

Notice of Meeting:

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

Date: Thursday 19 March 2020
Time: 9.30am
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Council OPEN AGENDA

Membership

Chairperson	Mayor P Southgate
Deputy Chairperson	Deputy Mayor G Taylor
Members	Cr M Bunting
	Cr M Forsyth
	Cr M Gallagher
	Cr R Hamilton
	Cr D Macpherson
	Cr K Naidoo-Rauf
	Cr A O'Leary
	Cr R Pascoe
	Cr S Thomson
	Cr M van Oosten
	Cr E Wilson

Quorum: A majority of members (including vacancies)

Meeting Frequency: Monthly – or as required

Becca Brooke
Governance Manager

12 March 2020

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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 Advisory Groups and their terms of reference.
- j) Appointments to, and removals from, CCO CCTO and CO boards;
- k) Approval of proposed major transactions or constitutional adjustments of CCOs, CCTOs and COs.
- l) Approval or otherwise of any proposal to establish, wind-up or dispose of any holding in, a CCO, CCTO or CO.
- m) Approval of city boundary changes, including in respect of Strategic Boundary Land Use Agreements.
- n) Approval Activity Management Plans.

Oversight of Policies and Bylaws:

- *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 five 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 6727.

Council Report

Committee: Council

Date: 19 March 2020

Author: Claire Guthrie

Authoriser: Becca Brooke

Position: Governance Advisor

Position: Governance Manager

Report Name: Confirmation of the Council Open Minutes 4 February 2020

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

That the Council confirm the Open Minutes of the Council Meeting held on 4 February 2020 as a true and correct record.

Attachments

Attachment 1 - Council Open Minutes 4 February 2020

Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Tuesday 4 February 2020 at 9.34am.

PRESENT

Chairperson	Mayor P Southgate
Deputy Chairperson	Deputy Mayor G Taylor
Members	Cr M Bunting
	Cr M Forsyth
	Cr M Gallagher
	Cr R Hamilton
	Cr D Macpherson
	Cr K Naidoo-Rauf
	Cr A O'Leary
	Cr R Pascoe
	Cr S Thomson
	Cr M van Oosten
	Cr E Wilson

In Attendance:	Richard Briggs – Chief Executive
	Lance Vervoort – General Manager Community
	David Bryant – General Manager Corporate
	Eeva-Liisa Wright – General Manager Infrastructure Operations
	Chris Allen - General Manager Development
	Sean Hickey – General Manager Strategy and Communication
	Sean Murray – General Manager Venues, Tourism and Major Events
	Blair Bowcott - Executive Director Special Projects
	Julie Sanderson – Acting General Manager City Growth
	Mothla Majeed – Legal Services Manager
	Muna Wharawhara – Amorangi Maaori
	Maire Porter – City Waters Manager
	Kirsty Quickfall – Waste Minimisation Advisor
	Natalie Palmer - Unit Manager Communications and Marketing
	Nicole Nooyen - Team Leader Communication
	Debra Stan Barton – Project Manager
	Maangai Olly Te Ua
	Maangai Norm Hill
	Maangai Te Pora Thompson-Evans

Governance Staff:	Becca Brooke - Governance Manager
	Amy Viggers – Governance Team Leader
	Rebecca Watson – Committee Advisor

The meeting was opened with a karakia from Hamilton City Council's kaumatua Tame Pokaia.

1. **Apologies**
Resolved: (Mayor Southgate/Deputy Mayor Taylor)
 That the apologies for early departure from Cr Bunting and for lateness from Cr Pascoe are accepted.
2. **Confirmation of Agenda**
Resolved: (Cr Bunting/Cr van Oosten)
 That the agenda is confirmed noting the following:
 - a) late item 14 (Maangai Maaori, Review of Arrangements) is accepted. This has been circulated as a late item due to a delay in stakeholder consultation feedback being received; and
 - b) that item 14 (Maangai Maaori, Review of Arrangements) is taken after item 7 (Application for Major Event Sponsorship Fund 2020/2021) to accommodate availability.
3. **Declarations of Interest**
 No members of the Council declared a Conflict of Interest.
4. **Public Forum**
 Marleina Ruka and Maree Mills (representing Te Ohu Whakaita for Matariki ki Waikato) – spoke in support of item 7 (Application for Major Event Sponsorship Fund 2020/2021) and their application to the fund.

Following the above item 4 (Public Forum), item 7 (Application for Major Event Sponsorship Fund 2020/2021) was taken to accommodate public in attendance.

7. **Application for Major Event Sponsorship Fund 2020/21**

General Manger Venues, Tourism and Major Events spoke to the report, noting the application had been brought to the Council for approval outside the normal application round. Staff responded to questions from Elected Members concerning the application for the Matariki ki Waikato 2020 event, the purpose of the fund, the event sponsorship policy and criteria, and the timeline of the review of the sponsorship policies.

Staff Action: *Staff undertook to provide Elected Members with a timeline for a review of Council's Event Sponsorship funding streams (i.e. Major events and Community Events) and relevant supporting guidelines/policies.*

Resolved: (Mayor Southgate/Deputy Mayor Taylor)

That the Council:

- a) receives the report; and
- b) approves funding from 2020-21 Major Event Sponsorship fund for:
 - i. Te Ohu Whakaita for \$40,000 to deliver the Matariki ki Waikato 2020 event noting the funding is subject to confirmation of external funding being secured by event organisers; and
 - ii. subject to 2020 performance via event reporting requirements, the further approval of \$40,000 per annum for 2021 and 2022 events from an applicable event sponsorship budget.

Cr Bunting Dissenting.

5. Confirmation of the Council Open Minutes 12 December 2019

Resolved: (Cr Wilson/Cr Bunting)

That the Council confirm the open Minutes of the Council Meeting held on 12 December 2019 as a true and correct record.

6. Chair's Report

Mayor Southgate took her report as read.

Cr Wilson and Cr Macpherson provided Elected Members with an outline of the process followed by the Start-up Passenger Rail Service Project Governance Group concerning the potential name of the services being "Te Huia".

Resolved: (Cr Wilson/Cr Macpherson)

That the Council:

- a) receives the report; and
- b) endorses the name "Te Huia" for the Hamilton to Auckland Passenger Rail Start-up Service.

8. HCC's Draft 1 Submission to the Ministry for the Environment's November 2019 Consultation Document on Reducing Waste - A More Effective Landfill Levy

The City Waters Manager introduced the report noting that the submission had been updated based on Elected Member feedback. Staff responded to questions from Elected Members concerning the waste levy and the amount of the waste levy that Council may receive.

Resolved: (Cr Thomson/Cr Macpherson)

That the Council:

- a) receives the report;
- b) approves Hamilton City Council's **Draft 2** submission (Attachment 1 of the staff report) to the Ministry for the Environment's Consultation Document on Reducing Waste – A More Effective Landfill Levy;
- c) notes that the approved submission will be sent to the Ministry for the Environment following Council's approval, to meet the 5 February 2020 submission closing date; and
- d) notes staff have also provided feedback to five questions around the landfill levy that Local Government New Zealand (LGNZ) had sought comment on to assist them with developing and finalising their sector submission to the Ministry for the Environment.

The meeting adjourned 10.53am to 11.16am.

Cr Forsyth left the meeting during the above adjournment

Cr Pascoe joined the meeting during the above adjournment.

Following the above adjournment, item 14 (Maangai Maaori: Review of Arrangements) was taken to accommodate availability.

14. Maangai Maaori: Review of Arrangements (Late item)

The Governance Manager took the report as read. Maangai Maaori and staff responded to questions from Elected Members concerning the representation agreement, the consultation process, attendance at Elected Member Briefings, remuneration figures and personal development opportunities for Maangai Maaori.

Resolved: (Mayor Southgate/Deputy Mayor Taylor)

That the Council:

- a) notes the appointment of Maangai Maaori to Council Committees as part of the 2019-2022 Governance Structure at its meeting of 28 November 2019;
- b) approves the proposed changes to the Maangai Maaori arrangements outlined in this report (paragraphs 26-51);
- c) notes the estimated funding implications for the proposed changes, being an extra \$34,400 per annum in total for remuneration, and associated professional development costs will be addressed as part of the 2020/2021 Annual Plan process; and
- d) delegates the General Manager Corporate to negotiate and execute variations to the individual kawenata with Maangai Maaori to give effect to the proposed changes; and
- e) requests the CE and Mayor continue discussions with Maataawaka and Waikato Tainui concerning representation on the Strategic Growth Committee and report back to the Council by the end of May 2020.

Cr Forsyth re-joined the meeting (11.23am) during the discussion of the above item. She was present when the matter was voted on.

9. Waikato Local Authority Shared Services Directorship Transition

The Executive Director Special Projects outlined the report and responded to questions from Elected Members concerning any financial implications of the change in directorship.

Resolved: (Cr Wilson/Deputy Mayor Taylor)

That the Council:

- a) receives the reports; and
- b) approves the transition of the Hamilton City Council appointed director of Waikato Local Authority Shared Services from Blair Bowcott, Executive Director Special Projects, to David Bryant, General Manager Corporate, by 30 June 2020.

Cr Forsyth left the meeting (11.49am) during the discussion of the above item. She was not present when the matter was voted on.

10. Waikato Triennial Agreement 2019-2022

Mayor Southgate and the Executive Director Special Projects introduced the report. They responded to questions from Elected Members concerning the purpose of the agreement, and the areas of focus for future Mayoral Forum meetings. Mayor Southgate noted that she would circulate her notes from the future meetings to Elected Member to ensure Elected Members remain updated.

Resolved: (Deputy Mayor Taylor/Cr Gallagher)

That the Council:

- a) receives the report;
- b) adopts the draft 2019-2022 Waikato Triennial Agreement (attachment 1 of this report) as endorsed by the Mayoral Forum on 25 November 2019 and Chief Executives' Forum on 6 December 2019; and
- c) delegates Mayor Southgate to sign the agreement on behalf of Hamilton City Council.

Cr Forsyth re-joined the meeting (11.53am) during the discussion of the above item. She was present when the matter was voted on.

11. Draft 2020 Council Schedule of Reports

The report was taken as read. Staff responded to questions from Elected Members concerning when specific reports will be reported to the Council and the process for updating the schedules.

Resolved: (Cr Bunting/Cr Wilson)

That the Council:

- a) receives the draft 2020 Council Schedule of Reports; and
- b) notes that the Schedule of Reports is intended to be a living document that will be updated as necessary and will be available to Elected Members and Maangai Maaori via Diligent.

12. Delegations to Positions Policy

The report was taken as read.

Resolved: (Mayor Southgate/Deputy Mayor Taylor)

That the Council:

- a) receives the report; and
- b) approves the revised Delegations to Positions Policy (**Attachment 1**), which is to replace the current Delegations to Positions Policy with effect from 4 February 2020.

13. Resolution to Exclude the Public

Resolved: (Mayor Southgate/Deputy Mayor Taylor)

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 12 December 2019) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987	Section 48(1)(a)
C2. Chair's Report		
C1. Municipal Endowment Fund - Ward Street Sale and Development		
C3. Confirmation of Council Public Excluded Minutes (CE Committee Matters) 12 December 2019		

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

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

The meeting went into a public excluded session at 12.20pm.

The meeting was declared closed at 2.22pm.

Council Report

Item 6

Committee: Council

Date: 19 March 2020

Author: Claire Guthrie

Authoriser: Becca Brooke

Position: Governance Advisor

Position: Governance Manager

Report Name: Confirmation of Elected Member Open Briefing Notes - 12 February 2020

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

That the Council confirm the Open Notes of the Elected Member Briefing held on 4 February 2020 as a true and correct record.

Attachments

Attachment 1 - Unconfirmed Elected Member Briefing Open Notes - 12 February 2020.

Elected Member Briefing Notes – 12 February 2020 – Open

Time and date:	11.15am, 12 February 2020
Venue:	Committee Room 1, Hamilton City Council
In Attendance:	Mayor Southgate, Deputy Mayor Taylor, Crs Pascoe, O’Leary, Bunting, Gallagher, Hamilton, Macpherson, van Oosten, Thomson, Wilson, Forsyth, and Maangai Hill
Apology for Full Session:	Cr Naidoo-Rauf, Maangai Maaori Takiari-Brame, Te Ua, Thompson-Evans and Whetu
Apologies for lateness/early departure:	Crs Hamilton, Forsyth, Pascoe, Wilson, Macpherson, Taylor, and Maangai Hill

Discussion

The briefing session covered in an open session.

- Living Wage
- Environment Session

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

1. **Living Wage (LW)**

(Presentation was provided)

Kelli Pike (the Living Wage Network) introduced the item and the following presenters:

- Mr Justin Lester, former Mayor of Wellington City Council, spoke via a conference call. He outlined Wellington City Council’s experience and journey to introduce the living wage and gave examples of the difficulties and the benefits for the city. As there were the time limitations with the presentation, Elected Members were asked to email Mr Lester directly with their questions.
- Marsden Living Wage Project
Professor Darrin Hodgetts (Massey University); Professor Jarrod Haar (Auckland University of Technology); and Professor Stuart Carr (Massey University) gave an overview of the research findings.
- Raglan Coconut Yoghurt Story – Latesha Randall (Mrs Coconut)
Ms Randall, the inventor of this product and founder of this company, outlined how she developed this business and how the company became a Living Wage accredited in their second year of business. She outlined their experience with being a Living Wage employer.

Members asked following questions in relation to both presentations:

- central government direction in relation to LW
- effect on other employees when LW was introduced (wage relativity), effect on organisations’ pay scales if LW was implemented and relevance of knowing employer is a LW employer
- changing levels of the LW and effects of the changes
- clarification of the Marsden LW Project’s research parameters
- evidence about employees’ responses to LW implementation
- implications for a local government organisation and potential impact with rate payers

2. Environment Session (Part 1) Climate Action Plan Progress Report
(Presentation was provided)

The Unit Manager Strategy and Corporate Planning explained that the purpose of the presentation was to update Elected Members on progress since Council's resolution in 2019 to develop this action plan. It was noted that the action plan required key business and stakeholder involvement and key groups being established were outlined. Mr Martin Lynch, Energy Consultant, Facilities, spoke to the report "Understanding Carbon Emissions at Hamilton City Council" which investigated HCC's carbon emissions footprint. The findings in relation to carbon emissions, electricity and natural gas sites and fuel emissions were explained. It was noted these findings were only for Hamilton City and that Waikato Regional Council would do further emissions footprint research for the region which would include Hamilton City and other territorial authorities.

Members asked questions in relation to the following:

- clarification of carbon emissions
- carbon emissions footprint for only HCC buildings
- comparison of HCC results with other territorial authorities' footprint findings – particularly for travel costs
- role of the Environment Committee

Council Report

Committee: Council
Author: Claire Guthrie
Position: Governance Advisor
Report Name: Confirmation of the Elected Member Open Briefing Notes - 26 February 2020

Date: 19 March 2020
Authoriser: Becca Brooke
Position: Governance Manager

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

That the Council confirm the Open Notes of the Elected Member Briefing held on 26 February 2020 as a true and correct record.

Attachments

Attachment 1 - Elected Member Briefing Open Notes - 26 February 2020.

Elected Member Briefing Notes – 26 February 2020 – Open

Item 7

Attachment 1

Time and date:	9.32am, 26 February 2020
Venue:	Committee Room 1, Hamilton City Council
In Attendance:	Mayor Southgate, Deputy Mayor Taylor, Crs Pascoe, O'Leary, Bunting, Gallagher, Hamilton, Macpherson, van Oosten, Thomson, Wilson, Naidoo-Rauf, Forsyth, and Maangai Te Ua
Apology for Full Session:	Maangai Takiari-Brame, Whetu, Hill and Thompson-Evans
Apologies for lateness/early departure:	Mayor Southgate, Deputy Mayor Taylor, Crs Pascoe, O'Leary, Hamilton, Macpherson, Thomson, Naidoo-Rauf, Forsyth, and Maangai Te Ua

Discussion

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

- Ministry of Education – Growth Update
- Police to Discuss their Approaches to City Safety
- Founders Theatre Update
- Vision for the City
- Engagement
- Fenced Dog Area
- Rubbish and Recycling Service Provision

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

1. Ministry of Education – Growth Update (Presentation was provided)

The Peacocke Programme Manager and Business and Planning Manager introduced Ms Alison Harold from Ministry of Education (MoE). Ms Harold explained that the purpose of the presentation was to inform the Members about the projects and policies used by the Ministry of Education to maintain a sustainable network of schools across the region with local provision for local students.

Members asked questions in relation to the following:

- processes for building further rooms in schools
- process to enable school buses
- provision for secondary schooling in the Peacocke area and input from Council into that decision
- out of school hours access to school facilities by communities
- decile ratings

Staff Action: Staff undertook to request Members and staff be included in discussions with MoE regarding secondary schooling in Peacocke.

2. Police - their Approaches to City Safety

(Presentation was provided)

The City Safe Unit Manager introduced NZ Police representatives, Acting District Commander Andrew Mortimore and Hamilton City Area Commander, Inspector Andrea McBeth. They provided an overview of the structure, policing numbers, and the priorities for police work in Hamilton and the Waikato. The various strategies and targets for the police concerning safety in the central city were outlined.

Members asked questions in relation to the following:

- the use and impact of Crime Prevention through Environmental Design (CPTED) in the central city
- impact and success of the mobile policing unit and its possible expansion
- Integrated Safety Response pilot
- foot patrols in the city
- feedback on the expansion of City Safety Patrols into the suburbs
- impact of central deployment of policing staff
- level and suitability of current police numbers in Hamilton City and the interaction of City Safety patrols and staffing
- prevention models and community policing

Staff Action: Staff undertook to provide to Members with the schedule of public meetings organised by the Police.

3. Founders Theatre Options

(Presentation was provided)

The General Manager Venues, Tourism and Major Events and Parks Planner, Parks and Open Spaces gave an overview of three options for the future of Founders Theatre. The General Manager noted there were two foci for the Council; to keep the building or not, and the options to replace.

Members provided feedback on the options which included:

- keeping the footprint of the building as an option
- importance and timing of consultation, use of artist impressions not 2D maps when consulting
- space vital for CBD development
- provision of sporting activities such as provided at Hamilton Lake, unstructured exercise areas,
- closure of Rostrevor Street to provide more green space/trees, pedestrian access
- keeping heritage materials from theatre and re-purpose, such as the foyer/Hinuera stone
- development as a "mini-Hyde Park"
- importance of the whole precinct
- acknowledgement of the history of the theatre
- use as a Town Hall, Children's Museum
- development as a gateway to Frankton

It was then explained that public engagement would be undertaken in May 2020 and this item would come back to Council in August 2020.

Members asked questions in relation to the consultation process to the following:

- provision for public to give feedback without predetermined options
- community groups ability to fundraise to repurpose the building

- options to retain flavour of founders
- possibilities of retaining some parts of the theatre especially the foyer
- background information on the options presented earlier
- option for walking track on the boundary for exercise
- environmental considerations for the building if re-building

4. Vision for the City
(Presentation was provided)

The Mayor explained that the purpose of the presentation, 'Shape Your Future City', was to discuss the draft four wellbeing conditions developed from the Elected Member induction workshop in 2019. She outlined the visions for each wellbeing and how each of these could be enacted for Hamilton City. The visions were:

- *Environmental Wellbeing: We love and protect our environment*
- *Social Wellbeing: We care for and about all our people*
- *Cultural Wellbeing: Our unique and diverse culture is celebrated*
- *Economic Wellbeing: Our economy provides opportunities to prosper*

Members asked questions in relation to the following:

- focus on accessibility
- source of the graphics
- importance of public transport and active modes of transportation
- input from the public

5. Engagement Programme (Shape your future city)
(Presentation was provided)

The Communications Team Leader, Best in Business outlined the engagement programme for 'Shape your future city'. This would be undertaken between 9 March – 9 April 2020 and would ask the public what wellbeing means, what was most important to them and how can Hamilton be made better. The four-week campaign would focus on one wellbeing a week. The consultation methods, including videos, were outlined.

Staff Action: Staff undertook to provide Members with an information pack that would include factsheets and event schedules.

Members asked questions in relation to the following:

- areas likely to be influenced by the consultation feedback
- groups to be consulted
- programme brand
- use of social media to engage with community groups
- use of graphics that includes high rise apartments, cycling and public transport
- ways to express affordability not related to housing
- other options for the prize for answering the survey

6. Fenced Dog Area
(Presentation was provided)

The Parks and Recreation Manager explained that the presentation was to update Members and seek direction on the location of the fenced dog park from eight options outlined by staff. The public engagement proposal was outlined.

Members asked questions in relation to the following:

- educating owners to manage possible dog aggression
- public expectation to provide this facility
- communication strategies on reason for further consultation

7. Rubbish and Recycling Service Provision
(Presentation was provided)

The City Waters Manager, and the Group Business Manager, Infrastructure Operations, explained that the purpose of the presentation was to look at options for service provision for the new waste collection service. They outlined the types of collection services to be provided and noted that there would be rates remissions for those sectors of Hamilton who would not receive the service. The Group Business Manager outlined the legal and insurance considerations when a standard service could not be provided.

Members asked questions in relation to the following:

- methods for private collection
- testing for the new rubbish trucks to ensure they fit on the roads
- future planning for developments for provision for rubbish collection
- public engagement in relation to assisted collections
- issues with high density areas
- education of residents to take in bins
- identifying body corporates to work with
- information on best practice for multi-unit and high-density areas
- strategies when streets were blocked by cars

Council Report

Item 8

Committee: Council

Date: 19 March 2020

Author: Rebecca Watson

Authoriser: Amy Viggers

Position: Governance Advisor

Position: Governance Team Leader

Report Name: Confirmation of Elected Member Open Briefing Notes - 4 March 2020

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

That the Council confirm the Open Notes of the Elected Member Briefing held on 4 March 2020 as a true and correct record.

Attachments

Attachment 1 - Elected Member Briefing Open Notes - 4 March 2020

Elected Member Briefing Notes – 4 March 2020 – Open

Time and date:	9.36am, 4 March 2020
Venue:	Committee Room 1, Hamilton City Council
In Attendance:	Mayor Southgate, Deputy Mayor Taylor, Crs Pascoe, Hamilton, van Oosten, Thomson, Gallagher, Macpherson, Bunting, Naidoo-Rauf, and Forsyth
Apology for Full Session:	Crs O’Leary, Wilson, Maangai Takiari-Brame, Hill, Te Ua, Thompson-Evans and Whetu
Apologies for lateness/early departure:	Mayor Southgate, Deputy Mayor Taylor, Crs Naidoo-Rauf, Bunting, Forsyth, and Hamilton

Discussion

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

- REEP Plan Changes
- RMA Decision Making Process
- Social and Community Development Strategic Plan Update
- Future Insights Report – PESTLE analysis
- Growth Projections
- Local Government New Zealand Remits

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

1. **REEP Plan Changes** (Presentation was provided)

The Project Manager Regulatory Efficiency and Effectiveness Programme and the City Planning Manager explained that the purpose of the presentation was to provide Members with an overview of work undertaken as part of the Regulatory Efficiency and Effectiveness Programme (REEP) project, and potential future processes and recommendations as part of this project.

Staff noted that during the 2016-2019 triennium the Council had resolved to hear and make decisions on a potential plan change as a whole. The implication of this was that all 13 Elected Members would be required to attend the hearing, which would last for up to 2 weeks.

Members asked questions in relation to the following:

- continuation of the REEP programme;
- logistics of a 2 week hearing with all 13 Elected Members;
- types of issues being funnelled to the REEP project;
- continued appropriateness of the District Plan;
- scope of any potential plan change; and
- process for revoking the prior Council resolution made.

2. RMA Decision Making Process (Presentation was provided)

The Project Manager Regulatory Efficiency and Effectiveness Programme and the City Planning Manager explained that the purpose of the presentation was to inform members of the Resource Management Act Hearing and decision-making requirements and processes. They provided an overview of the delegations to staff and Council, and the exclusions to these delegations.

Members asked questions in relation to the following:

- payment for appointees to the hearings panel;
- costs and frequency for accreditation courses; and
- who may already be accredited and Elected Members who may have expressed an interest in being accredited.

Staff Action: Staff undertook to include as part of a REEP report to the Council on 19 March 2020, course costs, what is involved in courses and a list of potential interested Elected Members.

3. Community and Social Development – Strategic Outcomes Briefing (Presentation was provided)

The Manager Social Development and the Community Services Manager explained that the purpose of the presentation was to inform Members concerning the community and social development team outcomes and to give Members the opportunities to input into the strategic direction of the team.

Members asked questions in relation to the following:

- deprivation metrics and response;
- reporting of the impact the Council is having on the community, and political issues particularly regarding the Police;
- wellbeings;
- cross over between Community and Transport business units to improve access and response to issues;
- facilitation of tactical urbanism; and
- dissemination of information and stories to the community.

Staff Action: Staff undertook to add wellness information to the Community and Social Development Outcomes report going to the 7 April 2020 Community Committee meeting.

Staff Action: Staff undertook to add a standing item to the General Managers report to the Community agenda to enable Members to report back on any meetings they have had with community sectors.

Staff Action: Staff undertook to circulate statistics to Members concerning the distribution of “Our Hamilton” electronic newsletter.

4. Future Insights Report – PESTLE analysis (Presentation was provided)

The Unit Manager Strategy and Corporate Planning introduced Dr Adrian Field and Ms Rebecca Mills, external independent advisors. She explained that the purpose of the presentation was to provide Members with an overview of the top 20 identified challenges regarding future insights and trends in Hamilton, to help shape decision making and to begin conversations concerning what major themes or trends that are likely occur in the future.

Members asked questions in relation to the following:

- population expansion figures both globally and locally;
- use of procurement policies to drive innovation, and timeframes to review the procurement policy;
- maintenance of quality of life and housing in growth areas; and
- environmental impacts of decisions.

5. **Growth Projections**

(Presentation was provided)

The Growth, Funding and Analytics Unit Manager, and the Programme Manager Analytics explained that the purpose of the presentation was to provide an overview of growth projection work for the 2021-31 Long Term Plan.

Members asked questions in relation to the following:

- modelling of the wider peri-urban geographical area instead of just Hamilton urban areas;
- capture of data concerning regional migration patterns and the potential granulation of this data;
- the definition of metro Hamilton area, and peri-urban boundary areas;
- the development of NIDEA population projections and the impact of these on the 2021-31 Long Term Plan development;
- household projections vs population projections; and
- projections concerning business, particularly wet industries and the allocation of water resources.

6. **Local Government New Zealand Remits**

(Presentation was provided)

The Unit Manager Strategy and Corporate Planning explained that the purpose of the presentation was to provide an overview of what an LGNZ remit is, the topics which are likely to form a remit, and the process to put a remit forward.

Council Report

Item 9

Committee: Council

Date: 19 March 2020

Author: Amy Viggers

Authoriser: Becca Brooke

Position: Governance Team Leader

Position: Governance Manager

Report Name: Chair's Report

Report Status	<i>Open</i>
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Recommendation

That the Council:

- a) receives the report; and
- b) defers Council Minimum Wage Levels Report to the 30 April 2020 Council meeting.

Attachments

Attachment 1 - Chair's Report.



Chair's Report

Council Minimum Wage Levels Report

There is a resolution for a report to come back to this meeting, “on the minimum wage levels currently applicable in all Council contracts, to enable Council to consider the application of the above minimum wage level to all Council contracts during the 2020/21 Annual Plan”. Staff have been unable to complete this required work prior to this meeting so have requested the report be deferred to the Council meeting of 30 April 2020.

Recommendation

That the Council:

- a) receives the report; and
- b) defers Council Minimum Wage Levels Report to the 30 April 2020 Council meeting.

Paula Southgate
Mayor Hamilton City

Council Report

Item 10

Committee: Council

Date: 19 March 2020

Author: Nick Chester

Authoriser: Lance Vervoort

Position: Social Development Policy Advisor

Position: General Manager Community

Report Name: Deliberations Report on the Part Reclassification of Claudelands Park

Report Status	<i>Open</i>
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Purpose

1. To seek approval from the Council to reclassify part of Claudelands Park from Recreation to Local Purpose (Community Facilities).
2. To inform the Council of information requested at the Regulatory and Hearings Committee on 5 February 2020.

Staff Recommendation

3. That the Council
 - a) receives the report; and
 - b) pursuant to section 24 of the Reserves Act 1977, the Hamilton City Council hereby changes the classification of that part of Claudelands Park described in Schedule One, to local purpose (community facilities) subject to the provisions of the Act.

Schedule One

<i>Reserve Name</i>	<i>Approximate area subject to survey (ha)</i>	<i>Legal Description</i>	<i>Computer Freehold Register</i>
<i>Claudelands Park</i>	<i>0.3894</i>	<i>Lot 1 DP 386843</i>	<i>347695</i>

Executive Summary

4. The Hamilton Multicultural Services Trust (HMS Trust) have operated the Waikato Settlement Centre (formerly known as the Migrant Resource Centre) on Claudelands Park for 15 years after the Council granted a lease to the HMS Trust in 2004. The current lease expired in September 2019.
5. Claudelands Park is classified as recreation reserve under the Reserves Act 1977 (the Act) and is primarily used for informal recreation and events and is also the location of the Waikato Settlement Centre. The activities undertaken at Waikato Settlement Centre do not align with a recreation reserve classification and fit more appropriately under a local purpose (community facilities) reserve classification.

6. The HMS Trust wish to remain in this location and have expressed aspirations to extend and upgrade the current building to enable them to have a more appropriate fit-for-purpose building to expand their services.
7. From 26 August to 30 September 2019, Council carried out consultation on the proposed reclassification.
8. Verbal submissions were received on the issue at the Hearings and Engagement Committee on 5 February 2020. This resulted in HMS Trust and the Waikato Show Trust meeting and agreeing on a revised area for reclassification as shown in **Attachment 1** of this report.
9. Staff recommend that part of Claudelands Park is reclassified from recreation to local purpose (community facility) as outlined in **Attachment 1** of this report.
10. Staff consider the decision in this report has a medium significance and that the recommendations comply with the Council's legal requirements.

Background

11. Hamilton Multicultural Services Trust (HMS Trust) have operated the Waikato Settlement Centre (formerly known as the Migrant Resource Centre) on Claudelands Park for 15 years after the Council granted a lease to HMS Trust in 2004. The current lease expired in September 2019.
12. Claudelands Park is classified as recreation reserve under the Reserves Act 1977 (the Act) and is primarily used for informal recreation and events and is also the location of the Waikato Settlement Centre. The activities undertaken at Waikato Settlement Centre do not align with a recreation reserve classification and fit more appropriately under a local purpose (community facilities) reserve classification.
13. HMS Trust wish to remain in this location and have expressed aspirations to extend and upgrade the current building to enable them to have a more appropriate fit-for-purpose building to expand their services.
14. The Act prescribes the types of activities that administering bodies can lease for under the various reserve classifications, but also anticipates the need to change reserve classifications to enable administering bodies to manage and lease reserves to meet the needs of local communities.
15. Staff recommend that a change in reserve classification of part of the park from recreation reserve to local purpose (community facilities) reserve would more appropriately align with the services provided at the settlement centre and would ensure the Council is meeting legislative obligations under the Act prior to considering a new lease to HMS Trust.
16. The proposed area to be reclassified is shown in Attachment 1 and includes the Waikato Settlement Centre building (585m²) and a conceptual footprint of the proposed building extension (approximately 1,300m²). The total area proposed to be reclassified is 3,894m².
17. Changing the classification of a larger area than the existing building will enable Council to in future consider an extension of settlement centre on part of Claudelands Park but does not predetermine or act as approval for a building extension.
18. The lease on the Waikato Settlement Centre expired in September 2019 and is currently being managed on a rolling monthly basis. Staff are working with HMS Trust on a renewed lease.
19. Staff have considered the impact of the resulting reduction of recreation reserve from the proposed change of classification on the surrounding area, and within the city. The reduction in recreation reserve land is not considered to impact the Council's ability to provide for sport and recreation activities. The public consultation period provides an opportunity for the community to raise any objections on this matter.

20. The change of classification will increase the public reserve land classified for community facilities in an appropriate and accessible part of the city for residents to utilise the services provided at the settlement centre.
21. The Waikato Show Trust (WST) currently have an encumbrance at Claudelands Park. This means that WST have special rights to be involved in any proposals and actions taken by the Hamilton City Council to alter or redefine any of the property being the Claudelands Showgrounds. The WST submitted on the reclassification and staff have met with representatives to discuss these concerns. This has resulted in an adjusted area being proposed for reclassification that enables further development of the Settlement Centre, but also addresses concerns of WST about the park being used for future events.
22. Subject to the change of classification being approved by Council, prior to any approval to HMS Trust to extend the building the existing dog exercise area will need to be revised, which will be addressed at the time the Dog Control Bylaw is reviewed in May 2020.
23. The area required to be reclassified to local purpose (community facilities) is outlined in **Attachment 1** of the staff report, as agreed to by both HMS Trust and WST.
24. The original area that was intended to be reclassified is shown in **Attachment 2** of the staff report.

Discussion

25. One verbal submitter was heard at the Hearings and Engagement Committee meeting on 5 February 2020.
26. Following verbal submissions staff were asked to provide further information by Committee Members on the following issues:

Issue Raised by Elected Members	Staff Response
Past use of the green space for events	<p>There is a long history of the space being used for A&P shows and other events prior to the sale to council in 1999. The Waikato Show Trust has had an encumbrance on the park since that time.</p> <p>Outside of A&P Shows, the area has largely been booked for casual events in recent years, including gypsy fairs and community events. It also provides overflow space for the Hamilton Farmers Market when the usual space at Claudelands Events Centre must be vacated for a specific event.</p>
Confirmation of the consultation requirements	<p>Staff have undertaken consultation as required in the Reserves Act 1977.</p> <p>The Waikato Show Trust have indicated written support for the updated area proposed for reclassification.</p> <p>Staff have also engaged directly with landowner directly opposite the Settlement Centre about the proposed reclassification and no concerns were raised.</p>

Off-leash dog exercise area	<p>There is an existing off-leash dog exercise area within Claudelands Park.</p> <p>Should reclassification be approved by the Council, this area will need to be reconsidered as part of the review of the Dog Control Bylaw later in 2020.</p>
Settlement Centre/HMS Trust lease	<p>The current lease with HMS Trust expired in September 2019.</p> <p>Staff are working with HMS Trust on a new lease, which will be reported back to the Community Committee in the coming months. Their lease is being managed on a rolling monthly basis.</p>

Process

27. If approved by Council, the Chief Executive would consider the change in classification under s24 of the Act, and Council's resolution in relation to objections received, exercising the delegation of the Minister of Conservation. The classification would then be recorded by notice in the Gazette.
28. To achieve this reclassification, the site needs to be surveyed to define the boundary between the local purpose (community facilities) reserve and the recreation reserve.

Consultation

29. The process for the change of classification is set out in section 24(1)(b) of the Act and requires public notification for a period of one-month, giving people the right to object.
30. From 26 August to 30 September 2019, Council carried out consultation on the proposed reclassification.
31. A total of 41 submissions were received, with 38 supporting the proposed reclassification. Two submissions opposed the reclassification, and one opposed in part.
32. The Hearings and Engagement Committee considered these submissions at their meeting on 5 February 2020.

Financial Considerations

33. This is a regular operating activity funded through the 2018-28 10-Year Plan.
34. Costs relating to the proposed change of classification will be met by the Parks and Recreation operational budgets. Costs are estimated to be approximately \$8,000 including public notices, gazette notices and the boundary survey. Additional staff time costs of \$2,500 are approximated at a rate of \$100/ph.

Legal and Policy Considerations

35. Staff confirm that the recommendations in this report comply with the Council's legal and policy requirements.

Wellbeing Considerations

36. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').

37. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
38. The recommendations set out in this report are consistent with that purpose.

Social

39. Partial reclassification of Claudelands Park provides an opportunity for increased social interaction and participation within the community, due to the expansion of community facilities on that site that cannot be achieved unless the park is reclassified to accommodate them

Economic

40. Partial reclassification of Claudelands Park will provide economic opportunities, particularly for future users of the Settlement Centre. The activities that already occur can be expanded – many of which provide refugees and new migrants with key skills that support their participation in the wider community and life of the city.

Environmental

41. Partial reclassification of Claudelands Park has limited environmental impact on the park. The existing facility complements the park well, and there is no anticipated degradation of the park as a result of the potential expansion that will follow reclassification.

Cultural

42. The reclassification will provide an opportunity for further expansion of cultural wellbeing to what is already a thriving cultural facility in Hamilton.
43. Staff have notified Waikato-Tainui of the proposed change of classification in accordance with consultation requirements under the Reserves Act 1977 and will discuss the proposal during the public feedback period to ensure Waikato-Tainui have no objections to the proposed change in classification.
44. Staff have also discussed the proposal with Te Haa o te Whenua o Kirikiriroa (THAWK) and further meetings between THAWK and the HMS Trust have occurred to discuss how mana whenua can be involved in welcoming new migrants to Kirikiriroa, and the detail of any future building extension.

Risks

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

Significance & Engagement Policy

Significance

46. 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 medium level of significance.

Engagement

47. The process for the change of classification is set out in section 24(1)(b) of the Act and requires public notification for a period of one-month, giving people the right to object.
48. A public notice was published on 26 August, notifying the proposed change of classification. Submissions were open from 26 August to 30 September 2019.
49. A letterbox drop was undertaken to inform immediate neighbours of the proposed reclassification and inviting them to make a submission.

50. The area to be reclassified differs from that shown in engagement materials. Whilst the area size remains similar and intended use identical, there is a risk that the exact land shown for reclassification differs from that shown during public consultation.

Attachments

Attachment 1 - Claudelands Park - Proposed change of classification area (updated version)

Attachment 2 - Claudelands Park - Proposed change of classification area (original version)





Council Report

Item 11

Committee: Council
Author: Clare Douglas
Position: Planning Contractor
Report Name: Proposed Plan Change 6 - Regulatory Efficiency and Effectiveness Plan Change

Date: 19 March 2020
Authoriser: Jen Baird
Position: General Manager City Growth

Report Status	Open
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Purpose

1. To seek the Council's decision on whether to withdraw parts of Plan Change 6 which relate to enabling changes in residential densities to proceed as permitted activities.
2. To seek the Council's decision on whether to progress with the related proposed Plan Change 11 – Residential Density or cease progression of Plan Change 11 and await further briefings from staff on the broad topic of residential density.
3. To seek the Council's decision on whether it continues, as currently resolved, to hear, determine and make decisions on submissions relating to Plan Change 6 or whether this task is delegated to an independent commissioner(s).

Staff Recommendation

4. That the Council approves:
 - a) to no longer progress with the processing of proposed Plan Change 11 – Residential Density;
 - b) prior to hearing submissions on Plan Change 6, to withdraw from Plan Change 6 the proposed changes to rule 4.3.1(a) which relate to activity status for residential intensification;

AND either

Option 1

 - c) approves establishing a quorum of Council to hear, determine and make decisions on submissions relating to Plan Change 6 in accordance with its previous resolution dated 27 June 2019;

OR

Option 2

 - c) revokes the following section of the 27 June 2019 resolution of Council:
"That the Council hears, determines and makes decision on submissions and matters relating to plan change 6 once notified."; and
 - d) approves to delegate authority to the Chief Executive to appoint a suitably qualified independent commissioner(s) to hear, determine and make decisions on the Plan Change.

Executive Summary

5. The objective of the Regulatory Efficiency and Effectiveness Programme (REEP) is to ensure that the Council's regulatory functions are delivered in an effective, efficient and customer-focused manner. Stage 1 of the REEP focused on the efficiency and effectiveness of the Operative District Plan (ODP) provisions.
6. Plan Change 6 is a direct outcome of the recommendations made through the REEP review to improve the efficiency and effectiveness of the ODP.
7. At the 27 June 2019 meeting, the Council resolved:
 - public notification of Plan Change 6 – Regulatory Efficiency and Effectiveness Plan Change;
 - that the Council hears, determines and makes a decision on submissions and matters relating to Plan Change 6 once notified.
 - Staff begin pre-notification consultation with the community on creating an additional REEP related plan change (Plan Change 11) to:
 - enable apartments as restricted discretionary activities where the site adjoins, or is immediately across the carriageway from, publicly owned sport, recreation and neighbourhood open space zones, or on sites adjoining publicly owned natural open space zones that adjoin the mainstem of the Waikato River or Lake Rotoroa.
 - reduce the amount of land required on individual sites for dwellings in the general residential zone, from 400m² to 300m².
8. Plan Change 6 has been prepared in accordance with section 74 of the Resource Management Act and was notified on 20 July 2019. The next step is to hear, determine and make decisions on submissions.
9. Following feedback from elected members at the briefing on 4 March 2020, this report:
 - recommends that staff no longer progress with the changes to the ODP relating to residential density (Plan Change 11)
 - recommends that part of Plan Change 6 which relates to residential density be withdrawn
 - outlines the options available to the Council regarding the responsibilities to hear, determine and make decisions on submissions and matters relating to Plan Change 6.
10. Staff consider the decision in this report has medium significance and that the recommendations comply with the Council's legal requirements.

Background

11. Stage 1 of the REEP focused on the provisions of the ODP. This included:
 - assessing the rules and methods framework of the ODP in terms of their efficiency and effectiveness in meeting the ODP's objectives and policies
 - identifying any objectives and policies that do not serve a resource management purpose or Council function under the RMA, and
 - recommending changes to provisions when evidence demonstrates that they add cost and delay to the development process without delivering actual resource management or urban planning benefits.

12. The REEP project team spent 18 months collecting data, undertaking stakeholder engagement through questionnaires and interviews, and holding internal workshops to build an evidence base. This was followed by in-depth analysis and developing recommendations. The detailed recommendations reports were provided to Councillors and presented at a workshop in November 2018. Drop-in sessions were held after the briefing to discuss the recommendations in detail.
13. On 7 February 2019, staff reported to the Council the outcomes of the REEP project to date including specific recommendations to amend the ODP to give effect to the findings from the REEP review.
14. In addition, the Council was informed of two of the REEP recommendations requiring more technical work including:
 - reducing the amount of land required on individual sites for dwellings in the general residential zone, from 400m² to 300m²
 - enabling apartments as restricted discretionary activities where the site adjoins publicly owned sport, recreation and neighbourhood open space zones, or on sites adjoining publicly owned natural open space zones that adjoin the main stem of the Waikato River or Lake Rotoroa.
15. The Council resolved on 7 February 2019 to prepare a plan change in accordance with the REEP recommendations for a simple plan change (Plan Change 6). The proposed changes will reduce or simplify ODP requirements while still achieving the ODP objectives.
16. These changes potentially reduce the need for approximately 80-100 resource consent applications each year (based on the level and type of development that occurred over the three-year research period from 10 July 2014 to 30 June 2017). This will save applicants approximately \$200,000 in Council application fees and a similar amount in application preparation costs (and more if the level of development continues to increase) and will free up Council staff to deal with more complex planning matters.
17. Following preparation of Plan Change 6, the Council resolved on 27 June 2019:
 - To approve public notification of Plan Change 6 – Regulatory Efficiency and Effectiveness Plan Change.
 - That Council hears, determines and makes a decision on submissions and matters relating to plan change 6 once notified.
 - Staff begin pre-notification consultation on creating an additional REEP related plan change (Plan Change 11) to:
 - enable apartments as restricted discretionary activities where the site adjoins, or is immediately across the carriageway from, publicly owned sport, recreation and neighbourhood open space zones, or on sites adjoining publicly owned natural open space zones that adjoin the mainstem of the Waikato River or Lake Rotoroa.
 - reduce the amount of land required on individual sites for dwellings in the general residential zone, from 400m² to 300m².

What Plan Change 6 covers

18. Plan Change 6 is a direct outcome of the recommendations made through the REEP review to improve the efficiency and effectiveness of the ODP. The changes are straightforward in nature and aim to reduce or simplify requirements of the Plan.

19. Plan Change 6 includes minor changes, the removal of redundant or unnecessary provisions and clarification of provisions within the following chapters of the ODP:

- Residential
- Business
- Central City
- Industrial
- Community Facilities
- Natural Hazards
- Subdivision
- Earthworks
- Landscaping and Screening
- Noise and Vibration
- Signs
- Transportation
- Information Requirements.

The changes are consistent with the existing policy framework of the ODP.

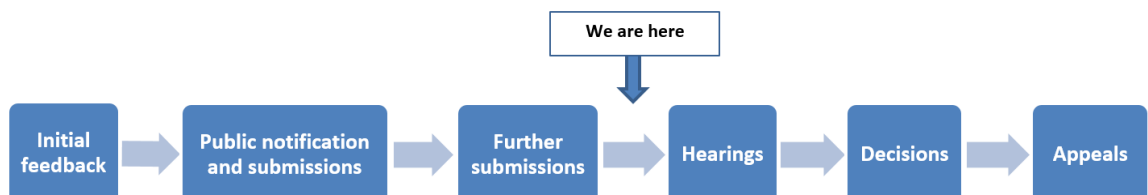
20. The benefits of the changes include reducing the need for resource consents, cost and time savings for applicants, and Council staff being freed up to deal with more complex matters.
21. A summary of all of the proposed changes is included in **Attachment 1**.

Notification of Plan Change

22. Plan Change 6 was publicly notified on 20 July 2018. This included:
- a notice sent out with all rates notices
 - a public notice in the Waikato Times
 - emails to a cross-section of consultants, developers, interest groups and government agencies.
23. A total of 30 submissions and 4 further submissions were received. This included 454 submission points, including 233 submissions in support of the proposed changes.
24. The remainder of submissions either requested removal of or tweaks to the provisions or new provisions to be added. The plan change was not opposed in its entirety.
25. Twenty-two submitters wish to be heard in relation to their submission.

Next Steps

26. The next step in the process is to hear, determine and make decisions on the plan change.



Hearings

27. The previous Council resolved to hear, determine and make decisions on the plan change.

28. Because no elected members are accredited RMA decision-makers (as prescribed by the Ministry for the Environment (MfE)), if councillors want to hear and determine this plan change, they must hear it as a full Council. (The Council can only delegate its decision-making functions to people who are accredited commissioners eg elected members, or independent commissioners, or a mix of the two).
29. Accordingly, if the Council is to hear and determine Plan Change 6, it must sit as a full Council. That will mean the ordinary quorum requirement must be met, which is no fewer than 7 members present.
30. The hearing process is quasi-judicial, meaning that it is like a court case. Just as a judge would be expected to sit and hear all evidence, councillors will need to attend all hearing days. It is recommended that the quorum of councillors be agreed at the outset, so that there is consistency in the hearing panel. It is not possible to simply maintain a quorum by swapping councillors in and out. The panel of decision makers must be settled.
31. The hearing is expected to run for up to approximately 1 week. It will be possible to split the hearing over a number of separate days, although consecutive days would be preferable. Available dates are 8, 11 and 12 May, with back up days on 13 and 15 May.
32. The hearings panel will be required to pre-read the plan change materials and submissions before the hearing. At the hearing, the focus will be on any presentations made by submitters, and further reporting from Council staff after hearing from submitters. The hearing panel will be assisted by staff in order to help with the process and to work through the hearing protocols and decision-making obligations under the RMA.
33. Given the level of technical knowledge required to make workable district plan provisions, the use of an independent planner and lawyers to assist the councillors with hearing the plan change and finalising recommendations would be beneficial. However, ultimately the deliberations and decisions on the final form of the plan provisions are the responsibility of the hearing panel.
34. In practical terms, this will mean time will need to be set aside for each panel member's pre-reading, the hearing days, the deliberations and decision writing. It is difficult to estimate the number of hearing days required. Twenty-two submitters wish to be heard, so depending on how much evidence each submitter presents, the hearing could run between three to five days. Assuming one day for pre-reading, and one day for post-hearing deliberations and decision writing, the total time commitment could be between five to seven days.
35. As an alternative, the Council could resolve to rescind the previous resolution to hear the plan change, and in accordance with section 39B of the RMA, could appoint an independent commissioner(s) to hear and determine the plan change.

Future Elected Member decision-making

36. Individual councillors interested in participating in RMA decision-making can do so by becoming accredited in accordance with s39A of the RMA. To become accredited, councillors must complete the Making Good Decisions course. The 2-day foundation course teaches the skills and knowledge to guide participants through the ethical, legal, and practical requirements of decision making under the RMA. The next available Making Good Decisions courses will be held on 20 May 2020 in Dunedin and 22 June 2020 in Auckland.

Plan Change 11 – Residential Density

37. Related to Plan Change 6 is proposed Plan Change 11. Plan Change 11 deals with residential density, and the REEP proposal to reduce the single dwelling minimum section size from 400m² to 300m²; and enabling apartments next to open space.
38. Consultation on these changes has been completed and included:

- emails to a cross-section of developers, consultants, owners, interest groups and government agencies
- public notice in the Waikato Times
- drop-in sessions held at Dinsdale Library, Chartwell Shopping Centre and Claudelands Event Centre (Your Neighborhood session).

39. Feedback was received from 31 people with a fairly even split of support and opposition on the density changes.
40. The issue of how the ODP deals with residential density has become a key issue for this Council, which requires a careful and an evidence-based response.
41. Accordingly, rather than continue to pursue proposed Plan Change 11, which would enable greater intensification, it is recommended that the Council no longer progress with this plan change, and that a new work programme be undertaken which looks more broadly at the residential density issue, and reports more comprehensively to Council.
42. Consultation and infrastructure modelling work undertaken as part of this plan change can be incorporated into a future work programme.

Residential Density Provisions in Plan Change 6

43. Linked to this residential density issue are a number of relatively minor proposed changes contained within Plan Change 6. Based on the recommendations concerning Plan Change 11, it is also recommended that these aspects of Plan Change 6, which also tend towards enabling further intensification, be withdrawn from Plan Change 6 prior to the hearing of submissions. This is within the Council's power, as the proponent of the plan change. The relevant provisions are the proposed amendments to the rules which would enable:
 - a. One duplex on a rear site as a permitted activity (rule 4.3.1)
 - b. Three dwellings on a site as a permitted activity (rule 4.3.1)
 - c. An amended definition for 'self-contained house-keeping unit' to enable sinks in bedrooms or an additional kitchen in a dwelling provided the dwelling continues to function as one household (section 1.1 definitions).
44. These aspects of Plan Change 6 are closely related to the residential density/infill debate, and for that reason should be 'bundled up' and addressed comprehensively within that programme of work referred to in paragraph 41 above.

Financial Considerations

45. Irrespective of whatever hearing option Council decides on, \$100,000 has been budgeted in this financial year (2019/20) for notification and the hearing of submissions.
46. All costs relating to Plan Change 6 fall to the Council.

Legal and Policy Considerations

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

Wellbeing Considerations

48. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').

- 49. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
- 50. The recommendations set out in this report are consistent with that purpose.
- 51. The RMA promotes the sustainable management of natural and physical resources on land, air and water. The first schedule plan change process ensures that sustainability is adequately considered through evaluation of the environmental, economic, social and cultural impacts.
- 52. Staff have undertaken full consultation with Iwi as per the consultation requirements set out in the RMA.

Risks

- 53. Decisions may result in the plan change being appealed. This will result in additional time and costs associated with processing the plan change.

Significance & Engagement Policy

Significance

- 54. Given the statutory requirement to consult, staff have not considered the key considerations under the Significance and Engagement Policy to assess the significance of the matter(s) in this report.

Engagement

- 55. Community views and preferences are already known to the Council through engagement undertaken through the REEP review, consultation and notification of the plan change undertaken in accordance with the Schedule 1 process.

Attachments

Attachment 1 - Summary of notified changes

Summary of changes proposed as part of Plan Change 6- Regulatory Efficiency and Effectiveness Plan Change

This summary is a guide only. See the full document for any consequential changes

Chapter 4- Residential Zone

- Amend the explanation of Strategic Objective 2.2.6, the purpose of the Residential Zone and Residential Intensification Zone to delete statements around residential areas remaining unchanged and higher density developments occurring on amalgamated sites.
- Enable establishment of up to 3 residential units per site as a Permitted Activity (including duplexes where on rear lots).
- Amend the definitions for Eave, Site Coverage and Building Setback to increase the eave overhang exclusion in site coverage calculations.
- Reduce the level of permeability required in the front yard setback and amend the definition of permeable surface to enable the use of permeable pavers for access, parking and manoeuvring areas.
- Amend the height in relation to boundary rule to include exemptions for gable ends of buildings and to specify where measurement is to be taken from where property boundaries adjoin land used exclusively for vehicle access to neighbouring sites.
- Amend the definition of Transport Corridor to include access segregation strips.
- Reduce the building setback from internal vehicle access.
- Enable siting of one small accessory building (e.g garden shed) on a site within the side or rear yard setback area.
- Amend the interface rules to make it clear that rules only apply to dwellings and accessory buildings that directly front onto a transport corridor; enable accessory buildings to be located forward of the front building line of a dwelling subject to design parameters; and ensure that garages with vehicle doors facing the street are setback sufficient distance from the road boundary to reduce safety hazards for pedestrians.
- Provide clarification of the fence and walls provisions to align with the definition of a building, make it clear how these are to be measured and to make it clear that the rules do not apply to fences below natural ground level or where internal to a development.
- Amend the outdoor living area provisions to allow decks and patio areas to be covered, reduce the minimum outdoor living area and area that needs to be on the north, east or west of the dwelling.
- Amend the unit size rules to apply to all residential zones, amend minimum floor area requirements and introduce a minimum living area.
- Increase the allowable apartment mix in an Integrated Residential Development to 30% and amend the definition of Integrated Residential Development so that it no longer requires shared facilities such as open space, access, parking or other communal activities.
- Include definitions of Self-contained House-keeping Unit and Kitchen.

Chapter 6- Business Zone

- Make gymnasiums a permitted activity in Business 1 and 7 Zones where they are less than 250m².
- Amend the minimum density rules to be calculated by site area rather than per hectare.
- Amend the outdoor living area rules to decrease the area required per apartment and change orientation requirement of outdoor living areas; and include relevant policy for achieving a high amenity living environment.
- Incorporate minimum living area requirements for residential units.
- Amend the external outlook area rules and include relevant policy for achieving a high amenity living environment.

Chapter 7- Central City Zone

- Make alterations and additions to existing buildings in the Central City Zone a permitted activity and add new specific standards for alterations and additions.
- Delete the floor area ratio provisions.
- Remove the height and bonusing provisions from the plan and only specify height limits for overlays 2 and 3.
- Allow windows in active frontages to be covered or used for purposes other than the display of goods.
- Amend the veranda cover provisions.
- Amend the minimum density rules to be calculated by site area rather than per hectare.
- Incorporate minimum living area requirements for apartment units.
- Amend the outdoor living area rules to decrease the area required per apartment and change orientation requirement of outdoor living areas.
- Amend the external outlook rule to allow more flexibility.

Chapter 9- Industrial Zone

- Make new buildings and alterations and additions to existing buildings in the Industrial Zone a permitted activity and add new standards for buildings adjoining Major Arterial Roads.
- Delete the Comprehensive Development Consent provisions within Rotokauri.
- Reduce the front boundary setback from collector and local roads and open space
- Amend rule 9.4.7 to control the use of the front yard setback in all industrial zone locations for outdoor storage purposes.

Chapter 16- Community Facilities Zone

- Expansion of schools as a permitted activity.
- Provide for new buildings and relocated buildings as permitted activities and incorporate new standards for new buildings and alterations / additions to existing buildings relating to the interface with transport corridors.

Chapter 22- Natural Hazards

- List swimming pools as a discretionary activity in the Waikato Riverbank and Gully Hazard Area.

Chapter 23 Subdivision

- Policy to promote appropriate form of land tenure for subdivision, and provide for fee simple subdivision of apartments as discretionary activities
- Include a new rule to make it clear that subdivision design standards do not apply to cross lease conversions and amend the rules to require boundaries to be based on exclusive pattern of occupation where the underlying cross lease plan does not identify exclusive use areas.
- Delete the requirements for average net site area in the General Residential Zone (within the Rototuna Structure Plan area), the Rototuna North East Character Zone and the Special Natural Zone (Ridgeline Character Area).
- Clearly stipulate land use consent requirements within the subdivision suitability provisions.
- Align the rules with the Transportation chapter.
- Include new requirements for vesting of an access as a public road where more than 6 fee simple lots are to be served and making provision for 7 – 20 units under unit title arrangement to be shared by a private way under common property.
- Increase the maximum length of a private way in the General Residential Zone from 50m to 100m.
- Change standards relating to private ways accessing onto a cul-de-sac to apply to the turning head of the cul-de-sac only.
- Include a provision that subdivisions need to identify a location where a complying entranceway can be located.

Chapter 25.2- Earthworks

- Alter the wording of Policy 25.2.2.1 to include the words 'minimise adverse effects on'
- Amend Earthworks Rule 25.2.4.1 to:
 - Remove reference to the building footprint and authorised construction work and replace with '*associated with any activity requiring building consent (including associated site works)*'
 - Include earthwork provisions for subdivision
 - Remove reference to 12 month period and replace with one calendar year
 - Include a standard to ensure earthworks do not result in instability
 - Include a new standard to ensure earthworks do not cause malfunction or result in the damage of network utilities
 - Simplify volume standards by putting them in a table.

Chapter 25.5- Landscaping and Screening

- Clarify the provisions to make the drafting more certain including amending provisions where it is unclear whether a 1.2m high or 1.8m fence is required.
- Delete the requirement for screening of residential service areas when these are visible from other residential properties.

- Reduce the width of a buffer strip in the Industrial Zone where adjoining the Residential, Special Character Zone and Open Space Zone.
- Include a new landscaping requirement for the provision of a planting strip where parking spaces are located within 3m of the front boundary in the Residential Zone.
- Require the provision of a buffer strip along a Major Arterial Road when vehicle access is not obtained.
- Increase the trigger for provision of additional specimen trees in parking areas.

Chapter 25.8 Noise and Vibration

- Redraft the noise sensitive activities to make the drafting more certain by:
 - Specifying the list of transport corridors that carry high traffic volumes
 - Capturing the designated transport corridors where there is no defined carriageway
 - Simplifying the noise requirements in the Rototuna North East Character Zone and updating the provisions now that the location of the Waikato Expressway is known.

Chapter 25.10- Signs

- Include standards for electronic signs in the Ruakura Logistics and Ruakura industrial Park Zone.
- Simplify the existing temporary signage rules by combining the provisions, adjusting the maximum total area of signage per site, deleting the specific provisions for heritage sites, simplifying the height provisions and aligning the size of temporary signs with the Electoral Act 1993.

Chapter 25.14 Transportation

- Include an exemption to the vehicle separation distance requirements where there is no ability to comply with the separation distance requirements.
- Amend requirements for internal access widths to state legal widths and identify when public roads might be required and what standard of design is expected.
- Amend the design and access width requirements to include minimum width and height of access, require splays, require internal vehicle access to remain unobstructed.
- Exclude access and loading provision in the definition of service area.
- Include tracking curve diagrams in the District Plan for 99th percentile car tracking curve for internal manoeuvring, 90th percentile car tracking curve for parking space manoeuvring, 8m Medium Rigid Truck for loading spaces.
- Amend the tables for Simple and Broad Integrated Transport Assessment checklists to remove unnecessarily onerous information requirements.
- Alter the thresholds and circumstances under which requirement to provide any Integrated Transport Assessment is triggered.

Appendix 1.2 Information Requirements

- Amend the information requirements to be less mandatory in some cases.
- Remove requirement for a concept analysis plan and site analysis plan as being part of any subdivision concept plan.

- Delete the requirement for a detailed landscaping plan as part of resource consent and replace with a provision which requires developers to demonstrate how landscaping and screening requirements will be accommodated.
- The information requirement be re-written to delete reference to the situations where a water impact assessment is required to be provided.
- Delete the waste minimisation plan information requirement.
- Delete information requirement for managed care facilities.
- Amend the Centres Assessment Report information requirement so that it is only obligatory to provide one for retail and office activities outside of the Central City or Business Zones; and give discretion to Council staff to determine what needs a centres assessment within the Central City and Business Zones.

Appendix 17- Planning Maps

- Amend the planning maps to reflect the national grid data provided to Council in July 2012 (see Appendix 8 which shows the extent of the change on each property)
- Rezone Lot 2 DP 425316 from Special Natural Zone, Rotokauri- Lake Waiwhakareke Landscape Character Area to Destination Open Space Zone

Council Report

Item 12

Committee: Council
Author: Julie Clausen
Position: Unit Manager Strategy and Corporate Planning
Report Name: Hamilton City Council's Draft 1 Submission to the WEL Energy Trust's 2020-21 Draft Annual Plan

Date: 19 March 2020
Authoriser: Sean Hickey
Position: General Manager Strategy and Communications

Report Status	<i>Open</i>
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Purpose

1. To seek approval from the Council of Hamilton City Council's **Draft 1** submission to the WEL Energy Trust's 2020-21 Draft Annual Plan.

Staff Recommendation

2. That the Council:
 - a) receives the report;
 - b) approves the Council's **Draft 1** submission to the WEL Energy Trust's 2020-21 Draft Annual Plan;
 - c) notes that following approval, the final submission will be sent to the Trust to meet the 20 March 2020 submission closing date;
 - d) will speak in support of its approved submission at the Trust's hearing scheduled for 25 March 2020; and
 - e) nominates Council representatives to present the approved submission at the Trust's hearing.

Executive Summary

3. The WEL Energy Trust (the Trust) is currently seeking feedback on its 2020-21 Draft Annual Plan, with the submission period closing on 19 March 2020 (noting that the Trust has agreed to receive Council's submission by 20 March 2020).
4. The Draft Annual Plan outlines the Trust's intentions, expected outcomes and measures for the period 1 April 2020 to 31 March 2021.
5. As HCC is the main capital beneficiary of the WEL Energy Trust, it was regarded as important to make a submission to ensure Council's views are outlined and taken into consideration by the Trust.
6. Overall, **Draft 1** is supportive of the strategic direction that is outlined in the Draft Annual Plan.

7. Staff recommend that the Council approves **Draft 1 (Attachment 1)**, that it be sent to the WEL Energy Trust by 20 March 2020, and that HCC representatives speak in support of the approved submission at the Trust's hearing scheduled for 25 March 2020.
8. Council's **Draft 1** submission was circulated to Elected Members and Maangai Maaori on 6 March 2020 for consideration and feedback.
9. As no feedback was received, **Draft 1** remains unchanged to the version in **Attachment 1**.
10. Staff consider the decision has low significance when assessed under Council's Significance and Engagement Policy and that the recommendations comply with the Council's legal requirements.

Discussion

11. The Trust released its 2020-21 Draft Annual Plan for consultation on 27 February 2020, with the closing date for submission being 19 March 2020.
12. Given that Council is to consider **Draft 1** at its 19 March meeting, the Trust has agreed to receive Council's approved submission on 20 March 2020.
13. The Draft Annual Plan outlines the Trust's intentions, expected outcomes and measures for the period 1 April 2020 to 31 March 2021.
14. Overall, **Draft 1** is supportive of the strategic direction that is outlined in the Draft Annual Plan.
15. As with our submission to last year's Draft Annual Plan, the **Draft 1** notes that Council continues to support the Trust's Community Investment Strategy application of the Sustainable Development Goal (SDG) framework to focus social and impact investment as outlined on page 13 of the Community Investment Strategy 2019-2022.
16. **Draft 1** also supports the Trust's General Theory of Change outlined on page 3 of the 2020-21 Draft Annual Plan i.e. *"If we make coordinated use of different forms of financial capital and non-financial resources to support innovation and the wider innovation ecosystem, THEN we will begin to see the systemic change required for impact at scale"*.
17. As Council is the main capital beneficiary of the WEL Energy Trust, it was regarded as important to make a submission to ensure Council's views are outlined and taken into consideration by the Trust.
18. Council's **Draft 1** submission was circulated to Elected Members and Maangai Maaori on 6 March 2020 for consideration and feedback.
19. As no feedback was received, **Draft 1** remains unchanged to the version in **Appendix 1**.
20. **Draft 1** notes that Council wishes to speak in support of its submission at the Trust's hearing, which is scheduled for 25 March 2020.
21. Immediately following the hearing, the Trust will adopt the final Annual Plan for 2020-21.

Options

22. Although the Council has no obligation to make a submission, staff recommend making a submission to the WEL Energy Trust's 2020-21 Draft Annual Plan to ensure the Council's views are considered and taken into account by the Trust.

Financial Considerations

23. The staff cost to develop the draft submission was met within existing budgets.

Legal and Policy Considerations

24. Staff confirm that the recommendations in this report comply with the Council's legal and policy requirements.

Wellbeing Considerations

25. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
26. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
27. The recommendations set out in this report are consistent with that purpose.
28. The overall strategic direction of the Trust, and in particular the Waikato Wellbeing project, is considered to be in alignment with the Wellbeing Framework currently being developed by Council.

Risks

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

Significance & Engagement Policy

Significance

30. 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

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

Attachments

Attachment 1 - Hamilton City Council's Draft 1 Submission to the WEL Energy Trust's 2020-21 Draft Annual Plan

DRAFT 1

Private Bag 3010
Hamilton 3240
New Zealand

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hamilton.govt.nz

Attachment 1

Submission by

Hamilton City Council

WEL ENERGY TRUST'S 2020-21 DRAFT ANNUAL PLAN

19 March 2020

Item 12

1.0 INTRODUCTION

- 1.1 Hamilton City Council (HCC) supports the overall direction and intent of the WEL Energy Trust's 2020-21 Draft Annual Plan.
- 1.2 As the main capital beneficiary of the WEL Energy Trust, HCC looks forward to the ongoing working relationship that it has with the Trust to progress increased community wellbeing in Hamilton and the Waikato Region.

2.0 SUPPORT FOR SOCIAL INVESTMENT LINKED TO REGIONAL PRIORITIES

- 2.1 As with our submission to last year's Draft Annual Plan, HCC continues to support the Trust's Community Investment Strategy application of the Sustainable Development Goal (SDG) framework to focus social and impact investment as outlined on page 13 of the Community Investment Strategy 2019-2022.
- 2.2 We also support the Trust's General Theory of Change outlined on page 3 of the 2020-21 Draft Annual Plan i.e. *"If we make coordinated use of different forms of financial capital and non-financial resources to support innovation and the wider innovation ecosystem, THEN we will begin to see the systemic change required for impact at scale"*.
- 2.3 HCC considers that the Community Investment Strategy's differentiation of investment into philanthropy, social/impact and sustainable/responsible investment provides a greater clarity for the community and region in understanding how to target applications for investment.
- 2.4 HCC supports the use of the Social Impact Investment to recognise the social value of investment by considering not only the financial return, but also the social and environmental outcome of the investment.
- 2.5 We would strongly encourage the Trust to consider opportunity alongside the risk, return and impact, as opportunity will provide for change that will improve wellbeing for our future communities rather than just the impact on current communities.
- 2.6 HCC acknowledge the significant investment in the Vital Impact Grant space but would like to encourage the Trust to ensure that the community sector actively working to reduce inequalities and deliver good health and wellbeing outcomes through their quick response and community support grants aren't compromised or at risk through reductions in any overall budget.
- 2.7 We support the setting aside of grant money to support the connective tissue to help navigate the complex ecosystems identified within the development of the Waikato Wellbeing project and subsequent Regional Targets but would advocate that change happens in local communities and targets should be set at local rather than regional level.
- 2.8 HCC applauds and acknowledges the Trust's commitment to ground its work in Te Ao Maaori, as evidenced by the recent appointment of the Strategic Relationships Manager.

3.0 FURTHER INFORMATION AND HEARING

- 3.1 Should the WEL Energy Trust require clarification of the above points, or additional information, please contact Julie Clausen (Unit Manager Strategy and Corporate Planning) on 07 959 9029, 027 808 3882, or email julie.clausen@hcc.govt.nz in the first instance.
- 3.2 HCC **does wish to speak** in support of this submission at the Trust's hearing that is scheduled for 25 March 2020.

Yours faithfully

Richard Briggs
CHIEF EXECUTIVE

Council Report

Committee: Council **Date:** 19 March 2020
Author: Carmen Fortin **Authoriser:** Amy Viggers
Position: Governance Advisor **Position:** Governance Team Leader
Report Name: Open Recommendations from Committees to the Council

Report Status	<i>Open</i>
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Purpose

- To seek the Council's approval of the recommendation from the Finance Committee meeting on 11 February 2020, in respect of the Financial Strategy Monitoring Report.
 - The Agenda of the Finance Committee meeting on 11 February 2020 is available [here](#).
 - The Minutes of the Finance Committee meeting on 11 February 2020 are available [here](#).
- To seek the Council's approval of the recommendation from the CBD/River Plan Advisory Group meeting on 24 February 2020, in respect of the Chair's Report (Terms of Reference) **(Attachment 1 of this staff report)**.
- To seek the Council's approval of the recommendation from the Infrastructure Operations Committee meeting on 27 February 2019, in respect of Personal Hire Devices - 6 month trial update.
 - The Agenda of the Infrastructure Operations Committee meeting on 24 February 2020 is available [here](#).
 - The Minutes of the Infrastructure Operations Committee meeting on 24 February 2020 are available [here](#).
- To seek the Council's approval of the recommendation from the Strategic Risk and Assurance Committee meeting on 5 March 2020 in respect of the Audit Engagement Letter from 2020,2021 and 2022.
 - The Agenda of the Strategic Risk and Assurance Committee meeting on 5 March 2020 is available [here](#).
 - The Minutes of Strategic Risk and Assurance Committee meeting on 5 March 2020 are available [here](#).
- To seek the Council's approval of the recommendation from the Economic Development Committee meeting on 10 March 2020, in respect of the Local Government Funding Agency Statement of Intent 2020/21 and Half Year Report 31 December 2019.
 - The Agenda of the Economic Development Committee meeting on 10 March 2020 is available [here](#).
 - The Minutes of the Economic Development Committee meeting on 10 March 2020 are available [here](#).

Recommendation from the Finance Committee:

6. That the Council:
 - a) approves the rephrasing and delay deferrals of an additional \$92.7M capital projects from 2019/20 to future years and savings of \$4.8M as identified in the December 2019 (11 February 2020 meeting) Capital Portfolio Monitoring Report;
 - b) approves the significant forecast adjustments as set out in paragraphs 17 to 20 of the staff report; and
 - c) approves the revised forecast Financial Strategy position for Debt to Revenue, Net Debt and Balancing the Books as set out in paragraphs 21 to 28 of the staff report.

Recommendation from the CBD/River Plan Advisory Group:

7. That the Council:
 - a) approves the name of the CBD/River Plan Advisory Group be updated to the Central City and River Plan Advisory Group; and
 - b) approves the draft Terms of Reference (Attachment 2 of the staff report) Central City and River Plan Advisory Group.

Recommendations from the Infrastructure Operations Committee

8. That the Council approves the following fees and charges:
 - i. \$300 annual permit fee;
 - ii. \$85.00 per permitted device annual charge (for enforcement and management);
 - iii. \$10,000 education programme fund per operator, with an understanding that there will be future ongoing funding shared among all operators for Council and user education.

Recommendation from the Strategic Risk and Assurance Committee:

9. That the Council:
 - a) approves the Audit Engagement letter; and
 - b) that the Mayor is authorised to sign the Audit Engagement letter on the Council's behalf.

Recommendation from the Economic Development Committee:

10. That the Council approves future New Zealand Local Government Funding Agency reports be directed to the Finance Committee.

Attachments

Attachment 1 - CBD/River Plan Advisory Group Draft Terms of Reference

Central City and River Plan Advisory Group

Terms of Reference

Reports to:	The Council
Chairperson:	Deputy Mayor Geoff Taylor
Membership:	Cr Sarah Thomson Cr Angela O’Leary Cr Ewan Wilson Cr Martin Gallagher Cr Mark Bunting Maangai Maaori Norm Hill

1. Purpose

- 1.1. The purpose of the Central City River Plan Advisory Group is to provide recommendations and advice to the Council on matters in relation to the central city and river precinct on governance matters including strategic initiatives, plans, projects, to provide clarity and give direction over the direction to the River Plan, and potential development that may increase the central city vibrancy and have an impact on the central city and river precinct.
- 1.2. The Advisory Group is not a decision-making body.

2. Terms of Reference

- 2.1. The Advisory Group may make recommendations to the Council on Central City and River Precinct covering:
 - 2.1.1. projects and concept designs;
 - 2.1.2. feasibility and business cases;
 - 2.1.3. the strategic intent/direction of the Hamilton City River Plan and other key strategic Council documents such as the District Plan and Reserves Act Management Plans;
 - 2.1.4. strategic opportunities for River Plan aligned projects consistent with direction and funding for the 10 Year Plan and Annual Plan or for inclusion in future 10 Year Plan and Annual Plan processes;
 - 2.1.5. strategic projects or initiatives in other areas of the Council or wider community where linkages with the central city or river projects may prove mutual benefit;
 - 2.1.6. strategic projects or initiatives in other areas of the Council or wider community that enhance the social, economic, environmental and cultural wellbeing of the central city and/or river precinct;
 - 2.1.7. in future 10 Year Plan and Annual Plan processes;
 - 2.1.8. any other commentary on River Plan Central City related issues.

3. ROLE OF THE CHAIR

- 3.1. The Chair presides at each meeting.
- 3.2. The Chair represents the Advisory Group at Council meetings (when required or at least twice yearly) and, where appropriate, at external forums/events (with the support of the Mayor).
- 3.3. The Chair reports back to the Advisory Group regarding any meetings, discussions or events they have attended as an Advisory Group representative.
- 3.4. Where the Chair is not available, a Group member nominated and agreed by majority of those present at the meeting will assume the role of the Chair.

4. OPERATION AND CONDUCT

4.1. Meeting schedule / timing / nature

- 4.1.1. The Advisory Group will formally meet for approximately three hours on a six-weekly basis, with the flexibility to meet more often, as and when required on specific issues/projects.
- 4.1.2. Advisory Group members can also meet with can meet with staff supporting the Advisory Group on an ad hoc basis, and with other staff with the agreement of the General Manager, as required and as their availability permits, to have discussions and provide advice pertaining to their areas of expertise.

4.2. Agenda distribution / minutes

- 4.2.1. Agendas for Advisory Group meetings will be distributed no later than three working days prior to the meeting date;
- 4.2.2. Meeting agendas will be set by the Chair and the staff supporting the Advisory Group.

5. QUORUM

- 5.1. The quorum for a meeting of the Advisory Group is a majority of the members physically present.

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
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C1. Confirmation of the Council Minutes 4 February 2020 - Public Excluded) Good reason to withhold) information exists under) Section 7 Local Government	Section 48(1)(a)
C2. Confirmation of Elected Member Briefing Notes - 12 February 2020 - Closed) Official Information and) Meetings Act 1987	
C3. Confirmation of the Elected Member Briefing Notes - Closed - 26 February 2020.		
C4. Rototuna Village - Pool Agreement		
C5. Public Excluded Recommendations from Committees to the Council		
C6. Waikato Regional Airport Ltd Appointment of Directors		

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