

## Notice of Meeting:

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

**Date:** Thursday 13 December 2018  
**Time:** 9.30am  
**Meeting Room:** Council Chamber  
**Venue:** Municipal Building, Garden Place, Hamilton

Richard Briggs  
Chief Executive

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# Council OPEN AGENDA

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## 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

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Lee-Ann Jordan  
Governance Manager

**7 December 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:** 13 December 2018  
**Author:** Amy Viggers **Authoriser:** Becca Brooke  
**Position:** Committee Advisor **Position:** Governance Team Leader  
**Report Name:** Confirmation of the Extraordinary Council Open Minutes - 15 November 2018

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

That the Council confirm the Open Minutes of the Extraordinary Council Meeting held on 15 November 2018 as a true and correct record.

## Attachments

Attachment 1 - Extraordinary Council Open Unconfirmed Minutes - 15 November 2018

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## Council

### OPEN MINUTES

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Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 15 November 2018 at 9.30am.

#### PRESENT

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

In Attendance:

- Lance Vervoort – General Manager Community (Deputy Chief Executive)
- David Bryant – General Manager Corporate
- Eeva-Liisa Wright – General Manager Infrastructure Operations
- Jen Baird – General Manger City Growth
- Paul Mens – Director Business Transformation
- Kelvin Powell – City Safe Unit Manager
- Maria Barrie – Parks and Recreations Manager
- Karen Kwok – Recreation and Community Facilities Senior Advisor
- Tahl Lawrence – Project Engineer
- Ken Cunningham – Strategic Land Manager
- Trevor Harris – Property Officer Acquisitions Disposal
- Alice Morris – City Planning Policy Team Leader
- Paul Bowman – Team Leader Economic Growth and Planning
- Peter Crocker – Animal Control Team Leader
- Riki Manarangi – Corporate Policy Specialist

Governance Staff:

- Lee-Ann Jordan – Governance Manager
- Becca Brooke – Governance Team Leader
- Amy Viggers – Committee Advisor

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*Tame Pokaia opened the Council meeting with a blessing.*

#### 1. Apologies

**Resolved:** (Cr Casson/Deputy Mayor Gallagher)  
That the apology for absence from Cr Macpherson is accepted.

**2. Confirmation of Agenda**

**Resolved:** (Mayor King/Cr Bunting)

That the agenda is confirmed noting the following:

- a) that the debate will be 2 minutes with a 1-minute extension if required; and 5 minutes for Items 9 (Chairs Report) and 10 (Hamilton Roller Skating Club).
- b) that attachment 1 (nominated recipients background Information) for Item C9 (Freedom of the City Awards) has been circulated to Elected Members under separate cover during the meeting.

**3. Declarations of Interest**

Deputy Mayor Gallagher noted that he had a family member that was involved with the Hamilton Dog Obedience Club in relation to Item 10 (Hamilton Roller Skating Club). He did not view that he was conflicted on the matter and would still partake in the vote.

Cr Henry noted she was a resident of Temple View in relation to Item 14 (Proposed Plan Change 3 – Temple View Boundary Alteration) and would not partake in discussion or vote on that matter.

**4. Public Forum**

**Clare Browne and James Carter (Representatives of Hamilton Dog Obedience Club)** – Spoke to Item 10 (Hamilton Roller Skating Club). They were opposed to a trial period for the Hamilton Roller Skating Club and opposed to a change to the original agreement in place. They were willing to reduce the number of hours of exclusive use of the park as outlined in the original agreement to what had been informally agreed between the clubs.

**Richard Small (Representative of Waikato Agility Group) and Bevan Dale (Representative of DogsNZ)** – Spoke to Item 10 (Hamilton Roller Skating Club). They advised that they were opposed to a change to the original agreement of exclusive hours for the dog clubs. Reduction of space was an issue with the growth of the dog agility sport.

**Kathy Moody and Russelle Knapp (Representative of Hamilton Roller Skating Club)** – Spoke to Item 10 (Hamilton Roller Skating Club). They noted they would like to remove the original exclusivity clause from the lease agreement and the clause that allowed parking in the rink during dog events. They also noted that they had concerns regarding the previous hearings process.

*Item 10 (Hamilton Roller Skating Club) was taken next to accommodate members of the public in attendance.*

**10. Hamilton Roller Skating Club**

The Parks and Recreation Manager introduced the report and summarised the previous hearings process that had taken place as outlined in the staff report. Staff responded to questions concerning the staff recommendation, proposed trial, parking arrangements, and animal control's observations.

*The General Manager Community clarified that the HCC staff member referred to during the public forum was not involved with the process at the time as incorrectly suggested by the representatives of the Hamilton Roller Skating Club.*

**Resolved:** (Cr Pascoe/Mayor King)

That the Council receives the report.

**Cr Casson Dissenting.**

**Motion:** (Cr Pascoe/Mayor King)

That the Council:

- a) approves a trial period to suspend lease condition 24.2(i) allowing dog club training and speed skating activities to operate simultaneously at Melville Park, between 15 November 2018 and 1 March 2019; and
- b) notes that a staff recommendation on varying Hamilton Roller Skating Club Incorporated's lease condition 24.2(i) will be presented to the Community, Services and Environment Committee following the trial outlined in b) above.

**The Motion was put.**

**Those for the Motion:** Mayor King, Crs Pascoe, Mallett, Henry and Hamilton.

**Those against the Motion:** Deputy Mayor Gallagher, Crs Tooman, O'Leary, Bunting, Casson, Southgate and Taylor.

**The Motion was declared lost.**

**Resolved:** (Cr Pascoe/Mayor King)

That the Council approves the request from the Hamilton Roller Skating Club to remove lease condition 24.2(h) and encourage the clubs to agree on car parking arrangements for events as and when required.

**Those for the Motion:** Mayor King, Crs Pascoe, Mallett, O'Leary, Bunting, Henry, Southgate and Hamilton.

**Those against the Motion:** Deputy Mayor Gallagher, Crs Tooman, Casson and Taylor.

**The Motion was declared carried.**

**5. Confirmation of the Council Open Minutes - 11 October 2018**

**Resolved:** (Mayor King/Cr Casson)

That the Council confirm the Open Minutes of the Council Meeting held on 11 October 2018 as a true and correct record.

**6. Confirmation of the Council Open Minutes - 1 November 2018**

**Resolved:** (Mayor King/Deputy Mayor Gallagher)

That the Council confirm the Open Minutes of the Council Meeting held on 1 November 2018 as a true and correct record.

7. **Confirmation of Elected Member Briefing Notes - Open - 4 October 2018**

**Resolved:** (Mayor King/Cr Casson)

That the Council confirm the Open Notes of the Elected Member Briefing held on 4 October 2018 as a true and correct record.

8. **Confirmation of Elected Member Briefing Notes - Open - 25 October 2018**

**Resolved:** (Cr Bunting/Deputy Mayor Gallagher)

That the Council confirm the Open Notes of the Elected Member Briefing held on 25 October 2018 as a true and correct record.

9. **Chair's Report**

The Chair took the report as read.

The General Manager Infrastructure Operations clarified the resolution of the 23 October 2018 Growth and Infrastructure Committee meeting which requested Waikato Regional Council consider funding a Business Case for the implementation of a Free Youth (<18 Years) concession fare. She then clarified the introduction of a Disability fare concession of 100%.

Staff responded to questions from Elected Members concerning the business case scope and the cost to ratepayers for the free Youth and Disability fare concessions.

**Motion:** (Mayor King/Cr Bunting)

That the Council:

- a) receives the report;
- b) endorses the introduction of a Disability fare concession of 100%; and
- c) approves funding up to a maximum of \$25,000 to support funding the Hamilton City Council local share should the Waikato Regional Council fund the Free Youth (<18 Years) Concession Fare Business Case for bus services in Hamilton City, funded from existing 2018-28 10 Year Plan transport activity budgets.

**Amendment:** (Cr Pascoe/Cr O'Leary)

That the Council:

- a) receives the report;
- b) endorses the introduction of a Disability fare concession of 100%; and
- c) endorses the 23 October 2018 Growth and Infrastructure Committee resolution to *'request the Waikato Regional Council to consider funding a Business Case for the implementation of a Free Youth (<18 Years) concession fare for bus services in Hamilton City'*.

**The Amendment was put.**

**Those for the Amendment:** Crs Pascoe, O'Leary, Casson and Southgate.

**Those against the Amendment:** Mayor King, Deputy Mayor Gallagher, Crs Mallett, Tooman, Bunting, Henry, Taylor and Hamilton.

**The Amendment was declared lost.  
The Motion was then put (taken in parts)**

**Resolved:** (Mayor King/Cr Bunting)  
That the Council:  
a) receives the report; and  
b) endorses the introduction of a Disability fare concession of 100%.  
**Cr Mallett Dissenting.**

**Resolved** (Mayor King/Cr Bunting)  
That the Council approves funding up to a maximum of \$25,000 to support funding the Hamilton City Council local share should the Waikato Regional Council fund the Free Youth (<18 Years) Concession Fare Business Case for bus services in Hamilton City, funded from existing 2018-28 10 Year Plan transport activity budgets.

**Those for the Motion:** Mayor King, Deputy Mayor Gallagher, Crs Tooman, Bunting, Henry, Southgate, Taylor and Hamilton.

**Those against the Motion:** Crs Pascoe, Mallett, O'Leary and Casson.

**The Motion was declared carried.**

**The meeting adjourned 12.06pm – 12.18pm.**

*Crs O'Leary and Hamilton left the meeting during the above adjournment.*

**13. Application for Temporary Extension to Hamilton Alcohol Control Bylaw (HSBC NZ Sevens)**

City Safe Unit Manager introduced the staff report and Detective Inspector Hywel Jones.

**Resolved:** (Mayor King/Cr Tooman)  
That the Council, pursuant to clause 8 of the Hamilton Alcohol Control Bylaw 2015 (the Bylaw), approves the creation of the HSBC NZ Sevens Temporary Alcohol Ban Area (the Area), to which clause 5.1 of the Bylaw will apply from 6am on Saturday 26 January 2019 to 10pm on Sunday 27 January 2019 (inclusive), as if the Area were included in Schedule 1 of the Bylaw, and will encompass the areas shaded in blue on the map at Attachment 2.

*Cr O'Leary (12.21pm) and Cr Hamilton (12.22pm) re-joined the meeting at the conclusion of the above item. They were not present when the matter was voted on.*

**11. Utility Service Provider Contracts - Change to Delegations to Positions Policy**

The General Manager Development introduced the report, noting that the attachment to the staff report was incorrect as it did not contain the track changes. The track changed attachment was circulated to Elected Members at the meeting and would be attached to these minutes as appendix 1. He noted that staff were seeking a change to the Delegations to Positions Policy to enable increased efficiency and agility in managing contracts and operational activities where only one provider/supplier existed.

Staff responded to questions from Elected Members concerning the definition of a monopoly supplier, the increased delegation figure of \$3 million, and how the proposed update would increase efficiency.

**Resolved:** (Cr Southgate/Cr Casson)

That the Council:

- a) receives the report; and
- b) approves the changes to the Delegations to positions policy as set out in attachment 1 of the staff report(replaced in appendix one).

#### 12. Road Stopping - Foster Road/Boyack Drive Templeview

The Strategic Land Manager and the Property Officer Acquisitions Disposal introduced the staff report, noting that staff had been advised that the adjacent affected neighbour was supportive of the recommended sale. They responded to questions from Elected Members concerning the sale price of the property and consultation process.

**Resolved:** (Cr Pascoe/Cr O'Leary)

That the Council:

- a) approves the road stopping of approximately 75m<sup>2</sup> of road at Templeview as outlined in red on Attachment 1 of the staff report, in accordance with the Public Works Act 1981;
- b) approves the sale of the stopped road area for \$1,000 (inclusive of GST, if any) subject to:
  - i. confirmation that the area to be stopped is contained within a Land Information New Zealand approved survey plan;
  - ii. the road stopping actions being successful;
  - iii. written consent being obtained from the adjacent property owners confirming that they do not wish to purchase the road land;
  - iv. all costs being met by the purchaser; and
- c) delegates authority to the Chief Executive to complete and sign all documentation relating to the road stopping and sale of the land.

*Having earlier declared a conflict of interest in relation to Item 14 (Proposed Plan Change 3 – Temple View Boundary Alteration, Cr Henry left the meeting and did not partake in the discussion or vote of the matter below.*

#### 16. Proposed Plan Change 3 - Temple View Boundary Alteration

The General Manager City Growth introduced the report, noting that appropriate process had been followed regarding this proposed plan change. Staff responded to questions from Elected Members concerning the proposed plan change, the cost to Council, and the notification process.

**Resolved:** (Mayor King/Cr Casson)

That the Council:

- a) approves the release of the draft Plan Change 3 – Temple View Boundary Alteration documentation to Waikato Tainui, as Iwi Authority, for their review in accordance with section 32(4A) of the Resource Management Act (Attachment 2 – Plan Change 3 documentation)
- b) requests that Plan Change 3 – Temple View Boundary Alteration documentation be brought back to the 7 February 2019 Council meeting for final review and resolution to notify.

*Cr Henry re-joined the meeting at the conclusion of the above Item.*

#### 15. SHA Affordability Criteria update

The General Manager City Growth introduced the report, noting that the recommended changes were based on feedback from the Ministry of Housing and Urban Development (MHUD). The Governance Manager explained the staff recommendation to clarify why the previous resolution of Council needed to be revoked. Staff responded to questions from Elected Members concerning the gazetting notice, Private Development Agreement stages, and updates to the Special Housing Area Policy.

**Resolved:** (Mayor King/Deputy Mayor Gallagher)

That the Council:

- a) revokes the following resolution of Council made at its 25 September 2018 meeting in respect of Item 6- SHA Affordability Criteria:

*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;’*
- 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 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.'
- 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.

b) notes that the affordability criteria was defined as "At least 10% of dwellings must be sold at or below 90% of the Hamilton average house value (where "average house value" means the average Hamilton City residential house value for the most recently released June figure, published by qv.co.nz.)" by Council resolution on 11 October 2018; and

c) approves the inclusion of affordability criteria (noted in paragraph 3b) in the Council's separate Private Developer Agreement (PDA) with an SHA applicant.

**16. Proposed 2019 Schedule of Meetings**

The Governance Manager introduced the report. She and Mayor King responded to questions from Elected Members concerning the proposed break in July in addition to the break in January, and Taskforces. Elected Members noted that they were okay for extra briefings to be added to the end of January 2019 and July 2019 if they were required.

**Resolved:** (Mayor King/Deputy Mayor Gallagher)

That the Council:

- a) receives the report; and
- b) approves the proposed 2019 Schedule of Meetings (attachment 1 of the staff report)

*The meeting adjourned 1.28pm – 2.00pm.*

**17. Recommendation from Community, Services and Environment Committee - Community Occupancy Policy**

The report was taken as read. Staff responded to questions from Elected Members concerning the financial implications of the two options.

**Motion:** (Mayor King/Cr Bunting)

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.

**Amendment:** (Crs Hamilton/Southgate)

That the Council approves the Community Occupancy Guidelines **Option A** – the proposed Community Occupancy Policy with an 87.5% rental Subsidy.

**The Amendment was put.**

**Those for the Amendment:** Deputy Mayor Gallagher, Crs Southgate and Hamilton.

**Those against the Amendment:** Mayor King, Crs Pascoe, Mallett, Tooman, O'Leary, Bunting, Casson, Henry and Taylor.

**The Amendment was declared lost.  
The Motion was then put and declared carried.**

**Resolved:** (Mayor King/Cr Bunting)

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.

**Crs Hamilton and Southgate Dissenting.**

**18. Recommendation from the Community, Services and Environment Committee - Local Indigenous Biodiversity Pilot Project**

The Chair of the Community, Services and Environment Committee introduced the recommendation from the Committee noting the importance of the pilot project and the development of the associated strategy for Local Indigenous Biodiversity.

**Resolved:** (Cr Southgate/Cr Hamilton)

That the Council:

- a) approves the completion the Local Indigenous Biodiversity Pilot;
- c) requests staff develop a Hamilton City Council Local Indigenous Biodiversity Strategy for consideration by Council by September 2019 based on the Collective Impact Framework; and
- d) notes that the Community Services and Environment Committee will monitor the pilot and strategy through quarterly reports.

**Mayor King and Cr Mallett Dissenting.**

**19. Chief Executive's Report**

The General Manager Community (Deputy Chief Executive) introduced the report and Paul Mens (Director Business Transformation). He responded to questions on Councils progress with regards to identifying savings and whether Council was understaffed as a result of savings targets.

**Resolved:** (Mayor King/Deputy Mayor Gallagher)

That the Council approves the deferral of the progress report on Cost Savings for the 2018-28 10-Year Plan in relation to the \$94m savings as forecast in the 10-Year Plan to the February 2019 Finance Committee Meeting.

20. 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. Confirmation of the Council Public Excluded Minutes - 11 October 2018	) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C2. Confirmation of Elected Member Briefing Notes - Closed - 4 October 2018		
C3. Confirmation of Elected Member Briefing Notes - Closed - 15 October 2018		
C4. Confirmation of Elected Member Briefing Notes - Closed - 25 October 2018		
C5. Confirmation of Elected Member Briefing Notes - Closed - 30 October 2018		
C6. Municipal Endowment Fund - Ward Street		
C7. Online Voting Request for Proposal Update		
C8. City Honours - Civic Awards 2018		
C9. Freedom of the City Awards		

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)
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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)
Item C4.	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 enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
Item C7.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
Item C8.	to protect the privacy of natural persons	Section 7 (2) (a)
Item C9.	to protect the privacy of natural persons	Section 7 (2) (a)

**The meeting went into a Public Excluded session at 2.50pm.**

**The meeting was declared closed at 4.32pm.**

Appendix 1

**Financial Delegations**

- The limits of the specified sum(s) applicable to various financial transactions delegated to the Chief Executive (and other specified officers, as applicable) under this Policy or otherwise, are as follows<sup>1</sup>:

**Expenditure Type – Refer to Terms of Delegation below**

Unexpended Budget - (Operating and Capital)	Overspends/Unbudgeted (Operating and Capital)	Capex – B/Fwd	Contracts	Purchase/Sale of Land	Debt Write-off	Legal Proceedings	Financial Operations (Admin disbursements)	Development Contributions
Limited to the approved budget	\$250,000	\$500,000	\$3,000,000  Total contract term not exceeding 5 years including renewals  For contracts not going to tender: \$250,000 (subject to same restriction above on contract term).	\$3,000,000	\$10,000	\$500,000 for weather-tight building claims (leaky buildings)  \$250,000 for all other legal proceedings	Limited to the approved budget	\$1,500,000

**Notes:**

- There is a cumulative cap of \$1,000,000 per financial year for the aggregate total (whole of Council) of all unbudgeted items, overspends and operational expenditure (Opex) brought forward and approved under delegated authority during that financial year. Any significant overspends or underspends will be recorded and reported to the Finance Committee on a quarterly basis.
- The \$250,000 delegated financial limit for contracts not going to tender shall not apply in the following situations:
  - For Private Developer Agreements, which is a contract with a developer to upsize or deliver infrastructure on behalf of the Council in a new subdivision or development that will eventually vest in the Council;
  - For appointment of utility service providers to relocate, connect or alter utility services for the purpose of capital works budgeted within the applicable Long Term Plan, where a provider is the only possible supplier by virtue of being the owner of, or otherwise being legally responsible for, the relevant utility infrastructure. Examples of such utility service providers include, but is not limited to, Transpower, WEL Networks and Kiwirail.  
  
The Chief Executive must ensure that appropriate mechanisms are in place and implemented to ensure, as far as is reasonably possible, the Council obtains Best Value from any appointed utility service provider.

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<sup>1</sup> The delegated financial authority limits specific to General Managers, Executive Directors and officers are set out in the Council's Management Policy - *Financial Delegations to Officers*.  
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## Appendix 1

The Chief Executive's general delegated authority limit (\$3,000,000 and a term not exceeding 5 years, including renewals) shall apply for contracts under 1(b)(i) and (ii) above.

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### Expenditure Types – Terms of Delegation

#### Unexpended Budget

2. Operating and capital expenditure including deferred capital expenditure (approved by Council resolution) that has been budgeted in the applicable Long Term Plan/Annual Plan and not yet spent. All expenditure must comply with the requirements of Council's Procurement Policy.

#### Overspend and Unbudgeted

3. Any expenditure on an item that exceeds the amount budgeted for that item in the applicable Long Term Plan/Annual Plan or is not budgeted but required to deliver the level of service and outcomes outlined in the applicable Long Term Plan/Annual Plan e.g. contract or project cost over-run.
4. A Local Civil Defence Controller has an uncapped delegated financial authority in the event of a declared or non-declared emergency, subject to the conditions and reporting provisions in this Policy (See: *Local Civil Defence Controller* [above](#)).

#### Capex – Capital Expenditure Brought Forward

5. Capital expenditure occurring in financial periods in advance of the planned expenditure timeframe in the applicable Long Term Plan. This delegation is to the Chief Executive, General Managers and Executive Directors only (limits apply to officers in accordance with the Hamilton City Council Management Policy - *Financial Delegations to Officers*) and cannot be further delegated.

#### Contracts

6. The delegated financial authority limit for contracts applies on a 'per contract' basis. For clarity, the delegated financial authority limits apply to contracts involving revenues receivable by Council, including contracts and agreements with promoters and relating to the organising of events.
7. The Approved Contract Sum is the aggregate of all amounts most likely to be paid to the contractor (including retentions made, or to be made in respect of a contract), or amounts received from the other party (as applicable), for that contract, over the life of the contract. Disaggregation of supplies or contractual arrangements in order to comply with this requirement is expressly prohibited.
8. For the purposes of determining whether a specified officer has the necessary delegated financial authority in relation to a contract that involves both; (a) expenditure (payable by Council) and (b) revenue (receivable by Council), the Approved Contract Sum for that contract is the greater of either the expenditure or revenue in that contract. That is, there must be no offset of expenditure and revenues.
9. If a contract has been approved by Council resolution, the Chief Executive, or relevant General Manager or Executive Director (as appropriate), can:
  - a. execute the contract (other than those contracts required to be signed under the Council's seal);
  - b. authorise payments up to the Approved Contract Sum or delegate the authorisation of payments to a nominated position; or
  - c. (if applicable) correct and re-issue invoices, issue credit notes or refunds up to the Approved Contract Sum, in relation to revenue receivable by Council under an approved contract.

Page 2 of 4

## Appendix 1

10. If a contract has been approved under this Policy or by management delegation:
- the payment/s or any correction to invoices (as applicable) must be authorised by an officer with the correct financial delegated authority for that payment or invoice<sup>2</sup>;
  - a brief summary of such contracts are to be reported quarterly to Elected Members.

For clarity, no reporting is required under section 10(b) above for contracts approved by Council or a Committee.

11. Contracts exceeding five years total term (including renewals) must be authorised by Council or the relevant Committee<sup>3</sup>.

12. All contracts approved by the Chief Executive or management under delegated authority in sections 1.b.i) and 1.b.ii) are to be reported to the Growth and Infrastructure Committee for noting on a quarterly basis.

Deleted: Private Developer Agreements

Deleted: 1(b)(i)

Deleted: 1(b)(ii)

#### Purchase/Sale of Land

13. Includes any expenditure occurring in respect to the purchase and sale of land where the purchase or sale is provided for in the applicable Long Term Plan/Annual Plan either separately or as an integral part of a project, or authorised by a resolution of Council. For clarity, the purchase and sale of land includes the acquisition or disposal of land under the provisions of the Public Works Act 1981.

14. In exercising this delegation, the Chief Executive is permitted to negotiate sale and purchase of land, where appropriate, at not less than 90% of the estimated market value determined by a registered valuer.

#### Debt Write-off

15. The delegated financial authority limit applies on a 'per debtor' basis.
16. Irrespective that the Chief Executive, General Managers, Executive Directors and Financial Controller may have delegated authority to write-off bad debts<sup>4</sup>, all such debts written off must be reported to the next Finance Committee meeting on an aggregate basis for each Group.

#### Legal Proceedings

17. The delegated financial authority is determined on a per proceeding basis.
18. Includes commencing or defending, negotiating, settling or withdrawing from legal proceedings (including prosecutions and claims) on the Council's behalf in any New Zealand court or tribunal. The Chief Executive is also delegated the authority to take all steps necessary to enforce any court or tribunal judgment in favour of the Council, and to recover debts owing to the Council, subject to the delegated financial authority limit.
19. All legal claims or other proceedings undertaken by, or on behalf of, the Chief Executive, for an amount in excess of \$100,000 are to be reported to the next meeting of Council or the relevant Committee.

#### Financial Operation

20. Subject to any Council or management policies, the Chief Executive, General Manager Corporate and Financial Controller are each delegated the authority to operate (including opening and closing accounts) all of the Council's bank accounts, investment accounts, sinking funds, loan accounts, special funds, tax related matters, and other financial matters including exercising signing authority where appropriate. This includes payment of regular sums for administrative matters such as: power, heat and light; tax and GST payments; rates; etc.

<sup>2</sup> For management delegations, refer to Council's Management Policy - Financial Delegations to Officers.

<sup>3</sup> Refer to the Governance Structure.

<sup>4</sup> Refer to the Management Policy – Financial Delegations to Officers

## Appendix 1

### *Development Contributions*

21. Subject to the development contributions provisions in the Local Government Act 2002 and the provisions of the Council's Development Contributions Policy, the Chief Executive is delegated authority to approve a remission, postponement, or refund of a development contribution levied on a developer to the delegated financial authority limit specified in this Policy. All remissions, postponements or refunds are to be reported, for noting purposes, at the next Growth and Infrastructure Committee meeting.
22. For clarity, Council will not delegate to the Chief Executive any powers in relation to hardship related remissions or remissions not provided for in the Development Contributions Policy.

### *Waiver of Council Fees & Charges*

23. Subject to any specific waiver policies adopted by Council, the Chief Executive, General Managers and Executive Directors are each delegated authority to waive fees and charges for their respective areas of responsibility **provided:**
- a. the waiver and the amount are recorded and available for audit purposes;
  - b. the circumstances of the specific waiver will not create a precedent;
  - c. the act of waiving such fees and charges reflects 'good citizen' conduct;
  - d. any waivers in excess of \$10,000 (calculated on an aggregate basis per Group) are to be reported to the next Finance Committee meeting.

For clarity, development contributions are not within the scope of the delegated authority detailed in this section 23.

# Council Report

**Committee:** Council **Date:** 13 December 2018  
**Author:** Amy Viggers **Authoriser:** Becca Brooke  
**Position:** Committee Advisor **Position:** Governance Team Leader  
**Report Name:** Confirmation of the Elected Member Briefing Open Notes - 13 November 2018

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

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

## Attachments

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

## Elected Member Briefing Notes –13 November 2018 – Open

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<b>Time and date:</b>	13 November 2018 9.35am, 2018
<b>Venue:</b>	Committee Room 1, Hamilton City Council
<b>In Attendance:</b>	Mayor King, Deputy Mayor Gallagher, Crs Pascoe, Mallett, Southgate and Hamilton.
<b>Apology for Full Session:</b>	Crs Casson, O’Leary, Tooman, Macpherson, Taylor, Henry, Bunting, Maangai Takiari-Brame, Maangai Te Ua, Maangai Whetu, Maangai Thompson-Evans, and Maangai Hill.
<b>Apology for Partial Absence:</b>	Cr Southgate.

### Discussion

The briefing session covered in an open session:

- Ieper Sister City Dignitaries Presentation
- Seddon Park Sports Lighting Renewal
- Boon Festival Opportunity – Central Library
- River Plan Cultural Precinct Master Plan – Prioritisation
- Smoke Free Environment Policy Review Update
- Proposed Review of the Parks Bylaw
- Stocktake of Sustainability Initiatives

There were a number of key points arising from the discussion:

#### 1. Ieper Sister City Dignitaries Presentation

*(Presentation was provided)*

The Mayor introduced Luc Dehaene a former Mayor of Ieper and his wife Josiane Dehaene. He thanked Peter Bos for his hard work that has cultivated the relationship between Hamilton and Ieper. Luc Dehaene then spoke to the relationship between Hamilton City Council and the city of Ieper, and updated members on the Hamilton Park.

#### 2. Seddon Park Sports Lighting Renewal

*(Presentation was provided)*

The General Manager Venues, Tourism and Major Events introduced the presentation noting that a full report would be brought to the 4 December 2018 Finance Committee meeting concerning the Seddon Park Sports Lighting Renewal Project. He explained that it had been identified that Seddon Park lights needed significantly more work than was originally planned in the 10 Year Plan and that it was important to ensure that to renewal occurred between seasons as to not breach our contractual obligations to Northern District Cricket.

Members asked questions in relation to the following:

- The new lighting components and their 15 year warranty.
- Additional funding would be found through project timings being adjusted to create savings.
- Contractual obligations of Council and Northern District Cricket.

**3. Boon Festival Opportunity – Central Library**

*(Presentation was provided)*

The Libraries Director explained that the purpose of the presentation was to seek direction from member as to if they wanted to continue with the opportunity for the central library building being painted as a part of the Boon Festival. She noted that the benefits of the opportunity were that it was in alignment with the Garden Place Activation plan, the Smart City Plan and Central Library activation projects.

Members asked questions in relation to the following:

- Possible timing of the project which was expected to be during March 2019.
- There being no cost to Council as Boon Artworks were funded through sponsorship.
- 10 year life of the mural which was based on the life of the paint.
- Preference for a local artist being used.

*Members confirmed that they were in support of the proposal continuing and requested that they were regularly updated on progress of the works.*

**4. River Plan Cultural Precinct Master Plan – Prioritisation**

*(Presentation was provided)*

The Key Projects Programme Manager spoke to the presentations noting that the purpose of the presentation was to seek direction concerning the next steps for the River Plan.

Members asked questions in relation to the following:

- Options for use of the remaining funding: do nothing, connections path from VOTR to the theatre; Bridge Feasibility Study; and combining funds with the central city park to purchase another building.
- The cost to Council, and external funding opportunities.

*Members requested staff review the River Plan after the decision concerning the Provincial Growth Fund had been made and requested cost to Council for individual River Plan projects and sponsorship opportunities be reported back to Members.*

**5. Smokefree Environment Policy Review Update**

*(Presentation was provided)*

The Social Development Advisor explained that the purpose of the presentation was to update Members on the review of the Smokefree Environment Policy and the next steps. He noted that council staff had engaged with key partner organisations including the Cancer Society and the DHB to develop an action plan in support of the policy.

Members asked questions in relation to the following:

- The policy being an educational policy that would self-police and was supported by persuasion rather than punitive enforcement.
- Staff response to smoking in Smokefree areas through education.
- Other Local councils' response to Smokefree NZ 2025.

*Members requested that staff regularly update members on the Smokefree Environment Policy through General Manager reports to the Community, Services and Environment Committee.*

**6. Proposed Review of the Parks Bylaw**

*(Presentation was provided)*

The Senior Planner explained that staff had completed an initial review of the bylaw and found that it was generally working as intended. The recommended change was in relation to freedom camping and wording to ensure that the bylaw was clear, concise and legally robust.

Members asked questions in relation to the following:

- The definition of a freedom camping which was, camping on public land in a fully self-contained vehicle.
- The ability for staff to consider how to update the bylaw to address other nuisance concerns such as smoking, drinking, and fireworks on public land.

**7. Stocktake of Sustainability Initiatives**

*(Presentation was provided)*

The General Manager Strategy and Communication explained that purpose of the presentation was to update Members on the work completed by staff on the Stocktake of the Sustainability Initiatives. He noted that there was to be a full report to the Community, Services and Environment Committee meeting on 11 December 2018.

Members asked questions in relation to the following:

- The timeline of work completed to date on the sustainability initiatives
- The purpose of the wellbeing indicators
- How the development of Council's wellbeing indicators were to be in alignment with Central Government's policy.

# Council Report

**Committee:** Council **Date:** 13 December 2018  
**Author:** Claire Guthrie **Authoriser:** Becca Brooke  
**Position:** Committee Advisor **Position:** Governance Team Leader  
**Report Name:** Confirmation of the Elected Member Briefing Open Notes - 29 November 2018

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

That the Council confirm the Open Notes of the Elected Member Briefing held on 29 November 2018 as a true and correct record.

## Attachments

Attachment 1 - Elected Member Briefing Open Notes - 29 November 2018

## Elected Member Briefing Notes – 29 November 2018 – Open

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<b>Time and date:</b>	9.33am, 29 November 2018
<b>Venue:</b>	Committee Room 1, Hamilton City Council
<b>In Attendance:</b>	Deputy Mayor Gallagher, Crs Pascoe, O’Leary, Taylor, Henry, Southgate, Bunting, Mallett, Casson, Hamilton, Tooman, Macpherson
<b>Apology for Full Session:</b>	Mayor King, ngaa Maangai Maaori Thompson-Evans, Whetu and Hill
<b>Apologies for lateness/early departure:</b>	Cr Casson, ngaa Maangai Maaori Te Ua and Takiari-Brame

### Discussion

The open briefing session covered the following topics.

- REEP Recommendations
- Social Housing Fund Update
- Gardens Bridge — Decision Making Process

There were a number of key points arising from the discussion:

**1. Regulatory Effectiveness and Efficiency Programme (REEP) Recommendations**  
*(Presentation was provided)*

The Project Manager and Peter Skilton, (Independent Project Manager), introduced themselves and explained that the purpose of the presentation was to present recommendations for changes to the District Plan arising out of REEP. The background of the project was outlined and how the proposed changes had been developed from research and consultation. It was noted that the National Planning Statement (NPS) had to be considered in relation to any changes. The Project Manager went through the high-level recommendations and advised that Elected Member drop-in sessions had been arranged to discuss recommendations in more depth.

Elected Members asked questions in relation to the following:

- Including changes to allow for tiny houses, definition of a tiny house
- Examples of development control standards
- Clarification of rules around stormwater management
- Requirements for land size for different size buildings
- Permitting gym and fitness centres in different zones
- Meaning of a ‘place of assembly’
- Comprehensive development zones
- The issue of incremental / cumulative creep
- Definition of a tiny house.

**2. Social Housing Fund Update**  
*(Presentation was provided)*

The Manager, Social Development, explained that the purpose of the presentation was to seek direction from Elected Members on criterion guidelines for the fund. He outlined the consultation process that had been undertaken with major philanthropic groups, accredited social and community housing providers and central government groups. He said the main themes arising from this consultation were: funding early costs and council related costs; funding accredited community house providers; and funding retrofits and upgrades.

He noted that there was a desire to cooperate with philanthropic groups such as WEL energy and to have a wider regional perspective. A working group would be set up with Elected Members and their input would be sought over the next four months.

Elected Members asked questions in relation to the following:

- Inclusion of emergency housing
- Private sector providers for accommodation; use fund to encourage innovative long term private sector role
- The timeline for criterion and guidelines
- Opportunities for Elected Member input
- The type of outcomes and objectives being sought
- HCC relationships with external funders/philanthropic groups interested in social housing
- Type of structure or process to distribute the fund
- Challenges in obtaining data for social housing needs
- Focus on obtaining social housing stock and entry level housing.

### 3. Gardens Bridge – Decision Making Process

*(Presentation was provided)*

The Strategic Development Manager explained that the purpose of the presentation was to outline the process for the Peacockes bridge decisions and the level of Elected Member involvement. He noted that the bridge process and land acquisition were key issues for delivering the project on time and the final decision for the bridge design had to be made by June 2019. The design challenges were outlined, particularly the height difference between the north and south banks. He said most of the RMA consents were already approved and that there would be a multi stage approach with a number of technical experts.

Elected Members asked questions in relation to the following:

- Critical points in the timeline
- Extending the river paths under the bridge and attaching a cycling/walking bridge to the road bridge
- The importance of the linkage to Hamilton East and the Gardens
- Use of Access Hamilton Taskforce for feedback on the function of the bridge
- Involvement of the Waikato Regional Council; requirement to consider biodiversity issues
- Bridge design – iconic, something to be proud of, necessity for expert design options
- Forums for staff to receive feedback; a reference group with all interested groups; use of regular briefings; engagement with community groups
- Budget limitations – issue of cost overruns and design compromises
- Ways to re-purpose land purchased for the bridge if not needed for the project
- Differences between the strategy and policy focus and experts managing the project.

# Council Report

Item 8

**Committee:** Council **Date:** 13 December 2018  
**Author:** Richard Briggs **Authoriser:** Richard Briggs  
**Position:** Chief Executive **Position:** Chief Executive  
**Report Name:** Garden Place Update

<b>Report Status</b>	<i>Open</i>
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## Purpose

1. To inform the Council of discussions concerning Garden Place.
2. The Chief Executive will present a verbal report on Garden Place along with Vanessa Williams (HCBA), Mike Neale (HCBA), Brian White (Edwards White Architects), and Brian Squair (Chow:Hill).

## Staff Recommendation

3. That the Council receives the report.

## Attachments

There are no attachments for this report.

# Council Report

<b>Committee:</b>	Council	<b>Date:</b>	13 December 2018
<b>Author:</b>	Natasha Ryan	<b>Authoriser:</b>	Lance Vervoort
<b>Position:</b>	Key Projects Programme Manager	<b>Position:</b>	General Manager Community Manager
<b>Report Name:</b>	River Plan Update		

<b>Report Status</b>	<i>Open</i>
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## Purpose

- To provide an update on River Plan projects and seek direction from Elected Members on future work.
- To seek approval to establish a River Plan Task Force.

## Staff Recommendation

- That the Council:
  - receives the report;
  - approves the establishment of a River Plan Task Force comprising of at least 3 elected members, and, Maangai Te Pora Thompson-Evans (as Waikato-Tainui representative);
  - notes that the River Plan Task Force Terms of Reference will be brought to the 7 February 2019 Council meeting for approval; and
  - notes that the required report back on better activation of the rear of the Museum and connectivity to key funded aspects of the River Pan, will be addressed during the forthcoming Annual Plan process.

## Executive Summary

- This report provides an update on the River Plan projects, both current financial year projects and the portfolio suggested on pages 40 and 41 of the [River Plan](#). It also provides a summary of external funding applications made to date.
- A number of issues have been identified through recent work. These are:
  - For feasibility reasons, the upper level boardwalk between Victoria on the River and the theatre must be constructed before the theatre opening.
  - The construction of Ferrybank Bridge will significantly impact any connections between the museum and the central city jetty.
  - The Donny Trust Funds (\$1m) remain uncommitted.
  - Staff estimate that there is approximately \$750k of FY2018/19 River Plan funds which are presently uncommitted (including unspent allocation for River Plan: Central City Park property purchases).

6. This report recommends a River Plan Task Force be established to provide effective oversight and direction.
7. In a resolution 13 December 2017 staff were asked to report back to the Council on the proposal to include funds in the 2019/20 Annual Plan for better activation of the rear of the Museum and connectivity to key funded aspects of the River Plan. Staff recommend that this report back occurs once the proposed River Plan Task Force has had the opportunity to consider priorities and the matter is addressed as part of the Annual Plan.
8. Staff consider the matters in this report have low significance and that the recommendations comply with the Council's legal requirements.

## Background

9. The Hamilton City River Plan (the River Plan) was adopted by Council in December 2014 and is a 30-year vision for Hamilton, aiming to transform the way we use and view the Waikato River through the city, with a mix of short, medium and long-term initiatives.
10. The River Plan outcomes are expressed through the following six themes:
  - **Access:** Improving access to, along and across the river
  - **Recreation:** Promoting the enjoyment of the river
  - **Development:** Promoting development that embraces the river
  - **Natural Environment:** Protecting and enhancing the natural environment along the river
  - **Arts and Culture:** Celebrating arts and culture along the river
  - **Tourism:** Promoting and developing tourism along the river
11. The River Plan resolutions have been reviewed and are all addressed with the following exception (which was resolved in the 13 December 2017 Council meeting):  
That the Council:
  - a) considers the proposal below for the 2019/20 (year 2) Annual Plan:
    - i. that the Council allocates \$300,000 capital expenditure in year 2 and \$3,000,000 capital expenditure in year 3 of the LTP for better activation of the rear of the Museum and connectivity to key funded aspects of The River Plan; and
  - b) requests staff to report back to the Council on this matter during the 2018 calendar year.
12. Staff suggest that the report back occurs after the proposed River Plan Task Force, recommended below, has had the opportunity to consider a number of opportunities and issues. If appropriate this may then be addressed in a briefing and/or as part of the Annual Plan process.

## Discussion

### River Plan Projects Update

13. The River Plan sets out a number of projects which subject to feasibility and funding, Council may deliver (refer pages 40 and 41 of the River Plan). The following is a summary of a few key projects undertaken to date:

**Item 9**

Project	River Plan Theme						Notes
	Access	Recreation	Development	Nat.Environment	Arts & Culture	Tourism	
Victoria on the River	✓	✓	✓	✓	✓	✓	Complete Property Council of NZ 2018 Judge's Choice Award NZIA 2018 Waikato/Bay of Plenty Award: Planning & Urban Design
Ferrybank and Roose Commerce Park Development Master Plan	✓	✓	✓	✓	✓	✓	Plan developed for implementation as funds made available
Hamilton Gardens' Jetty	✓	✓	✓			✓	Complete
Museum riverside accessible path	✓	✓					Complete

14. Refer to Attachment 1 for a full update of the projects listed in the River Plan.

**2018/19 Current Year Projects Update**

15. The following table provides an update for the 2018/19 financial year projects.

Project	Budget	Tracking
Central City Park Property Purchase	\$7,000,000	246, 250, 252, 254, 260 & 266 Victoria Street have been purchased.
Central City Jetty	\$550,000	This has been consented. Staff are working with the Contractor to minimise construction and cost risks. This impacts the start date, but completion is still on track for this financial year. Refer Attachment 2 for an artist's impression of the current jetty design – still subject to change.
Signage	\$15,000	22 Signs between London St and Hamilton Gardens have been designed and will be installed this financial year.
Waikato Regional Theatre	\$25,000,000	Committed to support the theatre
Toia Mai	via the Public Art Support Fund	Wintec/Joe Citizen sculpture

**Recent Findings**

16. During the 13 November 2018 Council briefing, staff explained that engineering advice indicates:
- Construction of the path between VOTR and the theatre requires access via Embassy Park and will need to be complete before the theatre is opened. Without adequate funding, it will not be possible to complete the River Plan project to create a “promenade walkway on the upper riverbank level with great river views” (refer p31 of the River Plan).
  - The River Plan proposes a pedestrian bridge connecting Ferrybank to the river’s east bank (refer p23 of the River Plan). The construction of this bridge has the potential to impact any walkways or stairs between the jetty and the museum, along with requiring the carpark behind ArtsPost. There is potential to spend the \$1m Donny Trust funds in this location, but this is not recommended until there is greater certainty regarding the possible construction of the bridge.

17. The following table summarises the options presented to the 13 November 2018 Council briefing (noting that it is not a comprehensive list):

Potential Options	Advantage	Disadvantage	Donny Trust Contribution
Do nothing	- Unspent funds available for other LTP projects.	- River Plan promenade project becomes unfeasible. - \$1m Donny Trust Funds unspent.	Unlikely
Path VOTR to Theatre (Combine fund with unspent Central City Park, Donny Trust and top up via Annual Plan)	- Enhanced connection with hotels - Encourage businesses north of VOTR to face river. - Don't lose opportunity to construct this connection.	- Uncertainty re: River Plan: Central City Park and potential duplication. - Funds challenging to find in the Annual Plan	Likely
Spend River Plan existing budget on Bridge Feasibility	- Will understand whether a bridge is likely in the foreseeable future = enable decisions regarding impacted areas. - Current government supportive of cycle infrastructure.	- Missed opportunity to develop VOTR to theatre path. - Potentially significant spend with no tangible asset. - Cost of study may exceed available budget.	Uncertain
Combine fund with unspent Central City Park and purchase another building	- Progress the Central City Park plan.	- Missed opportunity to develop VOTR to theatre path. - Benefits are not realised until a later date.	Unlikely

18. It is evident from the table above that delivery of the intent of the River Plan can be complex due to changing circumstances. As a consequence, staff recommend a River Plan Task Force is established to provide direction, before decisions are brought back to Council for resolution as, and when, appropriate.

19. The River Plan Task Force may assist with directing staff for matters such as:
- Providing guidance on projects to implement within available budgets.
  - When and how to respond to opportunities, risks and issues that may arise.
  - Leveraging partners to achieve greater River Plan outcomes.
  - Prioritising projects within the River Plan for new external funding opportunities.

### Funding Applications

20. In September 2018, staff were advised that the Tourism Infrastructure Fund approved \$220k for design and construction of toilets at the Hamilton Gardens. The separate application for central city River Plan projects was unsuccessful.
21. MBIE have announced changes to the funding criteria to support wider accessibility of funding for Councils. The priorities statement will be released closer to the funding round opening in March & August and these will need to be reviewed to determine whether the River Plan will be a suitable candidate for funding.
22. An application to the Provincial Growth Fund has been made by Momentum in November 2018 for projects which support the River Plan outcomes. These are outlined in the following table. Staff expect an indication of the outcome by January 2019.

Project	Budget
Upper level promenade between Victoria on the River and the Waikato Museum, including stairs connecting the upper and lower level paths at Embassy Park and Sapper Moore-Jones Place.	\$9,300,000
Waikato Regional Theatre	\$22,900,000
Ferrybank Bridge Feasibility Study	\$500,000

### Financial Considerations for the River Plan

23. With the path between Victoria on the River and the Theatre currently on hold (following the 16 August 2018 Council meeting), unspent funds associated with the River Plan (including the Central City Park property purchase) amount to approximately \$725k.

### Legal and Policy Considerations

24. Staff confirm that the staff recommendation complies with the Council's legal and policy requirements.

### Cultural Considerations

25. The recommendations of this report do not have any specific cultural considerations. However, the River Plan vision, outcome and the related projects are of particular interest to our Treaty partners.
26. The River Plan was developed by the River Plan Working Group comprising of elected officials, eight subject matter experts, including a representative of Waikato-Tainui. In developing the River Plan, assessments were undertaken of the cultural significance and archaeological context. *"For Waikato-Tainui, cultural identity, health and strength are drawn from the Waikato River"* (refer p8 of The Hamilton City River Plan, Background briefing Paper March 2014).

27. The Waikato River Settlements create a co-governance and co-management framework for the River between the Crown and river iwi. The primary instruments of the framework are the Waikato River Authority and the individual co-management agreements between river iwi and relevant local authorities. The agreements aim to restore and protect the health and well-being of the River for present and future generations and recognise and sustain the special relationship iwi have with the River.
28. From a practical perspective, this means that projects that may be of interest to mana whenua are discussed with Te Haa o te Whenua o Kirikiriroa who represent the five local hapu. These occur as the need arises.
29. Projects that require a resource consent are also assessed against the Waikato Tainui Environmental Management Plan and discussed with the Raupatu River Trust, Project Advisor–Taiao prior to application.
30. Given the cultural importance of the River Plan, this report recommends a Maangai Maaori or external representative from Waikato Tainui be considered for representation on the River Plan Task Force.

### **Sustainability Considerations**

31. Sustainability Principle 1: *Council includes environmental, economic, social and cultural considerations in its decision-making criteria* is supported by the recommendation to include a representative of a Waikato-Tainui on the River Plan Task Force.

### **Risks**

32. If the recommendation is not approved either:
  - staff and elected members will invest more time than necessary considering issues related to the River Plan,
  - the River Plan outcomes will not be maximised because opportunities are missed.

### **Significance & Engagement Policy**

#### **Significance**

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

#### **Engagement**

34. Community views and preferences are already known to the Council through engagement on the River Plan.
35. Given the low level of significance determined, the engagement level is low. No engagement is required.

### **Attachments**

Attachment 1 - River Plan Projects Update

Attachment 2 - River Plan: Central City Jetty Artist's Impression

## River Plan Projects Update – November 2018

The following lists of projects references projects listed on pages 40 and 41 of the Hamilton City [River Plan](#), which was adopted in December 2014.

Workstream	Project	Comments
<b>Immediate Projects</b>		
Ferrybank and Roose Commerce Park Development Master Plan	Develop Plan	Plan has been completed. Estimated Cost for delivery of \$208 million (includes private investment). Implementation for future consideration.
Braithwaite Park/Pukete Pa	Pukete Pedestrian Garden Bridge	Detailed design complete. Estimated Cost for delivery of \$1.2 million. Implementation not currently funded.
Hamilton Gardens	Garden Venues	In progress and 2018-28 10-Year Plan accelerates implementation.
	Jetty	Completed in November 2017.
Hayes Paddock	Wellington Street Beach	Concept plan developed. Community consultation not completed and implementation not currently funded.
	Exercise Equipment	Funding approved for the upgrade of the playground exercise equipment for Year 3 of the 2018-2028 10-year Plan.

<b>Short Term Projects 1-3 Years 2015-2018</b>		
Vegetation Management Plan	Develop Plan	Plan has been developed with survey work undertaken for five out of the eight areas. Thinning, lifting and topping works were undertaken at five central city locations. Not fully funded.
Hamilton East Plan	Develop plan	Plan completed.
Biking Plan	Develop Plan	Plan completed.
Street Furniture Design guidelines	Develop Plan	Street furniture design guideline drafted.
Support the Embassy Park Project	Support	Stage One of the project has been completed. Stage two being reviewed as a result of proposals to use the park by the Waikato Regional Theatre.
Improve Lighting along the River	Develop Plan	The lights on the western bank between Claudelands Bridge and the end of Sapper Moore-Jones Pl have been upgraded to LED.
Signage Plan	Develop Plan	A Signage Plan has been drafted for the area between London Street and Cobham Bridge on the west bank and Claudelands Bridge and Hamilton Gardens on the east bank. Interpretive signage was installed at Kirikiriroa paa (FY 2016/17) and 22 signs have been designed and will be installed in FY18/19. The latter signs primarily address navigation issues.
Public Art Plan	Update	Plan completed.
Maaori Landmarks on Riverside Reserves	Implement	Enhancement works at Kirikiriroa Pa were completed in FY2016/17. These include interpretation and wayfinding signage and enrichment planting.

<b>Medium and Long Term Projects 10-20 Years. These projects need to be prioritised for the 10-Year Plan 2025-2035</b>		
Arts Post & Waikato Museum	Arts Themed Hotel - Feasibility Study	
	Upgrade the Waikato Museum building to provide access from the river walkway	Resolution made, 13 December 2017, for Council to consider a proposal relevant to this in the 2019/20 Annual Plan.
Victoria Bridge to Claudelands Bridge	Promenade Walkway on Upper Riverbank Level	Applications made to Tourism Infrastructure Fund and Provincial Growth Fund for Victoria on the River to Museum.
	Claudelands Bridge Pedestrian & Cycle Access	
	Public Interaction with Rangiriri	
Opoia & Jesmond Park	Promenade Style River Walkway	
	Improved Connection to Claudelands Bridge	
Claudelands Bridge to Fairfield Bridge	Improved access from Adjoining Residential Properties	
	Boardwalks & Pathways at River Level	
Days Park & Swarbricks Landing	Rowing Facilities & Parking	
	Days Park Pedestrian Link across River to St Andrews	
St Andrews Golf Course	Golf Club Multi-Purpose Facility	
Braithwaite Park/Pukete Pa	Pukete Pedestrian Garden Bridge	See above, in 'Immediate Projects'.
	Jetty Improvements	

Medium and Long Term Projects 10-20 Years. These projects need to be prioritised for the 10-Year Plan 2025-2035		
	Carparking	
	Toilets	
Directional Signage & Interpretation	Hayes Paddock/Wellington Street Beach	
	Victoria Bridge to Claudelands Bridge	Refer Signage Plan above
	Claudelands Bridge to Fairfield Bridge	
	Days Park and Swarbrick Landing	
	Braithwaite Park/Pukete Pa	
	Hamilton East	Refer Signage Plan above
Improved River Access	Hamilton Gardens	
	Claudelands Bridge to Fairfield Bridge	
	Days Park and Swarbrick Landing	
Lighting	Hayes Paddock/ Wellington Street Beach	
	Lighting Improvement at Specific Sites Along River	
Other Projects	City of Bridges Plan	

Medium and Long Term Projects 10-20 Years. These projects need to be prioritised for the 10-Year Plan 2025-2035		
	Memorandum of Understanding with Waikato Regional Council	
	Toilet Facility Location Map	
	Drinking Fountain Location Map	
	Jetty Review	Parks and Open Spaces and Hamilton Gardens completed condition assessments for all jetties. Hamilton Gardens' jetty was completed in November 2017. Central city jetty is programmed for FY2018/19.

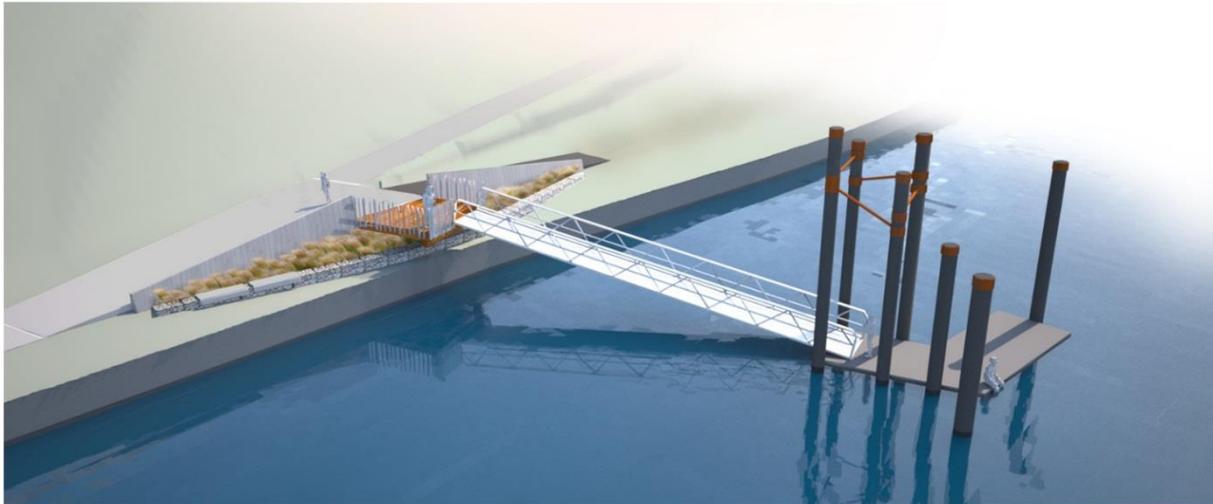
**Artist Impressions of the central city jetty**

Note the details are still subject to change during design.

*View from water towards Waikato Museum*



*Aerial looking downstream*



*Looking downstream*



# Council Report

**Committee:** Council **Date:** 13 December 2018  
**Author:** Amy Viggers **Authoriser:** Becca Brooke  
**Position:** Committee Advisor **Position:** Governance Team Leader  
**Report Name:** Chair's Report

<b>Report Status</b>	<i>Open</i>
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## Recommendation

That the Council;

- a) defers the Waikato District Council Discussions report until a meeting between both Councils has occurred and notes that future updates on the matter will be provided through the chair's report;
- b) requests staff report back to the 21 February 2019 Council meeting on the financial implications of the proposed changes suggested by Elected Members (as outlined in this report) to be considered as part of the 2019 Annual Plan; and
- c) approves the creation of a city kō.

## Attachments

Attachment 1 - Chair's Report



# Chair's Report

## Waikato District Council Discussions

At the 11 October 2018 Council meeting it was resolved that updates on cross-boundary discussions between Hamilton City Council and Waikato District Council would be included as a standing item on Council agendas. To date a meeting has not been held due to the absence of key Elected Members from both Councils, but a meeting is targeted for February 2019. Updates will be provided to future Council meetings the chairs report.

## Annual Plan 2019/2020

In preparation for the development of the Annual Plan 2019/20 for consideration by the Elected Members in February I asked Elected Members to raise any potential changes to the Annual Plan 2019/20 to me by 5 December 2018.

The following proposed potential changes have been put forward:

Raised by	Topic	Description of proposed change
Councillor Bunting	CBD cycling infrastructure	Bring forward the capital investment for CBD cycling infrastructure from year 8 in 10YP to year 2 (2019-20).
Councillor Macpherson	Hamilton Gardens	Hamilton Gardens funding programme adjustments
Councillor Macpherson	Access Hamilton - use of additional FAR support	Potential changes in work programme in Access Hamilton to utilise the FAR support funding
Councillor Pascoe	Playground Funding	The 10YP requires the playgrounds development programme to be funded from 1/3 external funding. Consideration of change to make only 'destination' playgrounds to be funded from 1/3 external funding and all other new playgrounds to be funding 100% from rate funding.
Councillor Hamilton	Garden Place and Civic Square Lighting	Project to upgrade lighting in Garden Place and Civic Square. Project may include a transformational feature lighting with potential external funding.
Councillor Southgate	Western Town Belt Masterplan projects	Funding for specific projects identified in the Western Town Belt Masterplan.
Councillor O'Leary	City Safe programme extension	Extension of the city safe programme into the suburbs.
Councillor Mallett	I-site	The I-site be disestablished rather than relocated
Councillor Mallett	2hrs free park in the CBD	2hr free parking in the CBD be ceased

\*Comment we are considering annual proposed changes and therefore the sale of strategic assets cannot be considered as they must be determined through a 10-year plan process. (Section 97 1b LGA)

The implication of the proposed changes for the annual plan alongside my proposed changes will be brought back to council for consideration in February. At that point the impact on the financial strategy will be provided

**Hamilton City Council Kō**

There is to be a verbal report about obtaining a city kō to be used for sod turning and blessings. A decision to be made to progress this suggestion.

**Merry Christmas**

I wish everyone an enjoyable and relaxing holiday, a Merry Christmas and prosperous New Year. God Bless

**Recommendation:**

That the Council;

- a) defers the Waikato District Council Discussions report until a meeting between both Councils has occurred and notes that future updates on the matter will be provided through the chair's report;
- b) requests staff report back to the 21 February 2019 Council meeting on the financial implications of the proposed changes suggested by Elected members (as outlined in this report) to be considered as part of the 2019 Annual Plan; and
- c) approves the creation of a city kō.

Aroha Kirikiriroa  
Love Hamilton

# Council Report

Item 11

**Committee:** Council **Date:** 13 December 2018  
**Author:** Keith Hornby **Authoriser:** Jen Baird  
**Position:** Strategic Policy Analyst **Position:** General Manager City Growth  
**Report Name:** Te Rapa North - Deferred Industrial Land Update

<b>Report Status</b>	<i>Open</i>
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## Purpose

- 1) To inform the Council on the current status of industrial land supply within Hamilton and the wider sub-region, and to provide an update on the work required to inform a plan change to the Hamilton City District Plan to accelerate the release of deferred industrial land in Te Rapa North.

## Staff Recommendation

- 2) That the Council:
  - a) receives the report; and
  - b) notes the indicative timeframe involved in undertaking a plan change would be 6 to 12 months.

## Executive Summary

- 3) Te Rapa North currently has a deferred industrial land zoning status. This area has been identified as one of the best locations within Hamilton for industrial uses. Recent demand projections, decisions on Special Housing Areas (SHAs), and an understanding of the current market support the need for more industrial land to be zoned.
- 4) Undertaking a plan change to remove the deferred status and enable industrial land use in Te Rapa North requires thorough analysis and a strong evidential base to ensure the best outcomes for the city and to ensure that the land is released within an appropriate time-scale and to ensure alignment with long-term planning or infrastructure funding/planning currently.
- 5) Undertaking a plan change in Te Rapa North will also ensure that the Council meets its requirements under the National Policy Statement on Urban Development Capacity (NPS-UDC) to provide sufficient industrial land capacity to meet the needs of people and communities.
- 6) This update report confirms that a plan change to meet the industrial land needs in Hamilton is an appropriate response. Formal resolution to undertake this plan change, along with an indication of the costs involved, is likely to be sought in March 2019, after staff have completed a review and prioritisation of all known plan changes. Work to prepare this proposed plan change may take 6 to 12 months.
- 7) 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.

## Background

- 8) On 26 June 2018, the Council [resolved](#) that a SHA at Te Awa Lakes be recommended to the Minister of Housing and Urban Development, meaning the loss of 51ha of industrial-zoned land to housing. As part of the resolution, the Chief Executive was instructed to investigate the merits of a plan change to accelerate the release of the deferred industrial land at Te Rapa North and to report back in September 2018.
- 9) At the Council meeting on 6 September 2018, staff presented a [report on the status of industrial land](#), which indicated that further work was required to inform a potential change to the Hamilton City District Plan to accelerate the release of deferred industrial land in Te Rapa North.
- 10) The report provided an outline of the amount of industrial land available over the long term (i.e. 30-year period) commenting that – broadly – Hamilton appears to be well served. It noted, however, that much of this land was currently not available to the market (due, in part, to ownership constraints) and that Council approval of further SHAs could result in the loss industrial land capacity in the long term.
- 11) At the 6 September 2018 meeting, Council [resolved](#) to receive a further update report in December 2018 outlining the relationship between industrial land uptake and supply, to inform the requirement of any industrial land plan change and any potential infrastructure servicing implications that would result.

## Discussion

- 12) Due to the council resolution of the [11 October 2018](#) Council meeting, formal consideration of undertaking the Te Rapa North Industrial Land Plan Change will be deferred until staff complete a review and prioritisation of all known plan changes. This work programme and prioritisation of plan changes is to be reported back to Council by March 2019.
- 13) This update report confirms the need to undertake a plan change to the Hamilton City District Plan to accelerate the release of deferred industrial land in Te Rapa North. It covers:
  - a) An update on the status of industrial land supply in Hamilton
  - b) Sub-regional industrial land supply and demand dynamics
  - c) Confirmation of the need to progress a plan change
  - d) The scope of work required to undertake a plan change
  - e) Comment on any infrastructure servicing requirements
  - f) The need to align with other sub regional initiatives
  - g) Financial considerations, resource allocation and timing of plan change work.

### Update on status of industrial land supply in Hamilton

- 14) As noted in the 6 September Council report, there has been strong demand and uptake of industrial land in Hamilton in recent years. The level of supply has not kept pace with the level of demand for industrial properties.
- 15) This trend of tightening conditions in the industrial property market is evident in annual market measures of industrial vacancy rates provided by CBRE NAI Harcourts and Bayleys Research.
- 16) CBRE NAI Harcourts identified in December 2017 that the industrial vacancy rate was 1.5%, the lowest ever recorded for Hamilton. This low vacancy rate is comparable to that of Auckland, which has historically had a lower rate than Hamilton. (These figures were noted in the latest Future Proof NPS-UDC quarterly market indicator monitoring report ([June 2018](#)) and the 6 September Council report).

- 17) Bayleys Research has subsequently released their annual commentary (September 2018), which confirms the trend of declining vacancy rates. Describing conditions as “extremely tight”, the measure used by Bayleys shows overall vacancy rate declined from 2.8 to 2.3% the year earlier.
- 18) Over the last three years, the Council has received enquiries regarding the availability of industrial land in the city. It is anticipated enquires and interest in resource consent applications will increase.

#### Sub-regional industrial land supply and demand dynamics

- 19) The Hamilton industrial land context reflects a similar trend in the demand and supply of industrial land across the wider sub-region. All industrial areas across the wider sub-region have seen high levels of enquiry, high levels of land uptake and decreasing industrial land availability. This is the case for the industrial precinct immediately adjacent to Hamilton: Horotiu (Northgate) and the Hamilton Airport Business Park (Titanium Park), north of Cambridge (Hautapu), Huntly and further north in Pokeno (Gateway Business Park).
- 20) Strong population and economic growth over the last seven years has resulted in business growth and creation, leading to pressure on industrial land, depressing vacancy rates and resulting in increased prices for industrial land and rising industrial rents.
- 21) The recent assessment of the projected demand and existing land zoned for industrial use conducted to meet the requirements of the National Policy Statement on Urban Development Capacity (NPS-UDC) is set out in the table below. This analysis suggests that, overall, there is no shortage of zoned industrial land in the wider sub-region to meet the level of projected demand over the longer term. There are, however, existing ownership and infrastructure constraints that will inhibit the availability of some of this land for industrial development.

	Demand – Total projected (2017-2047)	Capacity – Total plan enabled capacity available as at June 2017
Hamilton City	524ha	630ha
Waikato District	209ha	299ha
Waipa District	147ha	193ha

- 22) Growing businesses will seek additional space to expand or modernise operations, consolidate the business footprint or secure land in anticipation of future growth. When reviewing options, several locational and cost factors will be considered including land price, cost of development contributions, the ease of access to main transport corridors and proximity to employees. Different businesses will be sensitive to different locational and cost factors and these sensitivities will influence the final locational choice accordingly.
- 23) In Auckland, as industrial land prices have increased and available vacancies have declined, this has prompted some businesses to consider new locational options further south. Similarly, this is also true of businesses in Hamilton that have sought to relocate elsewhere. Business relocation (or churn) is, however, a common process and should not be characterised as simply an outflow of activity as some businesses, previously located outside of the city, have also recently relocated to Hamilton to meet their requirements.
- 24) The table below provides a market summary of current land availability across the wider sub-region, illustrating that there is limited industrial land currently available on the wider market beyond Hamilton. While future industrial land release stages are in the development pipeline, it is uncertain if the release of this additional land to the market will align with the current levels of demand for industrial land.

Location	Total size	Current Availability (as at November 2018)
Pokeno (Gateway Business Park)	80ha	90% sold
Huntly	-	Limited land currently availability
Horotui (Northgate)	102 hectares	First two stages nearly 90% sold. All of Stage 2 (33ha) purchased for Ports of Auckland's Waikato Freight Hub. Consent lodged for Stage 3 (45ha).
Hamilton Airport (Titanium Industrial and Commercial Park)	Over 100ha	Steady uptake, however interest may be constrained in part by the uncertainty of the Southern Links road bypass construction timing.  Three stages released to date (out of a total of six stages). Stage 1 has sold out, Stage 3 mostly sold and approx. a quarter of Stage 2 has sold. Work underway to enable release of stage 4.
Hautapu - Cambridge	Proposal to make 57ha available	Currently limited land availability due to ownership constraints. In response to this issue, and in anticipation of future demand, Waipa District recently undertook Plan Change 5 to expand the existing secure additional land for future industrial growth. A Private Plan Change (Bardowie Industrial Precinct) has recently been submitted which seeks to make 57ha available for industrial use.

### Scope of work required to undertake a plan change

25) Undertaking a plan change to the Hamilton City District Plan requires a thorough investigation of land conditions, development implications and the scoping of any infrastructure requirements. A plan change to accelerate the release of deferred industrial land in Te Rapa North will involve, at a minimum, undertaking:

- a stocktake of existing studies and any existing plans for the area
- archaeological and cultural assessments of the area
- a three waters Integrated Catchment Management Plan (ICMP) for the local catchment
- indicative scoping and budget estimates for strategic infrastructure to service the area
- a formal RMA plan change process, including S32 cost benefit analysis, to create an indicative structure plan and zoning change to enable industrial land use in the area
- an assessment of the plan change against the objectives of the Waikato-Tainui Environmental Management Plan
- engagement and consultation with iwi partners and other relevant stakeholders.

### Infrastructure servicing requirements

26) Any large-scale growth proposal or plan change requires a detailed understanding of infrastructure needs and impacts. It is important an integrated approach is taken to ensure the infrastructure necessary to support the growth is planned and provided, and the costs and implications on the wider infrastructure network are taken into account.

27) Detailed infrastructure modelling will be required, particularly for transport and 3-waters, the costs of which will need to be determined and funded before a plan change is fully committed to. Given the plan change would be promoting land uses that have not been factored into the 10-

Year Plan or any asset management processes, it is crucial the Council is confident the plan change will not over-commit Council resources or detract from existing or proposed investments elsewhere, such as in the Peacocke growth cell.

- 28) One key infrastructure requirement that will influence land availability in the southern part of the Te Rapa North area is the required designation for the road connection to the planned new northern bridge across the Waikato River. The current estimated date for the first major decision on funding anticipated in the 10-Year Plan is 2026/27.

#### **Need to align with other sub-regional initiatives**

- 29) Any potential plan change undertaken will need to align with the Hamilton to Auckland Corridor Plan, which involves participation with central government, local government and iwi partners to progress a number of priorities.
- 30) This will affirm and align with future updates to the Hamilton Urban Growth Strategy (HUGS) which will include a future land release programme and strategy for residential and employment land, identifying any additional areas of land outside of Hamilton required for growth into the future and how Hamilton will deliver the Growth Strategy in partnership with TAs outside its boundary without direct control of the land.

#### **Financial considerations, resource allocation and timing of plan change work**

- 31) Resource to undertake the full investigation work required for the proposed change to the Hamilton City District Plan is currently unbudgeted. A decision on project prioritisation, timing and budget allocation, will be made early in 2019. Should the plan change formally commence in early 2019, it is currently anticipated that the preparation work required would take a further 6 to 12 months, with potential for notification by the end of 2019. Staff will need to take a report back to Council seeking a resolution for formal notification of the plan change.

#### **Legal and Policy Considerations**

- 32) There are no legal or policy considerations at this point.

#### **Cultural Considerations**

- 33) In accordance RMA requirements, the Council will engage with iwi partners regarding the development of the plan change proposal and ensure the plan change is consistent with the objectives of the Waikato-Tainui Environmental Plan. Prior to notification, the Council will also forward the plan change documentation to Waikato Tainui, as Iwi Authority, for review in accordance with section 32(4A) of the RMA. Other matters which will be considered as part of a plan change will include the identification of sites of cultural significance in the District Plan, for example know Pa sites along the river.

#### **Sustainability Considerations**

- 34) Undertaking a Plan change will support the following Council Sustainability principles:

<b>Sustainability Principle 3:</b>	Council anticipates and acts to prevent or mitigate environmental degradation where there are threats of serious or irreversible damage
<b>Sustainability Principle 5:</b>	Council promotes walking, cycling, public transport and other low carbon transport options
<b>Sustainability Principle 9:</b>	Council is an integral part of regional efforts to restore and protect the water quality of waterways

## **Risks**

35) The risk of not undertaking a plan change in the near future is that Hamilton would potentially experience a shortfall of zoned industrial land in the future.

## **Significance & Engagement Policy**

### **Significance**

36) 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**

37) If the Council elects to proceed with a plan change, consultation will occur as part of the Schedule 1 RMA process, including consultation with Maaori. In addition, prior to any formal plan change commencing, engagement and consultation with a range of stakeholders would occur to ensure broad support.

## **Attachments**

There are no attachments for this report.

# Council Report

Item 12

**Committee:** Council **Date:** 13 December 2018  
**Author:** Keith Hornby **Authoriser:** Jen Baird  
**Position:** Strategic Policy Analyst **Position:** General Manager City Growth  
**Report Name:** Mandatory Change to the Hamilton District Plan - inclusion of NPS-UDC minimum development capacity targets

<b>Report Status</b>	<i>Open</i>
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## Purpose

1. To inform the Council of a mandatory change to the Hamilton District Plan as required by the National Policy Statement on Urban Development Capacity 2016 (NPS-UDC).

## Staff Recommendation

2. That the Council:
  - a) approves an amendment to the Hamilton City District Plan to incorporate the minimum targets for sufficient, feasible development capacity for housing as an objective in the District Plan, as set out in Attachment 1 of this report; and
  - b) notes that public notice of this change to the Hamilton District Plan is issued within 5 working days of implementation.

## Executive Summary

3. The National Policy Statement on Urban Development Capacity requires Hamilton City Council to set minimum targets for sufficient, feasible development capacity for housing as an objective in the Hamilton District Plan by 31 December 2018. This change can occur without using the usual public participation process set out in Schedule 1 of the Resource Management Act (RMA).
4. Staff consider the decision in this report has a low significance and that the recommendation complies with the Council's legal requirements.

## Background

5. The NPS-UDC provides direction to councils on planning positively for growth and change in urban environments, and places new requirements on local authorities with a high-growth urban area within their district or region. The NPS-UDC identifies the Future Proof sub-region, comprised of Hamilton City, Waipa and Waikato Districts, as a high-growth urban area.

6. The NPS-UDC requires all local authorities in New Zealand identified as having a high-growth urban area to:

- a) **Complete a Housing and Business Development Capacity Assessment (HBA) by 31 December 2017.** Completed and to be updated at least three-years. Available at: <http://www.futureproof.org.nz/page/13-background-reports>
- b) **Set minimum targets for the medium and long term, for sufficient, feasible development capacity for housing** in accordance with the demand for housing as established in the HBA.

This requires amendments to the Waikato Regional Policy Statement, the Hamilton City District Plan, Waikato District Plan and the Waipa District Plan to include the new objective. Staff from all the relevant territorial authorities will report this requirement to their respective council committees in late November and early December, in time to change the various plans by 31 December 2018, in accordance with the NPS-UDC requirements.

- c) **Quarterly Monitoring**, of a range of market indicators of development capacity.
- d) **Produce a future development strategy (FDS)** by 31 December 2018 that demonstrates sufficient, feasible development capacity in the medium and long term.

## Discussion

### Plan Update

7. This report advises of a mandatory change to the Hamilton District Plan required by the NPS-UDC. The change, which must occur by 31 December 2018, is to insert a new objective relating to minimum targets for housing in the Hamilton. The change is a mandatory one under the NPS and is to occur without using the usual process set out in Schedule 1 of the Resource Management Act 1991 (RMA). The usual RMA Schedule 1 plan change process involves public notification, submission and hearings.
8. The insertion of the new objective containing minimum targets for housing in the medium and long terms is an amendment to the operative district plan. Although the change is required by the NPS-UDC and cannot be avoided, any amendment of the Hamilton District Plan must be approved by the Council.

### The new Objective

9. The Ministry for the Environment's guidance on setting minimum targets indicates that the targets inserted into a district plan should be framed so that they:
  - state the minimum number of dwellings to be enabled and made feasible to develop
  - state the years covered by the minimum targets (medium and long term)
  - relate to a specified geographic area of focus.
10. The change to the Hamilton District Plan will insert the minimum targets for sufficient feasible development capacity for housing as a new Residential Objective (new objective 2.2.6) in the Strategic Framework section (Section 2), refer Attachment 1. Noting that the insertion of the new objective will require a sequential renumbering of the existing objectives 2.2.6 - 2.2.13.
11. The insertion of the new objective into the District Plan does not require further amendment of the plan at this time as the assessed feasible development capacity of the plan has been found to be higher than the required minimum dwelling targets. Future monitoring these targets may however initiate changes to the District Plan zoning and development rules if required. Reassessment of available capacity is required at least every three years.

### **Public Notification of the change to the District Plan**

12. The NPS-UDC directs that the insertion of the new objective in the various planning documents should occur without the usual public participation process usually required under the RMA. A public notice, advising of the change to the District Plan, will need to be issued by the Council to advise the general public and parties who have copies of the Hamilton District Plan.

### **Financial Considerations**

13. Existing budget allocation will cover any costs relating to the change to the District Plan.

### **Legal and Policy Considerations**

14. Staff confirm that the staff recommendation complies with the Council's legal and policy requirements under the National Policy Statement on Urban Development Capacity 2016. Inserting the minimum dwelling targets into the district plan is required to meet Council's obligations under sections 55(2) and 55(2A) of the Resource Management Act 1991 ("Local authority recognition of national policy statements"); and Policy PC11 of the National Policy Statement on Urban Development Capacity 2016.

### **Cultural Considerations**

15. There are no specific cultural considerations identified at this time. The NPS-UDC recognises the national significance of providing sufficient development capacity to meet the needs of people and communities and future generations in urban environments.

### **Sustainability Considerations**

16. The recommendation in this report is consistent with Council's objective to provide for the foreseeable needs of future generations living in Hamilton.

### **Risks**

17. The risk of not undertaking this mandatory change to the Hamilton District Plan would result in noncompliance with the statutory requirements of the NPS-UDC and misalignment with the national direction established by the NPS-UDC regarding urban environments, and the new strategic objective in the Waikato Regional Policy Statement.

## **Significance & Engagement Policy**

### **Significance**

18. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendation in this report has/have a low level of significance.

### **Engagement**

19. The NPS-UDC requires that minimum targets be incorporated into the district plan without a notification or submission process. Given the low level of significance determined, the engagement level is low. No engagement is required.

## **Attachments**

Attachment 1 - New Objective 2.2.6 - Minimum Dwelling Targets

**Attachment 1: New Objective 2.2.6 - Minimum Dwelling Targets**

**Residential Development**

Objective			
<p><b>2.2.6</b> Sufficient feasible development capacity for housing is provided to meet the targets in the table below:</p>			
Area	Minimum Targets (number of dwellings)		
	Short to Medium 1-10 years (2017-2026)	Long term 11-30 years (2027-2046)	Total
Hamilton City	13,300	23,600	36,900
Explanation			
<p><i>The National Policy Statement on Urban Development Capacity 2016 requires minimum dwelling targets as an objective in the District Plan. These minimum targets are in accordance with the Future Proof Housing Development Capacity Assessment 2017.</i></p>			

# Council Report

Item 13

**Committee:** Council  
**Author:** Paul Bowman  
**Position:** Team Leader - Economic Growth and Urban Policy  
**Date:** 13 December 2018  
**Authoriser:** Jen Baird  
**Position:** General Manager City Growth  
**Report Name:** Amendment to the Hamilton Special Housing Areas Policy

<b>Report Status</b>	<i>Open</i>
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## Purpose

1. To seek the Council's approval to amend the Hamilton Special Housing Areas Policy to include the affordability criteria agreed by the Council.

## Staff Recommendation

2. That the Council approves an amendment to the Hamilton Special Housing Areas Policy to include the following affordability criteria (also see Attachment 1):

*At least 10% of dwellings must be sold at or below 90% of the Hamilton average house value\**

\* where 'average house value' means the average Hamilton City residential house value for the most recently released June figure published by Quotable Value ([www.qv.co.nz](http://www.qv.co.nz)).

Other affordability requirements are that the 10% of dwellings must be built on their own exclusive fee simple titled sections and be sold on the open market to a first home buyer. The affordability requirements will be included in the Council's own Private Developer Agreements with SHA applicants.

## Background

3. On [25 September 2018](#), the Council resolved to adopt a series of affordability options for Special Housing Areas (SHAs). This followed discussions with the Ministry of Housing and Urban Development (MHUD), on how the Council defined 'affordability' before a gazette order could be issued for a SHA.
4. Following further discussions with the MHUD and their legal advisors, on [11 October 2018](#) the Council resolved to adopt the following definition:

*At least 10% of dwellings must be sold at or below 90% of the Hamilton average house value\**

\* Where "average house value" means the average Hamilton City residential house value for the most recently released June figure, published by Quotable Value ([www.qv.co.nz](http://www.qv.co.nz)).

Other affordability criteria required by the Council (first home buyer, open market, fee simple title) would be included in the Stage 1 PDA.

5. On [15 November 2018](#), the Council then resolved to omit all reference to affordability criteria from the gazette notice and instead rely on Council's own Private Development Agreements with applicants. This decision followed discussions with the MHUD on when the affordability criteria would apply. The MHUD's interpretation is that the relevant date should be at the time of resource consent application, while the Council's view is that it should be closer to the point of sale.
6. The Hamilton Special Housing Areas Policy, which was approved by Council on [24 August 2017](#), now needs to be amended to reflect these resolutions.

### **Financial Considerations**

7. There are no costs associated with the recommendation in this report.

### **Legal and Policy Considerations**

8. Staff confirm that the recommendation in this report complies with the Council's legal and policy requirement that only the Council can approve an update to a Council policy.
9. Staff confirm that the recommendation will give the Council and SHA applicants clarity on the affordability criteria and their application under the Council's SHA Policy.

### **Cultural Considerations**

10. Staff have identified no cultural interests to be considered at this point. However, Iwi engagement and cultural consideration more broadly form part of the assessment of each individual SHA.

### **Risks**

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

## **Significance & Engagement Policy**

### **Significance**

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

### **Engagement**

13. Community views and preferences are already known to the Council through public consultation on the draft SHA Policy in June/July 2017.
14. One view the wider submitters broadly held was that the that the Policy should consider a wider range of social housing issues, including housing affordability. Some submitters opposed this considering the supply of housing to be the best mechanism to improve affordability.
15. Given the low level of significance determined, the engagement level is low. No engagement is required.

## **Attachments**

Attachment 1 - Hamilton Special Housing Areas Policy - amended to include affordability criteria .

# Hamilton Special Housing Areas Policy

## Background and Legislative Intent

1. The New Zealand Government recognizes housing affordability as a significant social and economic issue which impacts community well-being and productivity, particularly in areas experiencing high population growth.
2. Housing affordability is affected by a range of factors including the rate and extent of land and housing supply.
3. In response to this issue, the Housing Accords and Special Housing Areas Act 2013 ('HASHAA') came into force on 16 September 2013. The purpose of the HASHAA is to enhance housing affordability by facilitating an increase in land and housing supply in certain regions or districts, listed in Schedule 1 of that Act, identified as having housing supply and affordability issues.
4. Hamilton City is one of the areas listed in Schedule 1 of the HASHAA.
5. The HASHAA achieves its purpose by providing an alternative and 'fast track' means of creating zoned residential land, known as Special Housing Areas ('SHAs'), as compared to the standard track process under the Resource Management Act 1991 ('RMA').
6. The first step towards establishing an SHA is for Council to enter into a Housing Accord with the Minister for Building and Construction ('Minister'). On 22 December 2016 Council entered into the Hamilton Housing Accord with the Minister ('Accord').
7. The Accord includes agreed aims and targets related to land supply and dwelling consents. The Accord also acknowledges a number of other actions to improve housing affordability and sufficient land supply.
8. With the Accord in place, the next step is for Council to consider the options for proposed SHAs. Once Council has decided to support a proposed SHA, it must make a recommendation to the Minister for consideration and, if appropriate, approval.
9. If the Minister accepts the Council recommendation the SHA will be established by way of Order in Council. The process of securing development rights under the provisions of HASHAA can then commence.

## Purpose

10. The purpose of this Policy is to establish the process and the evaluation criteria that will guide Council in making decisions on whether to accept a proposal for an SHA and recommend to the Minister that a proposed SHA be established.
11. This policy will inform Council's performance of its functions under HASHAA and will be applied in a manner which gives effect to the Accord. In the event of any conflict the HASHAA will prevail.

## Policy

12. All proposals for an SHA will be processed and evaluated by Council in accordance with this policy.
13. In order that Council meets its statutory responsibilities under the HASHAA, Local Government Act 2002 (LGA), Resource Management Act 1991 (RMA) and any other related legislation, Council reserves itself full discretion to accept or reject a proposal for recommendation to the Minister.
14. All proposals for an SHA shall demonstrate to Council's satisfaction that the following criteria will be met:
  - a) Development within the proposed SHA will achieve the purpose of HASHAA in a manner consistent with the Accord;
  - b) Development within the proposed SHA will place no additional financial burden on

Council compared to no development occurring, either now or in the future

- c) All infrastructure necessary to service the proposed SHA including but not limited to transport, waste water, potable water and storm water is available or will be made available by the developer at no cost to Council in advance of all identified infrastructure demand arising
  - d) At least 10% of dwellings must be sold at or below 90% of the Hamilton average house value as defined in clause 15 g) below.
15. In its assessment of whether the criteria set out in clause 14 are met, Council will evaluate the proposed SHA against the following considerations:
- a) **Demand for the qualifying development:** The extent to which development of the proposed housing types will achieve the purpose of the HASHAA and the Accord which will include an assessment of proposed housing typology, dwelling and section sizes, and density;
  - b) **Predominantly residential:** The extent to which the proposed development is predominantly residential with the primary purpose of creating residential housing supply;
  - c) **Locational considerations:** The extent to which the proposed SHA is consistent with Council's strategic land use planning. If inconsistent, the extent to which it may materially compromise or alter Council's strategic land use planning and the effects of that inconsistency including effects on planned and existing infrastructure. The extent to which the proposed SHA affects Council's ability to meet its statutory requirements under the National Policy Statement on Urban Development Capacity. Proposals for SHAs will be considered in all areas except:
    - all Special Character Zones (excluding Peacocke Terrace Area and the Jebson Place development site at 5A Cassidy Street)
    - all Open Space Zones
    - significant archaeological, historic and cultural sites
    - electricity transmission corridors
    - Natural Hazard Areas (except where effects can be appropriately managed)
    - Significant Natural Areas
  - d) **Infrastructure:** The extent to which the proposed SHA will absorb capacity within Council's existing infrastructure, including but not limited to parks and reserves, transport and three waters network infrastructure and how the developer will pay for that use of capacity. The extent to which the existing infrastructure is inadequate to service the development and the developer's ability and commitment to provide that necessary infrastructure and services at no cost to Council either now or into the future,
  - e) **Scale:** The extent to which the proposed SHA will deliver beyond a prescribed minimum of 10 dwellings.
  - f) **Design quality:** The extent to which the proposed SHA adheres to the key urban design qualities expressed in the Ministry for the Environment's *New Zealand Urban Design Protocol (2005)* and the effects of any non-adherence;
  - g) **Development agreement:** The extent to which a satisfactory development agreement can be entered into between Council and the developer which secures HASHAA's intended outcomes in a manner that is consistent with Council's Growth Funding Policy including but not limited to:
    - recovery of development contributions for utilized infrastructure capacity
    - the delivery of all necessary infrastructure and services without placing a financial burden on Council and
    - the delivery of the following affordability criteria:

At least 10% of dwellings must be sold at or below 90% of the Hamilton average

house value\*

\* where 'average house value' means the average Hamilton City residential house value for the most recently released June figure published by Quotable Value ([www.qv.co.nz](http://www.qv.co.nz)).

Other affordability requirements are that the 10% of dwellings must be built on their own exclusive fee simple titled sections and be sold on the open market to a first home buyer. The affordability requirements will be included in the development agreement.

16. Council will process and assess proposals quarterly with applications which meet all the necessary information requirements upon receipt being subject to approval within that quarter. Proposals can be made by any party, including Council.
17. Upon receipt of a proposal, Council staff will undertake an initial evaluation of the proposal to determine its level of consistency with this policy. At this stage, based on this initial evaluation, full council will determine, at its sole discretion, whether to continue with the evaluation or to reject the proposal.
18. If the evaluation proceeds to detailed stage beyond this point, Council will:
  - a) based on the nature of the proposal evaluate whether and to what extent it is necessary to seek public feedback including from statutory agencies and relevant Iwi;
  - b) seek comment and evaluative input from relevant Council departments;
  - c) fully assess the proposal in accordance with this policy, and in particular the criteria set out in clause 14 and the considerations set out in clause 15;
  - d) identify its key requirements for the draft development agreement;
  - e) receive staff recommendations;
  - f) decide whether to reject the proposal, or accept the proposal in principle.
19. If a proposal is accepted in principle, Council will then enter into negotiations with the proponent to secure, through a development agreement, the delivery of the outcomes set out in the proposal and any other outcomes required by Council, including the provision of any necessary infrastructure required to service the proposal.
20. If negotiations lead to a legally binding development agreement, on terms acceptable to Council, Council will, at its discretion, consider accepting the proposal for recommendation to the Minister.
21. If a proposal is accepted under clause 20 of this policy, Council will then collaborate with the proponent in making the recommendation to the Minister that the proposed SHA be established.
22. Once an SHA proposal is lodged with Council, all Council staff time and other costs of processing and evaluating the proposal, including negotiating any development agreement, will be on-charged to the developer or proponent of the SHA. Fees and charges will be set according to Council's then operative Resource Consent and Engineering Fees and Other Charges Schedule. Fees and charges relating to any consequent resource consent application or plan change application will be charged separately.

# Council Report

<b>Committee:</b>	Council	<b>Date:</b>	13 December 2018
<b>Author:</b>	Greg Carstens	<b>Authoriser:</b>	Jen Baird
<b>Position:</b>	Growth Funding & Analytics Unit Manager	<b>Position:</b>	General Manager City Growth
<b>Report Name:</b>	Development Contributions Policy - minor amendments		

<b>Report Status</b>	<i>Open</i>
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## Purpose

1. To seek the Council's approval of:
  - a) a minor amendment to clarify the definition of "bedroom" in Council's Development Contributions Policy 2018/19 (the Policy).
  - b) To correct several typographical errors and include an additional catchment map in the Policy, none of which have any material implication for application of the Policy.

## Staff Recommendation

2. That the Council
  - a) receives the report
  - b) approves the following minor amendments to Council's Development Contributions Policy 2018/19:
    - i. Policy definition 6.5 "bedroom" be amended to clarify that only one of a living room or dining room (but not both) is excluded when calculating a development contribution
    - ii. Policy definition 6.38 "wet industries" be corrected to state "15,000 litres"
    - iii. 22. Schedule 2 – Growth-Related Capital Expenditure (Table 3, note 1), insert "*.. or specified in the 2017-18 Annual Plan*".
    - iv. Schedule 8, add new map "Map 7, CBD catchment".

## Background and discussion

3. Council adopted its current Development Contributions Policy on 30 June 2018. Since then, in the course of applying the Policy, staff have identified several typographical errors and minor clarifications recommended to be tidied up through this report.
4. These amendments are minor in nature and are recommended to provide clarification and correction only; none produces changes in the originally-intended interpretation or application of the Policy.

5. **Definition of a “bedroom”**

6. The first of these is a minor amendment to clarify the definition of “bedroom”.
7. Residential DCs are calculated based on the number of “bedrooms” a residential unit has. Statistical and engineering information shows that, for example, demand for Council services from a three-bedroom house is higher compared to say a two-bedroom house. As such, there is a DC charge implication because the more bedrooms there are the higher the DC charge will be (up to a maximum of four bedrooms, after which the charge is flat).
8. The Policy definition shown below is successfully being used to determine the number of bedrooms for the purposes of calculating DCs, but staff have identified a potential ambiguity and recommend it be clarified.
9. In part (b) of the following definition the Policy sets out that the dining room *or* the living will not count as a bedroom (and it doesn’t matter whether the dining/living room is open plan or not).
10. A potential ambiguity arises because it is not always easy for DC assessment officers to differentiate a dining room from a living room, especially if it is open plan. The Policy currently addresses this by stating that one *or* the other (dining or living room) is excluded for qualification as a “bedroom”.
11. An incorrect interpretation of the definition, and where the potential ambiguity arises, is to interpret part (b) below to mean “a bedroom is not a living room *and* not a dining room”. In those specific circumstances and under this incorrect interpretation, the residential unit would be assessed to have one bedroom fewer than the Policy intends, and therefore under-assessed for DCs.
12. The proposed amendments to the definition of bedroom within the DC policy do not change the effect of the policy, but rather improve the clarity of the definition and ensure the definition is applied as intended.
13. In order to prevent anyone making this mistake, the following amendment is recommended:
- 6.5 bedroom** means an area of a residential unit that is not:
- a) the kitchen, bathroom(s), laundry and toilet(s),
  - b) the dining room or living room (**but not both**) whether open plan with the kitchen or not,
  - c) entrance halls ~~s or and~~ passageways,
  - d) garage, and
  - e) any other room smaller than 6m<sup>2</sup>.
14. For consistency, in part (c) above it is recommended that “or” be replaced with “and”, and the corresponding nouns pluralised.

15. **Other minor amendments**

16. Three further minor amendments are recommended:

Ref.	Policy reference	Recommended amendment	Explanation of effect
1.	6.38, definition of "Wet industries".	<i>"Wet industries means industrial developments that are assessed to or will utilise more than 15,000 <del>k</del> litres of water per day."</i>	Correct typographical error – the Policy says 15,000 kilolitres when it should say 15,000 litres.
2.	Schedule 2, Growth Related Capital Expenditure; Table 3, note 1.	<i>"Historical capex refers to capital expenditure incurred before 1 July 2017 <u>or specified in the 2017-18 Annual Plan</u>, and future capex refers to capital expenditure specified in the 2018-28 10-Year Plan."</i>	Clarification that, due to incomplete information at the time Council's DC Model is finalised, the current year's Annual Plan information informs the DC funding model (these are updated with actuals at the next DC Policy update).
3.	Schedule 8, Development Contribution Catchment Maps	Add new Map 7, CBD catchment. Re-number maps.	To provide additional detail for developers.

### Options

17. The Council could choose not to make the recommended amendments.
18. Staff recommend making the amendments described in this paper on the basis of ongoing improvement to the Policy, and to remove possible but preventable misinterpretation of the Policy by the community.

### Financial Considerations

19. There are no relevant financial considerations.

### Legal and Policy Considerations

20. Staff confirm that the recommendations in this report comply with the Council's legal and policy requirements.
21. Staff have taken verbal legal advice in respect of the recommended amendments in this report.

### Cultural Considerations

22. Staff have identified no cultural interests to be considered at this point.

### Risks

23. A small risk exists that a developer takes advantage of a typographical error or the existing bedroom definition and attempts to use it to their benefit at the expense of Council. The recommended amendments mitigate this risk.

## Significance & Engagement Policy

### Significance

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

### Engagement

25. The current DC policy was adopted following a consultative procedure undertaken by Council as part of its 2018-28 10-Year Plan decision-making process. During that consultative process Council received 49 submissions, covering a total of 234 submission topics. One topic related to the definition of bedrooms, in the context of setting residential DC charges. Council received 27 submissions on this topic, which were summarised and analysed by Council during the hearings and deliberations into submissions.
26. In addressing the ongoing consultation requirements in terms of the proposed amendment, Council must have regard to the consultation principles set out in section 82 of the LGA. Under section 82 Council has a discretion as to how it observes the principles of consultation, depending upon the circumstances, including the extent to which the current views and preferences of persons who have an interest in the decision are already known to Council.
27. In terms of the proposed amendments, Council can be satisfied that it has sufficient information available to it to understand the views and preferences of persons who have an interest in this decision. Accordingly, further consultation is not required in the circumstances. As to those views and preferences, Council knows the concerns held through its collation and analysis of submissions received on the draft policy.
28. The proposed amendment to the bedrooms definition will improve its clarity. Clarifying the definition will be welcomed by parties who are required to engage with and administer DC policy.
29. Given the low level of significance determined, the engagement level is low. No engagement is required.

### Attachments

Attachment 1 - Amended Development Contributions Policy 2018-19 (relevant pages) 13-12-2018 .

## 6. DEFINITIONS

6.1 **10-Year Plan** means Council's adopted long term plan in accordance with the LGA.

6.2 **activity** means transport, water, wastewater, stormwater or reserves.

6.3 **allotment** means:

a) any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not:

i. the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted by Council.

ii. a subdivision consent for the subdivision shown on the survey plan has been granted under the Act.

b) any parcel of land or building or part of a building that is shown or identified separately:

i. on a survey plan.

ii. on a licence within the meaning of Part 7A of the Land Transfer Act 1952.

c) any unit on a unit plan.

d) any parcel of land not subject to the Land Transfer Act 1952.

6.4 **ancillary activity** means any non-residential activity on the same site as another principal non-residential building or activity and whose use is incidental to the principal building or principal activity, and which occupies not more than 25% or 250m<sup>2</sup> of the activity's gross floor area on the site and associated premises (including any associated premises on an immediate adjoining site), whichever is the lesser.

6.5 **bedroom** means an area of a residential unit that is not:

a) the kitchen, bathroom(s), laundry and toilet(s),

b) the dining room or living room (**but not both**) whether open plan with the kitchen or not,

c) entrance halls ~~or~~ **and** passageways,

d) garage, and

e) any other room smaller than 6m<sup>2</sup>.

6.6 **capex** means capital expenditure.

6.7 **catchment** means an area shown in Maps 1-~~940~~ (refer Schedule 8) within which a separately calculated and specified set of development contributions charges apply.

6.8 **CBD** means the Central Business District. An area defined as the Business Improvement District (BID) in Council's Rating Policy.

6.9 **citywide** means the catchment that covers the entire city. The citywide charge forms a component of all other development contribution charges.

6.10 **commercial development** means any development involving the use of premises (land and buildings) for administration or professional activities, leisure and recreation activities, community centres, places of worship, mobile accommodation, motels, and all other activities not covered by the definitions of residential, retail, and industrial development.

- 6.27 **lot** means allotment.
- 6.28 **LGA** means the Local Government Act 2002.
- 6.29 **network infrastructure** means the provision of roads and other transport, water, wastewater, and stormwater collection and management as defined by the LGA.
- 6.30 **residential activities** mean the use of land and buildings on a site by people for living accommodation either alone, in families or groups.
- 6.31 **residential development** means new buildings or parts of buildings designed to be used as residential units. This includes but is not limited to apartments, semi-detached and detached houses, ancillary residential units, units, town-houses, private units within a retirement village, show homes, self-contained accommodation, and new allotments on land that is zoned residential.
- 6.32 **residential unit** means a building or group of buildings, or part of a building or group of buildings that are used, or intended to be used, only or mainly for residential activities.
- 6.33 **retail development** means any development involving the use of land or buildings where goods and services are offered or exposed to the general public for sale, hire or utilisation. For the purposes of this Policy, this definition shall include restaurants, licensed premises and food and refreshment facilities.
- 6.34 **Schedule of Assets** means the S201 LGA schedule available on Council's website.
- 6.35 **sector** means residential, industrial, commercial, retail, or wet industries
- 6.36 **self-contained accommodation** means a residential unit which has kitchen, toilet and bathroom facilities.
- 6.37 **site** means an area of land which is:
- a) Comprised in a single certificate of title or in respect of which a single certificate of title could be issued without further consent from the Council.
  - b) Composed of two or more lots held together in one (or more) certificate(s) of title and where no single lot can be dealt with separately without the prior consent of the Council.
  - c) An area of land which has been defined for the purpose of transferring it from one certificate of title to another.
  - d) An area of land which is, or is to be, used or developed as one property whether or not that use or development covers the whole or a part(s) of one or more lots.
- 6.38 **wet industries** means industrial developments that are assessed to or will utilise more than 15,000 ~~litres~~ kl of water per day.

## 22. SCHEDULE 2 – GROWTH-RELATED CAPITAL EXPENDITURE

Table 3 – Growth related capital expenditure by Council Activity Group (\$000s)

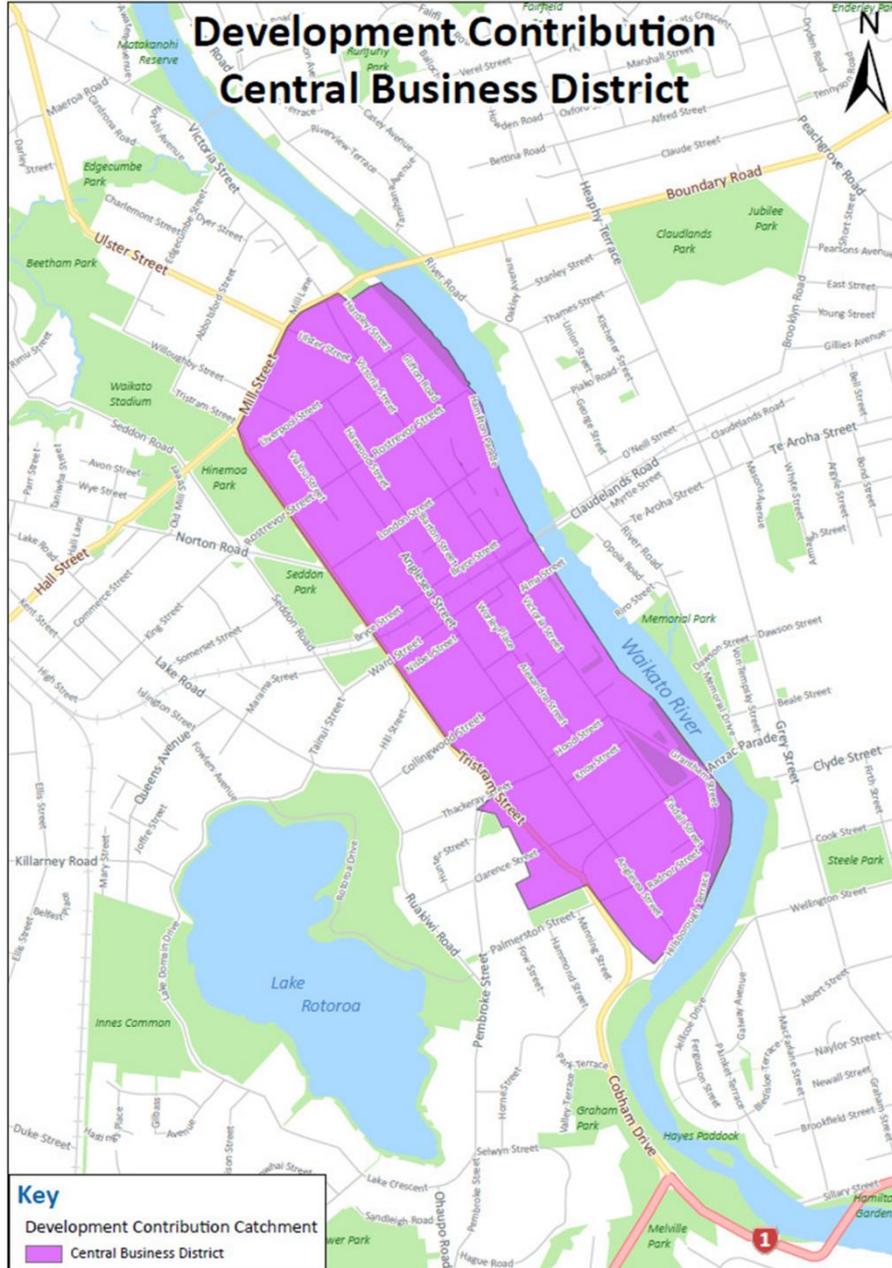
Note 1 – Historical capex refers to capital expenditure incurred before 1 July 2017 or specified in the 2017-18 Annual Plan, and future capex refers to capital expenditure specified in the 2018-28 10-Year Plan.

Growth Related Capital Expenditure (\$000s)	Total Capex Including Subsidies	Total Subsidies & Operating Revenue	Total Capex Net Subsidies	DC Capex	DC Interest	Total Cost DC Funded Capex	% DC Funded	% Rates Funded	% Other Sources
<b>Total Reserves</b>	<b>144,098</b>	<b>(586)</b>	<b>143,512</b>	<b>99,108</b>	<b>21,954</b>	<b>121,062</b>	<b>69%</b>	<b>31%</b>	<b>0%</b>
<b>Citywide</b>	<b>73,165</b>	<b>(100)</b>	<b>73,065</b>	<b>41,127</b>	<b>5,892</b>	<b>47,018</b>	<b>56%</b>	<b>44%</b>	<b>0%</b>
2018 10-Year Plan	54,077		54,077	31,939	3,240	35,179	59%	41%	0%
Historical	19,088	(100)	18,988	9,188	2,652	11,840	48%	51%	1%
<b>Infill</b>	<b>4,256</b>	<b>(486)</b>	<b>3,769</b>	<b>1,313</b>	<b>(254)</b>	<b>1,059</b>	<b>31%</b>	<b>58%</b>	<b>11%</b>
Historical	4,256	(486)	3,769	1,313	(254)	1,059	31%	58%	11%
<b>Peacocke</b>	<b>669</b>		<b>669</b>	<b>537</b>	<b>722</b>	<b>1,258</b>	<b>80%</b>	<b>20%</b>	<b>0%</b>
Historical	669		669	537	722	1,258	80%	20%	0%
<b>Peacocke 1</b>	<b>2,987</b>		<b>2,987</b>	<b>2,545</b>	<b>(213)</b>	<b>2,332</b>	<b>85%</b>	<b>15%</b>	<b>0%</b>
2018 10-Year Plan	2,987		2,987	2,545	(213)	2,332	85%	15%	0%
<b>Peacocke 2</b>	<b>35,573</b>		<b>35,573</b>	<b>30,495</b>	<b>10,193</b>	<b>40,688</b>	<b>86%</b>	<b>14%</b>	<b>0%</b>
2018 10-Year Plan	35,573		35,573	30,495	10,193	40,688	86%	14%	0%
<b>Rotokauri</b>	<b>2,772</b>		<b>2,772</b>	<b>2,323</b>	<b>3,179</b>	<b>5,502</b>	<b>84%</b>	<b>16%</b>	<b>0%</b>
2018 10-Year Plan	647		647	544	306	850	84%	16%	0%
Historical	2,125		2,125	1,780	2,873	4,653	84%	16%	0%
<b>Rototuna</b>	<b>24,676</b>		<b>24,676</b>	<b>20,768</b>	<b>2,436</b>	<b>23,204</b>	<b>84%</b>	<b>16%</b>	<b>0%</b>
2018 10-Year Plan	6,536		6,536	5,498	(1,629)	3,869	84%	16%	0%
Historical	18,140		18,140	15,270	4,065	19,335	84%	16%	0%
<b>Total Stormwater</b>	<b>206,681</b>	<b>(1,661)</b>	<b>205,020</b>	<b>180,315</b>	<b>113,083</b>	<b>293,398</b>	<b>87%</b>	<b>12%</b>	<b>1%</b>
<b>SW - Chartwell</b>	<b>343</b>		<b>343</b>	<b>302</b>	<b>(57)</b>	<b>246</b>	<b>88%</b>	<b>12%</b>	<b>0%</b>
2018 10-Year Plan	245		245	218	(56)		89%	11%	0%
Historical	98		98	85	(1)	84	86%	14%	0%
<b>SW - City Centre</b>	<b>1,188</b>		<b>1,188</b>	<b>1,051</b>	<b>665</b>	<b>1,717</b>	<b>88%</b>	<b>12%</b>	<b>0%</b>
2018 10-Year Plan	612		612	544	69	613	89%	11%	0%
Historical	577		577	507	597	1,104	88%	12%	0%
<b>SW - Citywide</b>	<b>799</b>		<b>799</b>	<b>550</b>	<b>221</b>	<b>771</b>	<b>69%</b>	<b>31%</b>	<b>0%</b>
Historical	799		799	550	221	771	69%	31%	0%
<b>SW - Eureka</b>							<b>0%</b>	<b>0%</b>	<b>0%</b>
2018 10-Year Plan							0%	0%	0%
<b>SW - Hamilton East</b>	<b>982</b>		<b>982</b>	<b>871</b>	<b>(148)</b>	<b>722</b>	<b>89%</b>	<b>11%</b>	<b>0%</b>
2018 10-Year Plan	856		856	762	(169)	593	89%	11%	0%
Historical	125		125	109	20	129	87%	13%	0%
<b>SW - Kirikiriroa</b>	<b>3,984</b>		<b>3,984</b>	<b>3,493</b>	<b>1,990</b>	<b>5,482</b>	<b>88%</b>	<b>12%</b>	<b>0%</b>
2018 10-Year Plan	1,957		1,957	1,742	(80)	1,661	89%	11%	0%
Historical	2,027		2,027	1,751	2,070	3,821	86%	14%	0%
<b>SW - Lake Rotokauri</b>	<b>136,712</b>	<b>(1,661)</b>	<b>135,051</b>	<b>120,123</b>	<b>82,243</b>	<b>202,366</b>	<b>88%</b>	<b>11%</b>	<b>1%</b>
2018 10-Year Plan	128,344		128,344	114,227	74,988	189,214	89%	11%	0%
Historical	8,368	(1,661)	6,707	5,896	7,256	13,152	70%	10%	20%
<b>SW - Mangaheka</b>	<b>6,112</b>		<b>6,112</b>	<b>5,429</b>	<b>6,182</b>	<b>11,611</b>	<b>89%</b>	<b>11%</b>	<b>0%</b>
2018 10-Year Plan	5,719		5,719	5,090	5,794	10,885	89%	11%	0%
Historical	392		392	338	388	726	86%	14%	0%
<b>SW - Mangakotukutuku</b>	<b>25,317</b>		<b>25,317</b>	<b>22,521</b>	<b>12,030</b>	<b>34,550</b>	<b>89%</b>	<b>11%</b>	<b>0%</b>
2018 10-Year Plan	24,571		24,571	21,868	11,408	33,276	89%	11%	0%
Historical	746		746	652	622	1,275	87%	13%	0%
<b>SW - Mangaonua</b>	<b>737</b>		<b>737</b>	<b>652</b>	<b>10</b>	<b>662</b>	<b>88%</b>	<b>12%</b>	<b>0%</b>
2018 10-Year Plan	612		612	544	(37)	507	89%	11%	0%
Historical	125		125	108	47	155	86%	14%	0%
<b>SW - Ohote</b>	<b>343</b>		<b>343</b>	<b>302</b>	<b>1,039</b>	<b>1,341</b>	<b>88%</b>	<b>12%</b>	<b>0%</b>
2018 10-Year Plan	245		245	218	654	872	89%	11%	0%
Historical	98		98	85	385	469	86%	14%	0%
<b>SW - Otama-ngenge</b>	<b>184</b>		<b>184</b>	<b>159</b>	<b>61</b>	<b>220</b>	<b>86%</b>	<b>14%</b>	<b>0%</b>
Historical	184		184	159	61	220	86%	14%	0%
<b>SW - Peacocke</b>	<b>5,000</b>		<b>5,000</b>	<b>4,448</b>	<b>3,351</b>	<b>7,798</b>	<b>89%</b>	<b>11%</b>	<b>0%</b>
2018 10-Year Plan	4,902		4,902	4,363	3,261	7,623	89%	11%	0%
Historical	98		98	85	90	175	86%	14%	0%
<b>SW - River North</b>	<b>167</b>		<b>167</b>	<b>145</b>	<b>21</b>	<b>166</b>	<b>87%</b>	<b>13%</b>	<b>0%</b>
2018 10-Year Plan							0%	0%	0%
Historical	167		167	145	21	166	87%	13%	0%
<b>SW - Rotokauri West</b>	<b>343</b>		<b>343</b>	<b>302</b>	<b>336</b>	<b>639</b>	<b>88%</b>	<b>12%</b>	<b>0%</b>
2018 10-Year Plan	245		245	218	195	413	89%	11%	0%
Historical	98		98	85	141	226	86%	14%	0%
<b>SW - St Andrews</b>	<b>1,199</b>		<b>1,199</b>	<b>1,064</b>	<b>(550)</b>	<b>515</b>	<b>89%</b>	<b>11%</b>	<b>0%</b>
2018 10-Year Plan	1,101		1,101	980	(514)	466	89%	11%	0%
Historical	98		98	85	(35)	49	86%	14%	0%



Map 7 – CBD Catchment

For more detail regarding areas please refer to Council's development contributions GIS viewer.



# Council Report

Item 15

**Committee:** Council **Date:** 13 December 2018  
**Author:** Cory Lang **Authoriser:** Jen Baird  
**Position:** Building Control Manager **Position:** General Manager City Growth  
**Report Name:** Change to Contract 17047 - Building Control Professional Services

<b>Report Status</b>	<i>Open</i>
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## Purpose

1. To seek approval to increase the Approved Contract Sum for existing Contract 17047 – Building Control Professional Services to cover resourcing through to the end of 2018/2019 financial year.

## Staff Recommendation

2. That the Council:
  - a) receives the report; and
  - b) approves an increase to the Approved Contract Sum for Contract 17047 to \$400,000 (previously approved as \$250,000.00).

## Discussion

3. Contract 17047 engages Cove Kinloch to provide additional resources to the Building Unit by way of Building Inspectors and Building Review Officers to cover peak demand times, staff leave and staff shortages.
4. This contract was awarded to Cove Kinloch in June 2017 as a direct appointment under the Chief Executive's financial delegations. Cove Kinloch was chosen due to being the only company competent to carry out Building Control functions under Hamilton City Councils Building Consent Authority (BCA) Accreditation and their track record supporting Hamilton City Council (HCC) with building consultancy services.
5. The current contract has an Approved Contract Sum of \$250,000.
6. The contract term expires 30 June 2019 to align with the Professional Services Panel (PSP) review and ensure the Building Unit has resource support to cover until PSP is complete and PSP providers are selected to provide this discipline in the new financial year. There are no current PSP members that provide this service.
7. Since Contract 17047 was awarded, there have been several factors that have driven an increase in the quantum of work over and above that first envisaged for Cove Kinloch to complete, including a nationwide shortage of building control professionals. Challenges around recruitment have placed significant pressure on Council's staff and coupled with growth in the building sector, have seen demand and timeframes pushed out. Council is currently utilising Cove Kinloch resources to their capacity.

8. Costs incurred by Council under Contract 17047 as at the end of October 2018 amount to \$243,506.
9. Further work is required up until June 2019 to enable the completion of the PSP and ensure that Council can use all available resources to meet demand.
10. This work was included in the original scope for the contract and will incur further costs to Council resulting in the Approved Contract Sum being exceeded.
11. As the Chief Executive only has delegated authority to approve increases up to the value of \$250,000, Council approval is sought for an increase to the Approved Contract Sum for Contract 17047, from \$250,000 to \$400,000.

**Financial Considerations**

12. The total cost of the contract extension is up to \$150,000.
13. Existing budgets are sufficient to cover the proposed increase to Contract 17047.

**Legal and Policy Considerations**

14. Staff confirm that an increase to the approved contract sum complies with the Council’s legal and policy requirements.

**Risks**

15. There is no known risk associated with Council approving the proposed increase to Contract 17047.
16. There is some risk to Council if continuity of resource is not maintained until the PSP review process is completed.

**Cultural Considerations**

17. There are no cultural considerations in this matter as it relates to financial delegated authority.

**Significance & Engagement Policy**

**Significance**

18. Staff considered relevant factors under the Significance and Engagement Policy and have assessed that the matters in this report have a low level of significance.

**Engagement**

20. Given the low level of significance, no engagement on this matter is required.

**Attachments**

There are no attachments for this report.

# Council Report

Item 16

**Committee:** Council **Date:** 13 December 2018  
**Author:** Tracey Musty **Authoriser:** David Bryant  
**Position:** Financial Controller **Position:** General Manager Corporate  
**Report Name:** Insurance Renewal for 2018/19

<b>Report Status</b>	<i>Open</i>
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## Purpose

1. To inform the Council of its 2018/19 insurance renewal programme and request approval for additional costs above the 2018/19 insurance budget amounting to \$387,659.
2. This request is made due to the amount being above the Chief Executive's delegated authority.

## Staff Recommendation

3. That the Council approves the additional costs above the 2018/19 insurance budget amounting to \$387,659.

## Background

4. Council tenders its insurance programme under the Waikato Local Authority Shared Service (WLASS) company umbrella with Aon New Zealand as our insurance broker.
5. The purpose of this relationship is to leverage the region's collective insurance requirements to deliver economies of scale through reducing brokerage costs and reducing the exposure to market increases in premium costs while also ensuring adequate coverage of risk.
6. Council's insurance period runs from 1 November to 31 October each year.
7. Council uses a 'Probable Maximum Loss' (PML) reinstatement value approach rather than replacement value for all council assets. The benefit for this approach is to ensure our Material Damage, Business Interruption and Infrastructure arrangements provide adequate cover.
8. Council has seventeen insurance policies within its portfolio managed by the Risk and Insurance Manager. Details of these policies including a comparison of premium costs against last year is included as attachment 1 of this report.
9. Council's insurance programme is regarded as a risk management tool used to mitigate financial loss associated with any adverse significant event.
10. Council's Infrastructure insurance programme specifically addresses losses to underground assets such as water supply, waste water, storm water assets and bridges.

## Discussion

11. In 2017 there were 330 natural disasters recorded globally. Events have included wildfires, earthquakes, tsunamis, and major flooding.
12. In New Zealand natural disasters such as the Kaikoura earthquake of November 2016 and several Cyclone events during 2017 and 2018 have also contributed to responses from global insurance markets to lift insurance premiums.
13. Claims reported for the Kaikoura earthquake are estimated at US\$4.5 billion and the cyclones experienced in various parts of New Zealand in 2018 are expected to exceed US\$1.2 billion.
14. Those geographical areas most impacted by recent events are seeing the greatest insurance premium cost increases. Hamilton City is still considered one of the lowest impacted.
15. Because of the above the global insurance market has sustained significant insurance losses. This has caused some insurance premiums to increase significantly.
16. Council's insurance renewal programme cost for 2018/19 is \$2,389,379 and has increased a total of 31.4% on last year or \$571,096.
17. The insurance programme year begins 1 November and runs through until 31 October.
18. Council's 2018/19 budget year is from 1 July 2018 to 30 June 2019 which means the full impact of this increase will not be realised in this budget year.
19. Council's 2018/19 budget was increased by 10.2% over last year's budget. The budget shortfall and 2018/19 impact of the increased insurance premiums is \$387,659. Refer attachment 1 of this report for more details.
20. This unbudgeted cost is above the Chief Executive delegations and requires Council approval. If approved these costs will be incorporated into the Financial Strategy model update and presented to the Finance Committee on 21 February 2019, along with any other updates.
21. Staff are working with AON to estimate the impact of these significant increases on the remainder of the 10-Year Plan. This information will be included and discussed as part of the 2019/20 Annual Plan process.

## Financial Considerations

22. Council's 2018/19 insurance budget is \$1,811,370 representing a 10.2% increase on last year.
23. The actual renewal cost of Council's insurance programme for the 2018/19 budget year is \$2,199,029 representing a 25.3% increase and resulting in a budget shortfall of \$387,659.

## Legal and Policy Considerations

24. Staff confirm that the recommendation complies with the Council's legal and policy requirements.

## Risks

25. Not approving the renewal cost of Council's 2018/19 insurance programme would result in Council being uninsured for any adverse legal, business or asset damage event.
26. Council's risk of being uninsured would be the potential for significant negative impacts on Council's reputation and Financial Strategy.

## Cultural Considerations

27. No cultural considerations have been identified relevant to the matters within this report.

### **Significance & Engagement Policy**

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

### **Attachments**

Attachment 1 - HCC Insurance Portfolio Premiums - 2018-2019

## Insurance Renewal Programme

## Insurance Year (1 November to 31 October)

Insurance Categories	Premium period:		\$ Increase / (Decrease) on Last Year	% Increase (Decrease)
	1/11/17-1/11/18 Total 2017/18 premiums excl GST	1/11/18-1/11/19 Total 2018/19 premiums excl GST		
<b>Material damage</b>				
Material damage - excluding fire	382,128	512,147	130,019	
Material damage - fire only	223,918	299,246	75,328	
Material damage - excess layer	145,766	167,960	22,194	
	<b>751,813</b>	<b>979,353</b>	<b>227,540</b>	<b>30.3%</b>
<b>Infrastructure</b>				
Material damage - infrastructure (includes bridges)	395,397	514,016	118,619	
Material damage - infrastructure primary layer	192,757	250,584	57,827	
	<b>588,154</b>	<b>764,600</b>	<b>176,446</b>	<b>30.0%</b>
<b>Miscellaneous</b>				
Annual Contract Works	14,285	15,240	955	
Accident and health	1,218	1,119	(98)	
Commercial motor vehicles	123,458	153,412	29,954	
Corporate travel	133	1,283	1,149	
Employers liability	1,061	1,056	(5)	
Crime policy	13,657	25,705	12,048	
Statutory liability	5,505	5,500	(5)	
Boiler explosion	2,428	2,431	3	
Fine Arts	50,825	53,071	2,246	
Fine Arts Fire Service Levy	42,095	42,095	-	
Hall Hirers	11,795	13,200	1,405	
	<b>270,859</b>	<b>314,112</b>	<b>43,253</b>	<b>16.0%</b>
<b>Business interruption</b>				
Business interruption	59,592	69,738	10,147	
<b>Professional indemnity and public liability</b>				
Professional indemnity	67,005	158,900	91,895	137.1%
Public liability	44,685	66,500	21,815	48.8%
<b>Total premium cost</b>	<b>1,782,107</b>	<b>2,353,203</b>	<b>571,096</b>	<b>32.0%</b>
Aon insurance brokerage fees	36,176	36,176	-	
<b>Total insurance cost</b>	<b>1,818,283</b>	<b>2,389,379</b>	<b>571,096</b>	<b>31.4%</b>

## Budget Year (1 July to 30 June)

<b>Budgets (July - June)</b>		<b>2017/18</b>	<b>2018/19</b>		
<b>Total budgets</b>		1,643,587	1,811,370	10.2%	2018/19 increase over last year budget costs
<b>Actual premium costs split between financial years</b>					
1 July - 31 October		543,221	606,110		
1 November - 30 June		1,212,188	1,592,919		
<b>Total premium</b>		<b>1,755,409</b>	<b>2,199,029</b>	<b>25.3%</b>	2018/19 increase over last year actual costs
<b>Favourable/(unfavourable) budget variance</b>		<b>(111,822)</b>	<b>(387,659)</b>		budget shortfall

# Council Report

Item 17

**Committee:** Council **Date:** 13 December 2018  
**Author:** Lee-Ann Jordan **Authoriser:** Lee-Ann Jordan  
**Position:** Governance Manager **Position:** Governance Manager  
**Report Name:** Review of Standing Orders

<b>Report Status</b>	<i>Open</i>
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## Purpose

1. To inform the Council on progress of the review of Standing Orders.

## Staff Recommendation

2. That the Council:
  - a) receives the report.
  - b) notes that a working draft of an updated version of Council's Standing Orders will be discussed with Elected Members and their feedback sought between now and late January 2019; and
  - c) notes that a final draft of Council's Standing Orders will be brought to the 7 February 2019 Council meeting for approval.

## Background

3. Standing Orders are the rules governing the conduct of proceedings for meetings of a council and its committees.
4. All councils are required to adopt and operate within a set of standing orders (clause 27 Schedule 7 of the Local Government Act 2002).
5. Standing Orders are reviewed and updated as needed, typically once each triennium.
6. Hamilton City Council's current Standing Orders were adopted on 27 March 2014.
7. Over the last month, the Governance Unit has been reviewing and updating Council's Standing Orders taking into account:
  - a) LGNZ's Standing Orders Territorial Local Authority Template 2016;
  - b) Areas for clarification/improvement to wording identified by Elected Members and Governance staff during this triennium;
  - c) Good practice across the sector; and
  - d) The opportunity to simplify the document, use plain language, and re-order it to better support meeting flow.
8. The Governance Manager undertook to provide an updated draft of Standing Orders for the consideration of the Council at this meeting. Unfortunately, this has not been possible due to unforeseen circumstances which have impacted workload for the Governance Unit.

9. However, the Governance Unit has completed a first review of both the current Standing Orders and the LGNZ template. Staff are proposing a raft of changes which include updates to current clauses as well as some new clauses, and selected sections of the LGNZ template. The LGNZ template was used as the base document for amendment.
10. There is further work to be done on the appendices to bring these into line with the changes proposed as well as on formatting for ease of navigation and readability.
11. Standing Orders have been effectively rewritten. Consequently, tracked changes have not been used; Elected Members will be provided instead with a summary table of changes so that they can clearly identify additions, deletions or alterations.
12. A working draft will be emailed to Elected Members before Council closes for Christmas and a series of drop-in sessions will be scheduled for late January/early February 2019 to discuss the draft and receive feedback.

### **Attachments**

There are no attachments for this report.

# Council Report

**Committee:** Council  
**Author:** Lee-Ann Jordan  
**Position:** Governance Manager  
**Report Name:** Online Voting Trial Update

**Date:** 13 December 2018  
**Authoriser:** David Bryant  
**Position:** General Manager Corporate

Item 18

<b>Report Status</b>	<i>Open</i>
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## Purpose

1. To inform the Council of the working groups discussions since the last Council meeting of 15 November 2018 in relation to the Online Voting Trial.
2. The Governance Manager will provide a verbal update.

## Staff Recommendation

3. That the Council receives the report.

## Attachments

There are no attachments for this report.

# Council Report

Item 19

**Committee:** Council **Date:** 13 December 2018  
**Author:** Rebecca Watson **Authoriser:** Becca Brooke  
**Position:** Committee Advisor **Position:** Governance Team Leader  
**Report Name:** Recommendation from the Finance Committee - Financial Strategy Monitoring Report - Te Awa Cycleway Remediation Project

<b>Report Status</b>	<i>Open</i>
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## Purpose

1. To seek Council's approval of the recommendation from the Finance Committee meeting on 4 December 2018, in respect of Financial Strategy Monitoring Report.
2. The 4 December 2018 Finance Committee agenda and minutes are available on the Council website or via the following link:

[https://www.hamilton.govt.nz/our-council/Council\\_meetings\\_and\\_public\\_information/meetings-and-minutes/Pages/default.aspx](https://www.hamilton.govt.nz/our-council/Council_meetings_and_public_information/meetings-and-minutes/Pages/default.aspx)

## Recommendation from the Finance Committee

That the Council:

- a) approves the additional Te Awa Cycleway Remediation Project at a total cost of \$1.75M, subject to recovering NZ Transport Agency subsidy of at least 51%;
- b) approves the rephasing and deferral of \$26.2M capital projects from 2018/19 to 2019/20 as listed in the December 2018 Capital portfolio Monitoring Report (Item 8 Finance agenda – [Finance Committee Meeting Open Agenda 4 December 2018](#)); and
- c) approves the revised forecast Financial Strategy graphs for Debt to Revenue, Net Debt and Balancing the Books as set out in paragraphs 31 to 35 of this report with an amendment for reprioritising renewals necessary for the Seddon Park lights, headframes, towers and foundations (as described in paragraph 121 of the December 2018 Capital Portfolio Monitoring Report).

## Attachments

There are no attachments for this report.

# Council Report

Item 20

**Committee:** Council  
**Author:** Rebecca Watson  
**Position:** Committee Advisor  
**Report Name:** Recommendation from the Finance Committee - Investment and Liability Management Policy

**Date:** 13 December 2018  
**Authoriser:** Becca Brooke  
**Position:** Governance Team Leader

<b>Report Status</b>	<i>Open</i>
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## Purpose

1. To seek Council's approval of the recommendation from the Finance Committee meeting on 4 December 2018, in respect of Investment and Liability Management Policy.
2. The 4 December 2018 Finance Committee agenda and minutes are available on the Council website or via the following link:

[https://www.hamilton.govt.nz/our-council/Council\\_meetings\\_and\\_public\\_information/meetings-and-minutes/Pages/default.aspx](https://www.hamilton.govt.nz/our-council/Council_meetings_and_public_information/meetings-and-minutes/Pages/default.aspx)

## Recommendation from the Finance Committee

3. That the Council:
  - a) receives the report;
  - b) approves the revised Investment and Liability Management Policy as set out in attachment two of this report (Item 11, attachment 2 Finance agenda – [Finance Committee Meeting Open Agenda 4 December 2018](#)); and
  - c) confirms the next review date for the policy of 30 June 2021.

## Attachments

There are no attachments for this report.

# Council Report

Item 21

**Committee:** Council **Date:** 13 December 2018  
**Author:** Amy Viggers **Authoriser:** Becca Brooke  
**Position:** Committee Advisor **Position:** Governance Team Leader  
**Report Name:** Recommendation from the Growth and Infrastructure Committee -  
Passenger Rail Business Case

<b>Report Status</b>	<i>Open</i>
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1. To seek Council's approval of the recommendation from the Growth and Infrastructure Committee meeting on 6 December 2018, in respect of the Passenger Rail Business Case.
2. The 6 December 2018 Growth and Infrastructure Committee agenda and minutes are available on the Council website or via the following link:  
[https://www.hamilton.govt.nz/our-council/Council\\_meetings\\_and\\_public\\_information/meetings-and-minutes/Pages/default.aspx](https://www.hamilton.govt.nz/our-council/Council_meetings_and_public_information/meetings-and-minutes/Pages/default.aspx)

## Recommendation from the Growth and Infrastructure Committee

3. That the Council:
  - a) receives the report;
  - b) endorses the Single Stage Business Case for the Hamilton to Auckland Start-up Passenger Rail Service for submission to the New Zealand Transport Agency for decision;
  - c) notes that funding is allocated in the 2018-28 10-Year Plan to develop the Rail Station and Park and Ride at Rotokauri subject to;
    - i. the New Zealand Transport Agency approving the Single Stage Business Case and confirming the release of funding for the start-up passenger rail service at their meeting on 14 December 2018; and
    - ii. the New Zealand Transport Agency providing an enhanced Financial Assistance Rate of 75.5% for the public transport infrastructure and 100% for the Transitional Rail activities;
  - d) requests staff report back prior to June 2019 on the appropriate political and technical governance structure to support the implementation of the start-up service, including their terms of reference and delegations.

## Attachments

There are no attachments for this report.

# Council Report

Item 22

**Committee:** Council  
**Author:** Amy Viggers  
**Position:** Committee Advisor  
**Report Name:** Recommendation from the Community, Services and Environment Committee - Hamilton Gardens Development Trust Proposal

**Date:** 13 December 2018  
**Authoriser:** Becca Brooke  
**Position:** Governance Team Leader

<b>Report Status</b>	<i>Open</i>
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1. To seek Council's approval of the recommendation from the Community, Services and Environment Committee meeting on 11 December 2018, in respect of the Hamilton Gardens Development Trust Proposal. To be advised following the 11 December 2018 Community and Services Meeting (under separate cover).
2. The 11 December 2018 Community, Services and Environment Committee agenda and minutes are available on the council website or via the following link:  
<https://www.hamilton.govt.nz/our-council/Council-meetings-and-public-information/meetings-and-minutes/Pages/default.aspx>

## Attachments

There are no attachments for this report.

# Council Report

Item 23

**Committee:** Council  
**Author:** Amy Viggers  
**Position:** Committee Advisor  
**Report Name:** Recommendation from the Community, Services and Environment Committee - Community Development Strategic Business Plan 2019-2022

**Date:** 13 December 2018  
**Authoriser:** Becca Brooke  
**Position:** Governance Team Leader

<b>Report Status</b>	<i>Open</i>
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1. To seek Council's approval of the recommendation from the Community, Services and Environment Committee meeting on 11 December 2018, in respect of the Community Development Strategic Business Plan 2019-2022. To be advised following the 11 December 2018 Community and Services Meeting (under separate cover).
2. The 11 December 2018 Community, Services and Environment Committee agenda and minutes are available on the council website or via the following link:

[https://www.hamilton.govt.nz/our-council/Council\\_meetings\\_and\\_public\\_information/meetings-and-minutes/Pages/default.aspx](https://www.hamilton.govt.nz/our-council/Council_meetings_and_public_information/meetings-and-minutes/Pages/default.aspx)

## 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 Extraordinary Council Public Excluded Minutes - 15 November 2018	) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C2. Confirmation of the Elected Member Briefing Closed Notes - 13 November 2018	)	
C3. Confirmation of the Elected Member Briefing Closed Notes - 29 November 2018		
C4. Wet Industry Captial Contributions		
C5. Update of Hamilton i-SITE Review		

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)
Item C4.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h) Section 7 (2) (i)
Item C5.	to enable Council to carry out negotiations	Section 7 (2) (i)