemented and enforced
- ✓ Central city safety and amenity data is available and publicly reported
- ✓ Litter Infringement Policy is implemented and enforced

PEOPLE'S PROJECT (since 2014)

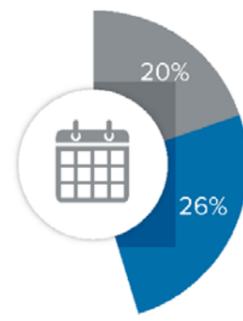


Housing type
30 June 2017



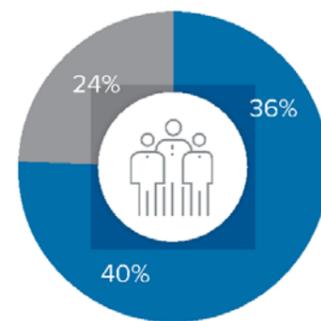
Private Housing NZ Other

Length of time housed
30 June 2017



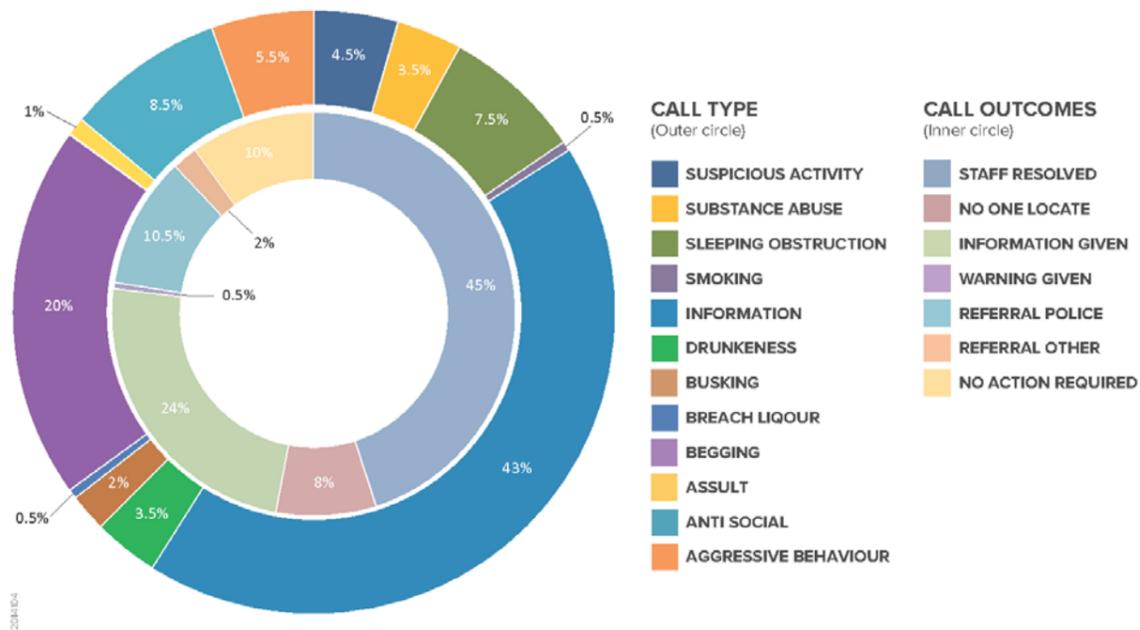
More than 2 years 1 to 2 years Less than 6 months 6 to 12 months

Client profile – Housed
30 June 2017



Families Single female Single male

CITY SAFE CALL TYPES (2016/17)



HAMILTON CENTRAL CITY SAFETY PLAN SCORECARD 2017

25 ACTIONS



WHAT'S BEEN COMPLETED IN 2017?

- 'Safe Zone' implemented as part of the Alcohol Accord during the student orientation week
- The target of 80% of people feeling safe or very safe during the day was achieved

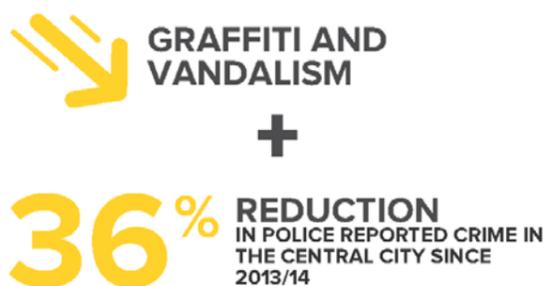
WHAT PEOPLE LIKE

INCREASED VISIBILITY OF CITY SAFE PATROLS AND PROMPT RESPONSE TO CONCERNS

THE CENTRAL CITY IN NUMBERS



WHAT'S DECREASED

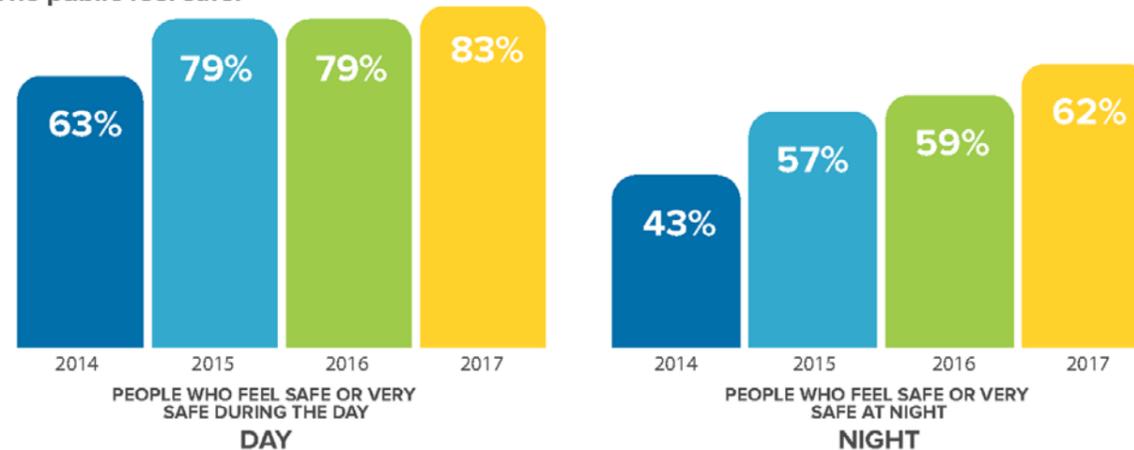


SAFETY PRIORITIES

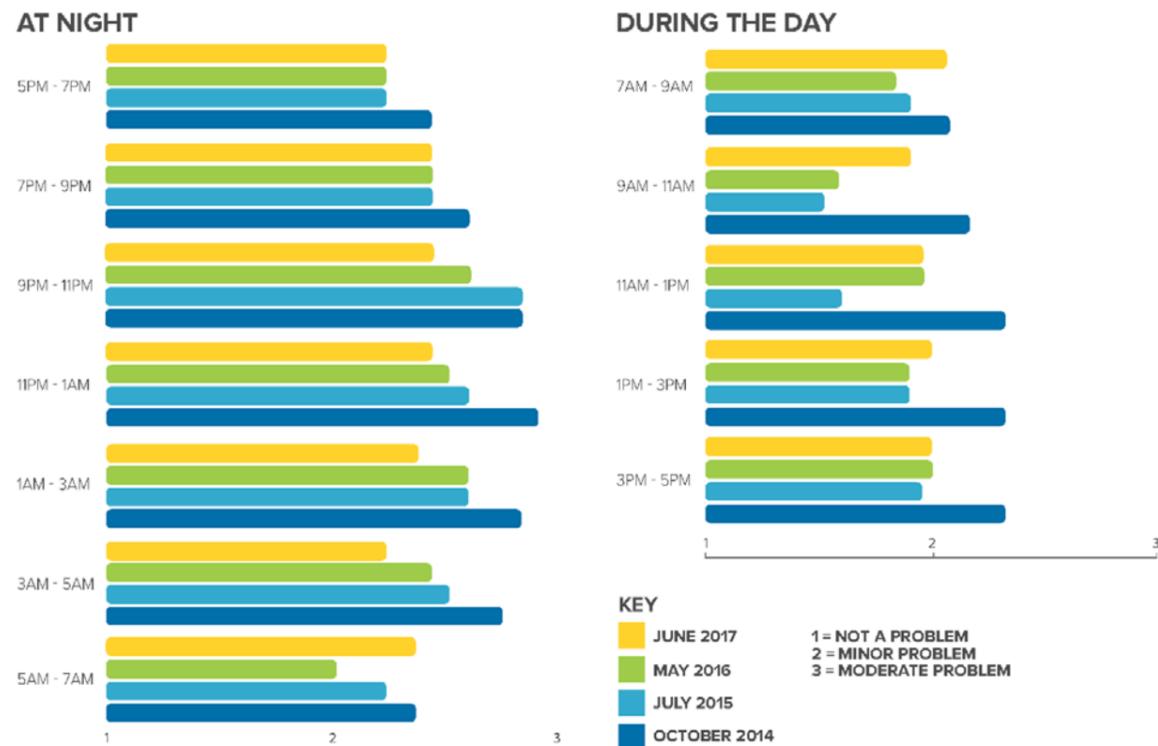


PERCEPTIONS OF SAFETY IN THE CITY

The public feel safer



Businesses feel safety has improved



GRAFFITI REMOVAL



Council Report

Item 8

Committee: Community and Services Committee
Date: 19 September 2017
Author: Nick Johnston
Authoriser: Lance Vervoort
Position: Strategic Advisor
Position: General Manager Community
Report Name: Matariki Interactive Waka Project

Report Status	<i>Open</i>
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Purpose

1. To seek approval for the concept design of Wintec's Matariki Interactive Waka Project.

Staff Recommendation

2. That the Community and Services Committee:
 - a) receives the report; and
 - b) approves Wintec's Matariki Interactive Waka Project concept design at Stage Two of the Public Art Development Process.

Executive Summary

3. Wintec have developed the Matariki Interactive Waka Project, which proposed a 5-metre high corten steel waka inspired by Matariki.
4. The Council previously approved the artwork site and project brief at Stage One of the Public Art Development Process. Wintec is now seeking concept approval for the project.
5. The concept has been development in consultation with mana whenua and with industry project partners. No risks have been identified with the artwork concept.

Background

6. Wintec have developed a proposal for a Matariki public artwork. The project aim is to make a 5-metre interactive waka sculpture inspired by Matariki. The project has strong alignment to the objectives of the Hamilton Plan, the River Plan, the Arts Agenda and the Public Art Plan and Development Guide.
7. At the 4 April 2017 Community and Services Committee meeting ([Agenda](#) Pg. 142 / [Minutes](#) Pg. 7), the Committee resolved to approve Wintec's proposal at Stage One of the Council's Public Art Process (approval of the artwork location in Ferrybank Reserve and project brief).
8. Wintec have developed the artwork concept with several industry project partners including Longveld Engineering.

Discussion

9. Wintec is seeking approval for the Matariki Interactive Waka Project at Stage Two of the Council's Public Art Development Process (approval of the artwork concept).
10. The artwork is 5 metres high and will be constructed with corten plate steel. The artwork will feature lighting and sound components that respond to environmental changes around the artwork. A small computer will be housed within the sculpture to receive information from environmental sensors and to control the lighting and sound. Small environmental sensors would be installed near the artwork, including a wind sensor, rainfall sensor, humidity sensor and a thermal sensor to sense movement near the sculpture.
11. A 3D design of the artwork and concept information on the environmental sensors and lighting are included in Attachment 1.
12. The concept has been developed in consultation with mana whenua. Hamilton City Council Kaumatua Tame Pokaia and Wintec Director Maaori Hera White have been advisors through the development of the concept design. Project development and consultation is ongoing for the Matariki artwork project. The next meeting with mana whenua will be held in late September 2017.
13. An engineering design of the artwork is included in Attachment 2, demonstrating the internal framework of the sculpture. This level of detail is more than required at Stage Two of the Public Art Development Process but it demonstrates the partnership approach to the project, engaging engineers from the beginning of concept development.
14. The exact location of the artwork within Ferrybank Reserve is yet to be finalised. Staff are working with Wintec to ensure the final artwork site is compatible with the Ferrybank Development Plan.

Financial Considerations

15. Development of the artwork is to be funded by Wintec and project partners. It is proposed that the asset would be vested to the Council upon completion.
16. If the concept is approved at Stage Two of the Council's Public Art Development Process, the final detailed design of the artwork will be developed. A requirement of the final stage in the Public Art Development Process is for a maintenance manual to be produced. If the requirements of the maintenance manual exceed the current public art maintenance budget, staff will report back to the Community and Services Committee for final consideration before the decision to accept the artwork as a gift to the city.
17. A comparable artwork in Hamilton City Council's public art collection is *Te Waharoa ki te Ao Maarama* by Lonnie Hutchinson at Hamilton Lake Domain. The artwork, gifted to the city by Mesh Sculpture Trust in 2013, was also fabricated with corten steel and is of a similar scale to the Matariki project. *Te Waharoa ki te Ao Maarama* is inspected annually and cleaning is programmed only when required.

Legal and Policy Considerations

18. The Council adopted a three-stage Public Art Development Process at the 13 December 2016 Council meeting ([Agenda](#) pg. 174/ [Minutes](#) pg. 9). Staff have reviewed the proposal and are satisfied that it meets the requirements of Stage Two of the Public Art Development Process.
19. A decision to approve the concept does not commit the Council to accepting the artwork as a gift to the city. If the detailed design of the artwork is approved by the GM Community at the final stage of the Public Art Development Process, the Council will enter into a contract with Wintec to accept the artwork as a gift to the city.

Risks

20. No risks have been identified with the artwork concept. Electronic components and sensors for the artwork are bespoke and will be designed to withstand strong wind and rain events.
21. If the artwork is approved at the final stage of the Public Art Development Process, the Council will be requesting a longer defects liability period upon completion of the artwork due to the bespoke nature of the electronic system and components.

Attachments

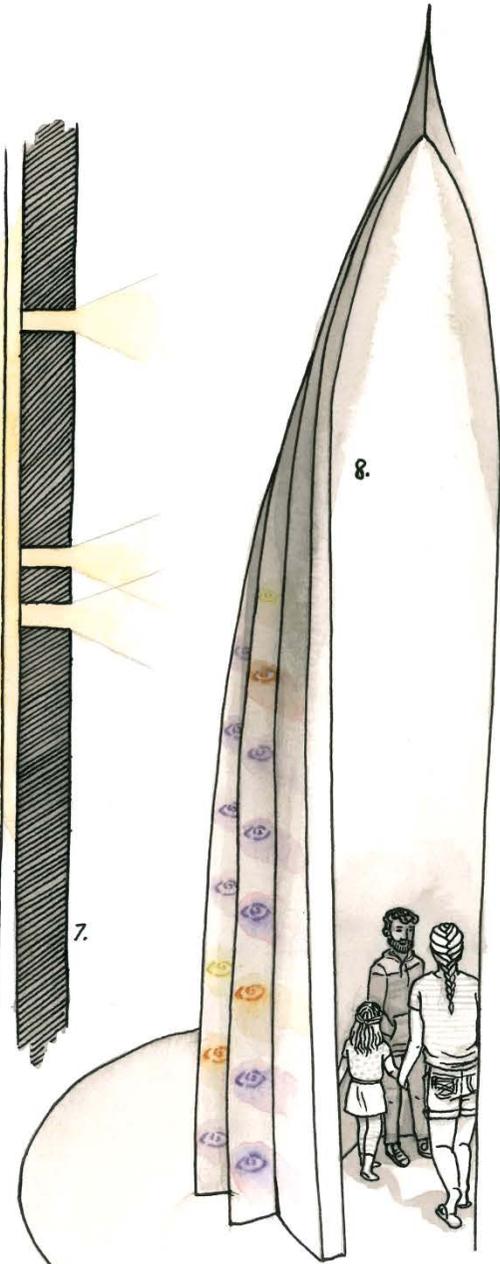
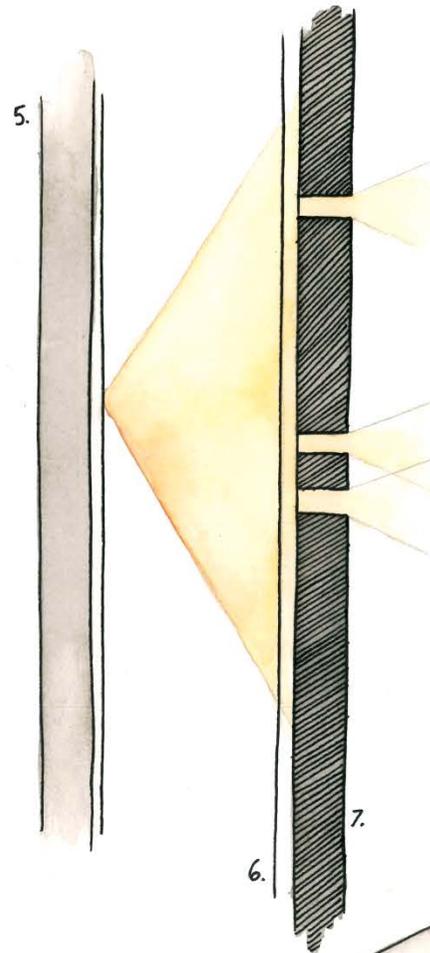
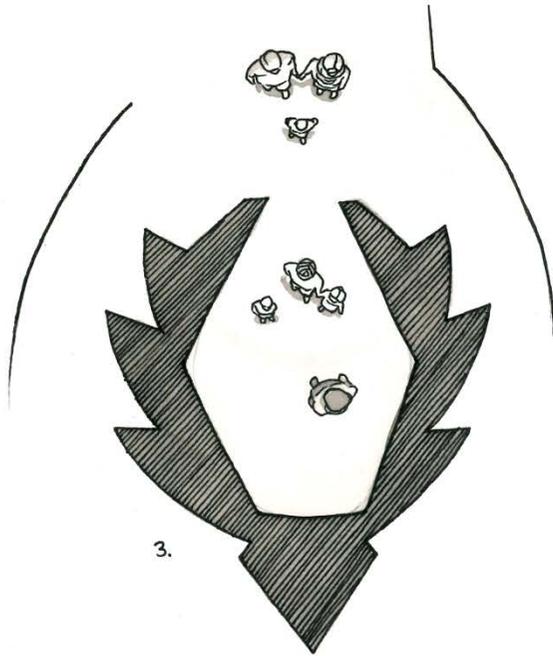
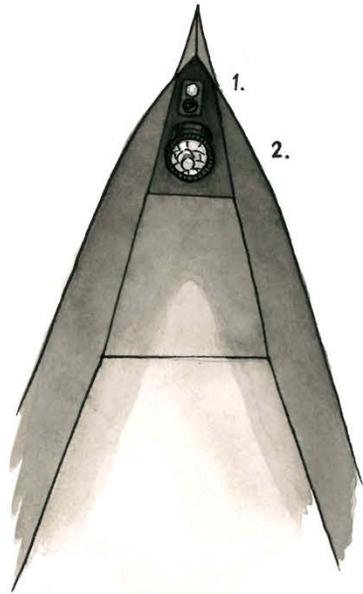
Attachment 1 - Matariki Interactive Waka Project - Concept

Attachment 2 - Matariki Interactive Waka Project - engineering plan

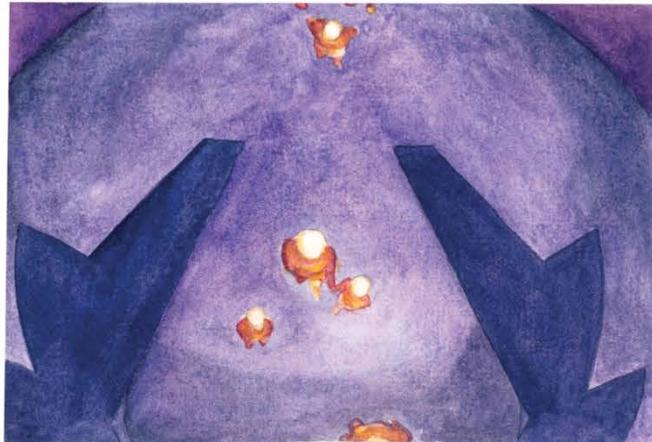


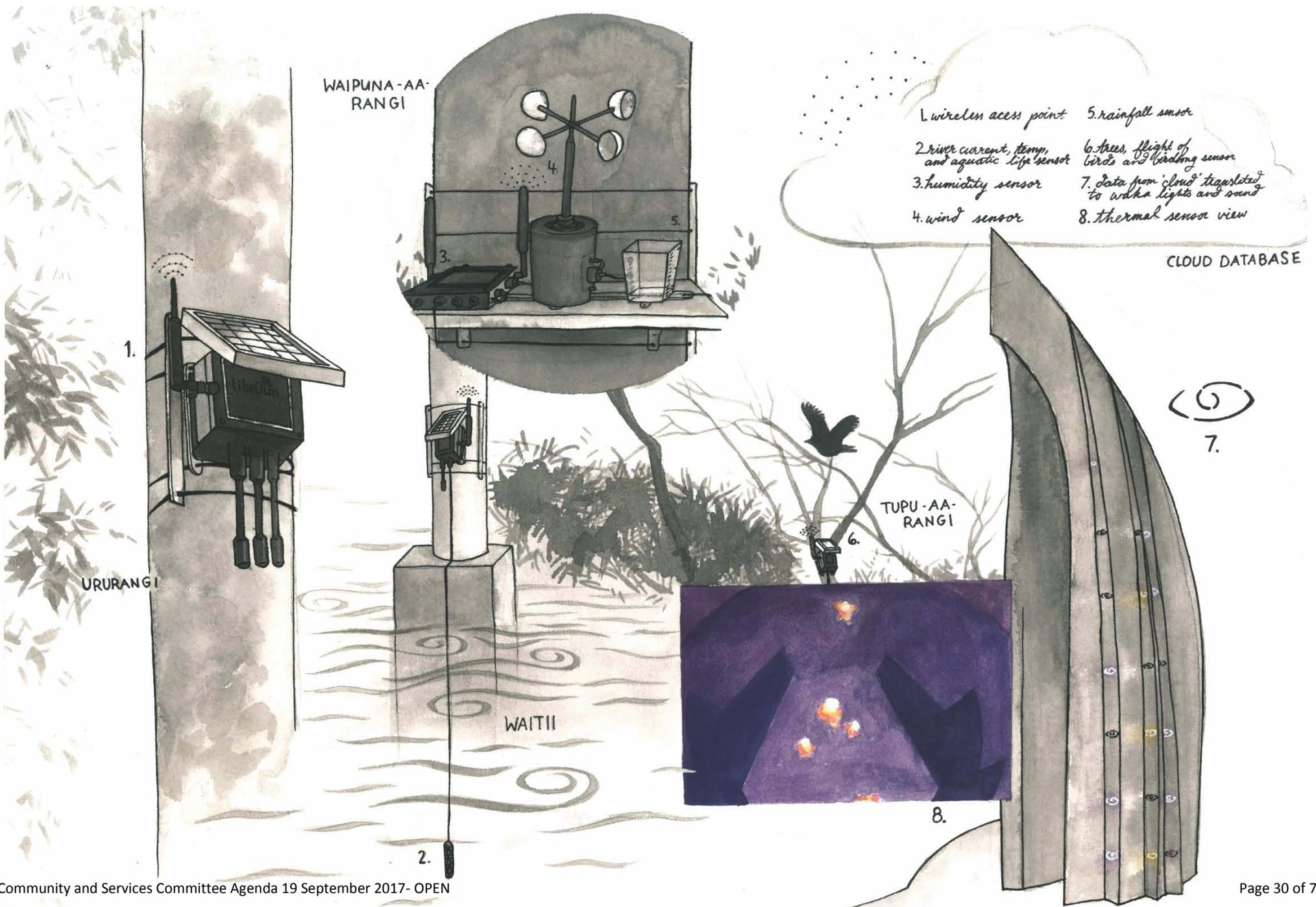






1. thermal sensor
2. projector
3. bird's eye view
4. thermal sensor view tracking movement
5. Led lights
6. perspex
7. steel
8. lights linked to thermal sensor





- 1. wireless access point
- 2. river current, temp, and aquatic life sensor
- 3. humidity sensor
- 4. wind sensor
- 5. rainfall sensor
- 6. trees, flight of birds and birding sensor
- 7. data from 'cloud' translated to waka lights and sound
- 8. thermal sensor view

CLOUD DATABASE



Council Report

Item 9

Committee: Community and Services Committee
Date: 19 September 2017
Author: Hannah Helleur
Authoriser: Lance Vervoort
Position: Playground Project Leader
Position: General Manager Community
Report Name: Flagstaff North Playgrounds Proposal

Report Status	<i>Open</i>
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Purpose

1. To seek approval for the apportioning of budget between two playgrounds in Flagstaff North, a destination playground at Hare Puke Park and neighbourhood playground at Te Huia Reserve.

Staff Recommendation

2. That the Community and Services Committee approves apportioning of budget allocated in Year 3 of the 2015-25 10 Year Plan between two playgrounds at Hare Puke Park and Te Huia Reserve.

Executive Summary

3. The Community and Services Committee previously supported in principle the apportioning of budget between two playgrounds at Te Huia Reserve and Hare Puke Park. The External Funding Plan for the project was approved at 8 August 2017 Community and Services Committee meeting.
4. The proposal is to apportion \$150,000 to Te Huia Reserve playground and \$1,006,000 to Hare Puke Park playground. This report presents concept plans for proposed playgrounds.
5. The cost to complete the project is estimated at \$1,156,000. \$906,000 is allocated in Year 3 of the current 10 Year Plan and a further \$250,000 external funding will be sought for this project.
6. There is existing significant community buy-in for this project with a Community Lead Working Group which has been established to assist with fund raising.

Background

7. Te Huia Reserve was originally identified as the next location for a destination playground in the Playgrounds of the Future Plan.
8. There is currently a lack of developed parks and limited playgrounds in Hamilton North and there have been multiple requests from the North East community for development of playgrounds in the area.
9. Funding for development of a new playground at Te Huia Reserve is allocated in Year 3 of the 2015-25 10 Year Plan.

10. Te Huia Reserve is suited to a smaller playground because of the size of the reserve and adjoining residential development. Based on feedback from the first round of community consultation and ongoing discussions with key stakeholders, the proposal for a neighbourhood playground at Te Huia Reserve aligns with the community expectations for the park.
11. Hare Puke Park has been identified as a potential location for a second, larger playground in the Flagstaff North area. The future sports park is a larger open space and more suited to accommodate a larger playground and supporting facilities.
12. At the 16 May 2017 Community and Services Committee meeting (Agenda Pg. 28 / Minutes Pg. 4), it was resolved:
 - a) that the Community and Services Committee supports the apportioning of budget allocated in Year 3 of the 2015-25 Long Term Plan between two playgrounds (Hare Puke Park and Te Huia Reserve) in principle; and
 - b) that the design and funding plans for playgrounds at Hare Puke Park and Te Huia Reserve be reported to the 19 September 2017 Community and Services Committee Meeting.
13. The External Funding Plan for the proposed playgrounds was presented and approved at the 8 August 2017 Community and Services Committee meeting to maximise opportunities within the timeframes of the project. There is a target of \$250,000 external funding to be secured.

Community Consultation

14. During July 2017 community consultation on the location, theme and type of play was carried out.
15. 112 responses were received with 95% of respondents supporting the proposal for a neighbourhood playground at Te Huia Reserve and a destination playground at Hare Puke Park.
16. Members of the Hamilton North East Community Trust have set up a working group to focus on community fundraising and sponsorship opportunities.
17. An eel theme ranked the highest with respondents for the Hare Puke Park Destination Playground. Draft concept designs have been prepared by Bespoke Landscape Architects based around a tuna (eel) and hanaki (eel net) theme for both playgrounds.
18. Concept designs for Hare Puke Park and Te Huia Reserve playgrounds are attached to this report.
19. A second round of community consultation to gain feedback on the concept designs will be carried out prior to finalisation of designs.

Sylvester Primary School

20. Designs for Sylvester Primary School next to Hare Puke Park are finalised. Earthworks & Construction have commenced. The school will open early 2019.
21. Plans for the school include a standard junior playground located within their central courtyard. The school playground will provide for children aged 5-10.
22. The Hare Puke Park playground will provide play experience for all ages, abilities, accessible and inclusive equipment along with providing a family experience with supporting facilities for the community to enjoy.
23. The Board have confirmed the school carpark will not be fenced or locked and will be available for playground users outside of school hours.

24. The use of the school carpark will be a significant savings towards the cost of developing Hare Puke Park playground.
25. The theme of the proposed playground at Hare Puke Park strongly aligns with the design and cultural narrative of Sylvester Primary School.
26. Staff will continue to work closely with Sylvester Primary School to enhance the synergies between the school and park including access paths between the school and park.

Financial Considerations

27. The total cost to complete this project is estimated at \$1,156,000.
28. \$906,000 is allocated in Year 3 of the 2015-25 10 Year Plan for a destination playground.
29. \$250,000 external funding will be sought for this project.
30. The proposal is to apportion \$150,000 to Te Huia Reserve neighbourhood playground and \$1,006,000 to Hare Puke Park destination playground.
31. If the external funding target is not met within the project timeframe, staff will investigate options to re-scope the Hare Puke playground.

Capital Expenditure 2017/18	
Approved budget	
10 Year Plan Funding	\$906,000
External Funding Target	\$250,000
Forecast Spend	
Te Huia Reserve Neighbourhood Playground	\$150,000
Hare Puke Destination Playground	\$1,006,000
Total Capex	\$1,156,000
Operating Expenditure	
Consequential Opex	\$15,000
Total Opex	\$15,000

Risks

32. If the external funding target is not met within the allocated timeframes staff will investigate options to revise the design of Hare Puke Park destination style playground.

Attachments

Attachment 1 - Te Huia Reserve Playground Draft Concept Design

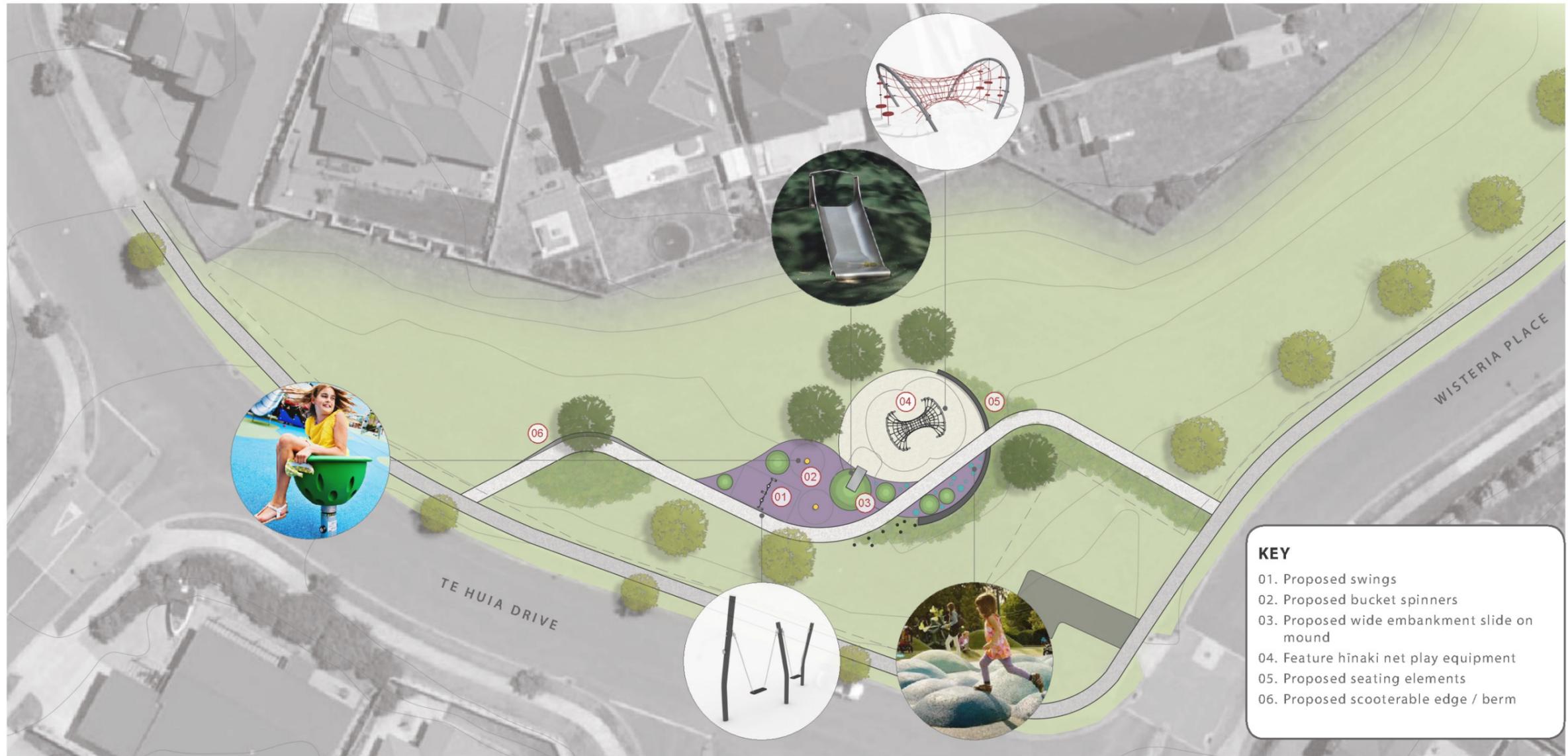
Attachment 2 - Hare Puke Park Playground Draft Concept Design

TE HUIA RESERVE PLAYSPACE

TE HUIA DRIVE, HAMILTON

CONCEPT DESIGN
August 2017





- KEY**
- 01. Proposed swings
 - 02. Proposed bucket spinners
 - 03. Proposed wide embankment slide on mound
 - 04. Feature hinaki net play equipment
 - 05. Proposed seating elements
 - 06. Proposed scooterable edge / berm

CONCEPT



+ WETLAND / FOREST posts

+ FLOWING trails

+ PLAY river pebbles

+ HĪNAKI woven eel nets



INITIAL CONCEPT PLAN
1:400 at A3



TE HUIA RESERVE PLAYSPACE
Hamilton

REV A
28 / 08 / 2017

01

HARE PUKE PLAYSPACE
HARE PUKE DRIVE, HAMILTON

CONCEPT DESIGN
August 2017





- KEY**
- 01. Indicative location of toilet facility
 - 02. Proposed scooter / bike trail with berms and rumble strips
 - 03. Feature hinaki net play equipment
 - 04. Proposed pou / post forest zone
 - 05. Proposed rotating tilted table
 - 06. Proposed 6-bay social swings
 - 07. Proposed sand play zone with dry river bed / rock scramble edge
 - 08. Proposed all-ages natural agility play zone set in planted wetland 'maze'
 - 09. Proposed feature mega swing
 - 10. Proposed trampoline and river pebble mounded play zone with smaller nets for younger children
 - 11. Proposed toddler swings
 - 12. Proposed shelter belt
 - 13. Proposed picnic area with shade structure element
 - 14. Proposed seating elements
 - 15. Proposed wavy tube slides on curvilinear grass mound
 - 16. Proposed sculptural artwork

CONCEPT



+ WETLAND / FOREST posts

+ FLOWING trails

+ PLAY river pebbles

+ HINAKI woven eel nets

bespoke
LANDSCAPE ARCHITECTS

INITIAL CONCEPT PLAN
1:400 at A3



HARE PUKE PLAYSPACE
Hamilton

DRAFT
16 / 08 / 2017



Council Report

Item 10

Committee: Community and Services Committee
Date: 19 September 2017

Author: Sean Murray
Authoriser: Sean Murray

Position: General Manager Venues, Tourism and Major Events
Position: General Manager Venues, Tourism and Major Events

Report Name: Clarence Street Theatre Trust - 2016/17 Annual Report

Report Status	<i>Open</i>
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Purpose

1. To inform the Community and Services Committee on the annual report from the Clarence Street Theatre Trust for the year ending 31 March 2017.

Staff Recommendation

2. That the Community and Services Committee:
 - a) receives the report;
 - b) approves the revocation period in the Deed of Gift be extended by 18 months to 31 December 2019; and
 - c) declines the request by Clarence Street Theatre Trust for immediate funding of \$50,000.

Executive Summary

3. On 30 June 2015, Council entered into a Deed of Gift with Rights of Revocation arrangement with the Clarence Street Theatre Trust (CSTT). The arrangement required the trust (amongst other conditions) to report on theatre activities.
4. CSTT has met its KPIs operationally during the term of this report, aided somewhat by the closure of Founders Theatre in March 2016. It has partially provided an interim alternative venue to Founders and as such contributes valuable capacity within the city for performing arts and cultural groups as well as touring productions.
5. CSTT has not and will not meet its obligations of completing the earthquake strengthening work. This includes presenting to Council the evidence of works completed prior to the first anniversary (being 30 June 2016) and further invoices for such works prior to the second anniversary of the settlement date (being 30 June 2017) to qualify for funding of such works. It continues to operate a building with sections rated under the Initial Evaluation Procedure (IEP) report at 25% and 35%.

Background

6. The CSTT Board presented a proposal to Council in October 2014 to be gifted the Clarence Street Theatre, along with a grant for operational purposes and a further grant in future years to support necessary capital works.
7. At the 25 June 2015 Council meeting it was resolved that:
 - a) *The report be received;*
 - b) *Council approves the Deed with the inclusion of a schedule for the earthquake works, to gift Clarence Street Theatre (building and fixtures only) to the Clarence Street Theatre Trust;*
 - c) *Council approves a once only operational start-up grant of \$75,000 to be paid in the 2015/16 financial year; and*
 - d) *Council approves a payment of up to \$150,000, or that limited to the amount specified in 2.8 of the Deed, for the purpose of earthquake strengthening works on the building if required, on the terms in the agreement; and*
 - e) *Council annotates the certificate of title to record its interest as contained in the Deed.*
8. A Deed of Gift with Rights of Revocation was subsequently signed between Hamilton City Council and the CSTT Board with a settlement date of 30 June 2015.
9. A revocation period was agreed to that extends from the date of settlement until the third anniversary (30 June 2018).
10. As per the Deed, during the revocation period, the Donor agrees to gift the Donee the lesser of \$150,000 or 20% of the total costs of the works (that term defined below) which is to be applied towards the Donee completing the earthquake strengthening works on the property which must be completed by the first anniversary of the settlement date. The earthquake strengthening work must be undertaken on those parts of the property identified as at the settlement date as requiring earthquake strengthening works ("works"). The payment under this clause is payable:
 - a) Only on the Donee producing to the Donor valid contractor/third party invoices evidencing completion of the works; and
 - b) In two equal amounts, as follows:
 - i) The first will be on the first anniversary of the settlement date; and
 - ii) The second will be on the second anniversary of the settlement date.

Report from Clarence Street Theatre Trust

11. In their report dated 30 May 2017, CSTT reports the following in response to the Key Performance Indicators:
 - a) Their objectives, goals and targets remain the same. Their operational structure is in fact leaner than in the proposal to ensure sustainability.
 - b) The Transitional Plan was completed and the theatre managed all bookings from the Donor. The report states "this was despite severe equipment deficiencies such as the following:
 - Equipment that was not fit for purpose
 - Removal of key operational items
 - Key equipment parts missing
 - Deferred maintenance issues in regards to sanitary requirements"

Council management strongly refutes these statements and there has been no evidence presented to Council. The trust was aware of the asset list included in the gift of the building and items were fully tagged and tested and compliant at the time of handover.

- c) The Trust is able to pay its debts as they become due in the normal course of business and ensures that the value of the Trust's assets are greater than that of its liabilities, including contingent liabilities. (See appendix one to the Annual Report)
- d) The Trust is a charitable entity (CC51666) as defined in the Charities Act 2005 and is exempted by the Inland Revenue Department from paying income tax. (See appendix two to the Annual Report)
- e) The Trust has kept the property unencumbered and free from all and any charges whatsoever.
- f) The trust has not transferred, sold, lent, leased and/or otherwise parted with possession of the property, or offered the property as security, although it lists as tenants the Hamilton Operatic Society, Drudry (sic) Lane Dance Company and Cantando Choir.
- g) The following is noted:
 - i. The Trust has renovated offices, dressing room toilets, maintained the sump pump and purchased new equipment.
 - ii. The Trust is complying with all regulatory matters required of the Trust as property owner, including without limitation those set out in the Building Act 2004 and/or the New Zealand Building Code.
 - iii. The Trust has kept the property adequately insured for its full replacement value with AIG through Crombie Lockwood.
 - iv. The Trust has in place Public Liability Insurance for \$10,000,000 with AIG through Crombie Lockwood.
- h) The Trust is not aware of any circumstance that has resulted, or will result, in the Trust being unable to meet its obligations under the Deed, or of any material adverse change in the Trust's financial position.
- i) The Trust has responded to requests from Council as they have arisen.
- j) The following figures have been provided relating to **patron numbers**:
 - Achieved year end to 31 December 2015: 11,432 (6 months following settlement date)
 - Achieved year end to 31 December 2016: 32,915 (KPI was 17,500 between 30 June 2015 and 30 June 2016)
 - Achieved year to date to 30 May 2017: 6,240
- k) The following figures have been provided relating to Theatre **occupancy rates**:
 - 29% for 2015 (KPI 25%)
 - 52% for 2016 (KPI 35%)
 - 49% to date for 2017 (KPI 45%)
- l) The following figure have been provided relating to **non-commercial** use:
 - Non-commercial use exceeds 70% each year (KPI of 66%)

12. It should be noted that since the closure of Founders Theatre in March 2016, Clarence Street Theatre has received business as a result of the closure and will continue to do so until a new theatre is opened.
13. Under 2.8 of the Deed of Gift the Donor agreed to gift the lesser of \$150,000 of 20% of the total cost of earthquake strengthening works.

Earthquake Strengthening Works

14. The trust advises (appendix four to the Annual Report) that in October 2015 they sought advice from Foster Construction on the building. This advice resulted in the following planned steps being proposed to the Trust in March 2016:

Description	Supplier	Amount
Property Measure and CAD	PAUA Architects	\$13,500
Earthquake Assessment *	BCD Group	\$26,500
Concept Design `	PAUA Architects	\$27,000
Financial Modelling	Deloitte	\$6,000
Business Case	CSTT	Nil
Project costing and Mgmt	Foster Construction	\$3,500
Total		\$76,500

** BCD Group were engaged by the CSTT in September 2016 to complete a full seismic report (DSA) on the building. The final report had not been received at the date of the provision of this information.*

15. It is not clear from the information received if PAUA Architects or Deloitte have been formally engaged for this work.
16. The Trust advised that in 2016 they sought and were granted \$35,000 funding from WEL Energy and Trust Waikato towards the cost of the work. The Trust also reports that while further funding is being sought, the Trusts' positive financial position allows it to complete this work regardless if funding is received or not. The trust advises that in the latter half of 2017 and early 2018, they will be seeking funding towards the project from external sources for remediation and additional building works. They expect to commence these works in the first half of 2018.
17. Further to this, the CSTT has subsequently requested an extension of 18 months to the original timeframe (30 June 2018 end of revocation period) in which it must complete the building works. The reasons for the extension are:
 - i. "The industry professionals engaged to conduct the necessary information to complete our feasibility study and building improvements have been pulled away to other such activities as The Meteor and Founders Theatre".
 - ii. "The closure of Founders Theatre had not been factored into our ability to operate with increased immediate capacity and usage".
 - iii. "The Meteor have been raising funds and we did not seek to impede this activity by competing against them not did we anticipate competing against a new theatre for funding".

18. Both The Meteor and Clarence Street Theatre and other organisations operate in a competitive environment for both operational and capital funding and this would have been obvious to the Trust from the beginning.
19. From the information received, it is clear the CSTT has not been able to complete the earthquake strengthening works by the due date being the first anniversary of the settlement date (30 June 2016) to be eligible for Council funding. The request for an extension of the revocation period by 18 months to 31 December 2019 will allow for the work being planned to be carried out assuming the CSTT can fund the works.
20. It is important to note that the CSTT is meeting its purpose in providing a critical role in the arts community for the city, particularly while Founders Theatre remains closed.
21. Despite assurance from the CSTT that its positive financial position allows it to complete the earthquake strengthening work regardless if funding is received or not, the trust has requested \$50,000 be granted “immediately” to “speed up” the feasibility study from what they deem to be an allocated \$150,000 to reflect The Meteor’s work.
22. No such undertaking to “allocate” funding was made by Council. Under the Deed of Gift, the Donor agrees to gift the Donee the lesser of \$150,000 or 20% of the total costs of the works which is applied towards the Donee completing earthquake strengthening works on the property which must have been completed by the first anniversary of the settlement date (30 June 2017). There is no obligation to grant funding on this basis or any guarantee it would be applied solely to the earthquake strengthening works.

Risk

23. The risk of CSTT failing to meet all its obligations under the Deed of Gift and thus triggering the revocation clause may ultimately be quite high. The Trust has failed to complete the required earthquake strengthening works within the revocation period. However, this is mitigated by the achievements of the KPIs around usage as agreed to the Deed of Gift.
24. As such, management see no downside to an extension (by one year) of the revocation period in order to provide more time for the Trust to advance its obligations under the Deed of Gift.

Attachments

Attachment 1 - Clarence Street Theatre Trust - Annual Report to 31 March 2017

To: Hamilton City Council

Re: Clarence Street Theatre Report Date: 30 May 2017

Background:

A charitable Trust was established in January 2015 after community consultation and engagement As to the need to retain Clarence St Theatre for the community. The resulting proposal to take over Clarence St Theatre and run the venue was presented to the Hamilton City Council and subsequently accepted. A gift was established to reflect the recent gifting of The Meteor to One Victoria Trust.

Upon gifting of Clarence St Theatre to Clarence Street Theatre Trust on June 30th 2015 the Trust were given the below obligations to meet within a three year time period.

The Hamilton City Council has requested a report on the status of Clarence Street Theatre as per the Deed of Gift, Schedule 4, Key Performance Indicators (KPIs) and is supplied as per below.

Schedule requires the following KPI's:

- (a) not make any material departure from the representations set out in the Proposal;
 - *Our objectives, goals and targets remain the same*
 - *Our operational structure is in fact leaner than in the proposal to ensure our sustainability*
- (b) give all assistance reasonably required by the Donor to enable it to carry out the Transitional Plan set out in Schedule 5, and to affect the transfer of all forward bookings from Donor to Donee;
 - *Clarence Street Theatre Trust managed all bookings from the Donor. This was despite severe equipment deficiencies such as the following:*
 - *Equipment that was not fit for purpose*
 - *Removal of key operational items*
 - *Key equipment missing parts*
 - *Deferred maintenance issues in regards to sanitary requirements.*
- (c) be able to pay its debts as they become due in the normal course of business and ensure that the value of the Donee's assets are greater than the value of its liabilities, including contingent liabilities;
 - *Yes*
 - *See attached financial statements - Appendix 1*
- (d) be and remain a charitable entity as defined in the Charities Act 2005 and become exempted by the Inland Revenue Department from paying income tax;
 - *See attached certificate – Appendix 2*
- (e) provide the Donor with a report within six months of the settlement Date ("First Report Date") and thereafter provide the Donor with a Report on every anniversary of the Settlement Date:
 - *Report provided when requested*
- (f) keep the property unencumbered and free from all and any charges whatsoever, which will include without limitation keeping the Property free from naming rights and/or sponsorship and/or licencing arrangements unless the Donor first consented in writing to any naming rights and/or any

sponsorship and/or licensing arrangements proposed by the Donee and provided that the Donor will not withhold such consent unreasonably;

- *No such arrangements have been agreed or sought.*

(g) not transfer, sell, lend, lease, and/or otherwise part with possession of the Property, and/or offer the Property as security;

- *No such transfer, sale or lease has occurred*

(h) from Settlement Date to the end of the Revocation Period:

- (i) Keep the property in good order and repair and at least to the standard it was in at Settlement Date, fair wear and tear expected;

- *Arguably in better condition with offices having been renovated and new equipment purchased.*

- *Deferred maintenance on such items as sump pump*

Renovation of the dressing room toilets

(ii) comply with all regulatory matters required of the Donee as Property owner including without limitation those set out in the Building Act 2004 and/or the New Zealand Building Code.

- *Maintained as per received from HCC.*

(iii) keep the property adequately insured for its full replacement value with a reputable insurer acceptable to the Donor, and note the interest of the Donor on the relevant insurance policy/ies;

- *Policies held with AIG through Crombie Lockwood Insurance Brokers as follows:*

- *Material Damage Policy: 12955558-00-01*

- *Business Interruption Insurance: 1295558-00-02*

- *Management Liability Insurance: 1295558-000-03,*

(iv) keep in place Public Liability Insurance in the minimum amount of \$10,000,000;

As above Management Liability Insurance: 1295558-00-03 for \$10,000,000.00

(v) the Donee must produce evidence of the above insurances to the Donor prior to the Settlement Date, in each report, and whenever reasonably requested by the Donor during the Revocation Period;

- *See attached Appendix 3*

(i) immediately notify the Donor of any circumstances that has resulted, or will result in the Donee being unable to meet its obligations under this Deed, or of any material adverse change in the Donee's financial position, together with full details of the same and any actions that the Donee has taken (or intends to take) in mitigation;

(j) without limiting clause 4(e) above provide in a timely manner at its cost any information, not subject to confidentiality restrictions, reasonable requested by the Donor from time to time in connection with the Property;

Further Information

Current Trustees:

Paul Mitchell (Chair)
 Leean Bedwell (Treasurer)
 Rachel Balme
 Margot Buick
 Sandra Braithwaite
 Jennifer Ward-Lealand

Staff employed:

Jason Wade – General Manager FTE
 Darlene Tottie – Administrator/Event Supervisor PTE

Experience Team

Gwen Lyon – Experience Manager (casual)
 Connor Gyde – Safety Supervisor (casual)
 Suzanna Ellington – Experience Manager (casual)
 Fred Rowe – Safety Supervisor (casual)
 Gillian Lyon – Experience Manager (casual)
 Lyn Mayn – Safety Supervisor (casual)
 James Forrester – Safety Supervisor (casual)
 Debra-Ann Tottie – Safety Supervisor/Experience Manager (casual)
 Darlene Tottie – Safety Supervisor/Experience Manager
 Emma Pavlovich – Experience Manager in training (casual)
 Ellen Pettersson – Experience Manager in training (casual)

Bar

Clarence Street Theatre Trust hold an on licence for the premise.

Jason Wade – Manager cert
 Kimberley Tottie – Manager cert (casual)
 John Turner – Manager cert (casual)
 Kerry Mason – Manager cert (casual)
 Jono Freebairn (casual)
 Rose Sidwell (casual)
 Cassey Robinson (casual)

Volunteers:

We currently have 20 volunteers that take the roles of theatre ushers/attendants.

Technical Support

Technical Support supplied by ACLX Lighting and Sound on a contract only basis

Kitchen

The kitchen is leased to a commercial operator, Real Good Food Company, to gain important revenue for the Trust.

Community Tenants

Hamilton Operatic Society Inc.
 Drudry Lane Dance Company
 Cantando Choir

4

(k) ensure that:

- (i) the number of patrons attending performances and events at the Property is at least:
 - A. 17,500 between 30 June 2015 and 29 June 2016; and
 - a. B. 20,000 between 30 June 2016 and 29 June 2017; and
 - C. 25,000 between 30 June 2017 and 29 June 2018;
 - *Achieved year end to December 31, 2015 = 11, 432 (six months only from HCC)*
 - *Achieved year end December 31, 2016 = 32,915*
 - *Achieved year to date as at May 30, 2017 = 6, 240 (projected to equal or exceed 2016)*
 - *In two years, we have exceeded the target by 13,087 patrons.*
- (ii) theatre occupancy rates of at least 25% in 2015, 35% in 2016, and 45% in 2017; and
 - *2015 occupancy = 29% (six months only after HCC)*
 - *2016 occupancy = 52%*
 - *2017 current occupancy = 49% (projected to increase)*
- (iii) at least 66% of the use of the Property is by non-commercial users in every year.
 - *Yes – exceeds 70% each year*

Building Works Progress

As per our letter dated 14 April 2017 to Sean Murray as attached – Appendix 4.

Further to this letter we would like to request the following:

1. An extension of 18 months to the original timeframe in which we must complete our building works. The reason are as follows: for
 - a. The industry professionals engaged to conduct the necessary information to complete our feasibility study and building improvements have been pulled away to other such activities as The Meteor and Founders Theatre.
 - b. The closure of Founders Theatre had not been factored into our ability to operate the theatre with increased immediate capacity and usage.
 - c. The Meteor have been raising funds and we did not seek to impede this activity by competing against them nor did we anticipate competing against the new theatre for funding.
2. We have been allocated the \$150,000.00 to reflect The Meteor's work. We would like to request that we use \$50,000.00 immediately to speed up our feasibility study so that we may accelerate our improvements/earthquake strengthening programme and large funding applications.

APPENDIX 1

Clarence Street Theatre Monthly Trustee Reports

Clarence Street Theatre Trust

31 March 2017

Prepared by Nesta Hicks

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Item 10

Attachment 1

Profit and Loss

Clarence Street Theatre Trust For the month ended 31 March 2017

	Mar-17	Feb-17	Jan-17	Dec-16	Nov-16	YTD
Income						
Bad Debts Recovered	54	80	-	107	40	374
Bar Revenue	3,862	885	-	14,494	18,789	85,318
Costume Hire	-	-	-	-	-	800
Interest Received	9	8	14	27	38	362
Professional Fees (158)	-	-	-	-	-	6,000
Reimbursement of expenses	(708)	(888)	1,730	729	3,710	8,621
Rent Received	3,666	-	1,833	1,833	1,833	25,392
Sales / Service Fees	8,865	865	7,955	15,062	12,388	170,427
Technical Equipment Hire	2,940	3,606	-	5,483	7,368	50,505
Venue Hire	1,500	-	-	500	1,300	8,675
Total Income	20,188	4,556	11,532	38,235	45,466	356,473
Less Cost of Sales						
Doris Day Expenses	-	-	-	-	-	10,500
Hot Water Expenses	-	-	-	-	-	2,756
Ticket Sales Settlement	-	-	-	-	3,805	(1,194)
Total Cost of Sales	-	-	-	-	3,805	12,062
Gross Profit	20,188	4,556	11,532	38,235	41,661	344,411
Plus Other Income						
Commissions Received	976	137	663	3,075	3,417	14,280
Grants Received	-	-	-	-	-	55,000
Hot Water Income	-	-	-	-	-	26,561
The Modern Maori Quartet Show Income	-	-	-	7,999	-	7,999
Total Other Income	976	137	663	11,074	3,417	103,840
Less Operating Expenses						
ACC Levies	-	-	-	-	-	440
Advertising	-	-	-	150	-	150
Bank Fees & Charges	-	-	-	-	-	41
Bar Expenses	1,963	(1,043)	2,195	5,329	10,019	47,817
Catering	-	-	-	3,739	-	19,785
Cleaning	283	184	1,139	4,088	64	8,507
Electricity	1,503	1,159	-	3,292	733	18,026
Entertainment	-	-	-	-	23	23
Equipment Hire	50	1,948	80	5,068	7,196	51,444
Freight & Cartage	9	-	-	-	-	26
Gas	343	493	-	346	-	1,182
General Expenses	24	-	-	538	-	3,087
Insurance	1,584	1,584	1,584	1,584	1,584	15,971
Interest - Other	(3)	(3)	-	-	-	(6)
Licencing Fees	-	-	-	-	-	2,166
Light, Heat & Power	-	-	1,167	2,739	-	6,333

NOTE: This statement to be read in conjunction with the accompanying Compilation Report.

Profit and Loss



	Mar-17	Feb-17	Jan-17	Dec-16	Nov-16	YTD
Maintenance	5,605	886	1,224	1,356	740	16,710
Marketing	1,120	(8,656)	4,024	5,528	1,915	17,715
Other	1,702	-	-	430	890	6,447
Printing & Stationery	248	155	164	175	286	2,692
Professional Fees (404)	-	-	-	-	-	63
Promotional/Marketing Expense	(1,500)	-	-	3,902	1,000	5,606
Rates	-	-	-	-	-	2,001
Repairs & Maintenance	-	-	-	-	392	15,262
Security Expenses	26	26	81	2,747	26	6,237
Staff Expenses	277	-	-	250	-	1,994
Staff Training & Welfare	-	-	361	-	750	1,626
Subscriptions & Licences	48	48	48	612	48	2,174
Telephone & Tolls	406	530	318	324	330	4,536
The Modern Maori Quartet Show Expenses	-	-	-	2,742	3,250	5,992
Trade Waste Disposal	406	241	98	329	550	3,734
Wages	-	2,744	3,766	5,921	8,306	102,346
Wages - Admin/Management	5,461	5,141	5,099	5,208	5,633	26,542
Wages - Bar	554	116	-	1,197	2,060	3,927
Wages - Cleaning / Maintenance	303	396	-	622	479	1,800
Wages - Front of House	476	160	-	1,149	1,688	3,473
Wages - Technical	1,840	1,920	-	2,600	7,710	14,070
Total Operating Expenses	22,726	8,028	21,348	61,964	55,673	419,938
Net Profit	(1,562)	(3,335)	(9,153)	(12,656)	(10,594)	28,313

NOTE: This statement to be read in conjunction with the accompanying Compilation Report.

Budget Variance

Clarence Street Theatre Trust For the month ended 31 March 2017

	Actual	Budget	Var NZD	Var %
Income				
Bad Debts Recovered	54	-	54▲	0.0%
Bar Revenue	3,862	-	3,862▲	0.0%
Interest Received	9	-	9▲	0.0%
Reimbursement of expenses	(708)	500	(1,208)▼	-241.6%▼
Rent Received	3,666	2,866	800▲	27.9%▲
Sales / Service Fees	8,865	300	8,565▲	2855.1%▲
Technical Equipment Hire	2,940	500	2,440▲	488.0%▲
Venue Hire	1,500	6,500	(5,000)▼	-76.9%▼
Total Income	20,188	10,666	9,522	89.3%
Gross Profit	20,188	10,666	9,522	89.0%
Plus Other Income				
Commissions Received	976	-	976▲	0.0%
Total Other Income	976	-	976	0.0%
Less Operating Expenses				
Bar Expenses	1,963	-	1,963▲	0.0%
Cleaning	283	-	283▲	0.0%
Electricity	1,503	-	1,503▲	0.0%
Equipment Hire	50	-	50▲	0.0%
Freight & Cartage	9	-	9▲	0.0%
Gas	343	-	343▲	0.0%
General Expenses	24	-	24▲	0.0%
Insurance	1,584	1,800	(216)▼	-12.0%▼
Interest - Other	(3)	-	(3)▼	0.0%
Maintenance	5,605	500	5,105▲	1021.0%▲
Marketing	1,120	500	620▲	124.0%▲
Other	1,702	-	1,702▲	0.0%
Printing & Stationery	248	150	98▲	65.4%▲
Promotional/Marketing Expense	(1,500)	1,500	(3,000)▼	-200.0%▼
Rates	-	300	(300)▼	-100.0%▼
Repairs & Maintenance	-	1,200	(1,200)▼	-100.0%▼
Security Expenses	26	300	(274)▼	-91.3%▼
Staff Expenses	277	-	277▲	0.0%
Staff Training & Welfare	-	100	(100)▼	-100.0%▼
Subscriptions & Licences	48	55	(7)▼	-13.0%▼
Telephone & Tolls	406	250	156▲	62.3%▲
Trade Waste Disposal	406	100	306▲	306.1%▲
Travel Expenses	-	1,000	(1,000)▼	-100.0%▼
Wages	-	8,660	(8,660)▼	-100.0%▼
Wages - Admin/Management	5,461	-	5,461▲	0.0%
Wages - Bar	554	-	554▲	0.0%
Wages - Cleaning / Maintenance	303	-	303▲	0.0%

NOTE: This statement to be read in conjunction with the accompanying Compilation Report.

Budget Variance



	Actual	Budget	Var NZD	Var %
Wages - Front of House	476	-	476▲	0.0%
Wages - Technical	1,840	-	1,840▲	0.0%
Total Operating Expenses	22,726	16,415	6,311	38.4%
Net Profit	(1,562)	(5,749)	4,187	73.0%

NOTE: This statement to be read in conjunction with the accompanying Compilation Report.

Cash Summary

Clarence Street Theatre Trust For the month ended 31 March 2017 Excluding GST

	Mar 2017	Feb 2017	Jan 2017	Dec 2016	Nov 2016	YTD Actual
Income						
Bad Debts Recovered	54	80	-	107	40	374
Bar Revenue	3,862	885	730	13,793	19,831	85,318
Commissions Received	976	137	663	3,075	3,417	14,280
Costume Hire	-	-	-	-	-	800
Grants Received	-	-	-	-	-	55,000
Hot Water Income	-	-	-	-	-	26,561
Interest Received	9	8	14	27	38	362
Professional Fees (158)	-	-	-	3,500	-	6,000
Reimbursement of expenses	(708)	1,726	732	1,351	1,905	8,360
Rent Received	3,666	3,667	-	2,126	3,373	21,392
Sales / Service Fees	11,159	3,853	7,955	20,492	12,256	187,133
Technical Equipment Hire	6,546	-	-	12,120	5,078	56,241
The Modern Maori Quartet Show Income	-	-	-	7,999	-	7,999
Venue Hire	2,200	-	-	500	600	9,471
Total Income	27,763	10,357	10,094	65,091	46,538	479,291
Less Operating Expenses						
ACC Levies	-	-	-	-	-	440
Advertising	-	-	150	-	-	150
Bank Fees & Charges	-	-	-	-	-	41
Bar Expenses	1,963	(1,043)	3,938	4,280	15,088	47,817
Catering	-	-	-	3,739	(1,500)	19,785
Cleaning	334	267	903	3,940	647	7,909
Doris Day Expenses	-	-	-	-	-	10,500
Electricity	2,662	-	-	3,292	733	18,026
Entertainment	-	-	-	-	23	23
Equipment Hire	1,948	80	2,263	10,001	934	51,524
Freight & Cartage	9	-	-	-	-	26
Gas	264	229	-	346	-	839
General Expenses	-	-	538	-	-	3,063
Hot Water Expenses	-	-	-	-	-	2,756
Insurance	1,584	1,584	1,584	1,584	1,584	18,676
Interest - Other	(3)	(3)	-	-	-	(6)
Licencing Fees	-	-	-	-	-	2,166
Light, Heat & Power	-	1,167	2,739	-	-	6,333
Maintenance	6,673	549	1,236	155	893	16,253
Marketing	1,120	(3,661)	4,024	1,156	1,291	19,796
Other	1,702	-	-	430	890	6,447
Printing & Stationery	176	129	164	277	154	2,539
Professional Fees (404)	-	-	-	-	-	63

NOTE: This statement to be read in conjunction with the accompanying Compilation Report.

Cash Summary

	Mar 2017	Feb 2017	Jan 2017	Dec 2016	Nov 2016	YTD Actual
Promotional/Marketing Expense	(1,500)	-	3,934	968	-	5,606
Rates	-	-	-	588	-	2,001
Repairs & Maintenance	-	-	-	-	1,167	19,170
Security Expenses	26	26	664	2,190	81	6,315
Staff Expenses	-	-	-	250	-	2,260
Staff Training & Welfare	-	-	361	-	750	1,626
Subscriptions & Licences	48	48	160	500	48	2,174
Telephone & Tolls	406	530	318	324	330	4,536
The Modern Maori Quartet Show Expenses	-	-	-	2,742	3,250	5,992
Ticket Sales Settlement	-	-	-	-	3,805	(1,194)
Trade Waste Disposal	241	98	329	550	337	3,588
Wages	-	2,744	3,766	5,921	8,306	107,540
Wages - Admin/Management	5,461	5,141	5,099	5,208	5,633	26,542
Wages - Bar	554	116	-	1,197	2,060	3,927
Wages - Cleaning / Maintenance	303	396	-	622	479	1,800
Wages - Front of House	476	160	-	1,149	1,688	3,473
Wages - Technical	3,760	-	2,600	4,070	3,640	14,070
Total Operating Expenses	28,206	8,557	34,771	55,479	52,312	444,593
Operating Surplus (Deficit)	(443)	1,800	(24,677)	9,612	(5,773)	34,699
Plus Non Operating Movements						
PAYE Payable	(3,021)	-	-	-	-	(3,021)
Rounding	-	-	-	-	-	(16)
Office Equipment	-	-	-	-	-	(408)
Plant & Equipment	-	-	-	-	-	(1,220)
Total Non Operating Movements	(3,021)	-	-	-	-	(4,665)
GST Movements						
GST Inputs	(3,625)	(3,570)	(11,663)	(6,167)	(5,954)	(73,773)
GST Outputs	4,575	3,903	1,552	9,759	7,882	76,373
Net GST Movements	951	333	(10,111)	3,592	1,928	2,600
Net Cash Movement	(2,514)	2,133	(34,788)	13,205	(3,845)	32,634
Summary						
Opening Balance	122,497	120,364	155,151	141,947	145,792	87,349
Plus Net Cash Movement	(2,514)	2,133	(34,788)	13,205	(3,845)	32,634
Closing Balance	119,983	122,497	120,364	155,151	141,947	119,983

NOTE: This statement to be read in conjunction with the accompanying Compilation Report.

Aged Payables

Clarence Street Theatre Trust March 2017

	Current	February	January	December	Older	Total
Payables						
Canon New Zealand Ltd	63	-	-	-	-	63
CMYK - 300 DPI Limited	1,021	-	-	-	-	1,021
Fire Security Services	526	-	-	-	-	526
Genesis Energy	394	-	-	-	-	394
IPP Ltd	319	-	-	-	-	319
Waikato Cleaning Supplies	1,790	-	-	-	-	1,790
Warehouse Stationery	113	-	-	-	-	113
Waste Management NZ Limited	467	-	-	-	-	467
Total Payables	4,693	-	-	-	-	4,693
	Current	February	January	December	Older	Total
Total Expense Claims	-	-	-	-	-	-
Total	4,693	-	-	-	-	4,693
	100.0%	0.0%	0.0%	0.0%	0.0%	

NOTE: This statement to be read in conjunction with the accompanying Compilation Report.

Aged Receivables

Clarence Street Theatre Trust March 2017

	Current	February	January	December	Older	Total
Receivables						
Grand International Concerts Ltd	930	-	-	-	-	930
Stellar Kitchen	-	-	-	-	8,696	8,696
WINTEC	794	-	-	-	-	794
Total Receivables	1,724	-	-	-	8,696	10,420
	16.5%	0.0%	0.0%	0.0%	83.5%	

NOTE: This statement to be read in conjunction with the accompanying Compilation Report.

Profit & Loss

Clarence Street Theatre Trust 1 April 2016 to 31 March 2017

31 Mar 17

Income	
Bad Debts Recovered	374
Bar Revenue	85,318
Costume Hire	800
Interest Received	362
Professional Fees (158)	6,000
Reimbursement of expenses	7,653
Rent Received	25,392
Sales / Service Fees	170,427
Technical Equipment Hire	50,505
Venue Hire	8,675
Total Income	355,505
Less Cost of Sales	
Doris Day Expenses	10,500
Hot Water Expenses	2,756
Ticket Sales Settlement	(1,194)
Total Cost of Sales	12,062
Gross Profit	343,443
Plus Other Income	
Commissions Received	14,280
Grants Received	55,000
Hot Water Income	26,561
The Modern Maori Quartet Show Income	7,999
Total Other Income	103,840
Less Operating Expenses	
ACC Levies	440
Advertising	150
Bank Fees & Charges	41
Bar Expenses	47,817
Catering	19,785
Cleaning	8,507
Electricity	24,359
Entertainment	23
Equipment Hire	51,444
Freight & Cartage	26
Gas	1,182
General Expenses	3,087
Insurance	15,971
Interest - Other	(6)
Licencing Fees	2,166
Maintenance	16,835
Marketing	17,715

NOTE: This statement to be read in conjunction with the accompanying Compilation Report.

Profit & Loss



	31 Mar 17
Other	6,447
Printing & Stationery	2,692
Professional Fees (404)	63
Promotional/Marketing Expense	5,606
Rates	2,001
Repairs & Maintenance	15,262
Security Expenses	6,237
Staff Expenses	1,994
Staff Training & Welfare	1,626
Subscriptions & Licences	2,174
Telephone & Tolls	4,536
The Modern Maori Quartet Show Expenses	5,992
Trade Waste Disposal	3,734
Wages	102,346
Wages - Admin/Management	26,542
Wages - Bar	3,927
Wages - Cleaning / Maintenance	1,800
Wages - Front of House	3,473
Wages - Technical	14,070
Total Operating Expenses	420,063
Net Profit	27,220

NOTE: This statement to be read in conjunction with the accompanying Compilation Report.

APPENDIX 2

CHARITIES
SERVICES

Ngā Rātonga Kaupapa Aotahi

Supporting
charities
in New Zealand
for stronger communities

Charity Summary

Registration Number: CC51666
Registration Date: 21/04/2015
Charity Name: Clarence Street Theatre Trust

Charity Details

Trading Name Clarence St Theatre

Registration Details

Registration Status: Registered
Balance Date: March 31
IRD Number: Restricted

Address for Service:

Charity's Postal Address: PO Box 314
 Waikato Mail Centre
 Hamilton Central
 Hamilton 3240

Charity's Street Address: 59 Clarence Street
 Hamilton Central
 Hamilton 3204

Charity's other details

Phone: 078341023
Fax:
Email: admin@clarencetheatre.co.nz
Website: www.clarencetheatre.co.nz
Facebook: https://www.facebook.com/clarencetheatre/
Twitter:
Social Network Name:

Areas of Operation

New Zealand: Waikato
Percentage spent overseas 0

Purpose & Structure

Purpose Purpose

Provide quality performing arts facilities and experiences to the community.

Entity Structure

We are governed by a Trust comprised of legal, accountancy, business and community leaders. The theatre is operationally run by a General Manager and a small staff under this position.

Activities

Main Activity: Provides buildings / facilities / open space
 Activities: Provides services, Provides advice / information / advocacy, Acts as an umbrella / resource body, Provides buildings / facilities / open space

Sectors

Main Sector: Arts / culture / heritage
 Sectors: Education / training / research, Health, Community development, Social services, Arts / culture / heritage, Sport / recreation, Economic development, Fund-raising, Promotion of volunteering

Beneficiaries

Main Beneficiary: General public
 Beneficiaries: Children / young people, Other charities, Voluntary bodies other than charities, Older people, People of a certain ethnic / racial origin, General public, Family / whanau, Religious groups

Annual Returns

Date Submitted	For Year Ended	Total Income	Total Expenditure	Reference
	31/03/2017			
03/10/2016	31/03/2016	219,965	132,733	AR001

Officer Details

Current Officers

Name	Officer Type	Position
Jennifer Ward-Lealand	Individual	Trustee
Leean Bedwell	Individual	Treasurer
Paul Mitchell	Individual	Chairman
Rachel Balme	Individual	Trustee
Richard O'Brien	Individual	Patron
Sandra Barithwaite	Individual	Trustee

Past Officers

Name	Officer Type	Position
Scott Young	Individual	Trustee

Margot Buick
Chris Williams

Individual
Individual

Trustee
Chairperson

— Current not
past.

APPENDIX 3



Level 4, 130 Grantham Street, Hamilton 3204
 P O Box 1395, Hamilton 3240
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 www.crombielockwood.co.nz

Client Number
 Broker

131- 063LZ
 Alan Kennedy

POLICY SCHEDULE

Material Damage Insurance

This schedule forms part of the Policy Wording. Please refer to the Policy Document for the full terms, conditions and exclusions relating to this insurance.

The Insured Clarence Street Theatre Trust	Client No 131-063LZ	Cover No 1295558-001-01
The Insurer AIG Insurance NZ Ltd	% of cover 100	Insurer Policy No SBS 7116
Period of Insurance	From 01/07/2016 to 01/07/2017 at 4:00pm; Local Standard Time	

SCHEDULE OF PROPERTY INSURED

Location	69 Clarence Street Hamilton Central Hamilton	
Business Activity	Theatre Trust, Property Owners	
Buildings	Replacement Value	\$7,428,000
Other Property	Replacement Value	\$500,000
Other Property Description	Contents	
Location Total		\$7,928,000
Total Sum Insured		\$7,928,000

POLICY DETAILS

Insurer	AIG Insurance NZ Ltd
Policy Wording	Crombie Lockwood AIG Agreed Material Damage Policy May 2014 To obtain a copy of this policy wording please visit www.crombielockwood.co.nz/policy-documents and enter the following code in the search engine MDAIG0514.
Standard Material Damage Policy Clauses	
MD01 Acts of Civil Authorities	Included

MD02 Alternative Residential Accommodation	Included
MD03 Capital Additions	\$100,000
MD04 Change of Temperature	\$20,000
MD05 Claims Assessment	Included
MD06 Contractual Value	\$10,000
MD07 Designation of Property	Included
MD08 Electrical Damage	\$10,000
MD09 Excess	Included
MD10 Expediting Costs	Included
MD11 General Average	Included
MD12 Goods and Services Tax (GST)	Included
MD13 Gradual Damage	\$10,000
MD14 Hazardous Substance Emergency Charges	\$50,000
MD15 Hazardous Substance Emergency Expenses	\$50,000
MD16 Keys and Locks	Included
MD17 Landslip and Subsidence	\$500,000
MD18 Money	
- Section A	\$20,000
- Section B	\$5,000
MD19 Other Interests	Included
MD20 Other Premises Storage	Included
MD21 Professional Fees	Included
MD22 Property in the Care Custody or Control of the Insured	Included
MD23 Property in the Course of Construction	\$100,000
MD24 Property Sold	Included
MD25 Protection Costs	\$100,000
MD26 Redundant Plant	Included
MD27 Redundant Stock	Included
MD28 Reinstatement of Amount of Insurance	Included
MD29 Reinstatement Memorandum	Included
MD30 Removal of Debris	Included
MD31 Repair or Reinstatement by Insured	Included
MD32 Reservoirs, Tunnels and Bridges	\$100,000
MD33 Residential Property - Natural Disaster Damage	Included
MD34 Restoration and Reproduction Costs	Included
MD35 Rewards	Included
MD36 Smoke Damage	Included
MD37 Spoilage	\$20,000
MD38 Temporary Removal	Included
MD39 Theft	Included
MD40 Theft from Motor Vehicle or Storage Container	\$20,000
MD41 Transit of Property	\$20,000
MD42 Undamaged Foundations	Included
MD43 Unharmd Property	Included
Optional Material Damage Policy Clauses	
MD44 Computer Breakdown	Excluded
MD45 Constructive Loss	Excluded
MD46 Floor Space Ratio	Excluded
MD47 Pressure Vessel Clause	Excluded
MD48 Seasonal Stock Increase	Excluded
MD49 Stock Declaration Conditions	Excluded

MD50 Sustainable Rebuilding Costs Excluded

ENDORSEMENTS AND / OR CLAUSES

DEEP FAT FRYING WARRANTY Endorsement

There being Deep Fat Frying carried on in the premises described in this Policy it is warranted by the Insured:

- (a) That a separate non-adjustable manually reset thermostat be fitted to each pan which thermostats shall disconnect each heating element from the power supply when the temperature of the cooking oils or cooking fats reaches 220 degrees Centigrade, and
- (b) That each pan be fitted with close-fitting steel lids which must be shut down in the event of fire and when the pans are not in use, or alternatively, an Asbestos Blanket and Container be installed adjacent to the Deep Frying Pans and be readily accessible for immediate use, and
- (c) That one fully charged Dry Powder Extinguisher of not less and 2 kg capacity or one fully charged BCF Extinguisher of not less than 1.8 kg capacity be mounted in a conspicuous place in the area in which frying operations are carried out and be readily accessible for immediate use, and
- (d) That all Thermostats, Pans, Asbestos Blankets and Containers and Extinguishers be at all times maintained in good working order.

EXCESSES

Standard	\$500
Burglary and Malicious Damage	\$1,000
Theft	\$2,500
Money	\$500
Damage Caused by Landslip or Subsidence	\$5,000

Natural Disaster

(Earthquake, Volcanic Eruption, Geothermal Activity, Hydrothermal Activity, Subterranean Fire, Tsunami and fire following)

For the Regions of Northland, Auckland	2.5% of the Location Sum Insured, Minimum \$2,500
For the Rest of New Zealand	5% of the Location Sum Insured, Minimum \$5,000
For Pre 1935 building risks in all Regions. This applies where the Building was constructed prior to 1935, or where the contents / Stock is located in any Building constructed prior to 1935.	10% of the Location Sum Uninsured, Minimum \$10,000

The Natural Disaster Excess - applies to the combined Material Damage and Business Interruption loss from any one event at each Common Location. Where the insured property is residential property covered by EQC, the amount of the Natural Disaster Excess is reduced by the amount of the payment

from EQC.

"Location Sum Insured" - For the application of Natural Disaster Excess this means the Insured Property sum insured at each Common Location.

"Common Location" - means a common physical Location where the Insured Property is linked to achieve a common business purpose at that Location.

Region - the areas of land in the Regions and Districts as defined in the Local Government New Zealand (LGNZ) Regional and Districts boundaries map.

INSURER RATINGS

Insurer	Cover (%)	Rating	Agency
AIK Insurance NZ Ltd	100	A	S&P



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 Broker

131- 063LZ
 Alan Kennedy

Business Interruption Insurance

This schedule forms part of the Policy Wording. Please refer to that wording for the full terms, conditions and exclusions relating to this insurance.

The Insured Clarence Street Theatre Trust	Client No 131-063LZ	Cover No 1295558-001-02
The Insurer AIG Insurance NZ Ltd	% of Cover 100	Insurer Policy No SBS 7116
Period of Cover	From 01/07/2016 to 01/07/2017 at 4:00pm; Local Standard Time	

SCHEDULE OF ITEMS INSURED

Location	69 Clarence Street Hamilton Central Hamilton
Business Activity	Theatre, Property Owners

Schedule of Items Insured

Gross Profit	
Gross Revenue	
Gross Rentals and Management Fees Receivable	
Payroll - Dual Basis	
Wages	
Additional Increased Costs of Working	\$100,000
Severance and Redundancy Payments	
Accounts Receivable	
Key Money or Goodwill	
Claim Preparation Costs	\$20,000
Redeployment Expenses	

Location Sum Insured	\$120,000
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Indemnity Period 12 Months

Total Sum Insured	\$120,000
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POLICY DETAILS

Policy Wording Crombie Lockwood AIG Agreed Business Interruption Policy May 2014
To obtain a copy of this policy wording please visit www.crombielockwood.co.nz/policy-documents and enter the following code in the search engine BIAIG0514.

Standard Business Interruption Policy Clauses

BI01 Accumulated Stocks	Included
BI02 Acts of Civil Authorities	Included
BI03 Adjustment of Premium	Included
BI04 Alternative Index	Included
BI05 Certification of Particulars	Included
BI06 Contractual and Legal Commitments	Included
BI07 Customers and / or Suppliers Premises	Included
BI08 Departments	Included
BI09 Deterioration of Undamaged Property	Included
BI10 Fumes, Gases, and Toxic Chemicals	Included
BI11 New Business	Included
BI12 Prevention of Access	Included
BI13 Provision of Services	Included
BI14 Reduced Margin	Included
BI15 Reinstatement of Amount of Insurance	Included
BI16 Salvage Sale	Included
BI17 Turnover Elsewhere After Damage	Included

The maximum liability of the Insurer from one or a combination of the following clauses for any one loss is 10% of the Business Interruption sum insured.

BI02 Acts of Civil Authorities
BI07 Customers and / or Suppliers Premises
BI10 Fumes, Gases, and Toxic Chemicals
BI12 Prevention of Access
BI13 Provision of Services

ENDORSEMENTS AND / OR CLAUSES

EXCESS / DEFERMENT PERIODS

Natural Disaster Refer to Material Damage
Natural Disaster Excess

Business Interruption Deferral Periods

The following clauses have a Deferral Period of 7 days for any loss arising from Natural Disaster (Earthquake, volcanic activity, hydrothermal activity, subterranean fire, tsunami, geothermal activity, or fire caused by any of these):

BI02 Acts of Civil Authorities
BI07 Customers and / or Suppliers Premises

BI12 Prevention of Access
 BI13 Provision of Services

The following clauses have a Deferment Period of 48 hours for any loss caused by perils other than Natural Disaster:

BI07 Customers and / or Suppliers Premises
 BI12 Prevention of Access
 BI13 Provision of Services

Deferment Period means the period for which you are not insured.

The Indemnity Period specified commences after the expiration of the relevant Deferment Period.

INSURER RATINGS

Insurer	Cover (%)	Rating	Agency
AKG Insurance NZ Ltd	100	A	S&P

The Standard & Poor's (S&P) Insurer financial strength rating scale is:

AAA	(Extremely Strong)	BBB	(Good)	CCC	(Very Weak)
AA	(Very Strong)	BB	(Marginal)	CC	(Extremely Weak)
A	(Strong)	B	(Weak)	NR	(Not Rated)
				R	(Regulatory Supervision)

Note: The ratings from "AA" to "CCC" may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories.

The ratings scale above is in summary form. The full version of this rating scale can be obtained from the Standard and Poor's website.



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Client Number 131- 063LZ
Broker Alan Kennedy

Management Liability Insurance - PrivateEdge

This is a summary of the cover provided by your policy. Please refer to the policy document for the full terms, conditions and exclusions relating to this insurance.

The Insured	Client No	Cover No
Clarence Street Theatre Trust	131-063LZ	1295558-001-03
The Insurer	% of Cover	Insurer Policy No
AGI Insurance NZ Ltd	100	SBS 7116
Period of Cover	From 01/07/2016 to 01/07/2017 at 4:00pm; Local Standard Time	

DETAILS OF INSURANCE

Business Activity	Theatre & Property Owners	
Limit of Indemnity	Any one Claim and in the aggregate	\$1,000,000
Territory	New Zealand Only	
Jurisdiction	New Zealand Only	
Retroactive Date	01/07/2015	
Continuity Date	Inception	

POLICY DETAILS

Policy Wording PrivateEdge

Sub Limits - Section 1 - 6

Employment Practice Liability	Included
Statutory Liability	Included
Employers Liability	Included
Breach of Contract - Defence Costs	\$100,000
Crime	\$150,000
Crime - Investigation Fees	\$100,000
Crisis Loss	\$50,000
Public Relations Expenses	\$50,000
Accidental Death per Insured Executive	\$100,000

Accidental Death - aggregate	\$500,000
Internet Liability	\$250,000
General Liability - Section 7	
Public Liability - Any one Occurrence	\$10,000,000
Products Liability - In the Aggregate	\$10,000,000
Territory	New Zealand Only
Jurisdiction	New Zealand Only
Care, Custody and Control	\$250,000
Forest & Rural Fires Act	\$250,000
Innkeepers Liability	\$250,000
Landlords Liability	Included
Product Withdrawal Expenses	\$100,000
Punitive and Exemplary Damages	\$1,000,000
Service, Repair and Storage Liability	\$250,000
Tenants Liability	Included
Underground Property Warranty	Included
Vibration and Removal of Support	\$250,000

ENDORSEMENTS AND / OR CLAUSES

Insolvency Exclusion

It is hereby noted and agreed that the Insurer is not liable to make any payment for Loss or Direct Financial Loss or any payment under an Extension arising out of, based upon, attributable to, or in any way connected with the Insured Entity's actual or alleged insolvency, or its actual or alleged inability to meet any or all of its debts as and when they fall due.

Deletion of Discovery Period

General Terms and Conditions Extension 3: Discovery Period

The "Discovery Period" Extension and any related definitions, exclusions, terms and conditions in respect of that Extension are deleted from this policy.

Costs and Expenses included with separate limit of \$500,000

DEDUCTIBLES / EXCESSES

Sections 1 – 6 - Each and every claim;

Directors & Officers Liability	Nil
Reimbursement	\$5,000
Corporate Liability	\$5,000
Employment Practice Liability	\$5,000
Statutory Liability	\$500
Employer's Liability	\$500
Crime	\$10,000
Crisis Event	Nil
Public Relations	Nil
Accidental Death	Nil

Internet Liability \$1,000

Section 7 - Each Occurrence;

General Liability \$500
 Care, Custody and Control \$500
 Forest & Rural Fires Act \$500
 Innkeepers Liability \$500
 Landlords Liability \$500
 Product Withdrawal Expenses \$2,500
 Punitive and Exemplary Damages \$1,000
 Service and Repair \$1,000
 Underground Property \$2,500
 Vibration and Removal of Support \$5,000

INSURER RATINGS

Insurer	Cover (%)	Rating	Agency
AIG Insurance NZ Ltd	100	A	S&P

The Standard & Poors (SP) financial strength and claims paying ability scale is:

AAA (Extremely Strong)	BBB (Good)	CCC (Very Weak)
AA (Very Strong)	BB (Marginal)	CC (Extremely Weak)
A (Strong)	B (Weak)	

Note: The ratings from "AA" to "B" may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories.

REFERRAL REMUNERATION

We sometimes pay a share of our remuneration to others who refer you to us. Remuneration is brokerage from insurers with whom your insurance is placed and/or fee income for our services.

FAIR INSURANCE CODE 2016

If you have a personal insurance policy or are a small to medium (SME) business and your insurance policy is underwritten by a member of the Insurance Council of New Zealand (ICNZ), a new version of the Fair Insurance Code will apply from 1st January 2016.

A list of [ICNZ members](#) and a copy of the [Fair Insurance Code 2016](#) can be found at www.icnz.org.nz.

DUTY OF DISCLOSURE

The insurance cover that has been arranged for you is based on the information you provided. Because that information is material to the insurer providing your insurance, you must advise any changes or any information that could affect the insurer's acceptance of your insurance. If you don't disclose or you misrepresent any material information your insurance could be invalidated and any claim may not be paid.

While your duty of disclosure applies before you take out an insurance policy or when you renew a policy, you should also advise us of any material change or circumstance if something comes to light during the period of your insurance. Examples of such disclosures could include structural alterations to a building, un-occupancy of insured premises, the installation of new equipment; a change in business operations or many other such changes.

Your duty of disclosure is crucial in maintaining your insurance protection. If you are unsure about any aspect of it please contact us for guidance.

APPENDIX 4

CLARENCE ST THEATRE

59 Clarence Street
PO Box 314
Hamilton 3240
New Zealand

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www.clarencesttheatre.co.nz

13 April 2017

REF: Request from Sean Murray regarding Clarence Street Theatre Trust's building works progress.

1. October 2015 Clarence Street Theatre Trust sought advice from Leonard Gardner of Foster Construction of how Clarence Street Theatre Trust (CSTT) needed to proceed.
2. March 2016 a plan was presented to CSTT where estimated costs associated with the first step, that being a full feasibility study. The process in achieving this as recommended by Foster Construction's Leonard Gardner has a cost of \$76,000.00. Those currently included in this feasibility study are BDC Group (engineering and seismic assessment) PAUA Architects (surveying and new designs) and Foster Construction (project management).
3. 2016 funding was sought and acquired to the value of \$35,000 to go toward the feasibility study from WEL Energy and Trust Waikato. Further funding is currently being sought to assist this. However, CSTT's positive financial position allows it to continue and complete the feasibility study regardless if funding is acquired or not.
4. September 2016 BDC Group were engaged to complete a full seismic report on all buildings. This is currently underway and these results were due last week. We are waiting for BDC Group to confirm confirmation of completion.
5. In the later half 2017 and into early 2018 we will be seeking funding for the project from external sources for remediation and additional buildings works.
6. We expect to commence remediation and further building works in the first half of 2018.

If you require any further information please feel free to get in contact at any time.

Yours sincerely



Jason Wade
General Manager
Clarence Street Theatre Trust

