

Notice of Meeting:

I hereby give notice that an ordinary Meeting of the Council will be held on:

Date: Thursday 11 October 2018
Time: 9.30am
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Council OPEN AGENDA

Membership

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

Quorum: A majority of members (including vacancies)

Meeting Frequency: Monthly – or as required

Lee-Ann Jordan
Governance Manager

5 October 2018

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Purpose

The Council is responsible for:

1. Providing leadership to, and advocacy on behalf of, the people of Hamilton.
2. Ensuring that all functions and powers required of a local authority under legislation, and all decisions required by legislation to be made by local authority resolution, are carried out effectively and efficiently, either by the Council or through delegation.

Terms of Reference

1. To exercise those powers and responsibilities which cannot legally be delegated by Council:
 - a) The power to make a rate.
 - b) The power to make a bylaw.
 - c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan.
 - d) The power to adopt a Long Term Plan or Annual Plan, or Annual Report.
 - e) The power to appoint a Chief Executive.
 - f) The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan, or developed for the purpose of the Council's governance statement, including the 30-Year Infrastructure Strategy.
 - g) The power to adopt a remuneration and employment policy.
 - h) The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
 - i) The power to approve or amend the Council's Standing Orders.
 - j) The power to approve or amend the Code of Conduct for Elected Members.
 - k) The power to appoint and discharge members of committees.
 - l) The power to establish a joint committee with another local authority or other public body.
 - m) The power to make the final decision on a recommendation from the Parliamentary Ombudsman, where it is proposed that Council not accept the recommendation.
 - n) The power to amend or replace the delegations in Council's *Delegations to Positions Policy*.
2. To exercise the following powers and responsibilities of Council, which the Council chooses to retain:
 - a) Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
 - b) Approval of any changes to Council's vision, and oversight of that vision by providing direction on strategic priorities and receiving regular reports on its overall achievement.
 - c) Approval of any changes to city boundaries under the Resource Management Act.
 - d) Adoption of governance level strategies, plans and policies which advance Council's vision and strategic goals.
 - e) Approval of the Triennial Agreement.

- f) Approval of the local governance statement required under the Local Government Act 2002.
- g) Approval of a proposal to the Remuneration Authority for the remuneration of Elected Members.
- h) Approval of any changes to the nature and delegations of the Committees.
- i) Approval of all Council and Committee taskforces and their terms of reference.

Oversight of Policies:

- *Corporate Hospitality and Entertainment Policy*
- *Delegations to Positions Policy*
- *Elected Members Support Policy*
- *Significance and Engagement Policy*

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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 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 Governance 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 Governance by telephoning 07 838 6439.

Council Report

Committee: Council **Date:** 11 October 2018
Author: Amy Viggers **Authoriser:** Becca Brooke
Position: Committee Advisor **Position:** Governance Team Leader
Report Name: Confirmation of the Council Open Minutes - 6 September 2018

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

That the Council confirm the Open Minutes of the Council meeting held on 6 September 2018 as a true and correct record.

Attachments

Attachment 1 - Council Open Unconfirmend Minutes - 6 September 2018

Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 6 September 2018 at 9.40am.

PRESENT

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

In Attendance:	Lance Vervoort – General Manager Community
	Eeva-Liisa Wright – General Manager Infrastructure Operations
	David Bryant – General Manager Corporate
	Jen Baird – General Manager City Growth
	Blair Bowcott – Executive Director Special Projects
	Debbie Lascelles - Community Services Manager
	Scott Copeland – Procurement Manager
	Loren Brown – Principal Planner
	Kelvin Powell - City Safe Unit Manager
	Robyn Denton – Operations Team Leader
	Keith Hornby – Senior Strategic Policy Analysis
	Tracy Buckland – Communications Advisor
	Jeff Neems – Communications Advisor

Governance Staff:	Lee-Ann Jordan – Governance Manager
	Amy Viggers and Rebecca Watson – Committee Advisor

Tame Pokaia carried out a blessing and the Venerable Phil Wilson carried out a reading to open the Council meeting.

1. Apologies

Resolved: (Mayor King/Cr Mallett)

That the apologies from Crs Taylor, Bunting (partial absence), Macpherson (early departure), and Mallett (early departure) are accepted.

2. Confirmation of Agenda

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the agenda is confirmed noting the following:

- a) that the debate will be 2 minutes with an extension of 1 minute if required;
- b) that the order of the agenda will follow as per outlined on the runsheet;
- c) replacement attachment 1 for item 11 (Waikato Regional Economic Development Agency – Partnership Agreement) Circulated to Elected Members; and
- d) that 3 late Public Excluded Agenda items to be added as follows:
 - i. Item C9 (District Licencing Appointments – Verbal Report) to protect the privacy of natural person. The report is to provide for discussion of DLC appointments not able to be had in the open section of the meeting;
 - ii. Item C7 (Public Art – Resolutions) to prevent the disclosure or use of official information for improper gain or improper advantage. The report is to address events which occurred after the distribution of the agenda;
 - iii. Item C8 (Purchase of Land and Buildings – Resolutions) to prevent the disclosure or use of official information for improper gain or improper advantage. The report is to enable timely release information of public information.

3. Declarations of Interest

No members of the Council declared a Conflict of Interest.

4. Public Forum

Warwick Michie – He spoke to Item C7 (Public Art – Resolutions). He expressed his concern regarding the recent incident involving the public art piece, known as Captain Hamilton in Civic Square.

Christine Norris – She spoke to Item 11 (Waikato Regional Economic Development Agency - Partnership Agreement). She requested the Council to ensure sustainability practices were included in the partnership agreement with Te Waka, formally known as Waikato Regional Economic Development Agency.

5. Confirmation of the Council Open Minutes - 16 August 2018

Resolved: (Mayor King/Cr Bunting)

That the Council confirm the Open Minutes of the Council Meeting held on 16 August 2018 as a true and correct record.

6. Confirmation of the Extraordinary Council Open Minutes - 21 August 2018

Resolved: (Mayor King/Cr Mallett)

That the Council confirm the Open Minutes of the Extraordinary Council Meeting held on 21 August 2018 as a true and correct record.

7. Elected Member Briefing Notes - 23 August 2018 - Open

Resolved: (Mayor King/Cr Taylor)

That the Council confirm the Open Minutes of the Elected Member Briefing held on 23 August 2018 as a true and correct record.

8. Chair's Report

The Chair took the report as read and noted that Elected Members had received an update on Kiwibuild and Special Housing Areas at the Briefing on 5 September 2018. He confirmed that the process civic portraits outside the Chamber had not changed.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council receives the report.

9. Deliberation and Adoption of the Hamilton City Speed Limit Bylaw 2018

The report was taken as read. Staff responded to questions from Elected Members concerning methods available to Council to address the number of recent road related deaths, and the purpose and process of the Bylaw change.

Resolved: (Crs Macpherson/Tooman)

That the Council:

- a) adopts of the Hamilton City Speed Limit Bylaw 2018 as set out in Attachment 1 to this report; and
- b) notes that the new Bylaw and the speed limit change on Gordonton Road will come into effect on 10 October 2018.

10. Management lease of Te Rapa Sportsdrome

The Community Services Manager and the Procurement Manager introduced the report. They responded to questions from Elected Members concerning the tender process, possible outsourcing models, and their benefits and challenges.

Resolved: (Cr Southgate/Mayor King)

That the Council:

- a) approves that no further action be taken by the Chief Executive in respect of Contract 17104b, the management lease of Te Rapa Sportsdrome, with Community Leisure Management; and
- b) notes that management will continue to explore other options to outsource the management of the facility and report back to Council by March 2019.

Item 11 (Waikato Regional Economic Development Agency - Partnership Agreement) was moved to the end of the agenda to accommodate the availability of an external presenter.

12. Te Rapa North - Deferred Industrial Land

The General Manager City Growth introduced the report. Staff responded to questions from Elected Members concerning the scope of continued sub-regional work on industrial land which was to include industrial land uptake and land surrounding the current city boundary, and the Mayor's continued discussion regarding the expansion of Hamilton City boundaries.

Action: *Staff undertook to provide Elected Members with an update on the development of Ruakura at a future Elected Member Briefing.*

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council:

- a) receives the report; and
- b) notes that further work will be undertaken in regard to supply and demand of industrial land and associated infrastructure as set in paragraphs 51 and 52 of this report and reported back to the Council by December 2018.

The meeting adjourned 11.24am to 11.40am.

Item 14 (Recommendation from the Growth and Infrastructure Committee – Taskforces Chairs) was taken following the adjournment to accommodate staff availability.

14. Recommendation from the Growth and Infrastructure Committee - Taskforce Chairs

The report was taken as read.

Resolved: (Cr Macpherson/Pascoe)

That the Council appoints Cr Mark Bunting as Chair of the Access Hamilton Taskforce in place of Cr Dave Macpherson and appoints Cr Siggie Henry as Chair of the Waste Minimisation Taskforce in place of Cr Mark Bunting.

11. Waikato Regional Economic Development Agency - Partnership Agreement

Dallas Fisher introduced Michael Bassett-Foss Chief Executive of Te Waka (previously known as Waikato Economic Development Agency) and noted Harvey Brookes had been appointed as Te Waka's Chief Operating Officer.

The report was taken as read. Staff, Dallas Fisher and Michael Bassett-Foss responded to questions from Elected Members concerning the director appointment process, future growth projects to be undertaken by Te Waka, outcomes from the recent summit conference, sustainability practices, funders of Te Waka and the Waikato Maaori economic development agenda and action plan.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council:

- a) approves the three-year Waikato Regional Economic Development Agency Partnership Agreement (attachment 1) and the Schedule of Functions & Services (attachment 2), between Hamilton City Council and the Waikato Regional Economic Development Agency, effective 1 July 2018;
- b) delegates the Chief Executive to execute this agreement; and
- c) requests the REDA annual report is presented to the Growth and Infrastructure Committee.

Cr Mallett Dissenting.

13. District Licensing Committee Appointments

The City Safe Unit Manager introduced the report. He responded to questions from Elected Members concerning the high level of effectiveness of current committee members and confirmed that there had been no complaints regarding the current committee members

Resolved: (Crs O’leary/Tooman)

That the Council:

- a) receives the report
- b) approves the reappointment of the following members of the District Licensing Committee pursuant to the provisions of the Sale and Supply of Alcohol Act 2012 for a further period of five years:
 - Sara Grayson (née Brown) as Commissioner and Chair
 - John Gower
 - Jennie McFarlane
 - Patsi Davies
 - Brett McEwan
- c) approves the recruitment of an additional person to the Hamilton District Licensing Committee panel.

15. Resolution to Exclude the Public

Resolved: (Mayor King/Deputy Mayor Gallagher)

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. Confirmation of the Council Public Excluded Minutes - 16 August 2018) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C2. Elected Member Briefing Notes - Closed - 23 August 2018		
C3. Te Hikuwai Slip		
C4. Appointment of External Member for Audit and Risk Committee		
C7. Public Art – Resolutions		
C8. Purchase of Land and Buildings - Resolutions		

- C5. Confirmation of the Council Public Excluded Minutes - 16 August 2018 (Item C5)
- C6. Confirmation of the Extraordinary Council Public Excluded Minutes - 21 August 2018

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

Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C3.	to maintain legal professional privilege	Section 7 (2) (g)
Item C4.	to enable Council to carry out negotiations	Section 7 (2) (i)
Item C7.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C8.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C5.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C6.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)

Cr Macpherson Dissenting.

The meeting went into a Public Excluded session at 12.40pm.

The meeting was declared closed at 2.00pm.

Council Report

Item 6

Committee: Council
Author: Amy Viggers
Position: Committee Advisor
Report Name: Confirmation of the Extraordinary Council Open Minutes - 25 September 2018

Date: 11 October 2018
Authoriser: Becca Brooke
Position: Governance Team Leader

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

That the Council confirm the Open Minutes of the Extraordinary Council Meeting held on 25 September 2018 as a true and correct record.

Attachments

Attachment 1 - Extraordinary Council Unconfirmed Minutes - 25 September 2018

Extraordinary Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Tuesday 25 September 2018 at 2.05pm.

PRESENT

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

In Attendance:	Richard Briggs – Chief Executive
	Jen Baird – General Manager City Growth
	Chris Allen – General Manager Development
	Eeva-Liisa Wright – General Manager Infrastructure Operations
	Lance Vervoort – General Manager Community
	Karen Saunders – Group Business Manager
	Greg Carstens – Unit Manager Economic Growth and Planning
	Alice Morris – City Planning Policy Team Leader
	Jackie Collier – City Development Strategic Manager
	Helen Paki – Business Planning Manager
	Andy Mannering – Manager Social Development
	Paul Bowman – Team Leader Economic Growth and Planning
	Stafford Hodgson – Senior Strategic Policy Analyst
	Jamie Sirl – Senior Planner
	Aimee Taylor - Planner
	Laura Galt - Planner
	Lachlan Muldowney – Hamilton City Council Lawyer
	Mark Renner – City Solicitor
Governance Advisors:	Lee-Ann Jordan – Governance Manager
	Becca Brooke – Governance Team Leader
	Amy Viggers – Committee Advisor

Tame Pokaia opened the meeting with blessing.

1. Apologies

Resolved: (Cr Macpherson/Bunting)

That the apologies from Cr Pascoe, Cr Casson (for early departure) and Cr Southgate (for early departure) are accepted.

2. Confirmation of Agenda

Resolved: (Cr Casson/Henry)

That the agenda is confirmed noting the following:

- a) that the debate will be 2 minutes with an extension of 1 minute if required;
- b) that there was a replacement staff recommendation in relation to Item 5 (Special Housing Area (SHA) Affordability Criteria) which was circulated to Elected Members prior to the meeting;
- c) Item 7 (HCC's Draft 1 Submission to Waikato District Council's Proposed District Plan) was circulated as a late report prior to the meeting and is to be taken after Item 4 (Public Forum) to accommodate staff availability; and
- d) Item C2 (Amberfield Subdivision Application) was circulated as a late report prior to the meeting.

3. Declarations of Interest

No members of the Council declared a Conflict of Interest.

4. Public Forum

No members of the public wished to speak.

5. Hamilton City Council's Draft 1 Submission to Waikato District Council's Proposed District Plan

The General Manager City Growth introduced the report and noted that the submission was only for the area indicated on the attached map (attachment 2) the area of interest to Hamilton within Waikato District Council's Proposed District Plan.

Staff and the Lawyer for Hamilton City Council responded to questions from Elected Members concerning the position of Future Proof in relation to the proposed District Plan and whether Waikato District Council was aware of Hamilton City Council's position.

Elected Members sought clarification and changes to the submission concerning the following:

- opposition to the Te Kowhai Airpark Zone as it did not connect well with the current Te Kowhai village;
- part opposition to biodiversity offsetting as there was no link to the Regional Policy Statement which advises that there be no net loss when offsetting; and
- commuter transport needs for areas outside of Hamilton's immediate areas of interest.

Resolved: (Mayor King/Cr Taylor)

That the Council:

- a) receives the report;
- b) approves HCC's **Draft 1** submission to Waikato District Council's Proposed District Plan; subject to any amendments agreed by the Council being incorporated into the final submission;
- c) notes the final submission be approved by the Chief Executive and submitted to Waikato District Council by the 9 October 2018;

- d) notes the approved submission will be uploaded to Hamilton City Council's website; and
- e) notes that Council will speak in support of its written submission at the hearings for Waikato District Council's Proposed District Plan.

6. Special Housing Area (SHA) Affordability Criteria

The General Manager City Growth introduced the report noting that there was a requirement for Council's Special Housing Area Policy to be clearer regarding the affordability criteria. Staff and the Lawyer for Hamilton City Council responded to questions from Elected Members concerning the potential mechanisms Council could prescribe to direct the sale of affordable homes to those that meet specified criteria and the effect of those mechanisms on the market.

Motion: (Mayor King/Deputy Mayor Gallagher)

That the Council resolves to adopt a series of options A through C, with A being the preference, and staff are authorised to implement B or C should the more preferred option or options not meet with the Minister's approval:

Option A

To recommend the SHA proposal to the Minister subject to:

- a) the following affordability criteria being included in the Order in Council;
at least 10% of dwellings must be on individual fee simple titled sections and be sold on the open market to first home buyers at or below 90% of the Hamilton average house value;
- b) the PDA with the developer including any necessary provisions which enforce the delivery of this affordability criteria outcome, including a requirement that the purchaser must be a genuine and arms length first home buyer; and
- c) the Hamilton SHA policy being updated to reflect the changes outlined above.

Option B

To recommend the SHA proposal to the Minister subject to:

- a) the following affordability criteria being included in the order in council;
at least 10% of dwellings must be on individual fee simple titled sections and be sold on the open market at or below 90% of the Hamilton average house value.
and
- b) the PDA with the developer including any necessary provisions which enforce the delivery of this affordability criteria outcome, including a requirement that the purchaser must be a genuine and arms length first home buyer.
- c) the Hamilton SHA policy being updated to reflect the changes outlined above.

Option C

To recommend the SHA proposal to the Minister subject to:

- a) the following affordability criteria being included in the order in council;
at least 10% of dwellings must be on individual fee simple titled sections and sold at or below 90% of the Hamilton average house value.
and
- b) the PDA with the developer including any necessary provisions which enforce the delivery of this affordability criteria outcome, including a requirement that the sale be on the open market to first home buyers, and that the purchaser must be a genuine and arms length first home buyer.
- c) the Hamilton SHA policy being updated to reflect the changes outlined above.

Amendment: (Crs O'Leary/Casson)

That the Council:

- a) approves affordability criteria option 2(c): 10% of new dwellings must have a floor area of 120m² or less (including the garage) and
- b) amends the Hamilton Special Housing Areas Policy to include the affordability criteria in a) above.

The Amendment was put.

Those for the Amendment: Councillors O'Leary and Casson.

Those against the Amendment: Mayor King, Deputy Mayor Gallagher, Councillors Mallett, Tooman, Macpherson, Bunting, Henry, Southgate, Taylor and Hamilton.

The Amendment was declared lost.

The Motion was then put and declared carried unanimously.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council resolves to adopt a series of options A through C, with A being the preference, and staff are authorised to implement B or C should the more preferred option or options not meet with the Minister's approval:

Option A

To recommend the SHA proposal to the Minister subject to:

- a) the following affordability criteria being included in the Order in Council;
at least 10% of dwellings must be on individual fee simple titled sections and be sold on the open market to first home buyers at or below 90% of the Hamilton average house value;
- d) the PDA with the developer including any necessary provisions which enforce the delivery of this affordability criteria outcome, including a requirement that the purchaser must be a genuine and arms length first home buyer; and
- e) the Hamilton SHA policy being updated to reflect the changes outlined above.

Option B

To recommend the SHA proposal to the Minister subject to:

- a) the following affordability criteria being included in the order in council;
at least 10% of dwellings must be on individual fee simple titled sections and be sold on the open market at or below 90% of the Hamilton average house value.
and
- d) the PDA with the developer including any necessary provisions which enforce the delivery of this affordability criteria outcome, including a requirement that the purchaser must be a genuine and arms length first home buyer.
- e) the Hamilton SHA policy being updated to reflect the changes outlined above.

Option C

To recommend the SHA proposal to the Minister subject to:

- a) the following affordability criteria being included in the order in council;
at least 10% of dwellings must be on individual fee simple titled sections and sold at or below 90% of the Hamilton average house value.
and
- b) the PDA with the developer including any necessary provisions which enforce the delivery of this affordability criteria outcome, including a requirement that the sale be on the open market to first home buyers, and that the purchaser must be a genuine and arms length first home buyer.
- d) the Hamilton SHA policy being updated to reflect the changes outlined above.

7. Resolution to Exclude the Public

Resolved: (Mayor King/Cr Bunting)

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. Special Housing Area (SHA) Affordability Criteria) Good reason to withhold information exists under Section 7 Local Government	Section 48(1)(a)
C2. Amberfield Subdivision Application) Official Information and Meetings Act 1987	

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 enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
Item C2.	to enable Council to carry out negotiations	Section 7 (2) (i)

Crs Casson and O’Leary retired from the meeting at the conclusion of the open session of the meeting.

The meeting went into a Public Excluded session at 4.16pm.

The meeting was declared closed 5.47pm.

Council Report

Item 7

Committee: Council
Author: Claire Guthrie
Position: Committee Advisor
Report Name: Confirmation of the Elected Member Briefing Notes - 5 September 2018 - Open

Date: 11 October 2018
Authoriser: Becca Brooke
Position: Governance Team Leader

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

That the Council confirm the Open Notes of the Elected Member Briefing held on 5 September 2018 as a true and correct record.

Attachments

Attachment 1 - Elected Member Briefing Open Notes - 5 September 2018

Elected Member Briefing Notes – 5 September 2018 – Open

Attachment 1

Time and date:	5 September 2018
Venue:	Committee Room 1, Hamilton City Council
In Attendance:	Mayor King, Deputy Mayor Gallagher, Crs Pascoe, Taylor, O’Leary, Henry, Southgate, Bunting, Mallett, Hamilton, Tooman, Macpherson
Apology for Full Session:	Cr Casson
Apologies for lateness/early departure:	Cr Macpherson

Discussion

The briefing session covered the following topics in an open session:

- Visitor Destinations Strategy
- External Funding for Priority Projects
- Hamilton Gardens Master Plan
- Growth Indicators
- Doggone Trial
- Carshare Concept

Item 7

The discussion covered a number of key points:

1. Visitor Destinations Strategy

The session was introduced by the GM Community and the Visitor Destinations Manager. A draft promotional video was shown which highlighted visitor destinations in Hamilton, specifically Hamilton Gardens, Hamilton Zoo - Waiwhakareke and the Waikato Museum and outlined measures for promoting and attracting visitors to Hamilton.

Elected Members asked questions in relation to the following:

- the river bank or museum as a riverfront centre
- additional sites and activities to include in the video
- the use of professional voice overs
- consistency in the story thread
- the use of the name Hamilton/Kirikiroa

2. External Funding for Priority Projects

(Presentation was provided)

The Partnership and Sponsorship Manager – Major Projects spoke to the presentation and outlined the external funding requirements to deliver 10 YP projects. She noted that raising over \$20 million was an ambitious target and it was important to focus on the three agreed projects. Feasibility studies would be required for potential sponsors and funders.

Elected Members asked questions in relation to the following:

- the relationship of Hamilton Gardens Development Trust to the proposed funding cycle
- opportunities for naming rights for playgrounds, cycle paths and so on
- the use of name plaques and keeping them updated and cared for
- the process for the funding applications
- the level of flexibility to adjust projects as issues arise or parameters change

3. Hamilton Gardens Master Plan

(Presentation was provided)

The Hamilton Gardens Manager spoke to the presentation which outlined the outcomes and objectives for the Hamilton Gardens in current 10-Year Plan which were to be delivered over three stages. It was expected that a new garden would be opened every six months, and these were outlined along with the additional facilities.

The Chairs from Hamilton Development Trust and the Friends of the Gardens spoke in support of the development proposals and the Council's commitment to the Gardens.

Elected Members asked questions in relation to the following:

- the Rhododendron Lawn conversion to a carpark
- the issues of charging for entry and for parking
- pedestrian and cycle access from the future Peacocke areas
- including more bus routes to allow additional public access
- provision of a small theatre area close to entry to show the development of the Hamilton Gardens

4. Growth Indicators

(Presentation was provided)

The Acting Unit Manager, Economic Growth and Planning, introduced his team and spoke to the presentation. He explained that their goal was to provide professional and accessible reports which would provide meaningful insight and determine effective action. There was a demonstration of some of the tools used to give Council and the public relevant information on growth.

Elected Members asked questions in relation to the following:

- the 'Hamilton Invest' website
- the data sources for the retail spending reports
- the provision of a CPI comparison in reports
- inclusion of sub-regional area data
- the usefulness of predictive figures, particularly for population growth
- importance of the key findings in the Quarterly Indicator Reports
- the relationship between data on spending to data on poverty/deprivation

5. Doggone Trial

The City Safe Unit Manager and the Animal Education and Control Manager presented information on the three-month trial of a new lost dog technology called Doggone starting in October 2018. The trial was being conducted in the Nawton - Western Heights area and 1000 dog owners had agreed to participate. The Doggone tag, as part of the registration tag, contained a GPS chip which was trackable through a smart phone app which was usable by Animal Control staff and members of the public.

6. Carshare Concept

(Presentation was provided)

The GM Infrastructure Operations introduced this item which outlined the provision of hire cars to be used by members of the public or businesses. The cars would be parked in specially marked street carparks and available for hire by anyone with the smart phone app. The benefits included less car ownership with lower numbers of cars on the road, reducing congestion and carparking.

Elected Members asked questions in relation to the following:

- the cost of providing car share parking spaces and the right places for them
- the provision of electric vehicles
- the level of interest from consumers to make this viable
- the need for due diligence from Council
- interconnection of car sharing provision and urban design (no garages or parking spaces)

Council Report

Item 8

Committee: Council
Author: Claire Guthrie
Position: Committee Advisor
Report Name: Confirmation of the Elected Member Briefing Notes - 13 September 2018 - Open

Date: 11 October 2018
Authoriser: Becca Brooke
Position: Governance Team Leader

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

That the Council confirm the Open Notes of the Elected Member Briefing held on 13 September 2018 as a true and correct record.

Attachments

Attachment 1 - Elected Member Briefing Notes - Open - 13 September 2018

Elected Member Briefing Notes – 13 September 2018 – Open

Time and date:	9.30am, 13 September 2018
Venue:	Committee Room 1, Hamilton City Council
In Attendance:	Deputy Mayor Gallagher, Crs Taylor, Henry, Southgate, Bunting, Mallett, Hamilton, Tooman, Macpherson
Apology for Full Session:	Mayor King, Crs Casson, Pascoe, O'Leary
Apologies for lateness/early departure:	Cr Hamilton

Discussion

The briefing session covered the following topics in an open session:

- West Town Belt (WTB) Master Plan
- Heritage
- Peacocke Programme

The discussion covered a number of key points:

1. West Town Belt (WTB) Master Plan

The session was introduced by the Parks Planner, Community, who outlined the community consultation to date and the format for the draft Masterplan. Consultation had been undertaken with major stakeholders along with public open days and feedback opportunities. Public had noted that the range of activities available in the WTB was appreciated but the area was considered to be unsafe at times, hard to get around and dominated by roads, cars and stadia. There was interest in the development of a walk from the lake to the river and in more opportunities for access and usage.

Elected Members asked questions in relation to the following:

- a cycle trail as a shared use space and initiatives to define walkways and cycleways
- removal or alteration of roads to make them more pedestrian friendly
- educating residents on the history and uses of the area through design
- the value of the sports cluster/recreational areas
- a link from Hamilton Lake to the river as a tourist and local attraction
- mix of open space and activities including art and cultural groups

2. Heritage

(Presentation was provided)

The GM Growth spoke to the presentation. The Heritage Plan had not been updated for twenty years and would include a review of the heritage inventory, consultation with the public and the draft plan brought back to Council. There were intersections between the Heritage Plan review with current Council projects, e.g. the Waikato Regional Theatre would be housed in a heritage building and the Central City Park had two listed heritage buildings on the proposed site. It was noted that there were heritage buildings on Victoria Street, opposite both projects, that were seen to add significant value to the area. The Heritage Plan review timelines and processes were outlined.

Elected Members asked questions in relation to the following:

- the importance of preserving history and including indigenous heritage from the beginning of the review
- the value of good urban landscape with functional heritage buildings
- cost of heritage building renovation and the impact on property value from good heritage renovation
- impact of urban design guidance
- overall cost of the Plan changes
- reference to other regional plans
- the importance of the right criteria for assessing heritage buildings

3. Peacocke Programme

(Presentation was provided)

Peacockes Programme Manager spoke to the presentation which outlined the processes involved in monitoring the HIF. The Peacocke Programme would require a 'whole of council' approach with a capital delivery workstream and a planning and consenting workstream. It was noted there would be regular reporting deadlines to monitor timelines and management plans.

Elected Members asked questions in relation to the following:

- the ways progress would be reported
- importance of social infrastructure being included from the beginning of development
- the ways for Elected Members to get information on such a big project
- the effect of linking south suburbs to Hamilton East
- the need to provide green space for cycle ways and walkways in new subdivisions
- facilities to manage wastewater
- contingency plans if there was another financial crisis
- requirement for updates re development outside the boundaries of Peacockes
- the importance of ongoing and wide-ranging communications with residents and general public
- possible liaison processes for Elected Members to be involved with the public

Council Report

Committee: Council **Date:** 11 October 2018
Author: Rebecca Watson **Authoriser:** Becca Brooke
Position: Committee Advisor **Position:** Governance Team Leader
Report Name: Recommendation from the Audit and Risk Committee - Adoption of the Annual Report 2017/18

Report Status	<i>Open</i>
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1. To seek Council's approval for a recommendation from the Audit and Risk Committee at its meeting on 18 September 2018, in respect of adopting the 2017/18 Annual Report.
2. The 18 September 2018 Audit and Risk Committee Agenda and Minutes will be available via the following link:
3. http://www.hamilton.govt.nz/our-council/Council_meetings_and_public_information/meetings-and-minutes/Pages/default.aspx
4. The 2017/18 Annual Report and Summary are attached under separate cover to this report.

Recommendation

That Council adopts the 2017/18 Annual Report.

Attachments

Attachment 1 - 2017/18 Annual Report (*Under Separate Cover*)

Attachment 2 - 2017/18 Annual Report Summary (*Under Separate Cover*)

Council Report

Item 10

Committee: Council

Date: 11 October 2018

Author: Amy Viggers

Authoriser: Becca Brooke

Position: Committee Advisor

Position: Governance Team Leader

Report Name: Chair's Report

Report Status	<i>Open</i>
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Recommendation

That the Council:

- a) receives the report;
- b) defers the Kirikiriroa slip report to the 4th December 2018 Finance committee meeting; and
- c) approves the amalgamation of the Parking taskforce into the Access Hamilton Taskforce, noting that Cr Bunting is the Chair of the Access Hamilton Taskforce (as resolved 6 September 2018 Council Meeting).

Attachments

Attachment 1 - Chair's Report

Attachment 2 - Letter from Sir Don McKinnon Chair NZWMMT - Le Quesnoy

Attachment 3 - Letter two from Sir Don McKinnon Chair NZWMMT - Le Quesnoy



Chair's Report

Kirikiroa Slip Update

As reported to Community, Services and Environment Committee meeting on 11 September 2018, staff have received the final draft Engineers Report for Kirikiroa Slip and were preparing to report back to Council on the 11 October 2018 on options and costings to enable the repair and re-opening of this section of path. In making preparations to report back to Council, it has been identified that the preferred engineered remediation option would require a significant unfunded capital investment. This was discussed with the Capital Investment Board on the 20th September 2018. The Capital Investment Board has requested that staff explore alternatives to the engineered remediation option and that external funding options are confirmed prior to bringing the matter back to Council. This will enable the project cost implications on the overall capital portfolio to be fully understood prior to Council consideration. For the reasons above I am recommending this item be deferred to 4th December 2018 Finance Committee.

Le Quesnoy

Attached are two letters from Sir Don McKinnon seeking financial support for the New Zealand Memorial Museum. I believe Hamilton Kirikiroa has a strong relationship with Ieper in Belgium and that our city will benefit with proposed increased collaboration between our Museum and the Flanders field Museum in Ieper. Given the Council's fiscal constraints I don't see the benefit to Hamilton supporting Le Quesnoy but I am guided by councillors if they would like to look at supporting this financially.

Amalgamation of Parking Taskforce into the Access Hamilton Taskforce

In order to give effect to the discussion at the Growth and Infrastructure meeting on 4 September 2018 to amalgamate the Parking Taskforce into the Access Hamilton Taskforce, a resolution of Council required. Council is therefore asked to approve part c) of the below recommendation.

Recommendation

That the Council:

- a) receives the report;
- b) defers the Kirikiroa slip report to the 4th December 2018 Finance committee meeting; and
- c) approves the amalgamation of the Parking taskforce into the Access Hamilton Taskforce, noting that Cr Bunting is the Chair of the Access Hamilton Taskforce (as resolved 6 September 2018 Council Meeting).

Andrew King
Mayor - Hamilton City Council
Love Hamilton



*From the office of the Patron
Rt Hon Sir Don McKinnon*

14 December 2017

Dear Mr. Andrew King
Mayor of Hamilton

New Zealand War Memorial Museum, Le Quesnoy

On November the 14th my colleague Herb Farrant and I met with the leaders of the Executives of Local Government NZ to inform them about our goal to develop a New Zealand War Memorial Museum in Le Quesnoy, France.

We are sorry we have not been able to make the same presentation to your council before asking you for financial support as we are now.

Your own War Memorials tell very solemnly of your own local folk who went and never returned and so we hope their sacrifice inspires you and others to support us.

To recap the story of New Zealand and the town of Le Quesnoy:

On November 4, 1918 Le Quesnoy, in northern France, was liberated solely by New Zealand soldiers. The New Zealanders chose to use ladders and ropes, rather than grenades and mortar fire, to make their way into the town, to avoid civilian casualties and to preserve the fabric of the walled town. They took 2,000 Germans prisoner, and there was no loss of civilian life. However, 135 courageous New Zealanders died in the battle. Their sacrifice forged an enduring link between the people of Le Quesnoy and their liberators, the brave strangers from the other side of the world.

Many New Zealanders spend time in Europe visiting the graves of family members who fought in the wars, retracing the fateful steps of the dead and of those who eventually returned home, many wounded, all of them changed for life after witnessing the horror of war. Nearly 100 years since the end of WW1, there is no dedicated place in Europe that tells these amazing stories, but that is about to change.

Along with a group of like-minded people, I am behind the establishment of the first permanent New Zealand War Memorial Museum in Europe - and it will be in Le Quesnoy. The battle of 4 November 1918 will be highlighted alongside exhibitions and displays relating to all of New Zealand's valiant efforts during WW1 and WW2.

The Museum will be located in a beautiful building, which has been used briefly as the Mayor's residence and more recently as the local Gendarmerie HQ. The building is on an impressive site that allows for development of an annex and accommodation for visitors to the town.

www.nzmemorialmuseum.co.nz | nz.lequesnoy@gmail.com

The New Zealand Memorial Museum Trust's work is well underway to raise funds to develop the property and ensure that the whole project is carried out in a way that befits its importance. It is intended that the bulk of the fundraising will be completed by 4 November 2018, the centenary of the liberation of Le Quesnoy.

This facility will ensure that the stories of courage and a belief in freedom are carried through future generations.

Now is the time to honour the New Zealanders who served in the World Wars, many of them never to return home. I'm counting on generosity from fellow New Zealanders, especially you and your citizens of Hamilton City to help achieve this. I welcome the chance to have a further discussion about this exciting and overdue project to see how you can help. I will follow up this letter in a few days with a call, but if you wish to respond first, I would be pleased to hear from you.

The enclosed brochure tells a more detailed story and a suggestion of how to make a contribution.

I encourage you to support this special project and I thank you for your time and consideration.

Yours sincerely,

Sir Don McKinnon
Chair of NZWMMT-Le Quesnoy

www.nzmemorialmuseum.co.nz | nz.lequesnoy@gmail.com



4 September 2018

Mr. Andrew King
Mayor of Hamilton

Dear *Andrew*

It was good to meet you in Ypres and more particularly take part in the evening Menin Gate Ceremony on the occasion of the 90th Anniversary of such event. I am sure you found as we did not only a continual interest in such an event, but the commitment by the town to ensure that ordeal of more than 100 years ago is not forgotten and the growing numbers of travelling Kiwis who turn up to such events.

It is that last comment which has been manifested by the 1000's of New Zealanders, young and not so young that my trust is addressing by virtue of the development of a War Memorial Museum in the French town of Le Quesnoy, some two hours South of Ypres.

I did write to you earlier in the year as the head of an important local authority seeking financial support for this project. Now that you have seen parts of the Western Front, I would encourage you to read again the letter I sent to you and follow through with a discussion amongst your fellow councillors in that you are bringing firsthand knowledge advice.

When local authorities ask "how much?" we will say \$1 per citizen over 3 years, but that is all over to you.

Thank you for your time I look forward to hearing from you.

With kind regards to you and your wife

Yours sincerely, *a kind wish*

Sir Don McKinnon

www.nzmemorialmuseum.co.nz | nz.lequesnoy@gmail.com

Mobile: + 64 21 112 5665 | Email: deltamike41@gmail.com

Council Report

Committee: Council **Date:** 11 October 2018
Author: Riki Manarangi **Authoriser:** Jen Baird
Position: Corporate Policy Specialist **Position:** General Manager City Growth
Report Name: Psychoactive Substances Policy - Review

Report Status	<i>Open</i>
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Purpose

- To meet legislative requirements under [Psychoactive Substances Act 2013](#) (**the Act**) in relation to completing a review of the Council's Psychoactive Substances Policy (**Council's policy**).

Staff Recommendation

- That the Council approves that the Psychoactive Substances Policy remain unamended and that the next 'review by' date be February 2021 to comply with the Psychoactive Substances Act 2013.

Background and Discussion

- Councils have the option to adopt a Psychoactive Substances Policy ([s66](#), the Act) to minimise the harm caused by psychoactive substances by limiting where retail outlets that sell approved products can be located in relation to:
 - a defined area (e.g. Central City) ([s68\(a\)](#), the Act) and/or;
 - other retail outlets selling approved psychoactive products ([s68\(b\)](#), the Act) and/or;
 - sensitive sites (e.g. library, hall, medical centres, schools, etc) ([s68\(c\)](#), the Act).
- An [approved product](#) is a product that demonstrates no more than a low risk of harm to individuals and that has the same risk profile as over-the-counter medicine. The non-refundable application fee to seek approval is \$175,000 with a \$88,000 annual levy, payable to the MoH. These fees exclude any [testing](#) costs (e.g. toxicology). There is a minimum two-year approval process and the MoH have confirmed that no applications to approve a product have been received and therefore there are no approved products to be sold.
- The Council's [existing Psychoactive Substances Policy](#), attachment 1 of this report, was adopted February 2014 and outlines that a retail outlet may establish and sell approved products in the Central City subject to:
 - a 500m radius buffer zone from another retail outlet selling approved products and;
 - a 100m radius buffer zone from sensitive sites (sensitive sites are defined in Council's policy).
- For councils that have chosen to adopt a policy, there is a legislative requirement to complete a review of Council's policy within five years of adoption ([s69\(4\)](#), the Act). This legal requirement has prompted this report.

7. A map is produced, updated quarterly and uploaded onto the Council's website outlining where the current permitted locations are within the Central City, taking into consideration restrictions such as sensitive sites (refer to the current (August 2018) map [here](#)).
8. The MoH has confirmed that since the Act has been in place, nationally, there have been [no applications](#) for a retail outlet licence received. The non-refundable [fee](#) for a licence application is \$12,000 with a \$7,000 annual levy, payable to the MoH.
9. As there have been no retail outlet applications, Council's policy has not been referred to for the purposes of the Psychoactive Substances Regulatory Authority approving a licence for a retail outlet.
10. The City Solicitor has confirmed that the Council is legally able to resolve that the policy continue unamended following this review without the need to use the Special Consultative Procedure (**the SCP**). Doing this will entail no further cost beyond the \$2,000 cost for this report.
11. The Council also has the option to amend Council's policy, however, any amendments to the policy must be made in accordance with the SCP ([s69\(2\)](#), the Act) which would require:
 - a minimum one-month public consultation and;
 - the requirement to provide an opportunity for submitters to be heard (e.g. a hearing).
12. The estimated cost to undertake any amendment given the SCP requirement will entail an additional \$13,000 - \$23,000 (estimated) depending on:
 - the proposed changes and;
 - the amount of submissions received and;
 - the amount of submitters wishing to be heard.
13. Although Council's policy can restrict locations, the Act does not permit any amendments to the Policy that will prohibit the sale of psychoactive substances completely in Hamilton City as approved products under the Act are legally allowed to be sold.
14. Staff recommend that the Council resolve that Council's policy continue unamended as the outcome of this review given:
 - community views were captured on Council's policy given the SCP was undertaken to adopt the policy (for submission information click [here](#))
 - the area where a retail shop is permitted under the existing policy is limited given the comprehensive list of sensitive sites (refer to map [here](#))
 - no products have been approved since the Act has been in force (2013)
 - no applications have been made for a retail licence since the Act has been in force (2013)
 - the further cost to undertake any amendment given the requirement to follow the SCP.
15. If the staff recommendation is approved, the next review by date for the policy will be in February 2021.
16. Staff consider the decision in this report has a low significance, that the SCP is not required and therefore that the recommendation complies with the Council's legal requirements.
17. The costs to review the policy up to and including this report is \$2,000 of staff time.
18. There are no known risks associated with the decisions required for this matter.

Attachments

Attachment 1 - Psychoactive Substances Policy

First adopted:	27 February 2014
Revision dates/version:	Updated for Governance Structure February 2017 Reviewed by December 2018
Next review date:	
Engagement required:	
Document number:	D-1168894
Associated documents:	
Sponsor/Group:	General Manager – City Growth

Psychoactive Substances Policy

(Local Approved Products Policy)

Purpose and scope

1. This Policy is made under the provisions of Section 66 of the Psychoactive Substances Act 2013.
2. The purpose of this Policy is to set a clear framework to be applied to all applications that the 'Psychoactive Substances Regulatory Authority' considers when granting licenses for premises that sell approved products in Hamilton City.
3. The objectives of this Policy are to:
 - a. Minimise the harm to the community caused by psychoactive substances by defining the permitted location of retail premises.
 - b. Ensure that Council and the community have influence over the location of retail premises in the city.
4. The requirements of the Resource Management Act 1991, Hazardous Substances and New Organisms Act must be met in respect of any premises holding a licence.
5. This Policy applies to: any application for licence as defined in the Act to sell approved products from a retail premise from the date that this policy comes into force

Introduction and Overview

6. A Local Approved Products Policy (LAPP) is a set of policy criteria and decisions made by a Council in consultation with its community which may restrict the location of premises selling psychoactive products in its geographical area. This Policy addresses community concerns regarding the location of premises selling psychoactive products, while meeting the statutory requirements of the Psychoactive Substances Act 2013 (the 'Act').
7. A LAPP provides the Psychoactive Substances Regulatory Authority ('Authority') with a Policy framework when making decisions on licence applications to sell psychoactive products in Hamilton, to enable the Authority to better meet the purpose of the Act which states that "The purpose of this Act is to regulate the availability of psychoactive substances in New Zealand to protect the health of, and minimise harm to, individuals who use psychoactive substances."
8. This Policy does not apply to retail premises where internet sales only are made or to premises where the sale of approved products is by wholesale only.

Strategic alignment

9. This Policy assists in the delivery of Council's outcomes and goals as follows:

Prosperous and

Outstanding City Leadership

People Love Living Here

Page 1 of 4

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

■ = primary contribution

Definitions

10. When interpreting this Policy use the definitions set out in Definitions of this Policy unless the context requires otherwise. If you see a reference to a repealed Act, regulation, district plan, bylaw or policy, read that as a reference to its replacement.

Definition	Detail
Approved location	Means an area where premises from which approved products may be sold are permitted to be located.
Approved product	Means a psychoactive product approved by the Authority under Section 37 of the Act.
Authority	Means the Psychoactive Substances Regulatory Authority established by Section 10 of the Act.
Central city area	Means the area of Hamilton defined by the Central City Zone of the Proposed Hamilton City District Plan (or the resulting Operative District Plan).
Licence	Means a licence, as defined by the Act.
Psychoactive product or product	Means a finished product packaged and ready for retail sale that is a psychoactive substance or that contains one or more psychoactive substance.
Regulations	Means regulations made under the Act.
Retail premises	Means premises for which a licence to sell approved products by retail has been granted.
Retailer	Means a person engaged in any business that includes the sale of approved products by retails.
Sell	Includes sold and sale. Includes every method of disposition for valuable consideration, for example: <ul style="list-style-type: none"> a. Offering or attempting to sell or giving in possession for sale, or exposing, sending, or delivering for sale, or causing or allowing to be sold, offered, or exposed for sale. b. Retailing, wholesaling.
Sensitive site	Includes: <ul style="list-style-type: none"> a. any library, museum, community hall or recreational facility; b. any place of worship, school, childcare facilities, or other educational

	<p>institution;</p> <p>c. any premises occupied by a social welfare agency such as Work and Income or similar agency;</p> <p>d. pharmacies and medical centres</p> <p>e. Civic Square, Garden Place, the Hamilton High/District Court, Embassy Park, the River Walkway, stand-alone public toilets, the Hamilton Transport Centre and key bus stops.</p> <p>f. any property located in the Residential Zone in the Proposed Hamilton City District Plan (or the resulting Operative District Plan).</p> <p>Childcare facilities: Means premises (public and private) where children are cared for or given basic tuition and includes a crèche, day or after-school care, pre-school, kindergarten, kohanga reo or play centre. This term excludes a school.</p> <p>Educational institution: Means premises used to provide regular post-school education or vocational training. Includes private tertiary establishments.</p> <p>Key bus stops: means a bus stop that services more than three routes and that has 20 or more passengers using the stop to board a bus daily.</p> <p>Medical centres: means premises providing services for essential physical and mental health and welfare, performed by duly qualified practitioners or by persons in their employ, for example, primary health providers (general practitioners).</p> <p>School: means premises used to provide regular instruction or training of children including primary, intermediate and secondary schools, and their ancillary administrative, cultural, recreational or communal facilities.</p>
The Act	Means the Psychoactive Substances Act 2013

Policy

11. This Policy does not limit the number of retail premises or restrict the issue of licences, provided the Policy criteria outlined below are met.
12. Location of retail premises from which approved products may be sold is restricted by this Policy to an approved location identified in the Central City Area.
13. Location of retail premises in relation to premises or facilities of a particular kind or kinds:
 - a. All retail premises from which approved products may be sold are not permitted within 100 metres of a sensitive site existing at the time the licence application is made.
 - b. For the purposes of clause 14(a) the separation distances are measured from the legal boundary of each sensitive site.
14. Location of retail premises in relation to other retail premises from which approved products are sold
 - a. Retail premises from which approved products may be sold are not permitted within 500 metres of another retail premises from which approved products may be sold.
 - b. For the purposes of clause 14(a) the separation distances are measured from the legal boundary of the premise.

Review

15. The General Manager, City Growth will monitor the implementation of this Policy.
16. The Policy will be reviewed every five years as required by the Psychoactive Substances Act 2013, or at the request of Council, or in response to changed legislative and statutory requirements, or in response to any issues that may arise.

References

- Psychoactive Substances Act 2013.
- Public Places Bylaw 2009 and Public Places Policy.
- Smoke-free Environments Policy.

Council Report

Committee:	Council	Date:	11 October 2018
Author:	Blair Bowcott	Authoriser:	Blair Bowcott
Position:	Executive Director Special Projects	Position:	Executive Director Special Projects
Report Name:	Waikato Plan		

Report Status	<i>Open</i>
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Purpose

- To confirm Hamilton City Council's ongoing participation in the Waikato Plan.

Staff Recommendation

- That the Council:
 - notes the Waikato Plan Leadership Group has been established as a Standing Committee of Waikato Regional Council, and that the Committee has the terms of reference and membership as outlined in Attachment 1;
 - notes the transition to the new administration and delivery arrangements co-ordinated by Waikato Regional Council, which is in accordance with the McGredy Winder report;
 - approves the disestablishment of the Waikato Plan Leadership Group Joint Committee; and
 - approves Hamilton City Council's continued participation in the Waikato Plan.

Executive Summary

- At the [28 June 2018 Council](#) meeting, Council resolved to support "in principle the recommendations of the McGredy Winder report to amend the Waikato Plan Leadership Groups Terms of Reference and to re-shape the project management, programme development, business case and funding arrangements for the Waikato Plan."
- Council also resolved that Hamilton City Council would "continue to participate in the Waikato Plan subject to the substantive recommendations of the McGredy Winder report being supported and adopted by the other partner councils, stakeholders and the Waikato Plan Leadership Group."
- The other partner councils, stakeholders, Mayoral Forum and the Waikato Plan Leadership Group (WPLG) agree with the substantive recommendations of the McGredy Winder report.
- Hamilton City Council sought a reduction in the number of WPLG Members to 12. This was not supported by the other partners in the Waikato Plan, who view that the WPLG is effective with the larger number of current members. Mayor Andrew proposed to the WPLG that a Co-Chair model be adopted, with Iwi appointed to one of the Chair roles. This was supported by the other partners and is reflected in the Terms of Reference.

7. The Waikato Plan Leadership Group will transition to a Committee of the Waikato Regional Council. As a procedural consequence of this change, the current Waikato Plan Leadership Group Joint Committee needs to be disestablished.
8. Updated Terms of Reference for the reformed Waikato Plan Leadership Group have been prepared and endorsed by the Mayoral Forum and WPLG and were adopted by Waikato Regional Council in September 2018. Those Terms of Reference are presented with this report in Attachment 1 for endorsement.
9. Remaining a partner in the Waikato Plan does not involve any future cost to HCC unless Council chooses to participate in project implementation on a case-by-case basis, funded through operating budgets.
10. Staff recommend that Council continues to participate in the Waikato Plan noting that although the size of the committee has not been reduced, this is of limited consequence given Council's future participation is optional, and that the group has been functioning well.
11. Staff consider the decisions requested have low significance and that the recommendations comply with the Council's legal requirements.

Background

12. A "Review of the "Waikato's 4 Well Beings Implementation Structures and Processes 2018" was undertaken by independent consultant Peter Winder (McGredy Winder) and has been considered by all parties to the Waikato Plan.
13. At the [28 June 2018 Council](#) meeting it was resolved:

That the Council:

- a) *supports the recommendations of the McGredy Winder report to amend the Waikato Plan Leadership Group Terms of Reference and to re-shape the project management, programme development, business case and funding arrangements for the Waikato Plan;*
- b) *confirms that Hamilton City Council will continue to participate in the Waikato Plan subject to the substantive recommendations of the McGredy Winder report being supported and adopted by the other partner councils, stakeholders and the Waikato Plan Leadership group;*
- c) *delegates to the Chief Executive the authority to commence immediate negotiations with other partner councils, stakeholders and the Waikato Plan Leadership Group to implement the amendments and agree a transition for the Waikato Plan in accordance with the substantive recommendations of the McGredy Winder report;*
- d) *notes that under this proposed model that Hamilton City Council makes no financial contribution to the core project manager, programme and business case development of the Waikato Plan;*
- e) *agrees that should the other partner councils, stakeholders and Waikato Plan Leadership Group not agree with the substantive recommendations of the McGredy Winder report and that if a transition plan is not finalised in a timely manner to the satisfaction of the CEO, that Hamilton City Council withdraws from the Waikato Plan;*
- f) *confirms HCC's representative on the Leadership Group as being Mayor or Mayor's Nominee;*
- g) *notes that amended Terms of Reference for the Waikato Plan Leadership Group will come back to Council for approval in due course;*

h) requests that as part of the negotiations (described in C above) the CEO negotiate to reduce the membership of the Waikato Plan Leadership Group significantly.

14. This report responds to resolutions b), e), g) and h) noted above.

Discussion

15. The report to Council on [28 June 2018](#) discussed in detail the findings of the McGredy Winder report and the commentary in that report remains current.
16. The other partner councils, stakeholders, Mayoral Forum and the Waikato Plan Leadership Group (WPLG) support the recommendations of the McGredy Winder report. A transition plan has been agreed which will see new support arrangements co-ordinated by Waikato Regional Council in place by November 2018.
17. A key action from the McGredy Winder report is the refresh of the Terms of Reference for the WPLG. These changes are included as Attachment 1. The Terms of Reference also change the WPLG from being a Joint Committee of councils to a Waikato Plan Leadership Committee that becomes a Committee of Waikato Regional Council. Moving from a Joint Committee to a Committee of Waikato Regional Council, with members invited on to the Committee, will contribute to increased project efficiencies, that is, the Terms of Reference do not have to be approved by every Council in the region.
18. As a Committee of Waikato Regional Council, it is not able to make decisions on behalf of other local authorities. This is reflected in the revised Terms of Reference for the Committee which sets out its objective as being a clearinghouse, facilitator and influencer, encouraging the allocation of resources rather than as the place that directs other people's resources.
19. Margaret Devlin, who has fulfilled the role of the independent Chair to date, has resigned from the position and as such this has provided an opportunity to change the Terms of Reference in regard to the Chair position with a co-chair arrangement now included. The Co-Chairs will be elected by the WPLG at the next meeting.
20. In endorsing the Terms of Reference, and also endorsing the Waikato Plan Leadership Committee as a Committee of Waikato Regional Council, there is a need for Council to pass a resolution disestablishing the Waikato Plan Leadership Group Joint Committee.
21. Hamilton City Council was the only partner council at the Mayoral Forum advocating for a significant reduction in the number of WPLG members. The other partner councils considered that the WPLG was still effective with the current number of members, noting that with the transition to a Co-Chair, there is an effective reduction of one member.
22. It is the staff recommendation that Hamilton City Council remains a member of the Waikato Plan, despite the size of the Committee not being reduced, for several reasons. Firstly, Council lost any ability to leverage the size of the committee when it withdrew from funding on-going administration and co-ordination costs. Given that Council is not providing on-going funding, the size of the committee is inconsequential. Finally, the large group has been seen to be functioning well in recent times.

Financial Considerations

23. Hamilton City Council had a commitment from the 2017/18 year to make a final part payment to the Waikato Plan relating to contractual commitments made by the partnership up until December 2018. The sum of \$40,950 was paid in August 2018 to the Waikato Plan representing 50% of the 2018/19 budgeted contribution by HCC. This cost was known and accrued into the 2017/18 financial year. Hamilton City Council has no further financial liability to the Waikato Plan.

24. In accordance with the business case principles outlined in the McGredy Winder Report, any further costs for HCC will be on a case-by-case basis should Council opt to participate in any future Waikato Plan initiatives or projects, and this will be provided from existing operating budgets.
25. The future administration and co-ordination funding for the Waikato Plan will come from a combination of funding from Waikato Regional Council, the other Councils and stakeholder entities who are supportive of the Waikato Plan and its outcomes (and who have expressed a willingness to contribute to resources). All other councils and stakeholders have acknowledged that HCC will no longer contribute to these administration and co-ordination costs.
26. All other partner Councils have made a full payment for 2018/19 year in accordance with Year 2 of the Waikato Plan budget.

Significance & Engagement Policy

Significance

27. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendation(s) in this report have a low level of significance.

Engagement

28. Given the low level of significance determined, the engagement level is low. No engagement is required.

Attachments

Attachment 1 - Revised Waikato Plan Leadership Group Terms of Reference

Attachment 1: Waikato Plan Leadership Group – DRAFT Revised WRC Committee Terms of Reference Case

Waikato Plan Leadership Committee

Reporting to: Waikato Regional Council, and partner agencies

Constitution: The membership shall be comprised as follows:

- One voting member appointed by the Waikato Regional Council
- One voting member appointed by the Future Proof Group (Hamilton City Council, Waipa District Council, Waikato District Council)
- One voting member jointly appointed by Hauraki District Council, Matamata-Piako District Council and Thames Coromandel District Council.
- One voting member jointly appointed by Otorohanga District Council, South Waikato District Council, Taupo District Council, and Waitomo District Council
- One voting member appointed by Hamilton City Council
- Up to six voting members appointed by Tāngata whenua and confirmed as members by the Waikato Regional Council
- Up to four voting members being business and/or community representatives confirmed as members by the Waikato Regional Council
- One non-voting member being a representative of the Waikato District Health Board
- One non-voting member being a representative of the
 - New Zealand Transport Agency
 - Ministry of Social Development
 - Ministry of Education

Non-voting members being representatives of relevant Government Agencies as required.

The Leadership Committee will be co-chaired by one iwi representative and any other voting member of the Leadership Group. Both Chair Roles will have deputies appointed.¹

The Co-Chairpersons and Deputy Chairpersons will be selected from the members of the Leadership Committee and appointed by the voting members of the Group at its first meeting after each local government election. The term of appointment for the Chairpersons

¹ (Note: the Waikato Plan Leadership Group will be guided in its selection of the Iwi Chair roles by Iwi representatives)

and Deputy Chairpersons will be until the next local government election.

A vacancy in membership of the Leadership Committee shall not limit its ability to meet and fulfil its purpose.

Quorum: The quorum will be half of the appointed voting members of the Leadership Committee.

Any vacancy in an appointed voting member position will result in the quorum being reduced accordingly.

Meeting Frequency Bi monthly or as necessary and determined by the Co-Chairs of the Leadership Committee

Objectives: The Leadership Committee has been established to facilitate and encourage the implementation of the Waikato Plan and undertake any reviews or updates to the Plan.

The Leadership Committee will function as a clearinghouse, facilitator and influencer, encouraging the allocation of resources to achieve agreed regional priorities. It will also act as the facilitator of the Waikato message, building the authority and influence the Waikato has by encouraging the many legitimate voices in the region to say the same thing and advocate for the same outcomes for the region.

As a Committee of Waikato Regional Council, the Leadership Committee is not able to make decisions on behalf of other local authorities

SCOPE OF ACTIVITY

1. Implementation, Monitoring and Reporting

- Provide regional leadership on the strategic direction and priorities identified in the Waikato Plan.
- Oversee, facilitate and encourage the implementation of the Waikato Plan, in particular the actions.
- Develop and recommend to Council partners any finalised changes or amendments to the Waikato Plan for adoption.
- Oversee the development of business cases targeting the implementation of Waikato Plan actions.
- Act as a clearinghouse and reporting forum for implementation actions, ensuring that partners understand what each other is doing and can identify opportunities for effective collaboration.
- Champion the integration of partner strategies, programmes, and plans and encourage partnerships with other sectors such as health, education and business.
- Encourage consistent, collaborative and/or coordinated activity designed to implement the Waikato Plan actions and to achieve optimal outcomes.

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- Monitor and regularly report progress against Waikato Plan actions and Key Performance Indicators to partner organisations and the public.
- Encourage partners and other organisations to allocate the resources necessary to implement the Waikato Plan actions.

2. Advocacy, Engagement and Consultation

- Facilitate and encourage the many legitimate voices in the Waikato to say the same thing when advocating for the Waikato and agreed Waikato Plan priorities.
- Develop and recommend to partners draft submissions to decision makers and advocacy plans designed to support the implementation of the Waikato Plan.
- Formulate, manage and have oversight of the running of any special consultative procedure or any other consultation, including those associated with any changes or amendments to the plan.
- Undertake early engagement with plan partners, the Waikato Mayoral Forum and other entities in respect of undertaking any changes or amendments to the adopted plan.
- Prepare and consult with partner agencies each year on a draft workplan.
- Report to partner agencies annually on progress with implementing the Waikato Plan and the annual work programme.

3. Leadership Group Operations

- Oversee the ongoing selection and appointment of representatives to the Waikato Plan Leadership Group.
- Implement any Memorandum of Understanding agreed between the partners.

DELEGATIONS

1. To oversee the implementation, monitoring and review of the Waikato Plan
2. To report back to Council and partner agencies on Waikato Plan implementation

ADMINISTRATION

1. The Waikato Regional Council will provide administration and support for the Leadership Group.

RESOURCING

1. The members of the Leadership Group will each bear their own costs of participation and those members whose participation is not part of their other governance or employment arrangements may receive appropriate remuneration from the Waikato Regional Council.

COMMUNICATION

1. Communication with the media and the wider public will be in accordance with an agreed communications protocol to be approved from time to time by the Leadership Committee.

REVIEW

1. A review of the Leadership Committee and its Terms of Reference will be undertaken at the beginning of each electoral term as part of the development of the Waikato Triennial Agreement.

Council Report

Item 13

Committee: Council
Author: Blair Bowcott
Position: Executive Director Special Projects
Date: 11 October 2018
Authoriser: Jen Baird
Position: General Manager City Growth Projects
Report Name: Greater Hamilton Growth Strategy

Report Status	<i>Open</i>
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Purpose

1. The purpose of this report is to seek Council endorsement for the development of a Greater Hamilton Growth Strategy for Hamilton and the surrounding areas.

Staff Recommendation

2. That the Council:
 - a) receives the report;
 - b) notes that on-going work is occurring on the Hamilton to Auckland Corridor Plan which involves participation with central government, local government and iwi partners to progress a number of priority initiatives including the development of a long-term Metropolitan Spatial Plan for an area surrounding Hamilton broadly from Ngaruawahia to Cambridge/Te Awamutu;
 - c) approves the preparation of a Greater Hamilton Growth Strategy for the long-term future growth and form of the City reflecting Hamilton in its broadest sense. The Growth Strategy to include a future land release programme and strategy for residential and employment land, identifying any additional areas of land outside of the City required for growth into the future and how Hamilton will deliver the Growth Strategy outside its boundary without direct control of the land;
 - d) notes that Future Proof Implementation Committee are undertaking a review of Future Proof to consider the context for sub-regional collaboration and that a report on the outcome of this review will be brought to Council for consideration; and
 - e) approves exploratory discussions with adjoining territorial authorities and Future Proof by the Mayor, the Chair of Growth and Infrastructure Committee, and the Chief Executive as to how the future growth of the City (expressed within the Greater Hamilton Growth Strategy) can be jointly planned and managed to best serve the needs of the growth across these communities, including the provision of additional land for the City, noting that these discussions are:

- i. intended to identify a range of information, opportunities and scenarios to assist the Council with the development of the Greater Hamilton Growth Strategy;
- ii. do not commit the Council to course of action or decision; and
- iii. will be reported to the Council on a regular basis for information and/or consideration.

Executive Summary

3. Hamilton and its surrounds are part of the fastest growing area in the country. To ensure that the Greater Hamilton area remains attractive, sustainable and prosperous for people and businesses alike, there is a need to carefully plan for this growth.
4. Planning and thinking about future communities requires a vision for the long term, rather than the typical 30 year focus. When thinking about Hamilton in its broadest sense, taking a 100 year view is not unrealistic.
5. As part of any long term planning, there is a need to ensure Hamilton has an up-to-date future land release programme for residential and employment land. Planning for Hamilton's growth requirements also needs to look beyond the current boundaries and consider the economic and communities of interest that interact with Hamilton.
6. The development of a new Greater Hamilton Growth Strategy will determine how best the City and its surrounds can be planned, managed and, in time, developed to meet population and economic growth.
7. The development of the Greater Hamilton Growth Strategy will occur alongside the preparation of a long-term Metropolitan Spatial Plan for the wider Hamilton area to be facilitated by Central Government, in line with the emerging direction of the Hamilton to Auckland Corridor Plan. The intention of both of these initiatives is to inform the future form of Hamilton and surrounds, and enable joined-up regional planning, funding and delivery of infrastructure.
8. The Hamilton to Auckland Corridor Plan is a transformational opportunity for Hamilton to embrace given the long term outcomes that the Plan can deliver. The Corridor Plan is a project of national significance under the Government's Urban Growth Agenda and will become a "blueprint" for enabling and managing growth in partnership with the Government, Iwi and other councils. Being involved in the Corridor Plan will enable Hamilton and all the stakeholders and government agencies to have an aligned long term view. The benefit of this alignment cannot be overstated, especially when seeking Government funding and support in the future. Hamilton needs to proactively lead the input and development of the Corridor Plan, and the Greater Hamilton Growth Strategy process will provide the platform for this co-ordinated input.
9. Alongside the preparation of the Greater Hamilton Growth Strategy and the Corridor Plan, it is proposed that the Mayor, Chair of Growth and Infrastructure and the Chief Executive participate in discussions with neighbouring councils and Future Proof for Council to consider how joint planning and management of the Greater Hamilton area can be achieved. These initial discussions are non-binding on all parties and that information on the discussions and any possible opportunities or scenarios for the Greater Hamilton Growth Strategy proposed

through those discussions will be regularly brought back to the Council for information, consideration and/or approval as appropriate.

10. Staff consider the matters in this report have medium significance and that the recommendations comply with the Council's legal requirements.

Government Urban Growth Agenda

11. The Government Urban Growth Agenda (UGA) is a multi-faceted programme to improve housing affordability underpinned by affordable land. It is an initiative of a number of Government Ministries, primarily lead by the Ministers of Housing, Transport, Finance, Environment and Local Government.
12. The UGA is a shift in the approach to urban development and infrastructure and the mix of instruments and levers that are available.
13. It is designed to address fundamentals of land supply, development capacity and infrastructure provision by removing undue constraints and introducing innovative practices and tools used overseas to deliver growth outcomes.
14. The UGA has five interconnected focus areas:
 - Infrastructure Funding and Financing – the introduction of new funding and financing tools to enable a more responsive supply of infrastructure and appropriate cost allocation
 - Urban Planning – the introduction of new planning tools, primarily focused around an Urban Development Authority, to allow for cities to respond more quickly through planning processes to make room for growth, support quality built environments and enable strategic integrated planning
 - Spatial Planning (initially focused on Auckland and the Hamilton-Auckland corridor) – to build a stronger partnership with local government as a means of developing integrated spatial planning
 - Transport Pricing – to ensure the price of transport infrastructure promotes efficient use of the network, through initiatives such as variable road toll pricing, fuel taxes, congestion charges
 - Legislative reform – to ensure that regulatory, institutional and funding settings are collectively supporting UGA objectives, with a focus on the Local Government Act, Resource Management Act and Land Transport Management Act.

Hamilton's Growth Story

15. Hamilton is the 4th most populous and one of the fastest growing cities in New Zealand but is the third smallest territorial authority by area. Projections indicate that this growth is set to continue for the foreseeable future, supported by key initiatives such as the increasing diversification of the Hamilton economy, the developing logistics hub around Hamilton, the completion of the Waikato Expressway in 2020 and the proposed passenger rail service between Hamilton and Auckland.

16. Growth around Hamilton is also occurring, both within the Waipa and Waikato Districts. Many of the towns, most notably Cambridge are enjoying substantial growth. The villages are also growing, but also particularly in Waikato District, growth of 'lifestyle' living is occurring near Hamilton's boundary. Some of this growth has and will continue to blur the line as to 'what is Hamilton'.
17. In approximately 50 years time, the Hamilton population will be between 250,000 to 300,000 if current projections continue. In this same timeframe, the wider area that interacts with Hamilton in an economic and communities perspective will have a population of approximately 500,000.
18. For the public, land owners and developers the territorial boundaries are not necessarily reflective of the communities that people associate with or work/study/play in. For territorial authorities, there is a need to better understand and plan for communities, rather than focus on traditional boundaries and lines on maps.
19. The small size of the HCC's land area and the fact much of the urban development in the City abuts our neighbours, results in Hamilton having an economic and community setting which, although not technically within its boundaries, is functionally intertwined with the City and its administration. This wider area of land can be referred to as "Greater Hamilton."
20. Planning decisions made by Waikato and Waipa District councils are important to Hamilton as they can impact upon its infrastructure and future ability to grow in a sustainable, affordable manner.

Planning for Hamilton's Future – Proposed Approach

21. To continue to foster Hamilton's prosperity for Hamilton residents and those beyond, we need to ensure that the Greater Hamilton area is attractive, sustainable and prosperous for people and businesses alike. This would include growing an effective transport network, with public transport at the forefront; affordable and workable infrastructure; and a diverse range of housing options to cater for the wider community.
22. These projects/approaches are all inter-connected and will run in parallel, but all are important in developing a local government setting that is:
 - more connected to the range of communities that it serves, not just those in the existing City boundary;
 - more joined-up in decision-making on regional planning, funding and delivery of infrastructure;
 - better equipped to deliver growth serviced with sustainable and affordable infrastructure;
 - able to access to new Government tools in funding/financing and urban development delivery (and pilot opportunities to test these new tools) and
 - better equipped to accommodate new homes and businesses.
23. The outcome being sought through this suite of projects/approaches is that all the influences on the city, and not just those in our boundary area, are taken into account in planning and decision making.

24. To achieve these desired outcomes, Hamilton City Council needs to be able to have a greater say over what happens beyond our current territorial boundaries. This will be achieved through four key projects/approaches:
- Partnering with Central Government; Auckland Council, Sub-regional Partners and iwi in the development of **Hamilton to Auckland Corridor Plan** process, in particular, the Metropolitan Spatial Plan. The draft Corridor Plan was the subject of a workshop with Council on 4 October 2018. A further report on the Corridor Plan will be brought back in December 2018;
 - The need to develop a **Greater Hamilton Urban Growth Strategy**, the topic of this report;
 - **Reviewing the role of Future Proof** in the context of the collaborative work to be undertaken through the Hamilton to Auckland Corridor Plan, the Greater Hamilton Urban Growth Strategy and requirements under the National Policy Statement on Urban Development Capacity;
 - The **Mayor, Chair of Growth and Infrastructure Committee, and Chief Executive** discussing Hamilton's future growth with adjoining territorial authorities and Future Proof to explore how it can best be planned and managed to best serve the needs of communities as they grow.

Hamilton to Auckland Growth Corridor and Metropolitan Spatial Plan

25. As part of the Government's Urban Growth Agenda and focus on spatial planning, the Auckland to Hamilton Corridor Plan is currently under development through a partnership between Central Government, Local Government and Iwi. HCC staff are closely involved in the process and have had/continue to have the opportunity to influence the content and direction of the Plan.
26. The Corridor Plan is a transformational opportunity to work in partnership with the Government to plan for growth over the long term. The Plan aims to better support growth and increase connectivity within the Hamilton to Auckland corridor while improving housing affordability and choices, improving access to employment, services and amenities, and creating new employment opportunities.
27. Emerging work on the Hamilton to Auckland Corridor Plan has highlighted the two metropolitan areas of Auckland and Hamilton as the main focus for growth initiatives, and importantly for Hamilton, the Corridor Plan emphasises the potential for a step-change in transport services (particularly passenger rail) to act as a catalyst for achieving these outcomes.
28. This new approach to planning for growth is an opportunity for Council to plan for the long-term future of the City in a truly integrated way with Central Government and Iwi and identify transformational opportunities in and around Hamilton that deliver on the Government's aims, specifically around providing affordable housing supported by employment opportunities and mass transit.
29. These 'transformational opportunities' may be able to be progressed utilising the new sources of funding and planning tools that the Government are progressing and anticipate being available in 2019. These tools may include (but are not limited to) an Urban Development Authority, use of a Special Purpose Vehicle to fund infrastructure, partnering with the private

sector to address infrastructure constraints/issues, feasibility funding for investigation into key initiatives. Hamilton has the opportunity to identify a series of “pilot” opportunities to utilise these new tools.

30. The emerging Corridor Plan has identified the development of a Metropolitan Spatial Plan for Hamilton and the surrounding area as a key transformational initiative, and this is an opportunity for Hamilton’s future planning to feed into a wider collaboration looking at growth over a larger area.
31. The Metropolitan Spatial Plan would look at the future desired form of urban development in and around Hamilton. It would provide support for land use intensification and a shift to public transport.
32. The Metropolitan Spatial Plan would be the framework in which consideration of a metro rail network and additional mass transit network opportunities, along with additional water and wastewater capacity for the metropolitan area, would be investigated and delivered.

Hamilton’s Response – Greater Hamilton Growth Strategy

33. Given Hamilton’s strong growth and central location, Hamilton is becoming a central hub in the Upper North Island. In order to ensure that Hamilton remains an attractive, sustainable and prosperous city for people to live, work and play in, it is critical that we proactively plan for growth.
34. Additionally, to be successful and help better manage the growth story described at the start of this report, it is proposed a Greater Hamilton Growth Strategy be developed. This Strategy should not just focus on the City’s current boundaries, but look at the wider scale of what is happening now in the greater Hamilton area, and what needs to happen in the future. Approximately 10 years ago, the Hamilton Urban Growth Strategy was developed and this has been the “blue print” to inform the current growth planning and investment programme of Council. It is timely and appropriate to now review and update this with the new strategy.
35. The initial ideas behind the Greater Hamilton Growth Strategy were discussed at a workshop on 23 August 2018. The workshop focused on the expanding growth and influence of Hamilton beyond its current boundaries, and how Hamilton could control and influence its long term form. Discussion covered the growth activities and developer interest around the periphery of the city boundary, and the wider land area that represents Hamilton in its broadest sense (economic and communities of interest).
36. The Strategy could, for example, also seek to support the likelihood Hamilton will become one of the largest metropolitan areas in New Zealand and to provide a well-planned growth hub to serve the wider Waikato Region as it moves towards a population of 500,000 in upcoming years. Such aspirations could then, in turn, support rail and other public transport opportunities, a wide range of housing including affordable housing options and land for business, all supported with affordable, timely and durable infrastructure.
37. The Greater Hamilton Growth Strategy needs to define ‘Hamilton’ based on its productive and social economy and communities of interest, rather than territorial authority boundaries. It will also be driven by a clear understanding of the inter-relationships between all areas outside of the city and the city.

38. The Greater Hamilton Urban Growth Strategy would feed into the wider Metropolitan Spatial Plan process under the Government's Auckland to Hamilton Corridor work programme, as illustrated in the diagram below.



39. An up-to-date Greater Hamilton Growth Strategy will also provide a sound evidence base and basis for collaborative working with sub-regional planning partners. The process to develop the Strategy will need to be based on up-to-date evidence along with meaningful consultation with key stakeholders and the wider community.
40. Council have passed a series of resolutions since 2016 that cover a variety of growth and future land use planning topics that the Greater Hamilton Growth Strategy will examine and respond to.
41. The intent of these resolutions can be summarised as follows:
- [Strategy & Policy Committee 7 June 2016](#) – growth of communities outside the City, additional land for growth of City, changing timing/process/triggers to bring HT1, R2 and WA land areas into the City boundary;
 - [Growth & Infrastructure Committee 28 March 2017](#) – greater flexibility to bringing future land areas in to the City;
 - [Growth & Infrastructure Committee 29 May 2018](#) – review the land surrounding the City for future residential and industrial growth, also considering infrastructure and community impacts and current development outside of Hamilton;
 - [Council 31 May 2018](#) – incorporation of WA growth area into Hamilton having regard to infrastructure services;

- [Council 26 June 2018](#) – develop a comprehensive future land release programme for residential and employment land inside and outside the City, including any future growth needs of Hamilton;
- [Council 6 September 2018](#) – investigate the Te Rapa North deferred industrial land and report back by December 2018.

Future Proof

42. Future Proof currently provides the collaborative framework within which Hamilton City Council, Waikato and Waipa District Councils, the New Zealand Transport Agency, Waikato Regional Council and iwi partners plan sub-regionally for growth.
43. The Future Proof partnership has historically supported a shared settlement pattern across the sub-region, including the use of the land and the sequencing and timing of development that has been embedded in statutory documents. This has directly resulted in investment by NZTA in the Waikato Expressway because of the confidence around the long term land use plans.
44. Future Proof is mandated by government through the National Policy Statement on Urban Development Capacity (NPS-UDC) – that is, we are required through the NPS-UDC to collaborate with our neighbouring councils, and Future Proof is recognised by government as the vehicle through which this collaboration can occur.
45. The structure and role of Future Proof are currently being revisited both in light of its on-going effectiveness to manage and address the growth that has occurred in recent years, especially in North Waikato and around Hamilton, but also its key purpose going forward, its role in the delivery of the requirements of the NPS-UDC and the emerging Hamilton to Auckland Corridor Plan. The Future Proof Implementation Committee will be considering this matter at its Governance meeting in November 2018.
46. Notwithstanding the review of Future Proof, under any scenario, as part of preparing the Greater Hamilton Urban Growth Strategy, the Council needs to work in partnership with our neighbouring councils and stakeholders to further explore mechanisms to better manage planning decisions relating to land on the Hamilton periphery.

Mayor/Chair Growth and Infrastructure Committee/CEO

47. The ability to effectively plan for the growth of Hamilton into one of the largest metro areas in New Zealand will require a strong partnership approach with our neighbouring territorial authorities. It is appropriate the Mayor, Chair of Growth and Infrastructure Committee and CEO receive the mandate to discuss and negotiate with our neighbouring territorial authorities and Future Proof a range of matters associated with this topic including:
 - the joint planning mechanisms,
 - future strategic agreements on areas to come into the city,
 - infrastructure agreements, and
 - potential realignments of territorial boundaries

as the Hamilton to Auckland Corridor and Greater Hamilton Urban Growth Strategy processes develop. The outcomes of these discussions will be regularly reported to Council.

48. Planning solutions will be most effective and least costly in delivering long-term solutions for the wider Hamilton area if we are able to work collaboratively with our neighbouring Councils to negotiate mutually agreeable options.
49. If the collaborative approach is not delivering effective long term solutions for the wider Hamilton area, the Council has the option to invoke a more formal approach via the Local Government Commission to progressing the outcomes sought in the Greater Hamilton Growth Strategy.
50. The proposed collaborative approach involves the Mayor, Chair of Growth and Infrastructure Committee and Chief Executive participating in discussions with adjacent councils and Future Proof to consider how the future growth of the City (expressed within the Greater Hamilton Growth Strategy) can be jointly planned and managed to address growth needs and the betterment of all these communities. As noted in the recommendation, the intent of these non-binding discussions is to explore and test information, opportunities and potential scenarios that may contribute to the Greater Hamilton Growth Strategy. These discussions and any options identified will be reported regularly to Council or the Growth and Infrastructure Committee for information and consideration, with any decisions on any matters related to the Strategy being made through the usual formal Council process.

Financial Considerations

51. There is currently no budget set aside for the development of a Greater Hamilton Growth Strategy or a Metropolitan Spatial Plan. Future reporting on the budget and timing for the preparation of a Greater Hamilton Growth Strategy and the Metropolitan Spatial Plan will be brought to Council.

Legal and Policy Considerations

52. At this stage, there are not considered to be any legal or policy considerations.

Risks

53. There are no known risks associated with the decisions required for this matter.

Significance & Engagement Policy

Significance

54. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matters in this report currently have a medium level of significance.

Engagement

55. If the Council elects to proceed with a Greater Hamilton Urban Growth Strategy, a consultation strategy will be developed in due course. As part of the Strategy development, detailed engagement with a range of stakeholders, most notably the adjoining territorial authorities will be required.

Attachments

There are no attachments for this report.

Council Report

Committee:	Council	Date:	11 October 2018
Author:	Paula Rolfe	Authoriser:	Jen Baird
Position:	Team Leader Implementation & Moitoring	Position:	General Manager City Growth
Report Name:	Peacocke Proposed Plan Change		

Report Status	<i>Open</i>
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Purpose

1. To inform the Council on the need to prepare plan changes to the Hamilton District Plan for the Peacocke Structure Plan and its planning provisions.
2. To seek the Council's approval to prepare plan changes and initiate the next steps of the process.

Staff Recommendation

3. That the Council:
 - a) receives the report; and
 - b) approves the preparation of two plan changes to the Hamilton District Plan for the Peacocke Structure Plan (Option 1 of this report).

Executive Summary

4. The vision for Peacocke is to enable the development of an attractive and sustainable community in the growth cell.
5. Over the next 10 years, Peacocke is projected to deliver a third of Hamilton's medium-term housing needs. The Peacocke Programme includes the delivery of strategic network infrastructure, community facilities and infrastructure, resource consenting and building consenting activities, ecological protection and enhancement, funding, monitoring and reporting, and commercial activities.
6. The rules in the District Plan are key to enabling development in the growth cell and a recent review has found that plan changes are required to support this development.
7. This report considers the options available to the Council to develop plan changes to the District Plan to remove the masterplan provisions which are illegal.
8. Council will be required to adopt the plan changes prior to public notification as part of the next step of the process.
9. Staff recommend Option 1 to prepare two plan changes as detailed in paragraph 20 below.
10. Consultation is required under the plan change process under the RMA. This will ensure an appropriate level of engagement is undertaken.

Background

11. The Peacocke area was brought into the city in 1989 for long-term urban development and city growth. It consists of approximately 720 hectares of mostly rolling agricultural land to the south of the city.
12. A Variation to the District Plan (V14) for Peacockes was publicly notified in September 2007 to put in place a structure plan to provide a framework for future development and infrastructure provision for a new community of approximately 20,000 people.
13. The District Plan clearly identifies that the provisions will be used to guide future use and development of the area and will be used to inform future District Plan changes.
14. The Environment Court appeals to V14 were settled in 2012 and as a result these provisions were embedded into the Proposed District Plan in December 2012. There were some submissions to the Proposed District Plan and as a result some minor changes were made. See Attachment 1 Figures 2-1 to 2-3 Peacocke Structure Plan.

Discussion

15. The planning provisions that have been put in place require master plans to be approved through the consent process. The provisions that exist are illegal, so we need to change the District Plan.
16. This was identified in a decision by the Environment Court in the case Queenstown Airport Corporation Ltd v Queenstown Lakes District Council whilst hearings to the District Plan were being held and further reinforced through declarations made to the Court through the Auckland Unitary Plan process.
17. This master plan is in effect a middle layer of planning controls between the structure plan and the obtaining of a subdivision or land use consent, therefore removing this layer will also speed up the process.
18. The land in the Peacocke area is also in fragmented ownership. This makes it difficult for some developers to get the necessary scale required to master plan effectively.
19. The master plans could be replaced by a more efficient process provided that appropriate controls are in place to ensure good urban design can still be achieved.
20. As the Council is aware the Government has provided funding for infrastructure to serve the Peacocke area. The bridge across the river and wastewater connections won't be available for use until at least year 4 or 5 of the current 2018-2028 10-Year Plan.
21. Proper urbanisation won't occur until the infrastructure is in place giving a lead time of 4-5 years to undertake the plan change. Two years will be needed to get through a quick and easy plan change including dealing with any appeals (that is, by December 2020).
22. The Structure Plan is at a very high level which could cause problems for developing the community and achieving outcomes. It is therefore recommended that a more detailed structure plan be developed to beef it up, and that this be started at the same time, although it is recognised this will take longer. It is estimated that this will be completed by December 2021.
23. Provisions are in place and consents can still be applied for under the existing framework.

Options

24. Staff have assessed that there are three reasonable and viable options for the Council to consider. The options are set out in the table below.

Option 1	Benefits	Risks
<p><u>Plan Change 1</u>- remove master plan, add control for infrastructure staging, roading connections and minor and consequential amendments</p> <p><u>Plan Change 2</u> – Identify active reserves, strategic 3 waters, walking/cycling, ICMP provisions. Suburban centres, schools, libraries, community facilities, mixed use development and community nodes.</p>	<ul style="list-style-type: none"> • Removal of illegal master plan provisions • Will simplify and speed up the process for development • Opportunity to imbed key infrastructure needs to ensure integrated development • Quick and easy process and open to less likelihood of litigation • Provides time to identify the needs with stakeholders without holding up development • Provides certainty for the development of the community 	<ul style="list-style-type: none"> • Development occurs around the community nodes or suburban centre, or on active reserves once the master plan is removed and before other provisions are put in place • Increased competition between developers /landowners for the housing market • Third party groups being involved in the process and slowing it down • Two-stage plan change is not approved leading to possible one-stage plan change process (option 2) causing delays • Unforeseen additional specialist resource requirements for evidence-based decision making
Option 2	Benefits	Risks
<p>Develop plan change as one (instead of two separate changes)</p>	<ul style="list-style-type: none"> • Only one process, but most likely to cause delays and the delay of housing as master plan provisions will be in place longer 	<ul style="list-style-type: none"> • Delays in having to work through a greater number of issues for the whole structure plan, eg consultation, negotiation, appeals to the Environment Court • Increased competition between developers / landowners for the housing market resulting in loss of opportunity to develop community nodes / suburban centres

		<ul style="list-style-type: none"> • Third party groups being involved in the process and slowing it down • Unforeseen additional specialist resource requirements for evidence-based decision making
Option 3	Benefits	Risks
Do nothing and rely on the existing District Plan provisions and Council develop a masterplan with landowners	<ul style="list-style-type: none"> • No cost for a plan change(s) • Provides an opportunity to try and get agreement between landowners for integrated development. 	<ul style="list-style-type: none"> • Illegal master plan provisions remain in the Plan • Coordinating multiple landowner’s problematic for getting agreement • A master plan consent has never been done before - no precedent within HCC • Difficulty in administering the District Plan • Development occurs over or on possible community nodes or suburban centres, or on active reserves

25. Staff recommend Option 1 because it will remove the master plan provisions and simplify and speed up the process. Detail can also be provided as part of the second plan change, to ensure appropriate planning is provided for the community.

Financial Considerations

26. The total costs to complete this work for Option 1 is estimated at \$280,000, which is funded through a regular operating activity under the 2018-2028 10-Year Plan over a three-year time frame within the City Planning Budget. This excludes any future appeals to the Environment Court.

Legal and Policy Considerations

27. Section 73 of the Resource Management Act (RMA) provides for changing district plans in the manner set out in Schedule 1 of the Act. This requires preparation of the plan changes and necessary evaluation reports (s32) along with consultation. A decision will then be required by the Council to proceed with notification.

28. The National Planning Standards have been out for consultation and are most likely to be embedded into the RMA Regulations in April 2019. The changes will predominantly be based on the structure of the District Plan and some definitions. It has been identified that the risk to try and align with these are too great to pursue at this stage, and that this should be a project to deal with the entire District Plan which is to be notified by 2024 if accepted by the Government.

Cultural Considerations

29. As part of the Joint Management Agreement between The Waikato Raupatu River Trust and Council, which provides for the shared exercise of functions, duties and powers and to give effect to the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, contact has already been made with the Chair of Waikato-Tainui Te Arataura and the Trust, so we can identify how to work through this issue.
30. In addition, the RMA recognises the relationship of Maaori and their culture and traditions with their ancestral lands, waters and sites, therefore it is adequately considered.

Sustainability Considerations

31. The purpose of the RMA is to promote the sustainable management of natural and physical resources.

Risks

32. There is a risk that development will be unnecessarily delayed and could compromise the Housing Infrastructure Fund if nothing is done to remove the master plan. In addition, due to the lack of provisions there is a risk that there will be lost opportunity for the development of the community and all the necessary needs of a community, such as reserves, community nodes, suburban centre, schools, libraries, and community facilities.

Significance & Engagement Policy

33. Consultation is required under the plan change process under the RMA. This will ensure an appropriate level of engagement is undertaken.

Attachments

Attachment 1 - Peacocke Structure Plan

Figure 2-1: Peacocke Structure Plan – Land Use

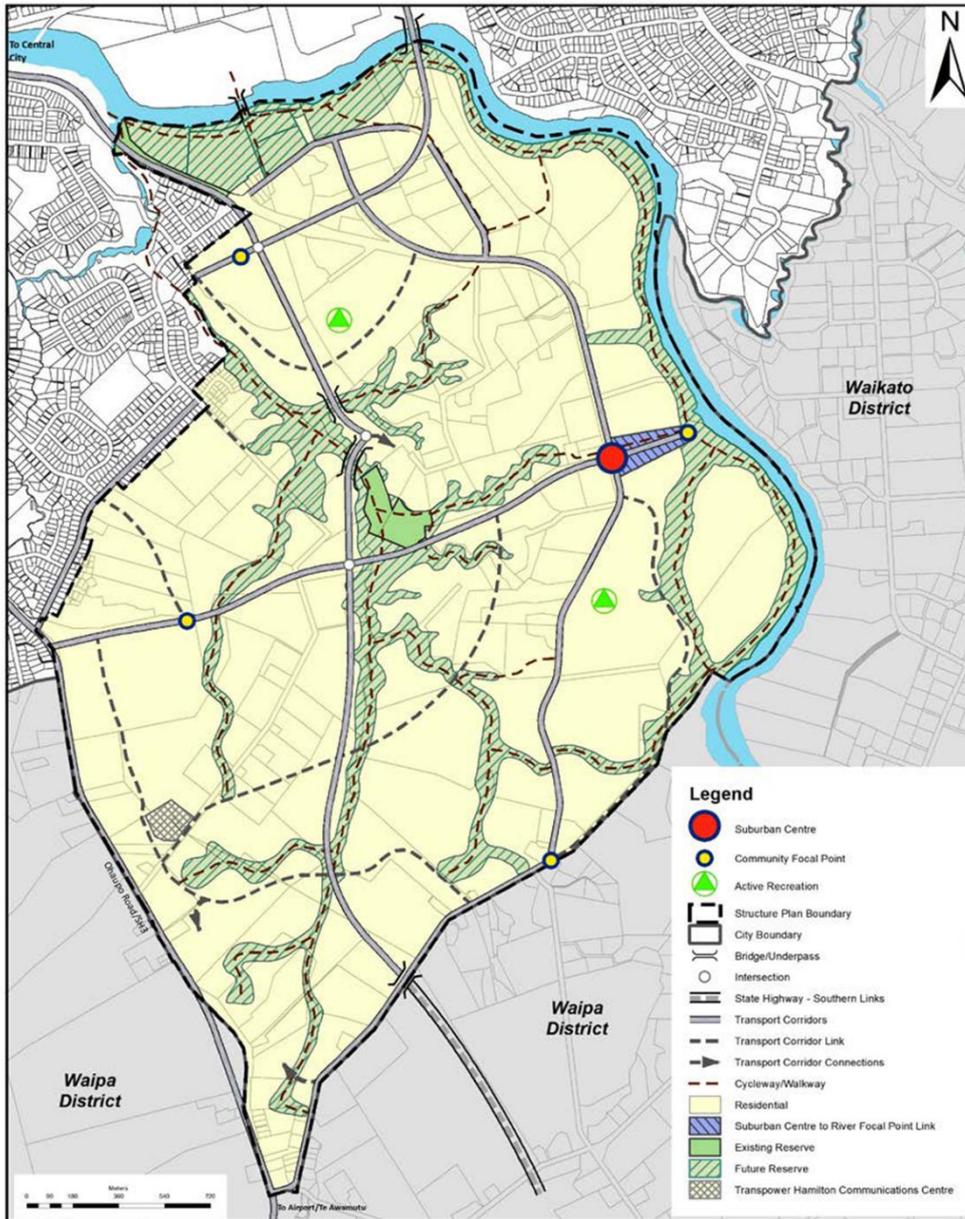


Figure 2-2: Peacocke Structure Plan – Staging and Transport Network

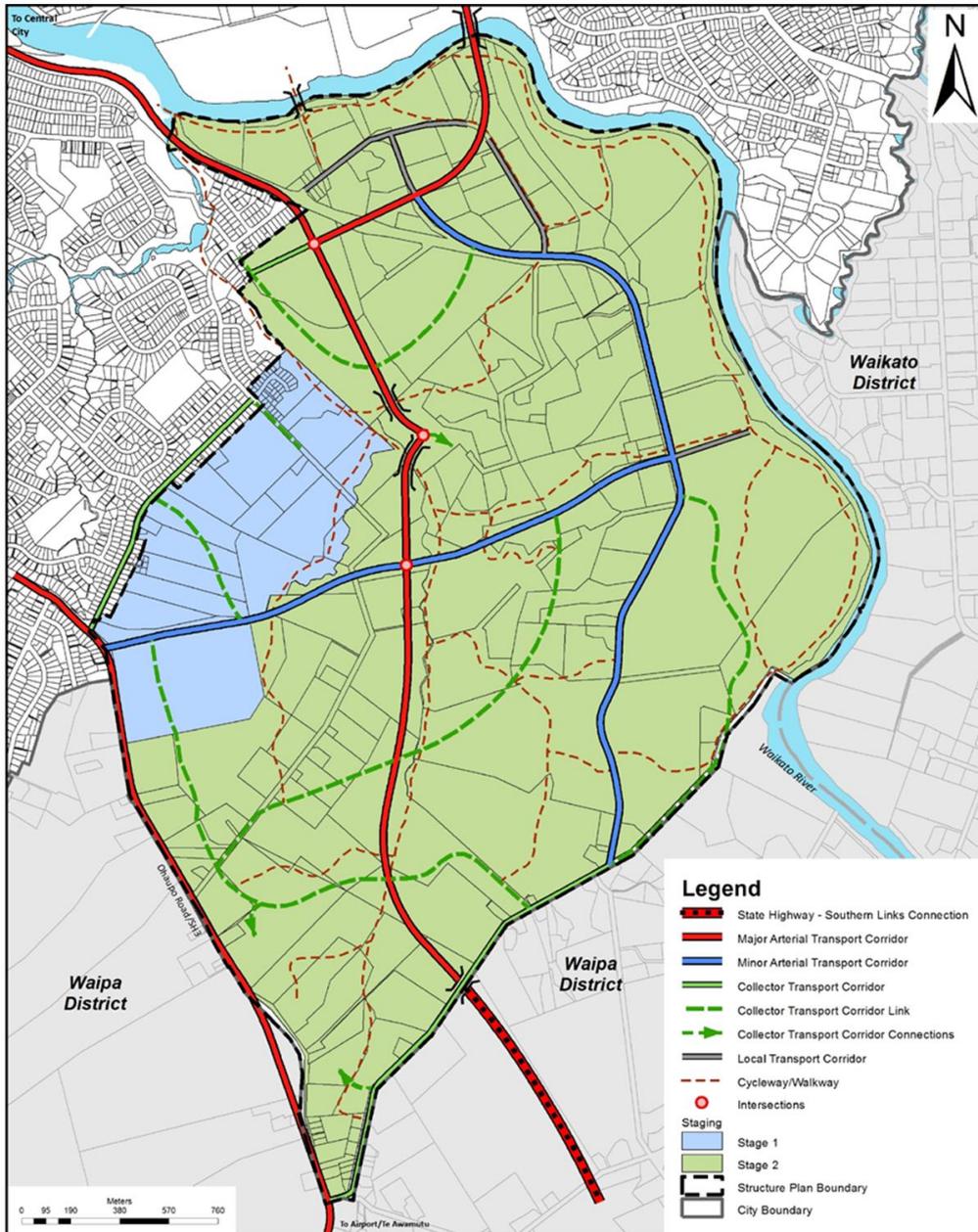
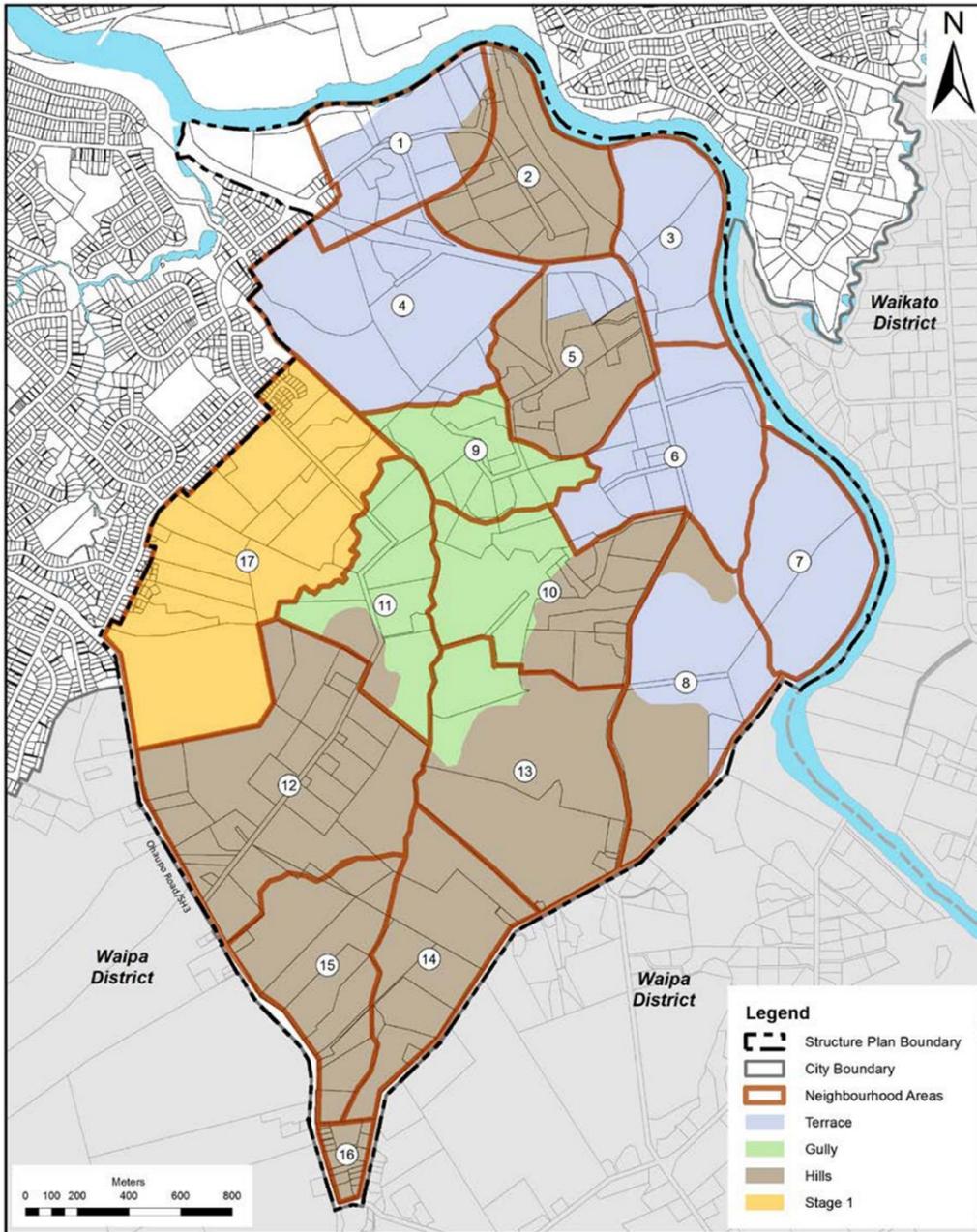


Figure 2-3: Peacocke Structure Plan – Character Areas and Neighbourhoods



Council Report

Committee: Council **Date:** 11 October 2018
Author: Jen Baird **Authoriser:** Richard Briggs
Position: General Manager City Growth **Position:** Chief Executive
Report Name: Heritage and Character Management - Proposed Plan Change

Report Status	<i>Open</i>
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Purpose

- To inform the Council on deferring consideration of a possible Heritage and Character Plan Change.

Staff Recommendation

- That the Council:
 - receives the report; and
 - defers consideration of a possible Heritage and Character Plan Change until staff complete a review and prioritisation of all known plan changes to be reported back to Council by March 2019.

Executive Summary

- The Heritage and Character Proposed Plan Change report was brought to Council on 2 August 2018.
- The Council resolved that the report lie on the table until such time as a briefing had been held to describe the interrelationships with both the Central City River Park and the Waikato Regional Theatre. That briefing was held on 13 September 2018.

Background

- While Council's desire for pausing the progress of this report was to understand interaction with other projects in the central city area, this proposed plan change also needs to be viewed alongside the various other plan changes that are currently, or highly likely to be, in the pipeline over the coming months.
- Plan changes currently underway or in preparation: REEP (underway), Peacocke (seeking Council approval at this meeting), National Planning Standards changes, Temple View (underway), Te Rapa North Industrial Land rezoning.
- Private plan changes currently underway or in preparation: Rotokauri North (underway).
- Plan changes that may become live at any stage depending on developer activity or Council requirement: Te Rapa Racecourse, Eagle Way, Te Awa Lakes, Three Waters.

Discussion

9. Staff seek the Council's approval to complete a process of review and prioritisation for all plan change activity, including the Heritage and Character Plan Change.
10. Staff will provide a briefing to the Council so elected members have visibility of and input into the prioritisation of this work.
11. A report back to the Council with a proposed course of action for plan changes, including cost, is expected not later than March 2019.

Attachments

There are no attachments for this report.

Council Report

Committee:	Council	Date:	11 October 2018
Author:	Alice Morris	Authoriser:	Jen Baird
Position:	City Planning Policy Team Leader	Position:	General Manager City Growth
Report Name:	2018/19 Heritage Fund Allocations		

Report Status	<i>Open</i>
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Purpose

1. To inform the Council on the 2018/19 Heritage Funding round and seek approval for the allocation of the \$100,000 Heritage Fund as set out in Attachment 1.

Staff Recommendation

2. That the Council approves the allocation of the 2018/19 Heritage Fund as set out in Attachment 2 for this report.

Background

3. The Heritage Fund is one of the ways in which Council supports the owners of heritage listed buildings and archaeological sites. It is also a means to ensure that Hamilton's heritage can be supported and promoted for the benefit of all.
4. Applications for the 2018/19 Heritage Fund were called for between 15 July and 15 August 2018. Ten applications have been received. All meet the eligibility criteria to be considered in accordance with the information set out in the Historic Heritage Fund Guidelines. Staff have undertaken a review of each application and their recommendations have been presented to and reviewed by the Urban Design Panel.
5. The request for funding comes from a mix of owners of private residential sites and commercial buildings. The proposed works are in accordance with, and support the vision of, the Heritage Plan and the criteria set out in the Historic Heritage Fund Guidelines.
6. Funding is being sought for works ranging from repair and restoration through to the preparation of Detailed Seismic Assessments reports ('DSA'), including the necessary heritage expert inputs. (Refer to Attachment 1)
7. The Heritage Fund is a specific line item under the 10 Year Plan. The \$100,000 is an annual amount and does not accumulate.
8. Once the decision on allocations is made staff will liaise with the successful applicants on the specific requirements set out in the recommendations for their allocated fund amount. The payment of the allocated funds will be upon the completion of the agreed works. The funds will not be released if the works have not been completed as agreed. Applicants will not be awarded the funds if they do not agree or adhere to the terms and conditions imposed as a part of the funding allocation.

9. Staff confirm that the allocation of the Heritage Fund as proposed complies with the Council's legal and policy requirements.
10. The decision to allocate funding will have no impact on Maaori or their opportunities to contribute to the decision-making process for heritage protection in general.
11. The Heritage Fund assists with Council's support of the city's cultural and historic fabric. In supporting the fund applicants Council is considering the heritage interests of the city's people and its communities.
12. The Heritage Fund positively assists with maintaining and retaining the City's listed heritage items. It allows listed sites to continue to contribute to the quality of the environment and the foreseeable needs of future generations living in Hamilton. It will also assist with the on-going contribution these sites give to the vibrancy and growth of Hamilton.
13. The risk of not allocating the available funds will result in Council not giving effect to earlier decisions to implement the Heritage Plan and associated guidelines.
14. The matters in this report have low significance and no engagement on this matter is required.

Attachments

Attachment 1 - 2018/19 Heritage Fund Applications Summary

Attachment 2 - 2018/19 Heritage Fund Applications Recommendations

HAMILTON CITY COUNCIL

**HERITAGE FUND ROUND
2018/2019**

SEPTEMBER 2018

Assessment of applications

Introduction

The City Planning Unit's Heritage Team have undertaken a review of the applications made to the 2018 Heritage Fund for funding of works to heritage buildings and group 1 archaeological sites.

As part of this review all applications were presented to the Urban Design Panel who provided recommendations on the allocation of funds. The panel consisted of the following members:

- Steve King - Architect
- Brain Squair - Architect, Urban Design and Heritage
- Robin Byron - Heritage, Architect, Urban Design (Heritage New Zealand)
- Chris Dawson - Planner

This report has been prepared as an aid to assist Council make decisions on the allocation of heritage funds totaling \$100,000 for the 2018/19 financial year.

Site visits were made to all the applications involving built heritage items.

Purpose of Fund

The Heritage Fund resulted from the actions set out in the *Hamilton Heritage Plan*. The plan recognises the contribution heritage makes to Hamilton’s identity and the need to protect, conserve and restore this heritage.

The fund is to incentive the protection, conservation, restoration and use of both built heritage and archaeological sites within Hamilton.

The stated purpose of the fund is to encourage and assist owners with work required to maintain and enhance heritage buildings in the District.

Past Funding Rounds

The previous 2 rounds of Heritage Funding supported 30 projects these included the development of heritage conservation plans, building assessment reports, earthquake strengthening works through to the restoration and repair of lead-light windows and sash windows, repair to porches and decorative plaster works and borer treatment.

Summary of past Heritage Funding rounds:

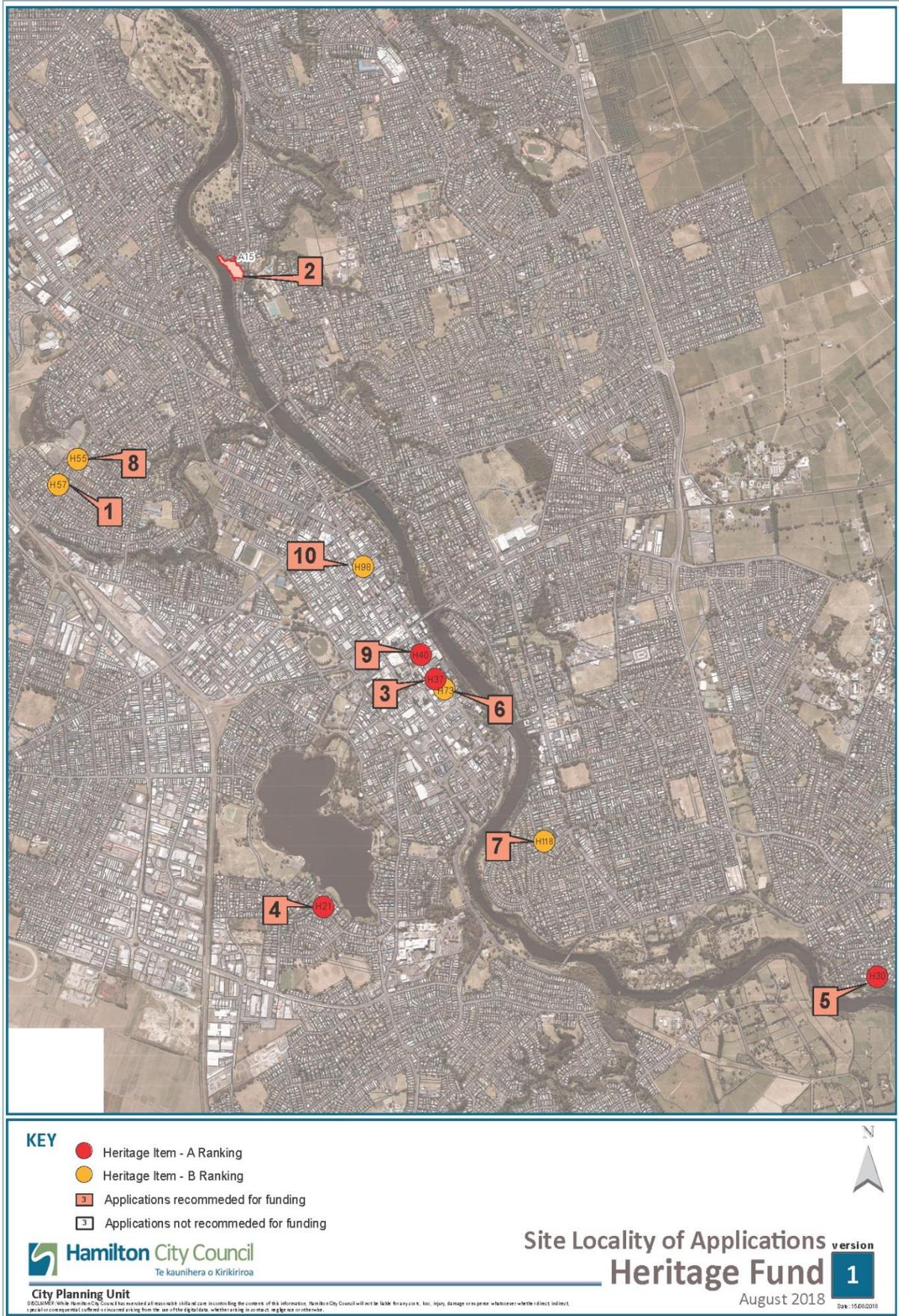
Funding Round	2016/17	2017/18
Number of applications	22	17
Number of applications supported	17	13
Total amount of funds requested	\$639 248.68	\$663 544.95
Total amount of funds allocated	\$100 000.00	\$100 000.00
Total amount of funds spent	\$ 88 432.50	\$ 96 375.00

Summary of Applications for the 2018/19 funding round.

The 2018/2019 funding round received a total of 10 applications ranging from the preparation of an archaeological assessment to the undertaking of earthquake strengthening work. The table below summaries the individual applications.

A detailed description of each applications, as well as recommendations are provided later in this report.

No	Refer No	Name	DP Ref No	HNZ Ref	Works	Requested Funding	Proposed Funding
1	001	Laurenson Settlement House - 126 Forest Lake Road	H57	II	Maintenance - painting	\$7 160.00	\$6 000.00
2	004	Tupari Pa - 669 River Road	A15	S14/3	Conservation/ Maintenance Plan	\$3 000.00	\$3 000.00
3	006	Wesley Chambers	H37	II	Emergency window repair	\$21 550.00	\$21 000.00
4	008	Lake House - 102 Lake Crescent	H21	II	Essential repair and restoration works	\$4 344.13	\$4 000.00
5	009	Riverlea House 10 Silva Crescent	H30	II	Essential repair and Restoration works	\$4 964.71	\$3 000.00
6	010	Alexandra Building 221 Victoria Street	H73	-	Earthquake strengthening and essential repairs	\$400 000.00	\$10 000.00
7	011	House - 5 Albert St	H118	-	Repair and restoration of the verandahs	\$29,114.92	\$17 000.00
8	012	Laurenson Settlement House - 102 Forest Lake Road	H55	II	Replace the existing corrugated iron roof	\$9 365.04	\$8 000.00
9	013	Frears/Pascoes Building 357 Victoria Street	H40	II	Earthquake strengthening	\$15 000.00	\$15 000.00
10	014	Former Housing NZ Building (Fine Arts Society Building)	H98	-	Repair and replacement of the canopy roofing and guttering	\$58,694.50	\$13 000.00
Total						\$553 193.30	\$100 000.00



17 September 2018

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Assessment Criteria

A full description of the assessment criteria is set out in the *Historic Heritage Fund Guidelines*. In summary the following criteria are to be considered:

- Is the building within Hamilton?
- Is the item listed in the district plan?
- Is the item registered by Heritage New Zealand?
- Ownership - buildings owned by the Crown, state owned enterprises, district health boards, tertiary institutions, and local and regional authorities are not eligible for funding.
- Is the building earthquake prone under the Building Act? Earthquake prone buildings will be given priority.
- Type of works proposed? The following types of projects are eligible for funding:
 1. Essential repairs, emergency works, stabilisation or core structural works of the original heritage fabric
 2. Restoration projects
 3. Upgrades to code/regulation standards to enable contemporary use of heritage places, e.g. fire, earthquake, access provisions
 4. Specific “like for like” material replacement or maintenance projects that protect the integrity of heritage buildings
 5. Preparation of heritage conservation plans and/or maintenance plans.
- Do the works detract from the heritage values of the item?
- Do the works contribute to the retention, preservation and the continued use or compatible reuse of the heritage building?
- Work is supported by a conservation/maintenance plan prepared by a heritage professional.
- Financial contribution to be made by the applicant

Description and Assessment of Applications

Refer to the following pages for a description of each application along with an assessment and recommendation.



History of Building

The house at 126 Forest Lake Road is one of a group of nine houses known as the Laurenson Settlement built on the north-western side of Forest Lake Road as workers dwellings between 1914 and 1916, under the Workers Dwellings Act 1910. A further two houses were built in 1920-21. The houses were built for applicant purchasers and were designed by Woburn Temple, a Department of Labour staff architect.

In New Zealand workers' housing was largely developed by the Government. The Workers Dwelling Act 1905 provided the basis for the development of the first state housing schemes, under the Liberal Government led by Richard Seddon. Architects were invited to submit plans and thirty four designs were selected from 150 entries. No two houses were to look the same and the intention was to move away from row-housing types. A different approach was proposed for the North and South Islands.

The first homes were built and rented on the outskirts of the four main cities to provide good quality but affordable homes for working families. Examples other than the houses on Lake Road include the surviving row of houses in Patrick Street in Petone near Wellington.

The houses built in Hamilton as part of the Laurenson settlement in Forest Lake Road are significant for their associations with Government development of worker housing.

Purpose of Application

Maintenance. Paint exterior cladding to protect building from further deterioration following essential repairs to rotten and damaged cladding and window joinery.

Funding Amount Requested

\$ 7 170.00

Assessment Criteria

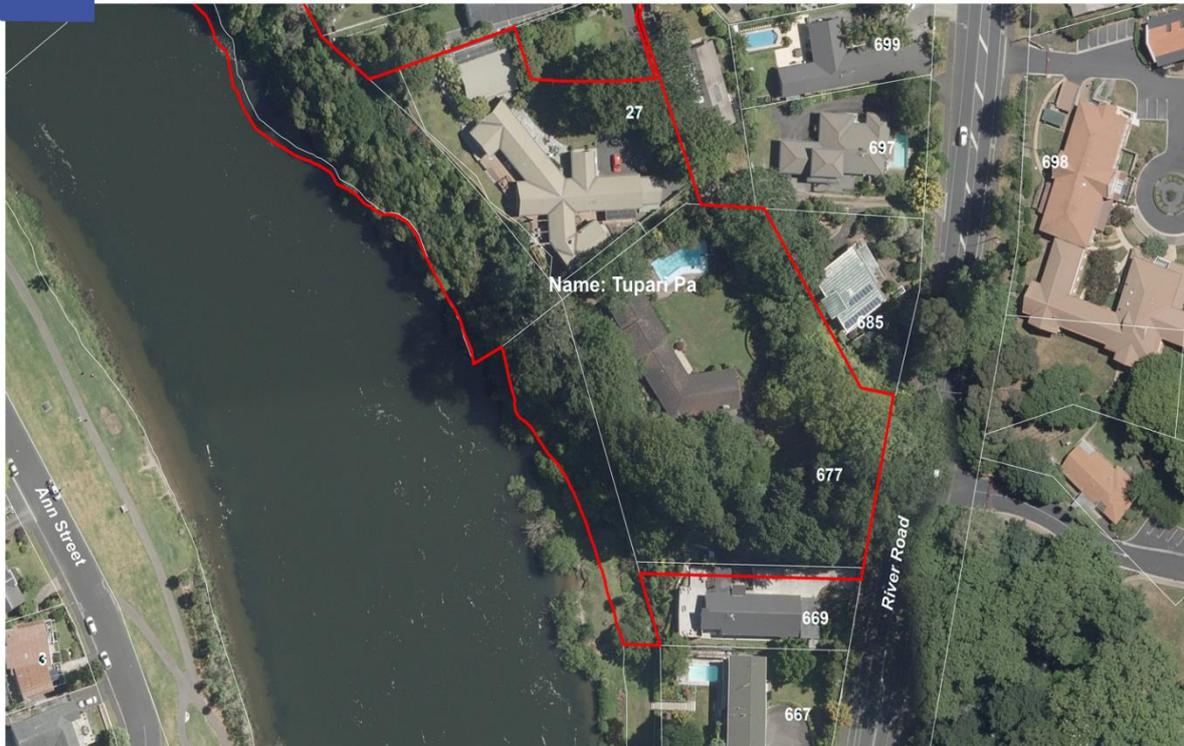
District Plan Listing	District Plan Ranking = B (<i>Heritage Inventory</i>) Date of Construction = c.1915 Architect = Woburn Temple Registered HNZ = Yes - Category II (9903)
Ownership	Private
Is the building earthquake-prone?	N/A
Works Proposed	Paint exterior cladding
Does the work detract from the heritage values of the item?	No - Ongoing maintenance to the house is important to ensure the heritage value of the building is retained.
Do the Works contribute to the retention, preservation and the continued use of the heritage building?	Yes - the owner has undertaken repair works to the sash windows to stop water leaks and replaced rotten floor boards on the verandah. The painting of the external cladding will ensure that the work already done to the house is protected and continues to ensure the heritage elements of the house are retained.
Is the Work supported by a conservation/maintenance plan?	No heritage consultation has been carried out but a detailed builders report has been prepared identifying essential works required to the house.
What funding is the applicant bringing to the project?	None, although the owner will need to meet any shortfall not covered by the grant. They have also expended substantial funds in repairing and rehabilitating the house over the past 3 years.
Comments - Urban Design Panel	<ul style="list-style-type: none"> The proposed work supports the work already completed on the house. Previous works also supported by the heritage fund.

Recommendation

A grant of \$6 000.00 should be offered.

17 September 2018

Page 8



History of Building

The name Tupari refers to the steep riverside cliff immediately below this Pa. Hanui, the warlord, lived for some time at this Pa.

The Ngati Mahuta Chiefs Te Whare and Tapaue invaded this area, attacking and conquering the nearby Inanga Pa. They then attacked Tupari Pa and fought a battle called Kukutaruhe, in the gully system behind the Pa. The attack failed and Tupari Pa was not taken.

Tupari Pa is recalled in tradition for a number of Pataka (carved food store houses) within its enclosure. In 1977 archaeologists recovered a carved threshold, believed to belong to one of these carved Pataka, from a nearby swamp. This is now held in the Waikato Museum of Art and History.

Purpose of Application

Preparation of a archaeological assessment and maintenance plan for the portion of the Pa site that lies within 669 River Road.

Funding Amount Requested

\$3 000.00

Assessment Criteria

District Plan Listing	District Plan Ranking = A15 (Group 1) Date of Construction = Pre European Architect = N/A Registered NZAA = S14/3
Ownership	Private and Council - The Pa site covers a number of privately owned sites as well as the Waikato River Esplanade owned by Council.
Works Proposed	The preparation of an archaeological maintenance plan to enable the construction of a retaining wall on the site to protect the bank feature of the archaeological site.
Does the work detract from the heritage values of the item?	No - proposed work supports the on going management of the Pa site
Do the works contribute to the retention and preservation of the site?	Yes - The preparation of an archaeological report to inform the construction work and the maintenance of the portion of the archaeological site on 669 River Road will contribute to its preservation.
Is the work supported by a conservation/maintenance plan?	No - Funding sought to prepare an archaeological report to enable works to occur.
What funding is the applicant bringing to the project?	Yes - \$1 200.00
Comments - Urban Design Panel	The site of the proposed work is not open to the general public so the archaeological report should be made available to the Council and Heritage New Zealand for their records.

Recommendation

A grant of \$3 000.00 should be offered. With the following condition:

- The archaeological report is to be undertaken by a suitably qualified archaeologist.
- Advice is sought from HNZ on the process required to be undertake in accordance with the Heritage New Zealand Pouhere Taonga Act 2014 prior to any works commencing.
- Final Archaeological report be made available to Heritage New Zealand and Hamilton City Council

3

2018/19_006
H37 Wesley Chambers - 37 Victoria Street



History of Building

Constructed in 1924, Wesley Chambers is a substantial three-storey commercial building on a prominent corner of Victoria and Collingwood Streets. It is situated on part of Allotment 87, one of the original one-acre allotments surveyed in 1864 as grants to men of the Fourth Regiment of Waikato Militia. It was granted to Assistant-Surgeon William Rayner in 1867; he immediately donated the south-west half “for the use of the people called Methodists in the Australasian connexion” and the conveyance was formalised in April 1868.

The focus for Hamilton’s commercial development was planned to be Grantham St and the south end of Victoria St, but as the population and the need for more retail outlets and financial institutions grew, the one-acre residential allotments were subdivided and the town developed further and further north up Victoria St.

The church trustees invested in building wooden shops on the Victoria St end in 1880, the income from this assisting with the construction of a larger church built beside the first in 1882. The shops were known as the Cosey Corner. In 1904 the Trustees improved on their investment by commissioning Hamilton architect F. E. Smith to design a new block of brick shops. There were six shops, each with plate-glass windows facing Victoria St and were known as the Wesley Buildings. The shops were built in a boom time for Hamilton, namely the first decade of the 20th century. Several institutions and government departments had made Hamilton their headquarters or regional offices and by then the commercial precinct had spread even further north up Victoria St.

Purpose of Application

Essential Repairs - Repairs to original metal framed windows.

Funding Amount Requested

\$21 550.00

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17 September 2018

Item 16

Attachment 1

Assessment Criteria

District Plan Listing	District Plan Ranking = A (<i>Heritage Inventory</i>) Date of Construction = 1909-1910, two additional floors constructed in 1924 Architect = F.C. Daniell Registered HNZ = Category II (5301)
Ownership	Private
Is the building earthquake-prone?	No
Works Proposed	The repair of windows as identified by the 2016 conservation plan.
Does the work detract from the heritage values of the item?	No - proposed work supports the heritage fabric: The identified windows will be removed off site, repaired and then reinstalled.
Do the works contribute to the retention, preservation and the continued use of the heritage building?	Yes - the repairs to the windows will ensure the building has a long term use and ensures the heritage values of the building are protected.
Is the work supported by a conservation/maintenance plan?	Yes - Proposed work is in line with the recommendations of the conservation plan.
What funding is the applicant bringing to the project?	Yes - \$21 550.00
Comments - Urban Design Panel	<ul style="list-style-type: none"> • A key heritage building within the City • The panel members support the retention of original features of the building rather than the replacement. • Without support applicant may decide to install aluminum windows which would not be a good outcome

Recommendation

A grant of \$21 000.00 should be offered. With the following condition:

- The removal, restoration and re-installment is to be overseen by a suitably qualified heritage expert.

4**2018/19_008
H21 Lake House - 102 Lake Crescent****History of Building**

Lake House was built in circa 1873 for James Williamson’s Rukuhia Estate for his partner and manager Alfred Cox, on land surveyed in 1864 immediately following the colonial government’s confiscation of vast tracts of Tainui land. Lake House is situated on ground overlooking Lake Rotoroa. The eastern shore of the lake formed part of Hamilton West’s western boundary, with Lake House at that time, being in Waipa County. The Rukuhia Estate lay south of Lake House and to the west of Ohaupo Road; Williamson bought up to 15,000 acres [6070 hectares] directly from the government, but subsequently acquired a further 8,000 acres [3238 hectares] from sections allocated to the militia.

Described as a ‘magnificent mansion’ its architect, Vialou was Hamilton’s first residential architect setting up business in Victoria Street in approximately June 1872. Built as a two storey house, it had a total of eight main rooms with at least four bedrooms upstairs, and three rooms plus kitchen downstairs. There were wide arched hallways on each floor. On the ground floor a verandah extended along the eastern part of the front, which faced approximately north to Lake Rotoroa, and along the east side.

Alfred Cox (1825 to 1911) was a prominent landowner in the South Canterbury and Waikato districts. He was elected to the House of Representatives in 1876, but retired because of ill health and deafness in 1878. Cox helped finance a flour mill on Ohaupo Road, not far from Lake House, in 1872. He and Williamson were influential in the development of the Main Trunk Railway Line, as they provided land through the Rukuhia swamp for this purpose in 1872.

Purpose of Application

Essential Repairs - Repairs to roof and windows.

Funding Amount Requested

\$4 344.13

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17 September 2018

Item 16

Attachment 1

Assessment Criteria

District Plan Listing	District Plan Ranking = A (<i>Heritage Inventory</i>) Date of Construction = 173 Architect = Isaac R Vialou Registered HNZ = Category II (701)
Ownership	Private
Is the building earthquake-prone?	No
Works Proposed	Replacement of sections of slate tile roof (installed in the 1980's), with corrugated steel (as originally clad, <i>HNZ Correspondence</i>), owing to the leaks through slate roof and repairs to rotten window sashes
Does the work detract from the heritage values of the item?	No - proposed work supports the heritage fabric. Proposal is to reinstate a section of the corrugated steel roof and undertake repairs to original sash windows
Do the works contribute to the retention, preservation and the continued use of the heritage building?	Yes - the repairs to the roof and windows will ensure the building has a long term use and ensures the heritage values of the building are preserved.
Is the work supported by a conservation/maintenance plan?	No - Proposed work is to be overseen by a recognised heritage architect.
What funding is the applicant bringing to the project?	Yes - \$15 123.40
Comments - Urban Design Panel	<ul style="list-style-type: none"> • PAUA Architects is working on project which is positive • Any slate roof material removed should not be sent to land fill but should rather be recycled to enable the material to be available to other restoration works. • Applicant has received advice from HNZ • The funding will assist with the cost of the heritage architect and preparation of any heritage reports required to allow for the work to be undertaken.

Recommendation

A grant of \$4 000.00 should be offered. With the following condition:

- Works to be overseen by a suitably qualified heritage architect and undertaken in accordance with any approved resource consent conditions.



History of Building

Riverlea House is situated on land first surveyed in 1865 as Allotment 255 Parish of Kirikiriroa, bounded by the Waikato River on the west-southwest, Cambridge Road on the east, the Allotment was 50 acres, surveyed as grants to militiamen of the Waikato Militia. The Allotment 255 was one of seven rural land parcels allocated to Captain James McPherson; he also received a one-acre town allotment in Hamilton East. McPherson had been a career soldier in the 70th Surrey Regiment and served in the Commissariat Transport Corps during the Waikato Wars. He received the commission of captain in the 3rd Regiment of Waikato Militia in July 1864 and was allocated his land in September 1866.

The style of the house is in the tradition of vernacular cottages and houses built in the mid to late 19th century. The house was originally two-storeyed and T-shaped in plan with gabled roof forms. The cross-gable roof form enabled the construction of larger houses using the short-span gable roof. The house was neatly detailed, with scalloped and pierced barge boards. Four brick chimneys with stepped cappings remain, now painted.

The house remains on its original site, however the extent of the setting surrounding the house has been progressively reduced as surrounding residential subdivision and development occurred in the 1960s and 1970s. The remaining front garden setting contributes to the significance of the house. The house is set back from the street edge with lawns, trees and shrubs, including a tall Washingtonian palm tree that may date from the 19th century development of the property. The bank at the street edge, stairs and path leading to the front door are likely to date from the time Silva Crescent was formed.

Purpose of Application

Maintenance. The repair of windows and cladding

Funding Amount Requested

\$4 964.71

Assessment Criteria

District Plan Listing	District Plan Ranking = A (<i>Heritage Inventory</i>) Date of Construction = 1866 -1876 Architect = not Identified Registered HNZ = Category II (4195)
Ownership	Private
Is the building earthquake-prone?	No
Works Proposed	Maintenance to heritage fabric and repairing of windows and cladding with "Like for Like"
Does the work detract from the heritage values of the item?	No - proposed work supports the heritage fabric.
Do the works contribute to the retention, preservation and the continued use of the heritage building?	Yes - the on going maintenance of the building ensures the ability for the long term use of the building and ensures the heritage values of the building are protected.
Is the work supported by a conservation/ maintenance plan?	No
What funding is the applicant bringing to the project?	None
Comments - Urban Design Panel	<ul style="list-style-type: none"> The curved verandah roof was identified as a unique feature of the house that should be retained. Any maintenance work and repairs should be localised as much as possible. Avoid the wholesale removal of exterior cladding. Return to original values of the building Ensure that the builders used are reputable and have experience with this type of heritage work Provide record of works being done to building (photography etc.)

Recommendation

A grant of \$3 000.00 should be offered. With the following condition:

- Written heritage advice is obtained regarding the repairing of windows and cladding. A copy of the advice should be provided to both HCC and HNZ.
- Plans or photographs showing the extent and scale of the work to be undertaken be provided to HCC prior to any physical works commencing. Work should be localised as much as possible.



History of Building

The Alexandra Buildings was built c.1903, originally housing the offices of Mr C.L. MacDiarmid, a local solicitor, and early member of the Hamilton Club at the upper floor. Ground floor retailers included Mr TA Brown, hairdresser and tobacconist and Mrs Penlington who operated a clothing and millinery store.

While the architect responsible for the design of the building has not been confirmed, it is similar in style to a number of other buildings in Hamilton designed by FE Smith. Alterations to the building were designed by the practice of Daniell and Anderson in 1912.

The offices at the upper floor housed a variety of professionals including accountants, medical practitioners and architect Charles A Vautier in the 1920s. During the 1930s the Waikato A & P Association and Hamilton Rugby Union had offices here. In the 1950s the building housed the Carpenter and Joiners Union, Drivers Union, Engineers Union and Communist Party of New Zealand as well as Bennet & Simons Land Agents.

The Alexandra Buildings is an example of Edwardian classical style, utilising classical composition, detailing and decorative elements. It is a good example of a style utilised for mainstreet commercial buildings in towns and cities throughout New Zealand at this time.

The building demonstrates the pattern of commercial development in Hamilton, which expanded along Victoria Street from the late 1870s, with increasing development during the early 1900s. Built in c. 1903-1907, the building was constructed at a similar time to many of Hamilton's public buildings. In the early 1900s Victoria Street was the primary location for Hamilton's professional offices as well as its retail mainstreet.

Purpose of Application

Detail Seismic Assessment (DSA)
Engineering Design
Earthquake strengthening and
Essential repairs

Funding Amount Requested

\$400 000.00

Assessment Criteria

District Plan Listing	District Plan Ranking = B (<i>Heritage Inventory</i>) Date of Construction = c. 1903 Architect = not Identified Registered HNZ = No
Ownership	Private
Is the building earthquake-prone?	Yes
Works Proposed	Essential repair and seismic strengthening
Does the work detract from the heritage values of the item?	No - proposed work supports the heritage fabric and will ensure the retention of heritage buildings along Victoria Street.
Do the works contribute to the retention, preservation and the continued use of the heritage building?	Yes - Earthquake strengthening will protect the building during a natural disaster, and ensure the building has the ability to have an ongoing use.
Is the work supported by a conservation/maintenance plan?	Yes, Conservation plan was prepared in 2017
What funding is the applicant bringing to the project?	The applicant is proposing to contribute \$50 000.00 towards the works
Comments - Urban Design Panel	Key building along Victoria Street Ensure that DSA is peer reviewed.

Recommendation

A grant of \$10 000.00 should be offered for the undertaking of Detailed Seismic Assessment (DSA). With the following condition:

- The DSA is to be undertaken by a suitably qualified engineering firm.
- No construction works to be carried out to the exterior of the building without the necessary Resource and Building Consents.
- Written heritage advice is obtained from a suitably qualified expert to assist with the development of the DSA and any engineering design work. This information is to be provided, along with the final DSA to Council.
- Final DSA to be peer reviewed by suitably qualified structural engineer. The peer review documentation to be provided to HCC.

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History of Building

The distinctive plastered Arts and Crafts style house, named St Olaves, at 5 Albert Street was thought to have been built for Olaf Eugene Mortensen a Hamilton building contractor, around 1922.

The house is of significance for its distinctive design combining Arts and Crafts and English Domestic revival styles. The curved porch is a memorable feature of the house and incorporates decorative detail in plaster including cartouches above the piers and the name St Olaves in a plastered plaque over the stairs. The house has low pitched gabled Marseilles tiled roofs and bay windows to the projecting bays on the south and west sides. A porch is located on the south side contained within the main roof form. The building is finished in rough cast plaster with quoin details at the corners. Within the recessed porch a smooth plaster finish detailed lines to look like ashlar stonework is used. Decorative crests are located on the gable ends.

The house at 5 Albert Street is distinctive in its plan form and design and displays a degree of craftsmanship, materials and detailing not common on other examples of Arts and Crafts houses in Hamilton.

Purpose of Application

Essential repairs and restoration to the significant veranda and the back door veranda.

Funding Amount Requested

\$29 114.92

Assessment Criteria

District Plan Listing	District Plan Ranking = B (<i>Heritage Inventory</i>) Date of Construction = c. 919-1922 Architect = Builder – possibly Olaf Eugene Mortensen Registered HNZ = No
Ownership	Private
Is the building earthquake-prone?	N/A
Works Proposed	The repair and restoration of both the ornate front veranda and the back door veranda. The concrete has deteriorated and the verandahs are leaking and corroding.
Does the work detract from the heritage values of the item?	No - proposed work supports the heritage fabric.
Do the works contribute to the retention, preservation and the continued use of the heritage building?	Yes - The proposed repairs would ensure the protection of the building's heritage fabric and would allow for the building to have a ongoing use.
Is the work supported by a conservation/maintenance plan?	No - However heritage advise, to ensure the repair works is undertaken in a manner that avoids any loss of the heritage fabric is being commissioned as part of the overall works to the house.
What funding is the applicant bringing to the project?	The applicant is proposing to contribute \$5 000.00 towards the works. The applicant has already undertaken extensive repairs and maintenance to the building
Comments - Urban Design Panel	<ul style="list-style-type: none"> • The front verandah has key features not found anywhere else in Hamilton. • The works already done to the building demonstrates the commitment to the ongoing retention of the building • However the lack of prominence of the building is an issue (Located behind block of flats, not visible from public space)

Recommendation

A grant of \$17 000.00 should be offered. With the following condition:

- Written heritage advice from a suitably qualified heritage expert is to be obtained prior to any works commencing
- The heritage expert is to also oversee the works to the house.
- The repair works to both verandahs shall only commence once the written heritage advice has been obtained and submitted to council.

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History of Building

The house at 102 Forest Lake Road is one of a group of nine houses known as the Laurenson Settlement built on the north-western side of Forest Lake Road as workers dwellings between 1914 and 1916, under the Workers Dwellings Act 1910. A further two houses were built in 1920-21. The houses were built for applicant purchasers and were designed by Woburn Temple, a Department of Labour Staff Architect.

In New Zealand workers' housing was largely developed by the Government. The Workers Dwelling Act 1905 provided the basis for the development of the first state housing schemes, under the Liberal Government led by Richard Seddon. Architects were invited to submit plans and thirty four designs were selected from 150 entries. No two houses were to look the same and the intention was to move away from row-housing types. A different approach was proposed for the North and South Islands.

The first homes were built and rented on the outskirts of the four main cities to provide good quality but affordable homes for working families. Examples other than the houses on Lake Road include the surviving row of houses in Patrick Street in Petone near Wellington.

The houses built in Hamilton as part of the Laurenson settlement in Forest Lake Road are significant for their associations with Government development of worker housing.

Purpose of Application

Maintenance. The funding is to replace the existing corrugated iron roof cladding with new like-for-like coloursteel corrugated iron. The existing roof cladding is corroded in several locations with small holes present in the cladding. There are also leaks present above the smaller bedroom and kitchen which result in water tracking into the house.

Funding Amount Requested

\$ 9 365.04

Assessment Criteria

District Plan Listing	District Plan Ranking = B (<i>Heritage Inventory</i>) Date of Construction = c.1915 Architect = Woburn Temple Registered HNZ = Yes - Category II (9903)
Ownership	Private
Is the building earthquake-prone?	N/A
Works Proposed	Roof replacement.
Does the work detract from the heritage values of the item?	No - Ongoing maintenance to the house is important to ensure the heritage value of the building is retained.
Do the Works contribute to the retention, preservation and the continued use of the heritage building?	The replacement of the entire roof will ensure the heritage values of the house are protected and will ensure the ongoing residential use of the building.
Is the Work supported by a conservation/maintenance plan?	No heritage consultation has been carried out regarding the works.
What funding is the applicant bringing to the project?	Applicant proposes to contribute 50% of costs. They have also undertaken repairing and rehabilitating the house with assistance from the last round of the heritage fund.
Comments - Urban Design Panel	<ul style="list-style-type: none"> Unclear if guttering and down pipes are to be replaced. If to be replaced the guttering and downpipes should reflect the heritage value of the building. Heritage New Zealand happy to provide advice on the proposed work as the building is listed with HNZ.

Recommendation

A grant of \$8 000.00 should be offered. With the following conditions:

- Written advice from Heritage New Zealand confirming the suitability of the proposed 'like for like' replacement roof profile is to be obtained and a copy submitted to HCC prior to any works commencing.

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History of Building

Fréar's Building, also known as Pascoe's Buildings, was built in 1916 at the corner of Garden Place and Victoria Street, for Joseph Fréar. It was designed by Wade & Wade Architects in Auckland and built by W E Hutcheson.

The building was one of the earliest substantial commercial buildings to be erected in central Hamilton. Signage on the building facades relates to Pascoes Jewellers who remained as tenants until at least the 1960s. The jewellery firm of James Pascoe eventually bought the building from the Fréar family.

Many of Hamilton's early shops and businesses had been located in the Ferrybank area, but in the mid 1870s the main business zone was located at the southern end of Victoria Street. In the early twentieth century commercial development expanded further to the north, away from the ferry landing which had provided a vital transport link in earlier years and closer to the railway station which offered a more modern and efficient form of transport.

The Garden Place hill had gradually become a constraint within the commercial area, rather than a geographic feature on the edge of it. In 1906 Hamilton Borough Council proposed that the central part of the Garden Place frontage to Victoria Street should be leased for commercial building. Joseph Fréar protested, concerned to maintain the value of his adjacent property as well as the open space in the centre of Hamilton. The proposal was rejected by ratepayers and Garden Place became a landscaped area containing lawns, trees and fountains.

Joseph Fréar was a carpenter, entrepreneur and successful businessman who played an important role in Hamilton in the late 19th and early 20th centuries. He served on the Hamilton Borough Council and on committees of the Hamilton Chamber of Commerce and Hamilton West School.

Purpose of Application

Detailed seismic strengthening

Funding Amount Requested

\$15 000.00

Assessment Criteria

District Plan Listing	District Plan Ranking = A (<i>Heritage Inventory</i>) Date of Construction = 1916 Architect = Wade & Wade Architects Registered HNZ = Category II (5298)
Ownership	Private
Is the building earthquake-prone?	Yes - A Detailed Seismic Assessment (DSA) of the building was completed in March 2014 by Beca Ltd who identified the building to be an Earthquake Prone Building, with a seismic rating of 20-25% of New Building Standard (%NBS).
Works Proposed	Detailed Design of Strengthening Schemes
Does the work detract from the heritage values of the item?	No - proposed work supports the heritage fabric. Supports the revitalization of the central city by ensuring the heritage buildings in the area are retained.
Do the works contribute to the retention, preservation and the continued use of the heritage building?	Yes - Earthquake strengthening will protect the building during a natural disaster and will also ensure the building has the ability to have a ongoing use.
Is the work supported by a conservation/maintenance plan?	No
What funding is the applicant bringing to the project?	The applicant is proposing to contribute \$15 000.00 towards the works
Comments - Urban Design Panel	Key building within Hamilton Central City and the panel members support the proposed 67% earthquake strengthening .

Recommendation

A grant of \$15 000.00 should be offered. With the following condition:

- The detailed design of any strengthening works is to include a comprehensive assessment with recommendations from a suitably qualified heritage expert to ensure the proposed design works does not negatively impact the heritage fabric of the building.
- Heritage report to be provided to Council

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History of Building

The carefully detailed Art Deco building at the corner of Victoria Street and Rostrevor Street was designed in June 1937 by Vautier and Vautier Architects and Structural Designers, Hamilton for J Cleary and built in 1938.

This is a very good example of a commercial building designed in the Art Deco Style, built in the inter war period. The style became popular between the mid to late 1920s and the 1940s, after the Exposition des Arts Decoratifs et Industriels Moderns held in Paris in 1925. A feature of Art Deco Style was the rich use of colour, materials and geometric ornament, along with streamlined aerodynamic forms.

This is evident in the building in the stepped parapet with chevron pattern, incised horizontal lines, and low relief decorative panels used to articulate the upper facade. The curved corner is emphasised with decorative banding and glazed corner window, an example of the streamlined forms typical of Art Deco. The pressed metal verandah soffit, again incorporating the chevron decorative motif, combined with the shop fronts, original stepped glazed doors contribute to the overall completeness of this as a good example of the Art Deco style.

There are few other examples in Art Deco style in Victoria Street. Others include building at 317 Victoria Street. The Hamilton Post Office and former Borough Council Chambers in Alma Street demonstrate Art Deco influences but in a more subtle manner.

The building demonstrates the progressive expansion of commercial development north along Victoria Street in the early decades of the 20th century.

Purpose of Application

Repair and replacement of the canopy roofing and guttering.

Funding Amount Requested

\$58 694.50

Assessment Criteria

District Plan Listing	District Plan Ranking = B (<i>Heritage Inventory</i>) Date of Construction = 1938 Architect = Terrence Vautier, Builder D.J. Gate Registered HNZ = No
Ownership	Private
Is the building earthquake-prone?	No
Works Proposed	Repair and replacement of the canopy's corrugated iron roof.
Does the work detract from the heritage values of the item?	No - proposed work supports the heritage fabric. However no heritage input has been provided regarding the impact on the heritage fabric specifically the pressed metal verandah soffit.
Do the works contribute to the retention, preservation and the continued use of the heritage building?	Yes - The repair of the canopy and guttering would contribute to the ongoing use and preservation of the building. The canopy is a integral part of the heritage fabric of the building.
Is the work supported by a conservation/maintenance plan?	No
What funding is the applicant bringing to the project?	Applicant is to fund any funding shortfall.
Comments - Urban Design Panel.	<ul style="list-style-type: none"> • Key that the pressed metal soffit under canopy is retained and if taken down carefully stored before being reinstated. • Input from a heritage expert is needed. • More detail needed on how the proposed work will be achieved.

Recommendation

A grant of \$13 000 should be offered. With the following condition:

- Works to the heritage fabric of the canopy should be overseen by a heritage expert.
- A heritage report that sets out how the proposed works are to be undertaken, and how the heritage fabric of the canopy is to be managed must be completed and submitted to council prior to any work commencing.

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Attachment 2: Heritage Fund Allocation Recommendations – October 2018

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Table A: Proposed funding allocations for 2018/19 financial year

Overall Funding allocation breakdown for the financial year (2017/18)	Annual Heritage Fund	Total cost of all works proposed	Total amount of funding being sought	Total amount recommended to be allocated	Un-allocated funds
	\$100,000.00	\$670,066.30	\$553,193.30	\$100,000.00	\$0.00

Table B: 2018-19 Heritage Fund Recommendations for each eligible application

No.	Fund Ref #	Applicant	Address	PODP Heritage # & Ranking	Proposed Work	Total cost of	Funding Sought	Recommendation	
								Funding	Reason
1	001	T Williams	126 Forest Lake Road	H57 B Ranked Laurenson Settlement House	Funding is sought painting the entire building.	\$7,160.00	\$7,160.00	\$6,000.00 With the following condition: <ul style="list-style-type: none"> A written and photographic record of the process of the preparation and painting of the dwelling is to be provided to Council. 	The recommended funding is a continuation of the support already provided through the 16/17 and 17/18 funding rounds that is ensuring the heritage value of the building is retained.

Attachment 2

No.	Fund Ref #	Applicant	Address	PODP Heritage # & Ranking	Proposed Work	Total cost of	Funding Sought	Recommendation	
								Funding	Reason
2	004	L. Hunt	669 River Road	A15 Tupari Paa	Funding is sought for the preparation of an archaeological report	\$ 4,200.00	\$ 3,000.00	<p>\$ 3,000.00</p> <p>With the following conditions:</p> <ul style="list-style-type: none"> • The archaeological report is to be prepared by a qualified archaeologist. • Advice is obtained from Heritage New Zealand on the process required to be undertaken in accordance with the Heritage New Zealand Pouhere Taonga Act 2014 prior to any works commencing. • A copy of both the archaeological report and Heritage New Zealand advice is to be provided to Council prior to works commencing • A copy of the archaeological report and details of the proposed physical works and consents obtained shall be provided to Heritage New Zealand. 	The provision of funding for the preparation of the archaeological report will provide further advice and direction to ensure any works on site contribute to the preservation and not destruction of archaeological material.

No.	Fund Ref #	Applicant	Address	PODP Heritage # & Ranking	Proposed Work	Total cost of	Funding Sought	Recommendation	
								Funding	Reason
3	006	A Saluja	37 Victoria Street	H37 A Ranked Wesley Chambers	Funding is sought for priority works: repair windows	\$43,100.00	\$21,550.00	\$21,000.00 With the following condition: <ul style="list-style-type: none"> The removal, restoration and re-installation is to be overseen by a suitably qualified heritage expert. 	This is a key building in the central city area. The recommended funding is a continuation of the support already provided through the 16/17 and 17/18 funding. The funding supported through this round is for work aimed to retain existing heritage fabric by removing, repairing and reinstating the large upper floor windows that are in an extremely poor condition.
4	008	J Shaskey	102 Lake Crescent	H21 A Ranked Lake House	Funding is sought for essential repairs to the roof and windows	\$19,467.13	\$4,344.13	\$4,000.00 With the following condition: <ul style="list-style-type: none"> All works are to be overseen by a suitably qualified heritage architect and undertaken in accordance with an approved resource consent. 	The provision of funding will ensure the heritage values of the house will continue to be protected through the repair of the roof and selected windows

No.	Fund Ref #	Applicant	Address	PODP Heritage # & Ranking	Proposed Work	Total cost of	Funding Sought	Recommendation	
								Funding	Reason
5	009	P van der Zee	10 Silva Crescent	H30 A Ranked Riverlea House	Funding is sought for essential repairs and restoration to cladding and windows	\$ 4,964.71	\$ 4,964.71	<p>\$ 3,000.00</p> <p>With the following conditions:</p> <ul style="list-style-type: none"> • Written heritage advice from a suitable qualified heritage expert is to be obtained • Plans or photographs are to be prepared to identify the extent and scale of the works to be undertaken. • The written advice and plans/photographs are to be provided to Council prior to any physical works commencing. A copy shall also be provided to Heritage New Zealand. • Any maintenance work and repairs are to be localised to avoid the wholesale removal of exterior cladding. 	The recommended funding will ensure the heritage values of the house will continue to be protected through the repair of identified cladding and selected windows

No.	Fund Ref #	Applicant	Address	PODP Heritage # & Ranking	Proposed Work	Total cost of	Funding Sought	Recommendation	
								Funding	Reason
6	010	S Shaigan	221 Victoria Street	H73 B Ranked Alexandra Building	Funding is sought for the preparation of a DSA, strengthening and essential repairs.	\$450,000.00	\$400,000.00	\$10,000.00 With the following conditions: <ul style="list-style-type: none"> • The DSA is to be undertaken by a suitably qualified engineering firm. • No construction works are to be carried out to the exterior of the building without the necessary Building and Resource consents. • Written heritage advice shall be obtained from a suitably qualified expert to assist with the development of the DSA and the engineering design work. • The final DSA is to be peer reviewed by an independent and suitably qualified structural engineering firm. • The final DSA and the peer review report are to be provided to Council. 	The provision of funding to assist with the preparation of a Detailed Seismic Assessment (DSA), will enable to completion of the overall objective to seismically strengthen the building.

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No.	Fund Ref #	Applicant	Address	PODP Heritage # & Ranking	Proposed Work	Total cost of	Funding Sought	Recommendation	
								Funding	Reason
7	011	L Neeson	5 Albert Street	H118 B Ranked St Olaves House	Repair and restoration of the verandahs	\$34,114.92	\$29,114.92	\$17,000.00 With the following conditions: <ul style="list-style-type: none"> Written heritage advice from a suitably qualified heritage expert is obtained prior to any works commencing. The heritage expert is to also oversee the works to the house. The repair works to both verandahs shall only commence once the written heritage advice has been obtained and submitted to Council. 	The provision of funding to assist with the cost of the repair of the ornate verandahs, to be undertaken under the guidance of heritage expertise will ensure the repair and restoration is undertaken to avoid the loss of the specific heritage features of the building.
8	012	G Douglas	102 Forest Lake Road	H55 B Ranked Laurenson Settlement House	Funding is sought for roof replacement	\$18,365.04	\$9,365.04	\$ 8,000.00 With the following conditions: <ul style="list-style-type: none"> Written advice from Heritage New Zealand is obtained to confirm the suitability of the proposed 'like for like' replacement roofing profile. A copy of that advice shall be submitted to Council prior to any works commencing. 	The funding is a continuation of the support already provided through the 17/18 funding round that is ensuring the heritage value of the building is retained.

No.	Fund Ref #	Applicant	Address	PODP Heritage # & Ranking	Proposed Work	Total cost of	Funding Sought	Recommendation	
								Funding	Reason
9	013	Maritime Partnership	357 Victoria Street	H40 A Ranked Frears/Pascoes Building	Earthquake strengthening	\$30,000.00	\$15,000.00	\$15,000.00 With the following conditions: <ul style="list-style-type: none"> The detailed design of any strengthening works is to include a comprehensive assessment with recommendations from a suitably qualified heritage expert to ensure the proposed design works does not negatively impact the heritage fabric of the building. A copy of the heritage report is provided to council. 	The provision of funding to assist with the costs to prepare the detailed design of strengthening works in accordance with the previously prepared Detailed Seismic Assessment (DSA), will assist with the overall objective to seismically strengthen the building.
10	014	V Hills	809 Victoria Street	H98 B Ranked Former Housing NZ Building / Fine Arts Society Building	Repair and replacement of the canopy roofing	\$58,694.50	\$58,694.50	\$13,000.00 With the following conditions: <ul style="list-style-type: none"> Works to the heritage fabric of the canopy shall be overseen by a heritage expert. A heritage report that sets out how the proposed works are to be undertaken, and how the heritage fabric of the canopy is to be managed must be completed and submitted to Council prior to any work commencing. 	The provision of funding will assist with the retention of an integral part of the heritage fabric of the building.

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Attachment 2

Attachment 2

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Council Report

Item 17

Committee: Council **Date:** 11 October 2018

Author: Ken Cunningham **Authoriser:** Chris Allen

Position: Strategic Land Manager **Position:** General Manager
Development

Report Name: Wetland Storage and Treatment Area Land Purchase - Borman Road

Report Status	<i>Open</i>
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Purpose

1. To seek Council's approval for the purchase of land for a wetland catchment for the treatment and storage of storm water in the Borman Road / Horsham Downs Road area of the city.

Staff Recommendation

2. That the Council:
 - a) approves the purchase of approximately 1.2802ha of land for \$3,900,000 (plus GST, if any), as shown on Attachments 1 & 2, subject to Title and purchase price being adjusted, if required, on a proportionate square metre rate; and
 - b) delegates authority to the Chief Executive to sign all relevant documentation to enable completion of the purchase.

Executive Summary

3. A wetland storage and treatment facility is required to enable the development of the North Ridge area and surrounding residential zoned land. The draft Integrated Catchment Management Plan shows a wetland located on the subject land to serve the North Ridge area and beyond.
4. The North Ridge area is a series of large lot residential land that was developed in the 1970s. The area is now zoned for residential purposes.
5. The fragmented ownership of the land and the differing aspirations of the owners has required Council to acquire land for the wetland so that those who want to develop their land now can do so.
6. This approach ensures that the area is provided with a single wetland for the whole catchment to service approximately 500 residential lots. If the Council does not take this approach, the developers would be required to provide their own mitigation on their land and hence Council would have had to maintain a multitude of small wetland areas.
7. A valuation by SGHU Valuations, an independent Hamilton based registered valuation firm, has determined the value of the land at \$3,900,000 (plus GST, if any), which has been agreed to by the land-owner Kimbrae Farms Ltd (Kimbrae).

8. Council has funding for the wetland construction in the 2019/20 Annual Plan. Staff are working with consultants to design the wetland with a view to tendering construction this current financial year (2018/19).
9. Funding for the land acquisition is also available in the 10-Year Plan for 2018/19.
10. Staff consider the decision in this report has low significance and that the recommendations comply with the Council's legal requirements.

Background

11. Staff have been having discussions with the owners of land located at Borman Rd, Kimbrae Farms Limited (Kimbrae), regarding the purchase of land for a wetland facility. Refer Attachment 1 & 2.
12. The purchase is required to provide the surrounding area (refer Attachment 2) with planned storm water storage and treatment capacity.
13. This report to Council is required as the valuation of the land purchase exceeds the Chief Executive's delegated authority of \$3.0 million for purchasing land.

Valuation

14. A valuation report for the required land was obtained from Hamilton valuation firm SGHU Valuations Ltd (SGHU). It recognised the development potential of the land as provided for in the Council's District Plan and an agreement reached with Kimbrae in 2008 where land for Borman Road (a minor arterial network road) was purchased for \$0.10 cents.
15. The 2008 Sale and Purchase agreement reflected the thinking of the time that Council would construct Borman Road through the Kimbrae land, without any contribution being sought from Kimbrae.
16. The SGHU valuation of the land advises of an acquisition market level of \$3,900,000 (plus GST, if any) for 1.2802ha that has been agreed to by Kimbrae.
17. The costs of the valuation and legalisation of the land purchase is estimated to be approximately \$20,000.

Discussion

18. The purchase of the wetland area is required to enable adequate provision of storm water infrastructure for the catchment area, which includes existing new residential development and other proposed subdivision areas in the immediate vicinity. Refer Attachment 2.
19. The land being purchased will be surveyed to enable a Title to be issued and area confirmed.
20. The acquisition of the land and later construction of the wetland will enable approximately 500 lots to be brought to the market. The timing of the delivery will be determined by the investment of the landowners and developers.
21. The construction of the wetland is budgeted for in 2019/20 and will be utilised immediately as some of the in the catchment area is consented for residential subdivision.
22. The cost of the land and construction of the wetland will largely be recovered from the developers through the development contribution process.

Options

23. No options (apart from do nothing) are available for Council to consider because of the fragmented nature of the land holdings.

24. Council could elect to do nothing, but this option would be counter to the need to produce developed lots to meet the needs of the city's growth.
25. Staff recommend the option to acquire the land because there is no other way that the storm water mitigation can be provided in a timely manner.

Financial Considerations

26. The 2018/19 Annual Plan has budget available for the land purchase including costs (reference CE 15059 – Rototuna Stormwater Infrastructure).
27. Following the purchase of the land there will be the cost of construction of the wetland in 2019/20, budgeted at \$2,000,000 and ongoing maintenance of the facility, which is also budgeted.

Legal and Policy Considerations

28. Staff confirm that the recommendations comply with the Council's legal and policy requirements.

Risks

29. Should Council decide to discontinue with the acquisition there is a risk of a challenge from the development community who have an anticipation that the land will be acquired, and the wetland constructed to allow their land development to provide more residential lots to meet the city's growth requirements.

Significance & Engagement Policy

Significance

30. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matter(s) in this report has/have a low level of significance.

Engagement

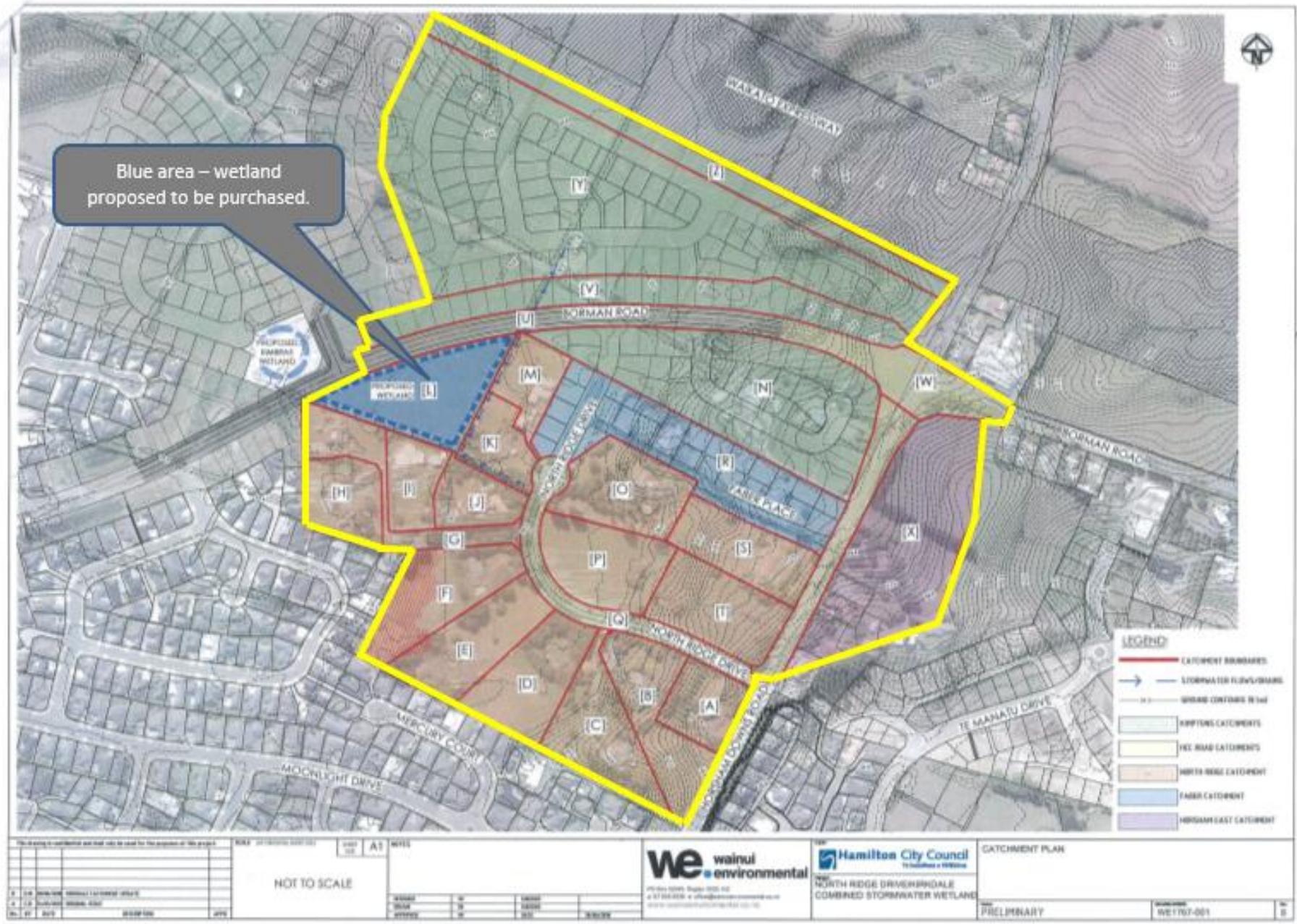
31. Given the low level of significance determined, the engagement level is low. No engagement is required.

Attachments

Attachment 1 - Aerial map indicating location of land

Attachment 2 - Plan showing wetland catchment area





Yellow outline indicates the proposed wetland catchment area

Council Report

Item 18

Committee: Council **Date:** 11 October 2018
Author: Amy Viggers **Authoriser:** Becca Brooke
Position: Committee Advisor **Position:** Governance Team Leader
Report Name: Recommendation from the Community Services and Environment Committee - Community Occupancy Policy

Report Status	<i>Open</i>
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1. To seek the Council's approval of a recommendation from the Community Services and Environment Committee at its 11 September 2018 meeting, in respect of the Community Occupancy Policy.
2. That 11 September 2018 Community Services and Environment Committee agenda and minutes are available via the follow link:
https://www.hamilton.govt.nz/our-council/Council_meetings_and_public_information/meetings-and-minutes/Pages/default.aspx

Recommendation

3. That the Council approves the Community Occupancy Guidelines Option B - the proposed Community Occupancy Policy with a two-tiered (Tier 1: 50%, Tier 2: 87.5%) rental subsidy.

Attachments

There are no attachments for this report.

Council Report

Item 19

Committee: Council
Author: Amy Viggers
Position: Committee Advisor
Report Name: Recommendation from the Community Services and Environment Committee - Community Assistance Policy

Date: 11 October 2018
Authoriser: Becca Brooke
Position: Governance Team Leader

Report Status	<i>Open</i>
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1. To seek the Council's approval of a recommendation from the Community Services and Environment Committee at its 11 September 2018 meeting, in respect of the Community Assistance Policy.
2. The 11 September 2018 Community Services and Environment Committee agenda and minutes are available via the following link:
https://www.hamilton.govt.nz/our-council/Council_meetings_and_public_information/meetings-and-minutes/Pages/default.aspx

Staff Recommendation

3. That the Council approves the updated Community Assistance Policy.

Attachments

There are no attachments for this report.

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. Confirmation of the Council Public Excluded Minutes - 6 September 2018) Good reason to withhold information exists under Section 7 Local Government	Section 48(1)(a)
C2. Confirmation of the Extraordinary Council Public Excluded Minutes - 25 September 2018) Official Information and Meetings Act 1987	
C3. Confirmation of the Elected Member Briefing Notes - 5 September 2018 - Closed		
C4. Confirmation of the Elected Member Briefing Notes - 13 September 2018 - Closed		
C5. Waikato District Council Libraries Proposal		
C6. Peacocke Land First Rights of Refusal		
C7. Hamilton Ring Road Contract Award		

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

Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C3.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)

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| Item C4. | to prevent the disclosure or use of official information for improper gain or improper advantage | Section 7 (2) (j) |
| Item C5. | to enable Council to carry out negotiations | Section 7 (2) (i) |
| Item C6. | to enable Council to carry out negotiations | Section 7 (2) (i) |
| Item C7. | to enable Council to carry out commercial activities without disadvantage | Section 7 (2) (h) |