

Notice of Meeting:

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

Date: Thursday 26 February 2015
Time: 1.30pm
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Council OPEN AGENDA

Membership

Chairperson	Her Worship the Mayor Hardaker
Deputy Chairperson	Cr G Chesterman
Members	Cr M Forsyth Cr M Gallagher Cr K Green Cr A King Cr D Macpherson Cr G Mallett Cr A O'Leary Cr R Pascoe Cr L Tooman Cr E Wilson Cr P Yeung

Quorum: A majority of members (including vacancies)

Meeting Frequency: Monthly

Jude Pani
Democracy Manager

19 February 2015
Telephone: 07 838 6883
Jude.Pani@hcc.govt.nz
www.hamilton.govt.nz

Terms of Reference:

- To carry out leadership functions including advocacy and facilitation on behalf of the community.
- To exercise all non-delegatable and non-delegated functions and powers of the Council.
- To make those decisions which are required by legislation to be made by resolution of the local authority.
- To consider any matters referred to it from any of the Standing or Special Committees.
- To authorise all expenditure not delegated to staff or other Committees.
- To receive the Council Risk Register and legal issues reports.
- To receive reports from the Audit & Risk Committee.
- To develop and approve the draft Long Term Plan (LTP) (including any amendments or variations) and Annual Plans (including the Budget and Funding and Financial policies); ensure their effective communication to the community; hear submissions and approve the final plan.
- To approve the Hamilton Plan and to retain overview of it through setting direction on key strategic projects and receiving regular reports on its overall achievement
- Make decisions in respect of District Plan matters.
- The authority to agree to settle and submit draft consent orders to the Environment Court relating to an appeal on a Proposed District Plan, Plan Change, Plan Variation or Notice of Requirement to designate land or for a heritage order, or a resource consent application.
- The authority to reject a private plan change request.

Financial:

- To determine all financial matters not delegated.
- To receive reports of the exercise of financial delegated authority pursuant to the Public Bodies Contracts Act 1959.
- To approve Council's borrowing programme and treasury management strategy.
- To undertake the statutory audit processes and to consider and approve the external audit arrangements, to receive the Auditor's reports and to approve the audited annual report.

Procedural Matters:

- Delegation of all Committee powers.
- Adoption of Standing Orders.
- Confirmation of all Standing and Special Committee minutes.
- Approval of Special Orders.
- Employment of Chief Executive, setting of the Chief Executive's performance targets and review of the Chief Executive's Performance and Remuneration (in accordance with the Employment Agreement).
- Other Delegations.

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1 Apologies

2 Confirmation of Agenda

The Council 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 Her Worship the Mayor.

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 6825.

Committee: Council

Date: 26 February 2015

Report Name: Council Minutes - Open - 11
December 2014

Author: Jude Pani

Status	<i>Open</i>
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1. Recommendation

That Council confirm and adopt as a true and correct record the Open Minutes of the Council Meeting held on 11 December 2014.

2. Attachments

- Attachment 1 - Ordinary Council Minutes - Open - 11 December 2014

Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 11 December 2014 at 1.30pm.

PRESENT

Chairperson	Her Worship the Mayor Hardaker
Deputy Chairperson	Cr G Chesterman
Members	Cr M Forsyth
	Cr M Gallagher
	Cr K Green
	Cr A King
	Cr D Macpherson
	Cr G Mallett
	Cr A O'Leary
	Cr R Pascoe
	Cr L Tooman
	Cr E Wilson
	Cr P Yeung

In Attendance	Chief Executive, Chief Financial Officer, General Manager City Environments, General Manager City Infrastructure, General Manager Community, General Manager Events and Economic Development, Acting General Manager Organisational Development, General Manager Performance.
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City Planning Unit Manager, Unit Manager Strategy & Research, Director of Operations, H3, Waikato Stadium, Parks & Open Space Manager, Programme Manager – Strategy Development and Relationship Management, Communication Manager, Communication Advisor and Chief of Staff Mayoral Office

Committee Advisors	Mrs J C Pani and Mrs M Birch
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The Opening Prayer was led by The Right Reverend Dr Helen-Ann Hartley, Bishop of Anglican Diocese of Waikato.

A minute's silence was held to observe the recent passing of former Councillor Dan Harris.

1. Apologies

There were no apologies.

2. Confirmation of Agenda

Resolved: (Her Worship the Mayor Hardaker/Cr Chesterman)
That the Council confirm the agenda.

3. Declarations of Interest

No members of the Council declared a Conflict of Interest.

4. Public Forum

There were no speakers in the public forum.

5. Chairperson's Report

There was no report from Her Worship the Mayor Hardaker.

6. Ordinary Council Minutes - Open - 27 November 2014

Resolved: (Her Worship the Mayor Hardaker/Cr Wilson)
That Council confirm and adopt as a true and correct record the Open Minutes of the Council Meeting held on 27 November 2014.

7. Recommendation to Council - Finance Committee Meeting - 4 December 2014

Councillor Pascoe, Chair of the Finance Committee, presented the report of the Committee Meeting held on 4 December 2014. It was noted that the attachments referred to in the recommendations were appended to the Finance Committee report accessed via the following link: <http://www.hamilton.govt.nz/AgendasAndMinutes/Finance%20Committee%20Agenda%20-%20Open%20-%204%20December%202014.pdf>

Councillor Pascoe moved, seconded by Councillor Mallett, the recommendations granting new community group leases to those organisation noted in a) to u), with the exception of recommendation i) granting a new community group lease to the Order of St John Central Region Trust Board Incorporated on land at Onukutara Park.

This Motion was then Put.

Resolved: (Crs Pascoe/Mallett)

Community Occupancy Applications

That:

- a) Council approves the granting of a new community group lease to **The Scout Association of New Zealand on land at Hillcrest Park**, being part of Lot 86 DPS7059, as shown at Attachment 1, subject to the following terms and conditions:
 - (i) Term – 15 years commencing 11 December 2014;
 - (ii) Rent – \$137.50 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.

- b) Council approves the granting of a new community group lease to **Hamilton Citizens' Band Incorporated on land at Lugton Park**, being part of Sec 42 Hamilton East Town Belt, as shown at Attachment 2, subject to the following terms and conditions:
 - (i) Term – 15 years commencing 11 December 2014;
 - (ii) Rent – \$181.88 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with Community Occupancy Policy and Community Occupancy Guidelines.

- c) Council approves the granting of a new community group lease to **The Hamilton Dog Obedience Club Incorporated on land at Melville Park**, being part of Pt Lot 512 DPS9477, as shown at Attachment 3, subject to the following terms and conditions:
 - (i) Term – 15 years commencing 11 December 2014;
 - (ii) Rent – \$121.25 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.

- d) Council approves the granting of a new community group lease to the **Waikato Canine Obedience Club on land at Bristol Park**, being part of Lot 43 DPS15960, as shown at Attachment 4, subject to the following terms and conditions:
 - (i) Term – 15 years commencing 11 December 2014;
 - (ii) Rent – \$95.63 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with Community Occupancy Policy and Community Occupancy Guidelines.

- e) Council approves the granting of a new community group lease to **The Riverside Rodders Incorporated on land at Bristol Park**, being part of Lot 43 DPS15960, as shown at Attachment 5, subject to the following terms and conditions:
 - (i) Term – 15 years commencing 11 December 2014;
 - (ii) Rent – \$95.62 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;

- (iii) That the clubroom be made available for use by the Hamilton Radio Car Control Club Incorporated;
 - (iv) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- f) Council approves the granting of a new community group lease to the **Hamilton Mountain Bike Club Incorporated on land at Pukete Farm Park**, being part of Lot 1 DPS57192, as shown at Attachment 6, subject to the following terms and conditions:
- (i) Term – 10 years commencing 11 December 2014;
 - (ii) Rent – \$18.00 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) As the land is a buffer zone for the Council’s Water Treatment Plant, the Lessee has no right of objection regarding any adverse effects that might occur due to the close proximity to such a plant;
 - (iv) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- g) Council approves the granting of a new community group lease to **The Hamilton Racing Pigeon Club Incorporated on land at Innes Common**, being part of Pt Allot 414 Parish of Te Rapa, as shown at Attachment 7, subject to the following terms and conditions:
- (i) Term – 15 years commencing 11 December 2014;
 - (ii) Rent – \$49.50 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- h) Council approves the granting of a new community group lease to the **Hamilton Smallbore Rifle Club Incorporated on land at Hillcrest Stadium**, being part of Pt Sec 38 Hamilton East Town Belt, as shown at Attachment 8, subject to the following terms and conditions:
- (i) Term – 10 years commencing 11 December 2014;
 - (ii) Rent – \$229.38 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with Community Occupancy Policy and Community Occupancy Guidelines.
- j) Council approves the granting of a new community group lease to **Waikato Digital Youth Network in Enderley Park Community Centre on Enderley Park**, being part of Lot 2 DPS 7131, as shown at Attachment 10, subject to the following terms and conditions:
- (i) Term – 18 months, commencing 1 January 2015;
 - (ii) Rent – \$699.06 plus GST (plus maintenance and utility charges) in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.

- k) Council approves the granting of a new community group lease to **Shinjokai Karate-do Incorporated in Frankton Railway Institute Hall at Railway Park**, being located at Lot 1 DPS 37471, as shown on Attachment 11, subject to the following terms and conditions;
- (i) Term – 18 months commencing 1 January 2015;
 - (ii) Rent – \$1,172.50 plus GST per annum plus maintenance and utility charges in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- l) Council approves the granting of a new community group lease to **Waikato Dance Performance Trust (Drury Lane Dance Studio) in Old St Peters Hall**, being located at Allot 449 TN of Hamilton West and Allot TN 450 of Hamilton West, as shown on Attachment 12, subject to the following terms and conditions;
- (i) Term – 18 months commencing 1 January 2015;
 - (ii) Rent – \$1,080.63 plus GST per annum plus maintenance and utility charges in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- m) Council approves the granting of a new community group lease to **Age Concern for space in the Celebrating Age Centre**, located at Pt Allot 443 TN of Hamilton West, as shown on Attachment 13, subject to the following terms and conditions;
- (i) Term – 18 months commencing 1 January 2015;
 - (ii) Rent – \$918.56 plus GST, maintenance and utility charges per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- n) Council approves the granting of a new community group lease to **Grey Power for space in the Celebrating Age Centre**, located at Pt Allot 443 TN of Hamilton West, as shown on Attachment 13, subject to the following terms and conditions;
- (i) Term – 18 months commencing 1 January 2015;
 - (ii) Rent – \$135.52 plus GST, maintenance and utility charges per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with Community Occupancy Policy and Community Occupancy Guidelines.
- o) Council approves the granting of a new community group lease to **Senior Net for space in the Celebrating Age Centre**, located at Pt Allot 443 TN of Hamilton West, as shown on Attachment 13, subject to the following terms and conditions;
- (i) Term – 18 months commencing 1 January 2015;
 - (ii) Rent – \$409.12 plus GST, maintenance and utility charges per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.

- p) Council approves the granting of a new community group lease to **Citizens Advice Bureau Hamilton Incorporated for space in the Former Reid's Studio Building** next to St Peter's Hall on Victoria Street, as shown on Attachment 14, subject to the following terms and conditions;
- (i) Term – 18 months commencing 1 January 2015;
 - (ii) Rent – \$625.00 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Guidelines.
- q) Council approves the granting of a new community group lease to **Citizens Advice Bureau Hamilton Incorporated for space on the ground floor of the Caro Building** in the Caro Street wing of the Council Municipal building, as shown on Attachment 15, subject to the following terms and conditions;
- (i) Term – four years commencing 11 December 2014;
 - (ii) Rent – \$440.62 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Guidelines.
- r) Council approves the granting of a new community group lease to **Volunteering Waikato for space in the Caro Building** located in the Caro Street wing of the Council Municipal building, shown at Appendix 15, subject to the following terms and conditions;
- (i) Term – five years commencing 11 December 2014;
 - (ii) Rent – \$1,503.12 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- s) Council approves the granting of a new community group lease to **Hamilton Multicultural Services Trust for space in the Caro Building** in the Caro Street wing of the Council Municipal building, as shown on Attachment 15, subject to the following terms and conditions;
- (i) Term – five years commencing 11 December 2014;
 - (ii) Rent – \$315.62 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Guidelines.
- t) Council approves the granting of a new community occupancy lease to **Waikato Ethnic Family Services Trust for space in the Caro Building** in the Caro Street wing of the Council Municipal building, as shown on Attachment 15, subject to the following terms and conditions;
- (i) Term – five years commencing 11 December 2014;
 - (ii) Rent – \$584.37 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;

- (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Guidelines.
- u) Council approves the granting of a new community group lease to **Waikato Society of Arts Incorporated for the upper level and basement of the Arts Post Building** on Victoria Street, as shown in Attachment 19, subject to the following terms and conditions;
 - (i) Term – five years commencing 11 December 2014;
 - (ii) Rent – \$1,968.75 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Guidelines.

The Order of St John Central Region Trust Board

The Council then addressed the recommendation from the Finance Committee regarding the granting of a new community group lease to The Order of St John Central Region Trust Board Incorporated on land at Onukutara Park. The General Manager Community confirmed that St John Central Region Trust Board had not sought a reduction in the rent from that recommended by staff of \$702.50.

Motion: (Crs Pascoe/Wilson)

- i) Council approves the granting of a new community group lease to **The Order of St John Central Region Trust Board Incorporated on land at Onukutara Park**, being part of Lot 1 DPS51927, as shown at Attachment 9, subject to the following terms and conditions;
 - (i) Term – 15 years commencing 11 December 2014;
 - (ii) Rent – \$1.00 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.

Amendment: (Crs King/Mallett)

- i) Council approves the granting of a new community group lease to **The Order of St John Central Region Trust Board Incorporated on land at Onukutara Park**, being part of Lot 1 DPS51927, as shown at Attachment 9, subject to the following terms and conditions;
 - (i) Term – 15 years commencing 11 December 2014;
 - (ii) **Rent – \$702.50 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;**
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines

The Amendment was then put.

Those for the Amendment:

Her Worship the Mayor Hardaker,

Those against the Amendment:

Councillors Mallett, King, O'Leary,
Tooman, Chesterman and Pascoe
Councillors Gallagher, Green, Wilson,
Forsyth, Macpherson and Yeung

The Amendment was declared Carried and become the Substantive Motion which was then put.

Resolved: (Crs King/Mallett)

- i) Council approves the granting of a new community group lease to **The Order of St John Central Region Trust Board Incorporated on land at Onukutara Park**, being part of Lot 1 DPS51927, as shown at Attachment 9, subject to the following terms and conditions;
 - (i) Term – 15 years commencing 11 December 2014;
 - (ii) **Rent – \$702.50 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;**
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines

Those for the Motion:

Her Worship the Mayor Hardaker,
Councillors Mallett, King, Green, O'Leary,
Forsyth, Chesterman and Pascoe

Those against the Motion:

Councillors Gallagher, Tooman, Wilson,
Macpherson and Yeung

Cr Wilson retired from the Meeting at 2.00pm after the voting on Item 7.

8. Recommendation to Council - Audit and Risk Committee Meeting - 5 December 2014

The Chief Financial Officer presented the recommendation from the Audit and Risk Committee Meeting held on 5 December 2014.

It was noted that the Report "10-Year Plan (LTP) Audit Arrangements Letter" and the full Audit and Risk Committee Agenda for the 5 December 2014 Meeting can be accessed via the following link: <http://www.hamilton.govt.nz/our-council/meetings-and-minutes/Pages/default.aspx>

Resolved: (Crs Pascoe/O'Leary)

10-Year Plan (LTP) Audit Arrangements Letter

That the Council:

- a) **Authorises** the Mayor and Chief Executive to sign the Audit Proposal and Arrangements letter on Council's behalf, and
- b) **Authorises** the Chief Financial Officer to negotiate the audit fee and timetable with Audit New Zealand.

9. Appointment of Alternate Controller

The General Manager Performance presented this Item for the Council to appoint a Civil Defence Alternate Controller for Hamilton City Council.

Resolved: (Crs Mallett/Chesterman)

That:

- a) The report be received; and
- b) Olly Te Ua (GM Organisational Development) is acknowledged and approved as Alternate Controller for Hamilton City Council.

10. Ruakura Structure Plan – Variation to the Proposed District Plan

The City Planning Unit Manager presented this report for the Council to approve the preparation of a variation to the Proposed District Plan to reflect the decision and content of the Ruakura Board of Inquiry.

The City Planning Unit Manager confirmed that this proposed variation related only to Ruakura matters and he responded to questions including the level of community engagement undertaken and timing of when a variation might be reported back to the Council. He advised that there were a set of controls in place to address noise and visual mitigation. He further advised that staff would endeavour to report back to the Council before the end of July 2015.

Resolved: (Her Worship the Mayor Hardaker/Cr Chesterman)

That:

- a) The report be received,
- b) Council resolves to prepare a variation to the PDP for the Ruakura Structure Plan area to reflect the decision and content of the Ruakura BoI, and
- c) The variation be reported back to the Council for approval by 31 July 2015.

11. Cricket World Cup 2015 Update

The Director of Operations Manager, H3, Waikato Stadium, introduced this Item providing the Council with an update on Hamilton's preparations for hosting three matches as part of the ICC Cricket World Cup in February and March 2015.

He advised the following changes since the last update report:

- Staff were working with Hamilton City Business Association in terms of an appropriate fanzone, e.g. whether big screen, street closure or a softer approach, for the scheduled three day/night fixtures.
- The date had changed for the Zimbabwe team celebrations from Friday 13 February to Saturday 14 February.
- The date for the media and business engagement function at Hobbiton had been changed to Monday 9 March.

- Information would be provided directly to businesses to communicate the rules around promotion, rather than through workshops, which is in line with the Ministry of Business Innovations and Employment trends.
- The budget presented in the report was current to the end of October 2014 with the expenditure incurred recently appearing in the next report.

Given that the timing of the first Council Meeting in 2015 was scheduled for after the commencement of the Cricket World Cup in Hamilton on 15 February 2015, Her Worship the Mayor Hardaker asked staff to report back to the Extraordinary Council Meeting which was to reconvene on 3 and 4 February 2015.

In response to questions about the budget for the Cricket World Cup, total expenditure for upgrades at Seddon Park and ratepayer contribution, the General Manager Events and Economic Development advised that the upgrade was foreshadowed in the Long Term Plan to get the venue up to international status for cricket and before Council was aware of the Cricket World Cup was taking place.

The General Manager advised that he would circulate to Elected Members the current Long Term Plan capital budget that relates to Seddon Park. He also advised that he would circulate to Members information regarding the lease arrangements for Seddon Park.

The General Manager further advised that the total leverage budget was used for the Cricket World Cup and that the FIFA tournament did not require funding from this budget as it is funded from a separate funding stream.

The Director of Operations Manager, H3, Waikato Stadium advised that because of the large numbers anticipated, security for the event would include 80-100 security guards and a strong police presence.

Resolved: (Crs O'Leary/Chesterman)

That the report be received.

12. Sub-Regional Waters Detailed Business Case - Project Timetable

The General Manager Performance presented this Item outlining a timetable for the Waters project. He advised that the timeframe had been closely scrutinised and there was no opportunity to significantly shorten the timetable presented.

He confirmed that there was a small window only to shorten the councils' five-month timeframe presented in the attachment to the report, though there was a need for alignment between the councils in respect of the timeframes. He also advised, depending on the final report, that there were potential impacts on the councils' long term plans (LTP). However, as the consultation for the LTP was April 2015, there was no opportunity to incorporate any outcome from the Waters project into that April 2015 LTP consultation process.

In response to questions relating to consultation to any amendment to the LTP, the General Manager confirmed that there would be ramifications for each council's LTP and there may be a common element to the consultation processes. However, each Council would run their own consultation.

Cr Pascoe, one of the Hamilton City Council representatives on the Waters Governance Group (along with Cr Mallett), advised that there was a meeting of this Group Friday 19 December and

there would be an opportunity to take to that meeting the concerns expressed at today's Council Meeting.

Resolved: (Crs Pascoe/Mallett)

That the report be received

13. Hamilton City River Plan - Consideration of Submissions and Decision-making

The Mayor welcomed to the Council meeting Kiri Gaulter and Jen Palmer, members of the River Group, who were in the public gallery for this Item.

The General Manager City Environment, supported by the Programme Manager – Strategy Development and Relationship Management, presented this report for the Council to adopt the Hamilton City River Plan.

There were questions and discussion on expectations of developing a plan without the associated funding identified. A view was expressed that, given more pressing priorities, the Council should not approve the River Plan, as it could not be afforded. A contrary view was expressed that this River Plan had been 35 years in the making and in response to communities, was showing visionary leadership about the future of Hamilton City.

Resolved: (Her Worship the Mayor Hardaker/Cr Gallagher)

That:

- a) The report be received,
- b) Submitters and the River Plan Group be thanked for their contribution, and
- c) The Council adopts the Hamilton City River Plan.

Those for the Motion:

Her Worship the Mayor Hardaker,
Councillors Gallagher, Green, O'Leary,
Tooman, Forsyth, Macpherson, Yeung,
Chesterman and Pascoe

Those against the Motion:

Councillors Mallett and King

14. Resolution to Exclude the Public

Resolved: (Her Worship the Mayor Hardaker/Cr Yeung)

That the Council confirm the agenda for the public excluded session, noting that as advised by the Chief Executive Item C3 (Victoria on the River Site) had been removed from the agenda.

Resolved: (Her Worship the Mayor Hardaker/Cr Chesterman)

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

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

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

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Ordinary Council Minutes - Public Excluded - 27 November 2014) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C2. Recommendations to Council - Finance Committee Meeting 4 December 2014)	

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

Item C1.	for the reasons noted in the 27 November 2014 agenda	Section 7 (2) (i) and (h)
Item C2.	to enable Council to carry out negotiations	Section 7 (2) (i)

The Meeting moved into Public Excluded from 3.39pm until 3.42pm.

The Meeting was declared closed at 3.42pm.

Committee: Council

Date: 26 February 2015

Report Name: Recommendation to Council -
Finance Committee Meeting -
19 February 2015

Author: Jude Pani

Status	<i>Open</i>
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Councillor Pascoe, the Chair of Finance Committee will present the recommendation of the Committee Meeting held on 19 February 2015.

The Community Occupancy Applications Report and the full Finance Committee Agenda can be accessed via the following link:

<http://www.hamilton.govt.nz/AgendasAndMinutes/Finance%20Committee%20-%20Open%20Agenda%20-%2019%20February%202015.pdf>

Recommendation to Council :

Community Occupancy Applications

- 1) That following Section 54(1)(b) of the Reserves Act 1977, Council approves the granting of a new community group lease to the Hamilton City Bowling Club Incorporated for premises at Hinemoa Park as outlined in Attachment 1 of the Committee report, being Section 1 SO Plan 57622, subject to the following terms and conditions:
 - (i) Term - Two years commencing 19 February 2015;
 - (ii) Rent - \$9,380.00 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- 2) That in accordance with Section 5.6(iv) of the Community Occupancy Policy, Council adopts a rent of \$2,187.00 plus GST per annum for **New Zealand Riding for the Disabled Association (Waikato Group) Incorporated** at Hamilton Park Cemetery, subject to annual CPI adjustments and a further review in 2018

Committee: Council

Date: 26 February 2015

Report Name: Recommendation to Council -
Strategy and Policy Committee
Meeting - 24 February 2015

Author: Jude Pani

Status	<i>Open</i>
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Councillor O’Leary, the Chair of Strategy and Policy Committee will present the recommendations of the Committee meeting held on 24 February 2015.

The 24 February 2015 Strategy and Policy Committee agenda is available via the following link:

<http://www.hamilton.govt.nz/AgendasAndMinutes/Strategy%20and%20Policy%20Committee%20-%20Open%20Agenda%20-%2024%20February%202015.pdf>

The recommendations to Council relating to the following items on the Committee agenda will be circulated following the 24 February Committee Meeting:

- 1. Council Risk Management Policy**
- 2. Garden Place Pedestrian Mall Alteration Deliberation and Declaration Report**
- 3. Traffic Bylaw Deliberation and Bylaw Adoption Report**
- 4. Proposed Stormwater Bylaw 2015 for Public Engagement**
- 5. Dog Control Bylaw and Policy 2015 Statement of Proposal**
- 6. Open Air Burning Bylaw 2015 Deliberation and Adoption Report**
- 7. Community Assistance Guidelines and Criteria**
- 8. Recommendation from Chair’s Report (Peace Tiles in Civic Square)**

Committee: Council

Date: 26 February 2015

Report Name: Dedication of road reserve at
Minogue Park

Author: Jamie Sirl

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Minogue Park Management Plan 2009</i>
Financial status	<i>There is not budget allocated</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- This report seeks Council approval to dedicate the road reserve at Minogue Park as road following Section 111 of the Reserves Act 1977 (Act).

3. Executive Summary

- In 2014, Council reclassified land at Minogue Park from recreation reserve to local purpose (road) reserve to enable the extension of Minogue Drive.
- The road extension is being undertaken by BUPA Care Services NZ Limited (BUPA) to provide access to land adjoining Minogue Park on which BUPA proposes to develop an aged care facility. The road provides benefits to the park by providing improved access at no cost to Council. Council entered into an agreement with BUPA for this to occur.
- As part of the agreement between BUPA and Council, the local purpose (road) reserve is now required to be dedicated as road following Section 111 of the Reserves Act 1977.

Recommendations from Management

That:

- The report be received, and:
- Pursuant to Section 111 of the Reserves Act 1977, that the local purpose (road) reserve vested in it and described in the Schedule be dedicated as a road.

Schedule

<i>Area</i>	<i>Description</i>
<i>1.0197 hectares</i>	<i>Section 1, SO 334104 and Sections 3 and 4, SO 477592 (Part Computer Freehold Register 676534).</i>

7. Attachments

8. Attachment 1 - Local Purpose (road) reserve to be dedicated as road

9. Key Issues

10. Background

- BUPA Care Services NZ Limited (BUPA) is developing an aged care facility on land owned by the Waikato Racing Club Incorporated (WRCI) adjoining Minogue Park.
- Access is being provided by an extension of Minogue Drive through Minogue Park, as per the report to Council [2 May 2013](#).
- The land required for the extension was vested in Council as recreation reserve subject to the Act. The [5 September 2013](#) Operations and Activity Performance Committee resolved to reclassify the land from recreation reserve to local purpose (road) reserve. No objections were received following the public notification process required under the Act.
- BUPA has agreed to construct the Minogue Drive extension at its own cost; and pay all costs incurred by Council in connection to the Minogue Drive extension including the costs to change the classification of the land. An Agreement outlining these terms was signed on 22 May 2014 by the Chief Executive as delegated by Council.
- Council has granted consent for subdivision of the land owned by the WRCI. WRCI and BUPA have arranged for BUPA to purchase one of the lots to develop the aged care facility. To finalise the sale and purchase agreement, title needs to be issued. Issue of title is dependent on completion of the extension of Minogue Drive.
- The Agreement provides for issue of the title prior to completion of the road extension. A bank guarantee has been established to ensure the road construction is completed by 31 December 2015 and provides guarantee to Council to enable title to be issued prior to road construction.
- Under Section 111 of the Act, Council is now required to dedicate the local purpose (road) reserve land as a road by Council resolution. This is a requirement of the Agreement.

11. Strategic alignment

- The Minogue Park Management Plan 2009 provides for a park road to extend from Tui Avenue to link with Minogue Drive. The BUPA road extension will, in part, realise the proposal in the management plan.
- The BUPA road extension will open up the northern part of Minogue Park for general recreational uses, and allows some parking and improved access to the land leased to the community group, Hamilton Model Engineers Inc. This results in benefits to the park and users at no cost to Council.

12. Legislative requirements or legal issues

- Section 111 of the Act prescribes the process for the road dedication.

13. Financial and Resourcing Implications

- All costs relating to the reclassification and construction of the road extension will be met by BUPA.
- The construction of the road has been secured through a bank guarantee.

14. Risk

15. The Agreement that has been entered into between BUPA and Council mitigates risk for Council.

Signatory

Authoriser	Lance Vervoort, General Manager Community
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Local Purpose (road) reserve to be dedicated as road



- Part of Lot 3 DP 403296 (7266m²)
- Lot 2 DP 403296 (2228m²)

9. Resolution to Exclude the Public

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

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

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

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Council Minutes - Public Excluded - 11 December 2014) Good reason to withhold information exists under Section 7 Local Government	Section 48(1)(a)
C2. Waikato Plan: Appointment of 5th Non-Local Government Member) Official Information and Meetings Act 1987	
C3. Appeal Settlement - Notice of Requirement for Southern Links Designation)	
C4. Development Contributions objection – LGA (2002) section 199C)	

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

Item C1.	to protect the privacy of natural persons	Section 7 (2) (a)
Item C2.	to protect the privacy of natural persons	Section 7 (2) (a)
Item C3.	on the grounds that a right of appeal lies to any Court or Tribunal against the final decision of the Local Authority in this matter	Section 7 (2) (a) (i) Section 7 (2) (i) Section 7 (2) (j)
	to enable Council to carry out negotiations	
	to prevent the disclosure or use of official information for improper gain or improper advantage	
Item C4.	To maintain legal professional privilege	Section 7 (2) (i)
	To enable Council to carry out negotiations	Section 7 (2) (k)