

Time	Topic	Purpose	HCC Presenter(s)	Format	Time Req'd
12.00pm	Hamilton Gateways Policy and Streetscape Beautification and Verge Maintenance Policy	To seek guidance and direction from Elected Members and for elected members to continue to lead and decide on the future of these policies and the potential opportunities the review brings.	Glenn Bunting Phoebe Flexman Maria Barrie Eeva-Liisa Wright Helen Paki	Open Briefing	60 Mins
1.00pm	Lunch				60 Mins
2.00pm	Elections Close Out	To respond to Elected Members request discuss communications, events, community survey, voter behaviour, national voting trend following the 2022 Election.	Mish Hawthorne Dan Silverton Philippa Clear Dale Ofoske	Open Briefing	60 Mins
3.00pm	Delegations to Positions policy	To seek Elected Members feedback on proposed changes to the Delegations to Positions Policy prior to the matter being reported to the Council	Anna Hildyard Mish Hawthorne	Open Briefing	60 Mins
SESSION ENDS					

DISCUSSION TOPIC SUMMARY

Topic: Streetscape and Gateways Policy Review 2023

Related Committee: Infrastructure and Transport

Business Unit/Group: City Transport

Key Staff Contact/s: Phoebe Flexman and Glenn Bunting

PURPOSE OF TOPIC/INFORMATION

1. To seek direction from Members on whether the 'Gateways Policy' and the 'Streetscape Beautification and Berm Maintenance Policy' should be merged to form the **Hamilton Streetscape and Gateways Policy**, and
2. To seek Members views on **private planting on berms**, as an alternative to maintaining grass, to inform the policy review, and
3. Capture **any other feedback** that will inform the review.

Date	Timeline
22 March	This workshop with Members to seek direction on specific points to shape draft 1 of the policy.
22 March – 24 April	Draft 1 of Policy prepared informed by Member workshop
24-April – 5 May	Share Point Exercise - draft 1 circulated to Members prior to engagement with Iwi and Mana Whenua and key internal stakeholders
10-26 May	Seek feedback from local Iwi and Mana Whenua representatives on draft 1 of the policy
10-26 May	Seek feedback with key internal stakeholders on draft 1 of the policy
26 May - 12 June	Consolidate feedback of draft 1 to form draft 2
12-16 June	Circulate draft 2 with elected members prior to second briefing 21 June.
21 June	Second briefing seeking preliminary approval for Draft 2 prior to final approval at 20 July I&T committee.
20 July	Final approval at 20 July I&T committee.

WHAT KEY THINGS SHOULD MEMBERS THINK ABOUT/ CONSIDER IN UNDERSTANDING THIS INFORMATION?

4. Members should think about/consider:

Combining the policies:

5. the synergies between the 'Gateways Policy' and the 'Streetscape Beautification and Berm Maintenance Policy' and the benefits of combining them into one, easily accessible 'Hamilton Streetscape and Gateways Policy'
6. the policy's alignment with key Strategies: Access Hamilton, Our Climate future and Nature in the City
7. the policy will only include high-level principles, such as:
 - i. "streetscape planting solutions must be environmentally appropriate and climate resilient", and
 - ii. "streetscape planting solutions must ensure their maintenance is cost effective and aligns with health and safety requirements"

Private planting on berms:

8. the impact the new policy may have on personal safety with maintenance of the road reserve, for staff, contractors and members of the public.
9. the impacts the policy may have on the quality of water, microplastics, urban heat island effect, biodiversity, natural water treatment, harmful chemicals and climate change.
10. the role the berm plays in regular resource recovery services (rubbish and recycling) and the need to ensure the outside berm is clear, maintained, and unimpeded for collections.
11. the berm maintenance responsibility in medium-high density housing areas, and
12. the community's views/feedback on this topic and any other points of interest.

KEY SUMMARY POINTS

13. Staff are proposing to amalgamate the 'Gateways Policy' and the 'Streetscape Beautification and Berm Maintenance Policy' to form the Hamilton Streetscape and Gateways Policy. The reason for this is there are more close synergies and alignment between the two policies which provides an opportunity to create one more easily understood/less complicated policy.
14. Staff are seeking direction and feedback from Members on their views around amalgamating the two policies and views around **private planting on berms**, considering the following:
 - i. Health and safety of the public when working in the road corridor
 - ii. Visibility and encroachment
 - iii. Resource (rubbish and recycling) recovery
 - iv. Utility Encroachment
 - v. Neighbours
 - vi. Boundaries
 - vii. Growing for human consumption or to sell
 - viii. Artificial grass/tiger turf
 - ix. Alternative plants than grass

POLICY EXCLUSIONS:

15. This policy only applies only to on-street planting (berms and traffic islands/medians) in the city. This policy does not apply to parks and reserves including the river corridor.
16. This policy excludes defining the species of trees that are allowed to be planted. This is covered in the Hamilton Tree Policy (*currently under development*).
17. This policy excludes the specific maintenance and renewals levels of service (LOS) for on-street planting. LOS is defined in the Transport Activity Management Plan.

WHERE CAN MEMBERS FIND MORE INFORMATION?

18. The current policies will be attached via appendix to this topic summary document.
19. A summary document outlining the environmental benefits and concerns of artificial grass (with references) is attached to this discussion document.

WHAT DIRECTION/FEEDBACK/INPUT DO YOU NEED FROM ELECTED MEMBERS

20. Are Members in favour of combining the 'Gateways Policy' and the 'Streetscape Beautification and Berm Maintenance Policy' to create one easily understood and communicated policy?
21. With respect to **private planting on berms**, do Members:
 - a) Want to continue to allow private planting in the berm?
 - b) Want planting to be permitted in 'all of the sections' of berms? Or just certain places?
22. If **private planting is allowed to continue in berms**, would Members prefer:
 - a) Private planting on berms only be permitted with prior written approval from Council.
 - b) Private planting on berms permitted without Council approval if it meets all conditions of the policy.
23. **What can be planted on berms**, particularly reflecting on the environmental benefits/concerns of artificial grass?
 - a) Do Members want to allow artificial grass?
 - b) Do Members want to investigate further the use of alternative plants than grass?
 - c) Do Members want to ban all plants that are grown for human consumption or for sale?
24. Is there anything further that Members would like investigated and addressed in the policy review?
25. Are there any known views of the community or do Members have any concerns around community reactions?

Hamilton Streetscape and Gateways Policy review 2023

22 March 2023

Purpose of Briefing/Workshop

1. Staff are reviewing the 'Gateways Policy' and the 'Streetscape Beautification and Berm Maintenance Policy';
2. Deep dive discussion into **private planting on berms** to inform the review; and
3. Capturing any other feedback that will inform the review.

What direction/feedback is needed from Members?

- Should the policies be merged?
- Staff require direction/feedback from Members on **private planting on berms** that will inform this policy review.
- Staff require direction from Members on the Health and Safety implications regarding working in the roading corridor for members of the public.
- Staff are seeking input from Members as to any other concerns they may have of relevance to the policy.

Date	Our Timeline
22 March	This workshop with Members to seek direction on specific points to shape draft 1 of the policy.
22 March – 24 April	Draft 1 of Policy prepared informed by Member workshop
24-April – 5 May	Share Point Exercise - draft 1 circulated to Members prior to engagement with Iwi and Mana Whenua and key internal stakeholders
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20 July	Final approval at 20 July I&T committee.

Our review will ensure alignment with:

Access Hamilton



A safe transport system



Environmental responsibility



Climate change


Nature in the City

OUTCOME AREA ONE
We invest in the continued growth of nature in Kirikiriroa/Hamilton

OUTCOME AREA TWO
We are courageous in staying the course

OUTCOME AREA FOUR
Thriving nature is all around us

Our Climate Future

Outcome one:

By acting together, our emissions are reducing
He mahi tahi noo maatou, e mimiti haere ana ngaa paanga parakino

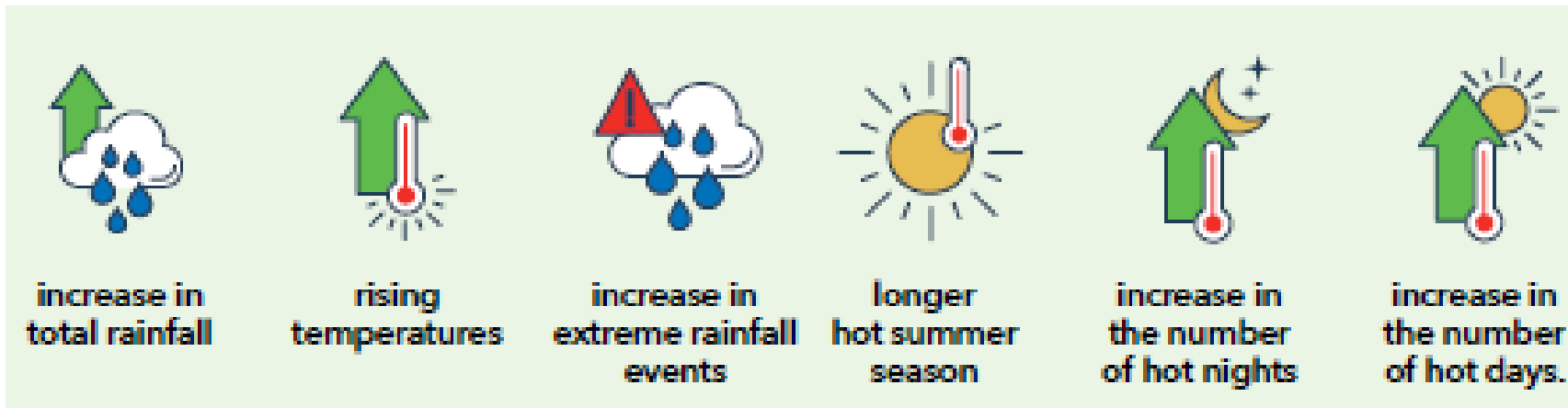
Outcome two:

Our neighbourhoods enable low-carbon living
Maa oo tatou takiwaa noohanga e ora ai te ao waro-hakahaka

Outcome three:

Our city is ready for Hamilton's climate
Kei te rite too taatou taaone moo te aahuarangi o Kikiriroa

Our future climate



We are also considering in this review:

- **Opportunities to update and enhance other work programs**
 - LTP 2024-2034
 - Transport AMP renewal
 - Open Spaces Strategy (*under development/review*)
 - Hamilton Tree Policy (*currently under development*)
 - RITS (*currently under review*)
- **Safety**
 - Workers
 - Road users
 - Adjoining land owners
- **Accessibility impacts**
 - Vulnerable road users and the impact the berm has on the footpath
- **Incorporation of Cultural elements**
 - Public art and monuments
 - Holistic approach and perspective
- **Roles and responsibilities**
 - City Transport, IA, City Parks and Waka Kotahi
- **Environmental protection**
 - Improving biodiversity
 - Increasing native vegetation (Nature in the city)
 - Erosion
 - Water conservation
- **Climate change resilience (temperature and water extremes)**
 - Carbon reduction
 - Urban heat island effects
 - Improving water quality
 - Vegetation management in a warming climate
- **Resilient and future proofed infrastructure**
 - Fit for purpose planting

Gateways Policy

Purpose and Scope:

1. To identify gateway entrances and routes into Hamilton.
2. To prioritise levels of service for gateway treatments to create a sense of arrival and reflect the city's character, history, and environment or cultural significance.

The Hamilton Gateways Policy is most often used to guide discussions with external agencies such as Waka Kotahi (NZ Transport Agency) to ensure a consistent approach as the public do not differentiate between State Highways and local roads..



Streetscape Beautification and Berm Maintenance Policy

Purpose and Scope:

To prioritise maintenance efficiency for streetscape and landscaping in the city to achieve quality streetscapes while ensuring essential utility services are protected and road user safety is maintained.

The Policy provides guidance to planners, developers, and maintenance staff regarding the appropriate level of service for street beautification and responsibility for verge maintenance

The need to review and opportunity to merge the policies

- The 'Hamilton Gateways Policy' and 'Streetscape Beautification and Verge Maintenance Policy' are overdue to be reviewed. This review will ensure they support changes in strategic direction and priorities.
- Both policies have strong alignment and are synergistic in nature.
- The two policies were separated in a 2012 resolution to council. They are no-longer needing to be separate.
- The amalgamation of the policies will help ensure the guidance in these policies is more easily accessible to planners, developers and maintenance staff.



Policy exclusions to note:

- This Policy only applies only to on-street plantings (berms and traffic islands/medians) in the city. This Policy does not apply to parks and reserves including the river corridor.
- This policy excludes defining the species of trees that are allowed to be planted. This is covered in the Hamilton Tree Policy (*currently under development*).
- This policy excludes the specific maintenance and renewal levels of service (LOS) of on-street planting. These LOS are defined in the Transport Activity Management Plan (AMP).

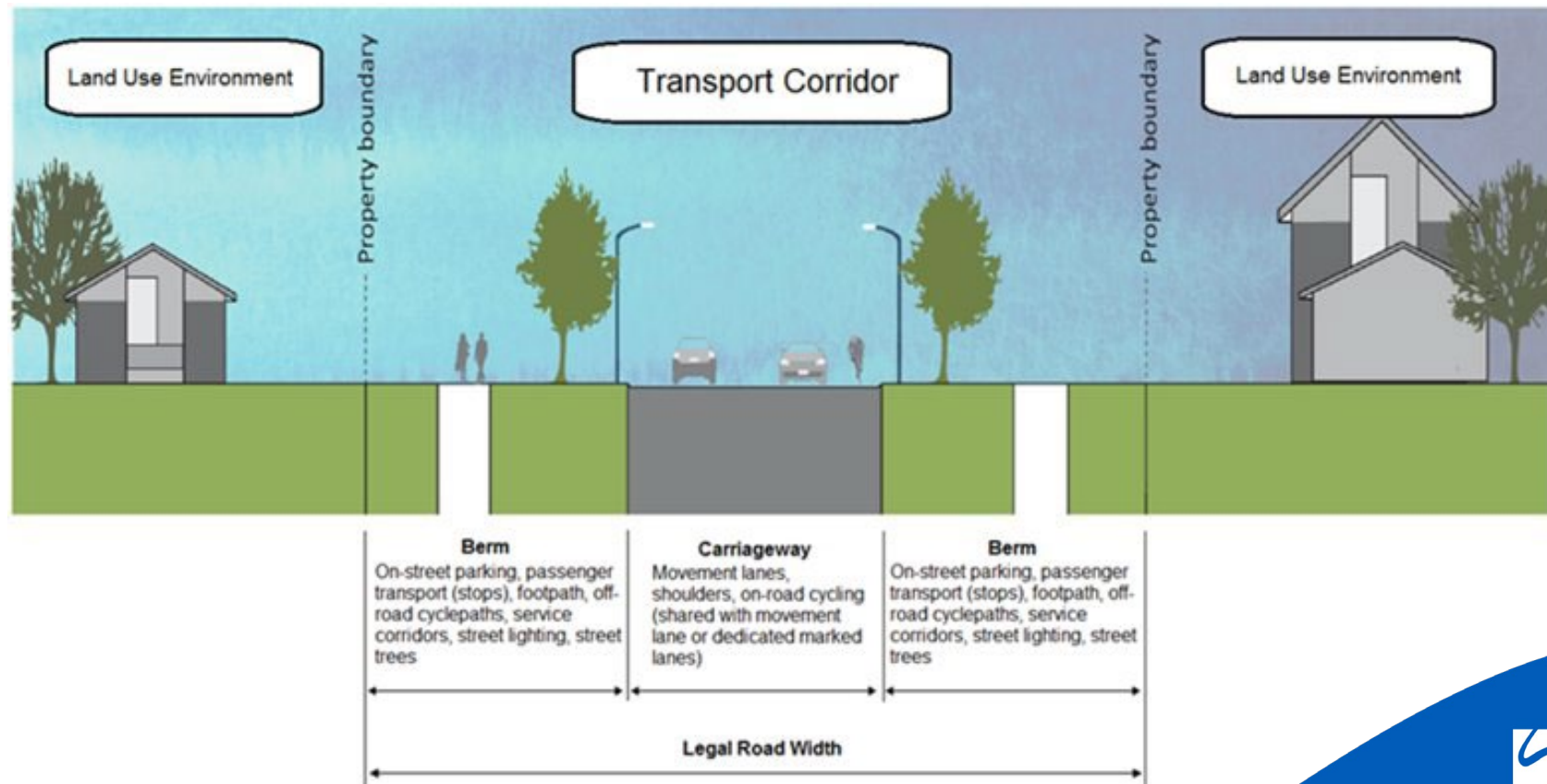


What direction/feedback is needed from Members?

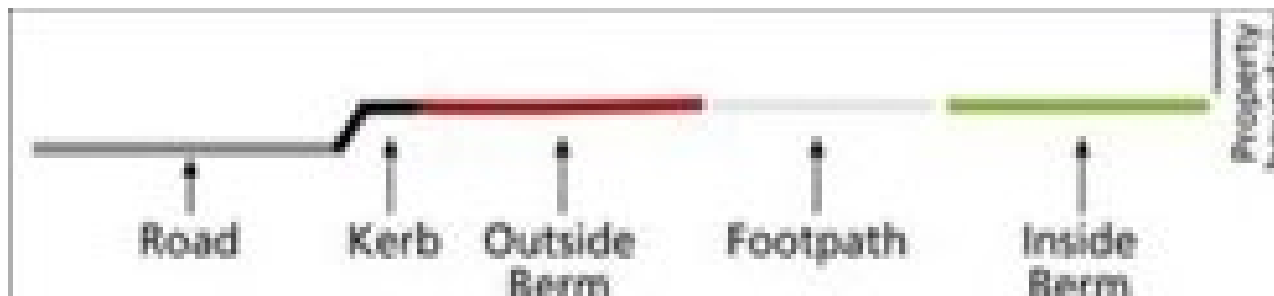
Combining the policies:

Do you want to combine the 'Gateways Policy' and the 'Streetscape Beautification and Berm Maintenance Policy'?

The Berm



Not all berms are the same



Things to consider for private berm planting:

1. The health and safety of working in the road corridor.
2. Visibility and encroachment
3. Resource recovery
4. Utility Encroachment
5. Neighbours
6. Boundaries
7. Growing for human consumption or to sell
8. Artificial grass/tiger turf
9. Alternative ground cover

Things to consider:

1: Health and safety

- Council staff are required to meet traffic management requirements for working on the road when maintaining berms.
- Members of the public are not expected to meet these traffic management requirements when mowing their grass berms.
- Encouraging private planting on berms by members of the public without proper traffic management increases health and safety risks. Should Council be condoning this?



Things to consider:

2: Visibility and encroachment:

- Private planting can adversely affect visibility of pedestrians, street signs and reduce sight lines at intersections and driveways.
- It can also encroach into footpaths and impede pedestrians particularly those who are visually impaired or wheelchair users.
- Ground cover materials such as bark, pebbles or stones can be displaced onto footpaths and pose a nuisance to pedestrians.



Geoff Benge, one of 180 or so mobility scooter users in Waikanae, is calling for urgent work in his part of the country. He's fed up with overgrown vegetation blocking his path, and branches that interfere with riding on pavements.

Things to consider:

3: Resource recovery

- Rubbish and recycling collection trucks must be able to access the berm without any obstructions or hazards.
- It is important to ensure rubbish and recycling is collected efficiently and the berm does not increase any environmental and public health concerns.
- Residents need to ensure that there is that there is unimpeded access of the berm on the kerb-side for regular rubbish and recycling collection.
- If the berm is not returned to grass at the sale of a property, It can be considered illegal dumping, who owns the berm planting permit? And is it transferred in the sale of a property?



Things to consider:

4: Utility Services

- Private planting can result in damage to utility services particularly lateral connections which are at a shallower depth.
- The presence of private planting also creates challenges for utility operators when maintaining existing infrastructure or installing new infrastructure. Root intrusion can also be an issue particularly from fruit trees.
- Some people may install structures such as raised garden beds or compost units which impede maintenance and may be a safety or public health concern. Such structures are also more difficult to remove for utility maintenance.



A New Plymouth woman established two raised square gardens she established on the grass verge outside her home.

Things to consider:

5: Neighbours

- Private plantings have the potential to cause discontent between adjoining landowners who have differing views as to what is appropriate and the look and feel of neighborhoods can be compromised by plantings that do not fit their environment.
- Most private planting is brought to our attention by complaints being made by adjoining landowners



Tim Field recently installed artificial grass after seeing an artificial berm in another part of Christchurch. However, his neighbour didn't think it was a good idea and complained to the Christchurch City Council.

Things to consider:

6: Boundaries

- Private planting on road reserve can blur the boundary between private property and public space and create an inappropriate expectation of ownership or control in respect to this public space by the landowner.
- An adjoining landowner has no more right of use of the road corridor outside their property than any other party. They also have no right of ownership of any flowers or produce grown in the road corridor.



A Wellington woman enclosed a public berm with a hedge, effectively 'claiming' the public land for her own use. .

Things to consider:

7: Growing for human consumption

- Growing plants designed to gardens on the berm are open to animal fouling and automobile pollution, potentially inviting public health issues if vegetables / fruit are not adequately washed.
- Berm gardeners may become unhappy if their produce or plants are removed by members of the public. This could potentially result in conflict.



As an example, in an ongoing issue in Avondale, Auckland involves people entering a property to 'harvest' private gardens and then sell the produce at the Avondale markets.

Things to consider:

8: Artificial Grass

- Residents could amend their berm by planting artificial grass/tiger turf.
- Synthetic turf is becoming more popular, with some environmental concerns that widespread uptake may threaten the loss of wildlife and habitat.
- As most synthetic turf is made from a mix of plastics – polypropylene, polyurethane and polyethylene – it also has the potential to create waste problems.
- Synthetic turf comes in a wide variety of types and quality – and it may be prudent to have some oversight of the type of artificial grass installed on berms.



Nelson resident Andrew Wise landscaped his berm in cover other than grass and feature trees. When Council reinstated the grass, he poisoned the grass berm outside his house. Nelson City Council later changed their policy to allow other landscaping materials.

Things to consider:

9: Alternative plants than grass

- Residents could amend their berm by planting alternative plants.
- There are a wide range of options, including New Zealand native plants or creeping thyme.
- Can provide drought-resistant solutions.
- Maintenance requirements are different to regular grass mowing (eg regular weeding and fertilising)



These are two examples of native bedding plantings that could provide an alternative to artificial grass

Looking around New Zealand

Council	Private planting in berm
Hamilton City Council	Requires approval
Waikato District Council	Prohibited
Horowhenua District Council	Requires approval
Palmerston North District Council	Requires approval
Selwyn District Council	Requires approval
Kapiti Coast District Council	Prohibited
Tauranga City Council	Requires approval
Nelson City Council	Inside Berm – Allowed Outside Berm - Prohibited
Auckland Council	Allowed if meet conditions If does not meet conditions, requires approval + license fee

What direction/feedback is needed from Members?

Regarding private planting on berms:

Taking everything into consideration, particularly health and safety implications for the public, do you want:

- 1: to continue to allow private planting in the berm?
- 2: private planting to be permitted in 'all of the sections' of berms? Or just certain places?

If private planting is allowed to continue in berms, would you prefer:

- 1: Private planting on berms only be permitted with prior written approval from Council (current policy).
- 2: Private planting on berms permitted without Council approval if it meets all conditions of the policy.

What can be planted (considering environmental assessment for artificial grass)?

- 1: Do you want to allow artificial grass?
- 2: Do you want to investigate further the use of alternative plants than grass?
- 3: Do you want to ban all plants that are grown for human consumption or for sale?

Any other concerns?

- Staff would like to know if there is anything further that Members would like addressed or investigated in this policy's review?

Next steps

- Staff will incorporate Member guidance into a first draft Hamilton Streetscape and Gateways Policy which will be circulated to members
- Staff will then engage with key stakeholders and iwi groups
- Staff will reflect feedback into a second draft and re-circulate the policy for preliminary approval at a second briefing in June
- Final policy presented for approval at 20 July I&T Committee

Streetscape and Gateways Policy

An overview of the environmental benefits/concerns of the use of artificial grass

Concerns

Urban heat island effect

An urban heat island is a metropolitan area that is warmer than the rural areas surrounding it. Urban heat islands increase energy demand (for example by increasing the demand for air conditioning) and can increase air pollution.

Synthetic grass contributes to the urban heat island effect when used in metropolitan areas because it tends to absorb sunlight and emit heat. This will be exacerbated as temperatures increase due to climate change. In comparison, natural grass plays an important part in controlling the climate and reduces temperature extremes.

Embodied energy and emissions

Synthetic grass is made from several different materials including plastics such as polyethylene and polypropylene. It requires energy-intensive extraction of virgin/raw materials (such as petroleum and natural gas), the processing of these materials, and the manufacture, packaging, and transport of the final product. The synthetic grass then needs to be installed, and at the end of its life, sent for recycling or disposed of in landfill. All these stages require energy and create emissions, contributing to the effects of climate change.

Furthermore, natural grass and the soil beneath it store carbon. If this is dug up to be replaced with synthetic grass, then the carbon is released into the atmosphere, adding to the effects of global warming. Once the synthetic grass is put in its place, this area of land no longer draws carbon from the atmosphere.

Lack of water treatment through soil

Synthetic grass may not soak up water as well as natural grass (although synthetic products may have drainage systems that compensate for this). This means that water can run off, causing overloaded drains and flooding. If there are harmful chemicals present in the materials (e.g., in the plastics, recycled materials, etc.) then these may run off into the environment too. However, there are industry standards for producing synthetic grass to address this concern.

Adverse effects on biodiversity and soil health

The use of synthetic grass blocks access to the soil for burrowing insects, and blocks access to the ground above for soil dwellers. It is unable to provide a food source for birds or to grow plants that absorb pollutants, and stops natural materials like leaf litter, grass clippings, etc. from degrading into the soil and feeding the organisms that keep soil healthy. Healthy soil is integral for the environment because it can store carbon, absorb water, improve water quality, and produce food.

Microplastics

Some companies claim that their artificial grass does not degrade, however others suggests that exposure to sunlight and physical wear-and-tear (e.g., being stepped on) would release microplastics into the environment.

End-of-life considerations

Even if the artificial grass lasts for 20 years, it will eventually degrade and need to be disposed of. If not recyclable, then the synthetic grass will end up in landfill.

While some companies claim that their artificial grass product can be recycled, these are likely to be specialised processes that are difficult to come across. To be recycled, the materials may also need to be cleaned. It could be difficult to do this to a standard accepted for recycling when the product has been outside for many years. Finally, if the artificial grass contains many different types of plastics and materials, this may reduce the likelihood that it is recyclable.

Harmful chemicals and toxins

There have been some concerns over the materials used in artificial grass, and their effects on human health and the environment. For example, leachate from the dyes used to create the grass colour or leachate from the use of recycled car tyres for rubber. There is conflicting evidence of what is and is not safe based on research in different countries.

Sources:

- <https://www.nationalgeographic.org/encyclopedia/urban-heat-island/>
- <https://www.dlgsc.wa.gov.au/department/publications/publication/natural-grass-vs-synthetic-turf-study-report>
- <https://www.theguardian.com/cities/2019/aug/02/turf-it-out-is-it-time-to-say-goodbye-to-artificial-grass>
- <http://www.designlife-cycle.com/artificialturf>
- <https://www.gardenista.com/posts/pros-and-cons-artificial-grass-versus-a-live-lawn-hardscaping-101/>
- <https://www.jackwallington.com/17-reasons-to-avoid-fake-lawns-how-bad-is-artificial-grass-for-the-environment/>
- <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2019/08/23/soil-health-can-combat-climate-change-from-the-ground-up>
- <https://www.euronews.com/green/2021/06/30/why-is-this-european-country-trying-to-ban-fake-grass>

Benefits

Less maintenance required

An artificial lawn does not need to be regularly mown or cut. Mowing or trimming a lawn often involves tools powered by fossil fuels, which contribute to climate change. There will still be maintenance required for artificial grass, such as regular grooming/raking and spraying for mould, moss and weeds.

Water conservation

Artificial grass does not need to be watered, whereas natural grass often needs watering in the summer months, which can put extra stress on drought-stricken areas.

Hamilton City Council already implements water alert levels and tracks compliance with grass watering in the summer months, but this would not be needed for artificial grass.

No need for harmful maintenance chemicals

Some people use fertilisers, pesticides and other chemical to maintain their natural grass, and these may damage the soils or run off into the environment when the grass is watered. Artificial grass needs less maintenance using these kinds of chemicals compared to grass.

Use of recycled materials

Some synthetic grasses contain recycled materials, for example they might use shredded tyres for the rubber infill. These materials are given a new life and saved from landfill (although they may be disposed of to landfill eventually).

Sources:

- <http://www.designlife-cycle.com/artificialturf>
- <https://www.theguardian.com/cities/2019/aug/02/turf-it-out-is-it-time-to-say-goodbye-to-artificial-grass>
- <https://www.dlgsc.wa.gov.au/departments/publications/publication/natural-grass-vs-synthetic-turf-study-report>

DISCUSSION TOPIC SUMMARY

Topic: 2022 Elections Close out

Related Committee: Council

Business Unit/Group: Governance and Assurance, Communications, Community Development.

Key Staff Contact/s: Mish Hawthorne, Dan Silvertown, Philippa Clear

Direction Discussion/Drop in Session recommended Status: Open

PURPOSE OF TOPIC/INFORMATION

1. To respond to Elected Members request discuss communications, events, community survey, voter behavior, national voting trend following the 2022 Election.

WHAT KEY THINGS SHOULD MEMBERS THINK ABOUT/ CONSIDER IN UNDERSTANDING THIS INFORMATION?

Voter turnout

2. Voter turnout across the country was lower than in the past. The average turnout for the metros was 39.79% in 2022 and nationally this was 45.58%
3. Hamilton's voter turnout was 29.4% and was significantly lower than we had hoped.
4. It may take several triennial elections for a new system (STV) to 'bed in' as evidenced by some TAs that have used STV for many years (Wellington, Dunedin)
5. Turnout however ultimately depends on a number of factors – mayoral candidates standing, elector 'comfort' with council generally (performance), burning community 'issues'.

Engagement

6. There was a lot of cross organisational partnership for the 2022 Election. This included:
 - a. Customer Services Front Counter Team who took nominations, Special Votes and answered questions about the elections.
 - b. Customers Services Call Centre Team who responded to questions about STV, where more information could be located, and referred requests for additional support to the Governance Team.
 - c. Library teams across the city promoted the elections and actioning special votes.
 - d. Community Development team were involved in a large number of activities including:
 - i. delivering voter education sessions in the community, these sessions covered STV and how, where, when and why to vote;
 - ii. working in partnership with community organisations to help organise and host meet the candidate events;
 - iii. supporting community groups to promote the election through their own social media channels and in-person with their members, residents, and networks;
 - iv. speaking on local radio;
 - e. Communications unit pushed the elections on all platforms including Facebook, media releases and YouTube (links to 2 of these videos are below) and our [yourcityelections.co.nz](https://www.yourcityelections.co.nz) site.
 - i. How to vote under STV <https://www.youtube.com/watch?v=qiGd6Py2iug>
 - ii. Why should you stand for Council? - <https://www.youtube.com/watch?v=NY2FhrZCckU>
 - iii.
 - f. Governance and Assurance unit over saw the above which included attending events to talk about STV, delivering special voting documents to those that were unable to travel to a library, responding to questions/concerns, and regular update emails to candidates.

WHERE CAN MEMBERS FIND MORE INFORMATION?

7. Included with this paper is the 2022 Triennial Elections report from Dale Ofsoke.
8. [Yourcityelections.co.nz](https://yourcityelections.co.nz)

WHAT DIRECTION/FEEDBACK/INPUT DO YOU NEED FROM ELECTED MEMBERS

9. This session is for information purposes only.

2022 Local Body Election Close Out

The purpose of this session is to respond to Elected Members request discuss communications, events, community survey, voter behavior, national voting trend following the 2022 Election.

On the agenda today:

- Our Communications Campaign
- The Community and Development Teams Engagement Project
- Voter turnout
- Our Compliance approach
- Questions and Comments

Communications: Campaign Summary

- Three-phased campaign (enrol, stand, vote) January – October
- Goal: Give candidates and voters a reason to care
- Focused on:
 - what Council does, and how it affects you
 - encouraging a diverse range of candidates to stand
 - making it easy for people to vote
 - how to vote under STV
 - new Kirikiriroa Maaori Ward
- Wide range of tactics to reach all Hamiltonians
- Website one-stop-shop for all things elections.



Insights-driven campaign

We utilised data from many sources to better understand how to reach our community, including:

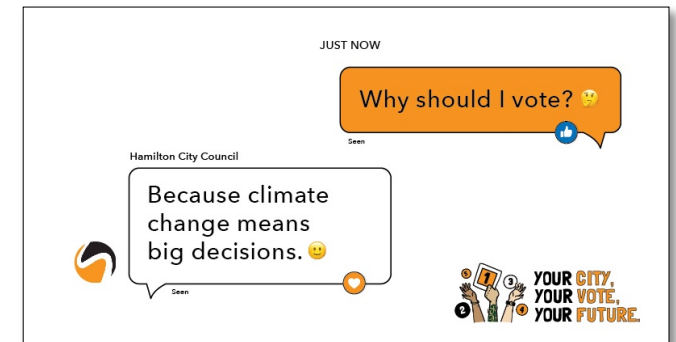
- 2019 Quality of Life Survey – elections questions
- Media Habits Survey
- 2019 Election Evaluation
- Council's digital channel insights
- Elections Services Data

2019 Quality of Life Survey identified the top reason respondents didn't vote - they didn't know enough about the candidates/election.

Comms strategy

Give people a reason to care

- Showcase what Council does and how it affects the community
- Highlight key issues facing our city and how voting influences them
- Directional comms on how to vote
- Posts in te reo Maaori



Comms strategy

- Punchy and direct comms on billboards and social
- STV education – how to & reminder

HOW TO MAKE SURE YOUR VOTE COUNTS:

- 1 Rank the candidates using numbers.
- 2 Don't skip a number.
- 3 Don't use the same number twice.

Find out more about using STV:
yourcityelections.co.nz

Hamilton City Council
Te Kaunihera o Kirikiriroa

VOTE

LIKE YOUR FUTURE DEPENDS ON IT.

yourcityelections.co.nz

YOUR CITY. YOUR VOTE. YOUR FUTURE.

VOTING WITH STV

is as easy as 1,2,3!

yourcityelections.co.nz

YOUR CITY. YOUR VOTE. YOUR FUTURE.

POOTIHIA TE TANGATA

tahi, rua, toru, whaa!

Whaanau, we're using STV this year to vote, so rank the candidates on your voting papers.

KO TOO TAAONE.
KO TOO POOTI.
KO TOO AARPOOPOO.

Communication tactics

- Social media (Facebook, Instagram, Youtube)
- Digital media (google ads, display)
- Media stories
- Phantom billstickers
- Posters and digital collateral shared with partner orgs
- Digital billboards
- Print ads in all local newspapers
- HamPress false cover ad
- Radio ads
- STV voting practice activities at facilities
- Internal advertising to staff – Moorena Mail, digital screens
- Your Neighbourhood events
- University advertising – student magazine + O Week packs
- Influencers including James McOnie, Angus Tarrant
- Ad in rates letters
- Stakeholder emails
- Bus shelter ads
- Shopping centre ads
- Drive-thru voting and roadside sign flipping

Results

Objective	Result
Increase awareness of the elections	Awareness in 2019 = 81% Awareness in 2022 = 88%
Increase correctly enrolled voters	+6.8% increase on 2019
250,000 impressions on campaign	896,000 impressions
3.5% invalid voting papers	3.68% invalid (matches other Council's first STV election)
15% increase in candidates	12.2% increase
7 Maaori ward candidates	6
Informed candidates – 4000 sessions of stand pages	4,307 sessions
Average time on candidates page 1.30min	Average 0.30min – impacted by lack of candidate response
Voter turnout above national average	National average = 36% Hamilton turnout = 28.4%

Insights

- Highly effective and recognisable campaign brand
- STV campaign was compelling and widely understood
- Orchestrating a social competition with Palmerston North City Council was great additional coverage and engaging for youth
- Drive-thru voting was popular
- While voter turnout was lower than expected, of those who didn't vote 43% had intended to – nearly double compared to 2019.
- We received praise from candidates, other local governments, community, and ElectionNZ for our campaign cut-through and creativity.

Engagement methods – C&SD team

- promoting local elections at community meetings and relevant events across the city
- speaking on local radio
- organising and delivering voter education sessions in the community, these sessions covered STV and how, where, when and why to vote
- working in partnership with a number of community organisations to help organise and host meet the candidate events
- supporting community groups to promote the election through their own social media channels and in-person with their members, residents and networks

Utilising existing relationships – C&SD team

We drew on our existing relationships with diverse stakeholders. The engagement methods on the previous slide were used with the following organisations to increase voter turnout:

- **Rangatahi** – SEED Waikato, YWCA, YMCA, HTwn Youth Connect, Secondary Schools, University of Waikato, Wintec
- **Older people** – Selwyn Centre, 60+ Continuing Education, the Age Friendly Group, the Cossie Club
- **Maaori** – Taurikura NZ, Tainui Live, Kirikiriroa Marae, Te Rūnanga o Kirikiriroa, Fairfield Enderley Resilience Network, Te Papanui Enderley Community Trust, Glenview Community Centre
- **Pacific communities** – K’aute Pasifika
- **Ethnic, migrant, and former refugee communities** – Hamilton Multicultural Services Trust, Shama Ethnic Women’s Trust, The Refugee Orientation Centre Trust
- **People with access needs or disabilities** – The Disability Forum, several online Deaf community groups, Blind Low Vision NZ
- **Rainbow/LGBTQTIA+ communities** – Rainbow Hub Waikato, Waikato Queer Women (beyond the binary), Hohou te Rongo Kahukura, Hamilton Pride

Ballot boxes and special voting – C&SD team

We organised community voting sessions with ballot boxes and special voting forms at the following locations:

- **Blind Low Vision NZ**
- **Glenview Community Centre**
- **Kirikiroa Marae**
- **Pukete Neighbourhood House**
- **Shama Ethnic Women's Trust**
- **Te Papanui Enderley Community Centre**
- **the Refugee Orientation Centre**
- **Western Community Centre**

We had the support of Governance staff at most of these locations. We worked closely with Governance to support and extend community outreach, in addition to the locations that they had lined up.

Community feedback – C&SD team

A highlight for the Community and Social Development team in the local election was working on candidate events and voting days with communities where this type of engagement hasn't happened in previous elections.

Community feedback received after these some of these events included:

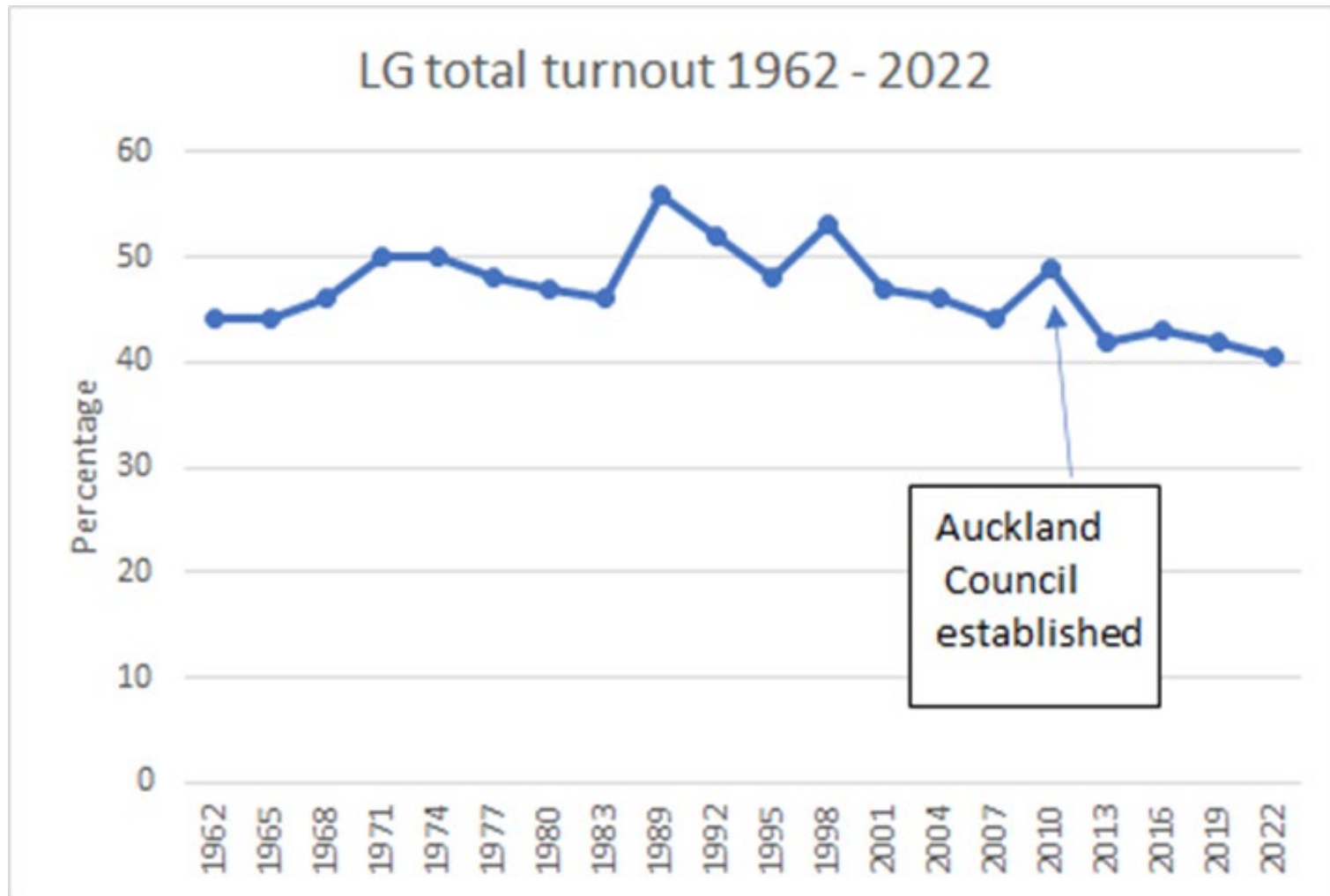
- “This event was really good for our members, it’s made them feel seen and heard, it’s made the election real.” (Cossie Club)
- “This is the first time that any candidate events have felt relevant to me.” (Rainbow community event at Nivara Lounge)
- “I wasn’t going to vote this year, but after so many candidates showed up to meet us, I will vote. I appreciate them making the effort to come down here.” (Blind Low Vision NZ)
- “I attended a candidates event for the first time this year, and after what I heard on stage, I’ve decided to stand for Council in 2025.” (Rainbow community event at Nivara Lounge)

Voter turnout Percentage - Metro

Metro Council	2010	2013	2016	2019 final	2019 prov	2022
Auckland	51.0	34.9	38.5	34.8	34.8	35.5
Christchurch City	52.2	42.9	38.3	41.8	41.1	43.31
Dunedin City	53.0	43.1	45.2	46.9	45.6	48.21
Hamilton City	37.8	38.3	33.6	39.4	38.8	29.4
Hutt City Council	40.4	36.6	37.8	42.8	42.1	40.24
Nelson City	52.2	52.2	52.1	53.4	51.8	51.14
Palmerston North City	43.2	38.7	39.1	37.9	37.3	31.78
Porirua City	39.1	36.6	38	41	40.1	37.30
Upper Hutt City	44.3	40.8	41	43.9	43.2	37.77
Wellington City	40.0	41.5	45.6	41.2	39.9	43.27
Average turnout	48.25	41.85	40.87	42.2	37.8	39.79

Voter Turnout Stats

- The average turnout for the metros was 39.79% in 2022 and nationally this was 45.58%
- From the table Dunedin, Hamilton, Palmerston North, Porirua and Wellington all used STV
- Councils that I am aware that moved to STV in 2022 were Far North, Hamilton, Gisborne with the following voter turnouts from FPP (2019) to STV (2022):
 - Far North 47.5% (2019) to 41.5% (2022)
 - Gisborne 50.1% (2019) to 43.4% (2022)
 - Hamilton 39.4% (2019) to 29.4% (2022)
- Palmerston North City has used STV for some time but dropped from 37.3% (2019) to 31.78% (2022)
- New Plymouth moved from FPP to STV in 2019. For the 2016 election (FPP) turnout was 47.8%. For the 2019 election (STV) turnout was 45.3% and for the 2022 election (STV) turnout was much the same at 45.1%
- It may take several triennial elections for a new system (STV) to 'bed in' as evidenced by some TAs that have used STV for many years (Wellington, Dunedin)
- Turnout however ultimately depends on a number of factors – mayoral candidates standing, elector 'comfort' with council generally (performance), burning community 'issues'.
- A nationwide Horizon Research survey (<https://www.horizonpoll.co.nz/page/654/whats-behind-lo>) findings:
 - **31%** of non-voters saying they didn't vote because they didn't know anything about candidates
 - **26%** said they didn't know enough about policies, and
 - **22%** said they couldn't work out who to vote for.



Compliance – what is our approach?

- Temporary signs on private property
- We take a pragmatic approach
- Exercise discretion in terms of enforcement having regard to all circumstances
- Look at the nature and extent of the infringement; are there any material adverse environmental effects arising?
- Be mindful of the efficacy of a response



Temporary sign rules in the Operative District Plan (ODP)

PC 6 – Regulatory Efficiency and Effectiveness – involved changes to the temporary sign rules within the ODP:

- Max area per sign for Residential, Special Character, Future Urban And Community Facilities zone increased from 1.8m² to 3m²
- Max area per sign for Business 1-7, Central City, Industrial Ruakura Logistics, Ruakura Industrial Park And Knowledge, Open Space And Major Facilities zones increased from 3m² to 6m²

Additional changes to temporary sign rules would mean another plan change, requiring:

- 6-8 months to prepare and process
- Budget to undertake plan change (estimate - \$50,000)
 - Preparation
 - Consultation
 - Notification
 - Decision



Questions?
Paatai?

Comments?

Election Services

Level 2, 198 Federal Street, Auckland

PO Box 5135, Wellesley Street

Auckland 1141

Phone: 64 9 973 5212

Email: info@electionservices.co.nz

Report to the
Hamilton City Council
regarding the

2022 Triennial Elections

From the
Electoral Officer

7 March 2023



Table of Contents

Outline	2
Background.....	2
Narrative.....	2
Upcoming Issues.....	7
Summary and Conclusions	8
APPENDIX 1.....	9
APPENDIX 2.....	10
APPENDIX 3.....	13

Outline

The 2022 local government triennial elections occurred on Saturday 8 October 2022. The elections for Hamilton City Council and Waikato Regional Council were conducted satisfactorily and on time and met all legislative and practical requirements.

This report summaries the electoral process.

Background

Local government elections are required every three years, with the 2022 election occurring on Saturday 8 October 2022. The conduct of these elections is prescribed by legislation and regulation to ensure public confidence and electoral integrity are maintained.

The following preliminary actions/decisions were made:

- (i) in 2020, Council resolved to change the electoral system for the 2022 and 2025 triennial elections from FPP (first past the post) to STV (single transferable vote). The FPP electoral system was retained for the Waikato Regional Council's triennial election;
- (ii) in 2020, Council resolved to establish one or more Maaori wards for the 2022 and 2025 triennial elections;
- (iii) during 2021, Council undertook a representation arrangements review (a review of wards, boundaries, number of councillors etc). The final proposal comprised the mayor, six councillors from the East General Ward, six councillors from the West General Ward and two councillors from the Kirikiriroa Maaori Ward;
- (iv) postal voting to be used;
- (v) the random order of candidate names to be used for Hamilton City Council and Waikato Regional Council;
- (vi) no election was required for the Waikato District Health Board.

The electoral officer appointed for Hamilton City Council is Dale Ofoske of Election Services, and Amy Viggers, Council's Governance Lead was appointed Deputy Electoral Officer.

With the 2022 elections now complete, this report details the various electoral processes undertaken, together with election statistics for the information of Council.

Narrative

Elections Required

Elections were undertaken for:

Hamilton City Council

- mayor (elected at large)
- 14 councillors (elected from three wards)

Waikato Regional Council

- four members (elected from the Hamilton General Constituency); or
- one member (elected from the Ngā Hau e Whā Māori Constituency).

Election Timetable

Key election functions and dates were:

Nomination period

15 July – 12 August 2022

Inspection of Preliminary Electoral Roll

15 July – 12 August 2022

Delivery of voting mailers

16-21 September 2022

Special voting/early processing

16 September – 8 October 2022

Election day

8 October 2022

Preliminary count

8 October 2022

Official count

9-14 October 2022

Return of Electoral Donations & Expenses Form

by 9 December 2022

Electoral Roll

The electoral roll comprises two parts, the Residential Electoral Roll and the Ratepayer Electoral Roll.

The Residential Electoral Roll contains parliamentary electors, whose details are supplied by the Electoral Commission.

Each territorial authority is responsible for compiling its own non-resident Ratepayer Electoral Roll.

To compile the Ratepayer Electoral Roll, two actions are required:

- (i) a nationwide advertising campaign on the criteria of ratepayer elector qualifications and enrolment procedures; and
- (ii) the issuing of Ratepayer Confirmation Forms to all eligible 2019 Ratepayer Electoral Roll electors, and if returned, these along with any new enrolments, form the basis of the 2022 Ratepayer Electoral Roll.

A national advertising campaign was undertaken by Taituarā during May 2022 advising readers in all major daily newspapers of the criteria and qualifications required to be eligible for the Ratepayer Electoral Roll. A 0800 free-phone service was again used as a national helpline.

In April 2022, 201 Ratepayer Roll Confirmation Forms were issued to eligible 2019 Ratepayer Electoral Roll electors. A total of 149 non-resident ratepayer electors appeared on the 2022 Final Ratepayer Electoral Roll.

Preliminary and Final Electoral Rolls

The Preliminary and Final Electoral Rolls were contained in two books (A-L, M-Z) and ordered alphabetically (by surname and first name), with a flag denoting the ward and regional council constituency voting entitlements.

The Preliminary Electoral Roll was available for public inspection during normal office hours between 15 July 2022 and 12 August 2022 from:

- Elections Office, Municipal Building, Garden Place, Hamilton;
- Central, Chartwell, Dinsdale, Glenview, Hillcrest and St Andrews Libraries;
- Registrar of Electors Office, 534 Anglesea Street, Hamilton;
- Citizens Advice Bureau, 55 Victoria Street and 70 Kent Street, Hamilton;
- Kirikiriroa Marae, 180 Dey Street, Hamilton.

Statistics relating to the Final Electoral Roll are as follows:

Ward	Final Roll		
	No. Residents	No. Ratepayers	Total
East General	52,197	72	52,269
West General	44,591	76	44,667
Kirikiriroa Maaori	13,246	1	13,247
TOTAL	110,034	149	110,183

The total number of electors of 110,183 is an increase of 7,469 to the 2019 Final Electoral Roll of 102,714 electors (or +7.3%).

Nominations

The nomination period was 15 July to noon 12 August 2022.

Nomination material was available during this time by:

- visiting Council's Elections Office, Municipal Building, Garden Place, Hamilton;
- downloading the material from the Council's website;
- phoning the electoral office to have the material posted out.

A detailed '2022 Candidate Information Handbook' was prepared and made available online to all candidates and any

interested party (e.g. media). The handbook contained relevant information about the electoral process to potential candidates.

A total of 51 nominations were received for the 15 Council vacancies, these detailed as follows:

Issue	No. Nominations	No. Vacancies
Mayor	8	1
East General Ward Councillors	20	6
West General Ward Councillors	17	6
Kirikiroa Māori Ward Councillors	6	2
Total	51	15

For candidate names, refer Notice of Day of Election – **Appendix 2**.

The 51 nominations received for mayor and council vacancies is up from the 47 nominations received at the 2019 election (for 13 vacancies).

Voting Mailers

Voting mailers consisting of an outward envelope, return prepaid envelope, voting document, candidate profile booklet (which included instructions in English and Māori) and an explanatory insert on the STV and FPP electoral systems were posted to electors from Friday 16 September 2022.

The voting mailers were produced by the NZ Post Group and were consistent in design layout to all other local authorities in the country.

Return of Voting Documents

Voting documents were also able to be delivered to a ballot box at the following locations:

- Council's Elections Office, Municipal Building, Garden Place, Hamilton;
- Central, Chartwell, Dinsdale, Glenview, Hillcrest and St Andrews Libraries;
- Hamilton City Council's 'drive-through' locations (on the last day of voting).

Special Voting

Special votes were available from 16 September 2022 to noon 8 October 2022 by:

- (i) visiting the Council's Elections Office and libraries;
- (ii) phoning the electoral office.

864 special votes were returned prior to the close of voting, of which 543 (62.85%) were valid. This compares to 934 special votes returned in 2019 (-8%), where 618 (66.17%) were valid.

Elector Turnout

Of the 110,183 electors on the Final Electoral Roll, 32,357 electors returned their vote. This represents a disappointing 29.4% return and compares to a return of 40,497 electors or 39.43% at the 2019 election (or -10%).

A schedule of the number of daily returned voting documents over the voting period is attached (**Appendix 1**).

The lower than expected elector turnout could be attributed to a number of factors (e.g. electoral changes [either to the electoral system and/or the establishment of Maaori representation]) or that electors saw voting at local government elections as a lower priority.

Of note, the 2022 average nationwide voter turnout is 45.58% (compared to 41.7% for the 2019 election) and an average 39.79% voter turnout from the 10 metro councils (Auckland, Hamilton, Wellington etc).

Results

With the undertaking of the early processing of returned voting documents during the voting period, progress results were able to be released on election day at around 2pm. Progress results reflected about 88% of votes cast and did not include votes received at Council offices on election day morning or special votes received.

The preliminary results were released about 10.30am Sunday following the receipt and processing of a significant number of votes received at the Council offices on election day morning. The preliminary result reflected about 98% of votes cast. These statistics show about 10% of all votes cast were received on election day morning.

Both the progress and preliminary results were released to candidates and placed on Council's website.

The final results (Declaration of Results of Election – see **Appendix 3**) were made on Friday 14 October 2022 and were also released to candidates and placed on Council's website.

Election Costs

The 2022 estimated election cost was \$575,000 + GST (or for 110,000 electors, \$5.23 + GST per elector), subject to actual third-party costs.

The 2022 final election cost has now been determined at \$590,501 + GST (or for 110,183 electors, \$5.36 + GST per elector).

Of the \$590,501 + GST final cost, Council is able to recover \$173,870 + GST (29.44%) from the Waikato Regional Council.

This leaves a net cost to Council for their election of \$416,631 + GST (70.56% of the total), or \$3.78 + GST per elector.

The cost share between organizations is determined by the nationally provided Taituarā MOU Cost Sharing Calculator.

Upcoming Issues

Inquiry into the 2022 elections

Parliament's Justice Committee is currently undertaking an inquiry into the conduct of the 2022 local government elections. Submissions closed on 14 February 2023.

The committee is examining the law and administrative procedures, with particular reference to:

- low voter turnout
- the provision of election services by private organisations, with particular reference to:
 - special voting
 - provision of ballot papers
 - complaint processes
 - accountability for local elections
 - postal voting (including security of ballots and whether postal voting is an effective method of receiving votes)
- the age of eligible voters (with reference to lowering the age of eligible voters to 16 years).

Electoral System Review

Under the Local Electoral Act 2001, a local authority may resolve, before 12 September 2023, to change the electoral system used at the last election, unless a poll on the matter was recently held. Although Council resolved in 2020 to adopt the STV (single transferable voting) electoral system, it is able to make a further resolution if it so wishes by 12 September 2023.

However, a public notice must still be given by 19 September 2023 advising of the electoral system to be used for the

2025 triennial election and providing the right of electors to demand a poll on it.

Maaori Representation Review

As Council resolved in 2020 to established one or more Maaori wards for the 2022 and 2025 triennial elections, no further action on this is required in 2023.

Representation Arrangements Review

The Local Electoral Act 2001 requires every local authority to undertake a representation arrangements review at least once in every six-year period. As Council last undertook such a review in 2021 (for the 2022 triennial elections), it is not required to conduct a review until 2027, but it can undertake a further review after three-years (2024) if required (for example if Council wishes to review its wards, boundaries, number of elected members or establish community boards).

Summary and Conclusions

The Hamilton City Council's 2022 triennial elections were conducted successfully and met all legislative and practical requirements. No issues or concerns of significance arose from these elections and all tasks were completed satisfactorily and on time.

There are however several electoral issues Council may wish to consider during 2023/24:

- (i) Council **is able to** (optional) re-consider the electoral system for the 2025 triennial elections – by 12 September 2023 but **must** place public notice of the electoral system to be used for the 2025 triennial election and the right of electors to demand a poll – by 19 September 2023;
- (ii) Council **may** (optional) undertake a representation arrangements review in 2024, if it wishes to review its current arrangements.



Dale Ofoske
Electoral Officer // Hamilton City Council
Election Services

APPENDIX 1

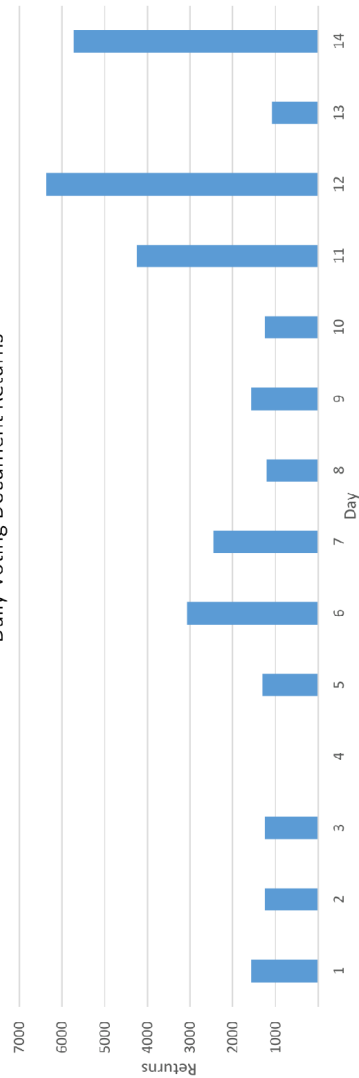


VOTING DOCUMENT RETURNS - 2022 ELECTIONS

Election Day
Including Special
Votes

WARD/ELECTORS	21-Sep	22-Sep	23-Sep	25-Sep	26-Sep	27-Sep	28-Sep	29-Sep	30-Sep	3-Oct	4-Oct	5-Oct	6-Oct	7-Oct	8-Oct
EAST GENERAL	875	650	550	0	0	725	1675	1375	950	775	825	2050	3625	450	2856
52269	875	1525	2075	2075	2075	2800	4475	5850	6400	7175	8000	10050	13675	14125	16981
	1.7%	2.9%	4.0%	4.0%	4.0%	5.4%	8.6%	11.2%	12.2%	13.7%	15.3%	19.2%	26.2%	27.0%	32.5%
KIRIKIRIROA MAAORI	75	75	125	0	0	125	200	125	75	75	25	200	350	75	426
13247	75	150	275	275	275	400	600	725	800	875	900	1100	1450	1525	1951
	0.6%	1.1%	2.1%	2.1%	2.1%	3.0%	4.5%	5.5%	6.0%	6.6%	6.8%	8.3%	10.9%	11.5%	14.7%
WEST GENERAL	625	525	575	0	0	450	1200	950	575	725	400	2000	2400	550	2450
44667	625	1150	1725	1725	1725	2175	3375	4325	4900	5625	6025	8025	10425	10975	13425
	1.4%	2.6%	3.9%	3.9%	3.9%	4.9%	7.6%	9.7%	11.0%	12.6%	13.5%	18.0%	23.3%	24.6%	30.1%
TOTAL	1575	1250	1250	0	0	1300	3075	2450	1200	1575	1250	4250	6375	1075	5732
110183	1575	2825	4075	4075	4075	5375	8450	10900	12100	13675	14925	19175	25550	26625	32357
	1.4%	2.6%	3.7%	3.7%	3.7%	4.9%	7.7%	9.9%	11.0%	12.4%	13.5%	17.4%	23.2%	24.2%	29.4%
DAILY %	1.4%	1.1%	1.1%	0.0%	0.0%	1.2%	2.8%	2.2%	1.1%	1.1%	1.1%	3.9%	5.8%	1.0%	5.2%
2019 Returns	2.9%	4.8%	6.6%	8.8%	8.8%	12.5%	14.8%	16.6%	18.6%	21.1%	25.3%	30.9%	32.3%	33.1%	39.4%
2016 Returns	3.2%	4.6%	6.3%	7.6%	7.6%	11.1%	12.7%	14.2%	15.4%	16.8%	20.9%	24.0%	28.1%	30.0%	33.6%

HAMILTON CITY COUNCIL 2022 ELECTION
Daily Voting Document Returns



APPENDIX 2



NOTICE OF DAY OF ELECTION FOR THE 2022 ELECTIONS OF HAMILTON CITY COUNCIL

Nominations received

Notice is given under section 65 of the Local Electoral Act 2001 that the following persons have been duly nominated as candidates for:

Mayor (one vacancy)

Last Name	First Name	Affiliation
BLOOR	Lee	Independent
COLEMAN	Lachlan	Independent
GIELEN	Jack	The Peoples Voice
HENDERSON	Horiana	Independent
MANARANGI	Riki	
POKERE-PHILLIPS	Donna	The NZ Outdoors & Freedom Party
SOUTHGATE	Paula	Independent
TAYLOR	Geoff	

COUNCIL

East General Ward (six vacancies)

Last Name	First Name	Affiliation
BYDDER	Andrew	Team Integrity
CASEY-COX	Anna	
DONOVAN	Mark	
GIELEN	Jack	The Peoples Voice
HAMILTON	Ryan	
HENDERSON	Horiana	Independent
HONA	Jess	
HOPA	Amy-Leigh	
HUMPHREYS	Peter	
JONASSEN	Jason	
KNAAP	Russelle Sonya	Team Integrity
MACLEOD	Ross	
MANARANGI	Riki	
MUDFORD	Raymond	Team Integrity
NAIDOO-RAUF	Kesh	
NAND	Jenny	Independent
STOKES	Jacqui	
TAIT	Jake	
TEMONI-SYME	Tania	Independent
VAN OOSTEN	Maxine	

West General Ward (six vacancies)

Last Name	First Name	Affiliation
BOYD	Dave	Independent



DU PLOOY	Rudi	Team Integrity
GONZALEZ	Jose	Independent
HUTT	Louise	
JOSHI	Sanjay	
NARESH	Dhirendra Kumar	
O'LEARY	Angela	Independent
PIKE	Emma	Independent
RALM	Shanti	Independent
SMALL	Matthew	Independent
SMITH	Melissa	
STEER	Dan	
STRATFORD	Roger	
TAYLOR	Geoff	
THOMSON	Sarah	Independent
WEST	Michael	
WILSON	Ewan	Independent

Kirikiriroa Maaori Ward (two vacancies)

Last Name	First Name	Affiliation
HUAKI	Melaina	
KAUAE TE TOKI	Maatai Ariki	
POKERE-PHILLIPS	Donna	The NZ Outdoors & Freedom Party
RATANA	James	Independent
TAUARIKI	Moko	
THOMPSON	Te Pora	

As there are (for each office) more candidates than there are vacancies to be filled, an election will be held between the listed candidates on Saturday, 8 October 2022, under the single transferable voting electoral system by postal vote.

Order of candidate names

The Hamilton City Council has resolved under regulation 31 of the Local Electoral Regulations 2001 to adopt the random order of candidate names to appear on the voting documents.

Issuing of voting documents

Voting documents will be posted to electors from Friday, 16 September 2022.



Return of voting documents

Voting documents must be returned not later than noon, Saturday, 8 October 2022 to the electoral officer.

Voting documents can be returned by post or hand delivered at the following council offices between Friday, 16 September 2022 and Friday, 7 October 2022 during normal office hours, and Saturday, 8 October 2022 between 9.00am – noon:

- the Elections Office, Municipal Building, Garden Place, Hamilton
- Central, Chartwell, Dinsdale, Glenview, Hillcrest and St Andrews libraries
- the Anglesea Street council entrance drive-through voting drop-off (Saturday, 8 October 2022 between 9.00am – noon only)

Special voting

Special voting in terms of the Local Electoral Act 2001 and the Local Electoral Regulations 2001 may be exercised at the above council offices and times.

A person can apply to enrol as either a residential or ratepayer elector right up to and including Friday, 7 October 2022 – the day before the close of voting.


Dale Ofoske, Electoral Officer

Hamilton City Council

Garden Place, Hamilton

17 August 2022

APPENDIX 3



Hamilton City Council
Te Kaitiaki o Kaitiaki

DECLARATION OF RESULTS OF ELECTION for the Hamilton City Council 2022 elections

Mayor (one vacancy)

SOUTHGATE, Paula (Independent)	Elected
TAYLOR, Geoff	Excluded
HENDERSON, Horiana (Independent)	Excluded
POKERE-PHILLIPS, Donna (The NZ Outdoors & Freedom Party)	Excluded
COLEMAN, Lachlan (Independent)	Excluded
MANARANGI, Riki	Excluded
GIELEN, Jack (The Peoples Voice)	Excluded
BLOOR, Lee (Independent)	Excluded

Informal votes received: 217
Blank votes received: 413

I therefore declare Paula SOUTHGATE to be elected. The final quota as determined at the last iteration was 14962.

COUNCIL

East General Ward (six vacancies)

HAMILTON, Ryan	Elected
CASEY-COX, Anna	Elected
VAN OOSTEN, Maxine	Elected
DONOVAN, Mark	Elected
NAIDOO-RAUF, Kesh	Elected
BYDDER, Andrew (Team Integrity)	Elected
HUMPHREYS, Peter	Excluded
NAND, Jenny (Independent)	Excluded
HENDERSON, Horiana (Independent)	Excluded
MUDFORD, Raymond (Team Integrity)	Excluded
JONASSEN, Jason	Excluded
MANARANGI, Riki	Excluded
MACLEOD, Ross	Excluded
GIELEN, Jack (The Peoples Voice)	Excluded
KNAAP, Russelle Sonya (Team Integrity)	Excluded
TAIT, Jake	Excluded
STOKES, Jacqui	Excluded
HOPA, Amy-Leigh	Excluded
TEMONI-SYME, Tania (Independent)	Excluded

Informal votes received: 754
Blank votes received: 290

I therefore declare Andrew BYDDER, Anna CASEY-COX, Mark DONOVAN, Ryan HAMILTON, Ryan, Kesh NAIDOO-RAUF and Maxine VAN OOSTEN to be elected. The final quota as determined at the last iteration was 2133.160319258.

West General Ward (six vacancies)

TAYLOR, Geoff	Elected
O'LEARY Angela (Independent)	Elected
WILSON, Ewan (Independent)	Elected
THOMSON, Sarah (Independent)	Elected
PIKE, Emma (Independent)	Elected
HUTT, Louise	Elected
WEST, Michael	Excluded
BOYD, Dave (Independent)	Excluded
GONZALEZ, Jose (Independent)	Excluded
SMALL, Matthew (Independent)	Excluded
DU PLOOY, Rudi (Team Integrity)	Excluded
JOSHI, Sanjay	Excluded
STEER, Dan	Excluded
SMITH, Melissa	Excluded
NARESH, Dharendra Kumar	Excluded
RALM, Shanti (Independent)	Excluded
STRATFORD, Roger	Excluded

Informal votes received: 405
Blank votes received: 166

I therefore declare Louise HUTT, Angela O'LEARY, Emma PIKE, Geoff TAYLOR, Sarah THOMSON and Ewan WILSON to be elected. The final quota as determined at the last iteration was 1668.163129796.


Kirikiriroa Māori Ward (two vacancies)

TAUARIKI, Moko	Elected
HUAKI, Melaina	Elected
POKERE-PHILLIPS, Donna (The NZ Outdoors & Freedom Party)	Excluded
THOMPSON, Te Pora	Excluded
RATANA, James (Independent)	Excluded
KAUAU TE TOKI, Maatai Ariki	Excluded

Informal votes received: 31
Blank votes received: 73

I therefore declare Melaina HUAKI and Moko TAUARIKI to be elected. The final quota as determined at the last iteration was 561.205387259.

Full details of the official results of the election are available on request from the Electoral Officer.




Dated at Hamilton, 14 October 2022
Dale Ofoske, Electoral Officer
Hamilton City Council
Garden Place, Hamilton

Phone 0800 922 822

Background and Purpose

- In the 2019-2022 triennium, Elected Members requested that staff review the current financial delegations as it was perceived that a large volume of matters being brought to Council for approval were low value and/or low risk.
- Delegations from Council to the CE and staff are an essential element of effective governance.
- The overarching principle behind delegation is to shift decision-making to those levels of the organisation best suited to address particular topics.
- Elected Members retain control of Council spending through budget setting in the Long Term and Annual Plan processes and other key decisions under the committee delegations.

This briefing will provide an opportunity for Elected Members to:

- consider the proposed changes to the Delegations to Positions policy, with a specific focus on financial delegations; and
- Provide feedback ahead of a report to the 4 April 2023 Council meeting seeking approval of the changes

What direction/feedback is needed from Members?

Staff need direction on:

- Elected Members' views regarding the proposed amendments to the Delegations to Positions policy
- whether there are any other options Elected Members would like to be covered in the report.

Proposed Changes and discussion on alternative approaches

The following key changes are proposed to the financial delegations:

- Increasing and simplifying the Chief Executive's financial delegations, from \$3 million to \$5 million
- Removing the separate limit of \$250,000 relating to contracts that have not been openly tendered
- Removing the requirement for Council to approve contracts with a term over five years



Questions and discussion

Council Report

Committee: Council

Date: 4 April 2023

Author: Anna Hildyard

Authoriser: David Bryant

Position: Legal Services Lead

Position: General Manager People and Organisational Performance

Report Name: Delegations to Positions Policy update

Report Status	<i>Open</i>
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Purpose - *Take*

1. To inform the Council of the proposed update to the *Delegations to Positions Policy*.
2. To seek the Council's approval of the updated *Delegations to Positions Policy*.

Staff Recommendation - *Tuutohu-aa-kaimahi*

3. That the Council:
 - a) receives the report;
 - b) approves the proposed changes to the *Delegations to Positions Policy* (**Attachment 1** – clean copy; **Attachment 2** – tracked changes).

Executive Summary - *Whakaraapopototanga matua*

4. Part of the Council's strategic and governance role is to ensure that its responsibilities, duties and powers are carried out at the most effective and efficient levels.
5. The Delegations to Positions Policy supports effective governance by authorising the Chief Executive and designated staff to be responsible for carrying out tasks or functions on behalf of Council. With such a policy in place, Council (as a governance body) and the Chief Executive can be clear about their powers and responsibilities, and any exclusions or limitations that apply. Council retains ultimate accountability for the decisions and actions made by the Chief Executive or designated officers under the Delegations to Positions Policy.
6. In the 2019-22 triennium, elected members requested that staff consider whether amendments to the financial delegations would be appropriate to ensure that decision making sits at the most effective and efficient level to avoid administrative delays and inefficiencies that might otherwise occur as a result of referring matters that were perceived to be lower risk and/or value to Council for consideration and approval.
7. Staff have carried out a comprehensive review of the financial delegations. As a result of that review, staff recommend a simplification of the current financial delegations by replacing the detailed expenditure types with a general financial delegation for the Chief Executive to exercise, subject to certain limits, conditions and reporting requirements, including an increase to the Chief Executive's delegated financial limit from \$3,000,000

to \$5,000,000, to ensure that Council is dedicating its resources to considering transactions and expenditure at a higher magnitude of risk.

8. Further, on 17 November 2022, Council approved a new Governance Structure for the 2022-25 triennium, setting out the committees with their respective terms of reference and delegations. As a result, the Delegations to Positions Policy needs to be reviewed and updated to reflect the 2022-25 Governance Structure.
9. Additional changes are proposed to ensure there is alignment with the approved 2022-25 Governance Structure, and to provide clarity and update or remove outdated references.
10. Staff recommend **option one** – approve the proposed changes to the Policy – as detailed in paragraph 39 below.
11. Staff consider the decisions in this report have medium significance and that the recommendations comply with Council’s legal requirements.

Background - *Koorero whaimaarama*

12. In the 2019-22 triennium, elected members requested that staff consider whether the financial delegations were set at an appropriate level to enable effective and efficient decision-making. It had been noted by elected members that significant numbers of low risk and/or low value matters were presented to them for consideration as a result of the current policy’s wording.
13. At a Council meeting on 10 June 2021, when considering amendments to the policy, it was reported that staff were beginning to look at how the financial delegations function across Council, from a first principles basis, to ensure that Council’s financial delegations are set at levels that enable efficient and effective decision-making for the years ahead, with any proposed changes to be reported to a future Council meeting.
14. Further, the current Delegations to Positions Policy was approved by the previous Council and reflects the Governance Structure for the 2019-22 triennium. At its meeting on 17 November 2022, Council approved a new Governance Structure for the 2022-25 triennium, setting out the committees with their respective terms of reference and delegations. It was noted by Council that the Delegations to Positions Policy would be reviewed and updated to reflect the 2022-25 Governance Structure and presented to a future Council meeting for consideration.
15. It is the Council’s responsibility to maintain oversight of its delegations and their effectiveness in practice. The Council can amend or revoke any delegation at any time.

Discussion - *Matapaki*

16. Staff have reviewed the Delegations to Positions Policy to:
 - a. ensure there is alignment with the approved 2022-25 Governance Structure;
 - b. update language and format for clarity, and update or remove outdated references; and
 - c. amend the financial delegations to ensure that decision making sits at the most effective and efficient level.

Proposed changes to Chief Executive’s financial delegations

17. In carrying out the assessment of the current financial delegations, staff reviewed Council’s current policy and compared it with other councils’ delegation policies (focussing, in particular, on councils of a similar size and with a similar work programme to Council). Staff have assessed that there are three limits in Council’s financial

delegations that are currently impacting effective and efficient decision making and that appear to be more restrictive than those of other similar councils:

- the financial limits of the Chief Executive's delegated authority, with the Chief Executive currently having authority to incur expenditure and sign contracts up to \$3 million;
 - the delegated authority limit for contracts that have not been openly tendered being set at \$250,000, subject to certain exceptions; and
 - the restriction that Council or the relevant Committee must approve any contract with a term (including renewals) exceeding five years.
18. Staff draw elected members' attention to the Office of the Auditor General's article on local government procurement¹, in which the Auditor General notes that "*Delegations need to be flexible enough for councils to deliver day-to-day services and not be unnecessarily constrained by schedules for council meetings. However, it is entirely appropriate for major procurements to require sign-off by the governing body*". Staff have endeavoured to reflect this guidance in all of the recommendations in this paper.
19. The changes proposed to the Financial Delegations are summarised below, and are marked up in **Attachment 2** as tracked changes (with **Attachment 1** constituting a clean copy for approval). Staff consider that these recommendations will ensure that decision making sits at the most effective and efficient level and will avoid unnecessary administrative delays and inefficiencies that otherwise occur as a result of referring lower risk or value matters to Council. This would enable the best use of elected members' abilities and allow Council to concentrate on its policy making role and decisions of the greatest magnitude of risk.

Staff recommend an increase to the overall financial limit of the Chief Executive's delegated authority

20. Staff recommend that the financial delegations be amended to increase the overall financial limit of the Chief Executive's delegated authority from \$3,000,000 to \$5,000,000. Noting that the existing financial limits have not been amended since 2016, staff have given thorough consideration to the most appropriate financial limit in light of future requirements and the economic effects of inflation and consider that the proposed limit would better align with the scale of capital projects expected to be progressed and will enable effective and efficient financial management of Council's activities. To put this into context, the following table demonstrates the increase in both capital and operating expenditure from 2016 to 2022, and the percentage of total spend that the proposed financial limit would represent:

Annual Report	2016	2022	Increase	Increase
	000's	000's	000's	%
Total Capital Spend	\$ 68,972	\$ 252,205	\$ 183,233	266%
Total Opex Spend	\$ 232,296	\$ 462,914	\$ 230,618	99%
	\$ 301,268	\$ 715,119	\$ 413,851	137%
CE Delegated Authority	\$ 3,000	\$ 5,000		
%DFA to Total Spend	1.0%	0.7%		

¹ Refer to [OAG Local Government Procurement](#)

21. Staff note that Council's delegations of financial authority are based on a recognition of the overarching authority created by Council's Long Term Plan and Annual Plan, which sees elected members approve budgets for the relevant period. Therefore, staff consider that, notwithstanding this proposed increase, Council will maintain sufficient robust controls, including reporting requirements and the conditions that apply to the exercise of financial delegations, to ensure prudent stewardship in accordance with the requirements of the Local Government Act 2022.

Staff recommend a simplification of the financial delegations

22. Staff also recommend a simplification of the current financial delegations included in the Delegations to Positions Policy in order to provide administrative certainty and flexibility.
23. The Chief Executive's general delegations currently include an exclusion for: "*Any matter that is outside the Chief Executive's delegated financial authority*". Staff note that the matters set out in the financial delegations are not an exhaustive list of responsibilities, duties and powers that are necessary for the financial management of Council's day-to-day activities. By way of example, the financial delegations are currently silent on insurance-related matters and the ability to negotiate an insurance claim settlement with the insurer. This sort of ambiguity has resulted in staff being uncertain as to whether they have authority to commit Council to certain types of transactions.
24. Staff recommend replacing the existing table and expenditure types set out in the financial delegations with a general delegation that applies to the Chief Executive committing the Council to transactions involving capital or operating expenditure or revenue, with the conditions that continue to apply in relation to certain types of transactions remaining subject to certain minor amendments, together with other specific financial delegations.
25. To give effect to the general delegation proposed, staff also recommend that the exclusion be amended to: "*Any matter that is **above the limits of** the Chief Executive's delegated financial authority*".

Staff recommend the separate limit relating to contracts that have not been openly tendered be removed

26. Staff recommend that the current delegated authority limit of \$250,000 for the Chief Executive to approve contracts not going to open tender be removed.
27. Staff draw elected members' attention to the Office of the Auditor General's good practice guide *Procurement guidance for public entities*, which recognises that "*there will be circumstances in which an open request for tender or proposal will not be practicable or cost-effective, or may not produce the best procurement outcome*"².
28. The Auditor General's expectations are that "*for higher risk and higher value procurement, a public entity will normally use a competitive process (for example, a quote or tender). However, there are circumstances where a public entity will be justified in procuring from a selected supplier. Examples include where:*
 - *the goods or services require specialised skills or are very complex and there is a limited number of qualified suppliers;*
 - *the required goods or services are available from only one source;*

- *only one supplier has the capacity to deliver at the time required, and this can be adequately attested; or*
 - *standardisation or compatibility with existing equipment or services is necessary, and can be achieved through only one supplier.”³*
29. The Government Procurement Rules also include a number of exemptions from open advertising, in which case a closed competitive process or direct source process may be used: for example, in an emergency; if there is only one supplier and there is no reasonable alternative or substitute; or secondary procurement (from an established panel, or All-of-Government or syndicated contracts)⁴.
 30. Although the limit for contracts not going to tender is currently subject to certain exceptions (such as private developer agreements, appointments of utility service providers, and capital works contract awards prior to 1 July 2021), staff note that many of the circumstances referred to in the Auditor General’s guidance or the exemptions in the Government Procurement Rules have not been reflected as exceptions to this limit.
 31. Staff recommend that this limit be replaced by a procurement exemption process, to be set out in the Management Policy: *Procurement Policy and Procedures Manual*, for staff to follow in order to obtain dispensation from using an open competitive procurement process, which may be granted by the Chief Executive up to the level of the Chief Executive’s financial delegation. Staff also propose to further update the *Procurement Policy and Procedures Manual* to reflect the circumstances in which a direct appointment or closed competitive process may be granted dispensation, which would be based on the Auditor General’s guidance and the Government Procurement Rules exemptions.
 32. For greater clarity, staff wish to emphasise that it is recognised that the prudent use of ratepayers’ money means that an open competitive process should remain Council’s default procurement approach, in order to give suppliers a fair and equitable opportunity to participate. The purpose of this recommendation is to:
 - recognise that compelling reasons may exist for electing to use a closed or direct procurement approach; and
 - place the responsibility for determining whether those reasons justify a dispensation being granted with the Chief Executive up to the level of their delegated financial authority.
 33. This amendment would result in Council being requested to grant dispensation from an open competitive procurement process for contracts over \$5 million only, unless the Chief Executive refers the matter to Council or a Committee, for example, as a result of being significant, of political importance or sensitivity, or of special community interest, or if the Chief Executive considers that the risk level associated with the contract warrants Council’s consideration.
 34. Noting that this amendment is a significant departure from Council’s existing policy, staff have given this proposal thorough consideration, including confirming that this is consistent with policies adopted by other similar councils, and consider that this recommendation reflects decision-making at the most effective and efficient level. Staff consider that the proposed amendments to the *Procurement Policy and Procedures Manual* will represent a robust process.

³ Refer to section 4.10: [OAG Procurement Guidance](#)

⁴ Refer to Rule 14 for additional permitted exemptions: [Government Procurement Rules](#). The Government Procurement Rules are not mandatory for Council, but local government is encouraged to have regard to the rules as good practice guidance.

Staff recommend that the restriction preventing Officers approving contracts with a contract term over five years be removed

35. The financial delegations currently include the restriction that: “Contracts exceeding five years total term (including renewals) must be authorised by Council or the relevant Committee”. Staff note that this restriction results in a number of low risk/low value contracts being presented to Council for approval, as the duration of the contract does not necessarily have any bearing on the risk associated with the relevant contract.
36. By way of example, staff do not consider that a low value contract that has a term of seven years, and which includes a right for Council to terminate at its discretion, should necessitate Council’s attention purely because its term is two years longer than the five-year restriction.
37. Staff recommend the restriction relating to contract term be removed from the Delegations to Positions policy and be replaced with a prohibition, to be included in the Management Policy: *Procurement Policy and Procedures Manual*, on entering into “evergreen” contracts (i.e. of indefinite length) that do not contain a right for Council to terminate without cause.
38. Staff note that, even without this restriction, if staff do intend to enter into long-term contracts, the financial delegations will require staff to consider the aggregate of all amounts to be paid to the other party over the full term of the relevant contract, which means that those contracts are more likely to be presented to Council for consideration due to the likely cumulative value of the approved contract sum.

Options – Delegations to Positions Policy

39. Staff have assessed that there are three reasonable and viable options for Council to consider.

<p>Option One (recommended) Approve the proposed changes to the Policy</p>	<p>The proposed changes include:</p> <ol style="list-style-type: none"> i. Increasing the Chief Executive’s delegated financial limit ii. Simplification of the financial delegations iii. Removing the separate limit relating to contracts that have not been openly tendered iv. Removing the requirement for Council to approve contracts with a term over five years v. Other minor updates, including those required to reflect the 2022-25 Governance Structure
<p>Option Two Approve the proposed changes to the Policy, with amendments</p>	<p>As above, but with amendments as requested by Council.</p>
<p>Option Three Do not approve the proposed changes to the Policy</p>	<p>No changes would be made to the Policy.</p>

40. Staff recommend **option one** (Attachment 1 - clean copy; Attachment 2 - tracked changes) for the reasons set out in this report. The proposed changes are the result of

thorough staff consideration of the appropriate delegation of financial authority from Council.

41. If the revised Delegations to Positions Policy is approved, it is recommended that the new policy comes into effect today. The next step will be for the Chief Executive to proceed with consequential amendments to the Management Policies: *Financial Delegations to Officers* and *Procurement Policy and Procedures Manual* to reflect the changes noted within this report.

Financial Considerations - *Whaiwhakaaro Puutea*

42. Staff time was the only cost involved in reviewing the *Delegations to Positions Policy*.
43. There are no direct financial implications of adopting the recommendations in this report.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

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

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

45. The purpose of Local Government changed in 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the four wellbeings').
46. The recommendations set out in this report do not directly affect the four wellbeings. However, setting delegations at the appropriate level to enable effective and efficient decision making ensures that Council can act in the best interests of the community, keep people safe, and protect their immediate and future wellbeing. In this sense, the recommendations are consistent with the purpose of local government.

Risks - *Tuuraru*

47. The risk associated with any delegation of Council power is the reduced oversight Council has of the decision. However, delegation is well-understood to be an inevitable and necessary aspect of local government as it enables the efficient and effective administration of Council activities.
48. For every delegation, the risk involved is mitigated by:
 - i. requirements to report back to Council or relevant Committee when the delegation is exercised (as stipulated in the *Delegations to Positions Policy*);
 - ii. thorough consideration of the appropriate level of delegation by staff; and
 - iii. final approval of delegations by Council itself.

Significance & Engagement Policy - *Kaupapa here whakahira/anganui*

Significance

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 medium level of significance.

Engagement

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

Attachments - *Ngaa taapirihanga*

Attachment 1 - Draft Delegations to Positions Policy - Update April 2023 - clean copy

Attachment 2 - Draft Delegations to Positions Policy - Update April 2023 - tracked changes .

First adopted:	December 2013
Revision dates/version:	November 2015, November 2016, May 2019, February 2020, April 2020, June 2021, April 2023
Next review date:	
Document Number	D-3276620
Associated documents:	
Sponsor/Group:	Mayor of Hamilton / Chief Executive Officer

Delegations to Positions Policy

Purpose and scope

1. Part of Council's strategic and governance role is to ensure that its statutory responsibilities, duties and powers are carried out at the most effective and efficient levels. This Policy sets out the delegations from Council to specified elected members and officers.
2. Matters outside the scope of this Policy are:
 - a. Delegations from Council to Committees, which are specified in the Governance Structure; and
 - b. Delegations from the Chief Executive to subordinate officers through management policies or by way of a specific delegation.

Definitions

Term	Definition
Committee	A committee or subcommittee (if any) of Council, as listed in the Governance Structure
Delegated Financial Authority	The financial limit delegated to: <ol style="list-style-type: none"> a. the Chief Executive or a specified officer under this Policy; or b. an officer under the relevant management policy or a specific delegation from the Chief Executive; or c. the Chief Executive or a specified officer under a specific delegation from Council.
Governance Structure	The Council's approved Governance Structure document, including the terms of reference and delegations for Council and Committees, for the current triennium.
Officer	A Council staff member who is for the time being the holder of a specified office.

Principles

3. Where local authority activities do not contain a governance component and are not limited by statutory restrictions then they should be delegated to the Chief Executive, who may sub-delegate to officers.

4. To be effective and of legal standing, all delegations from Council must be precise and in writing (i.e. via this Policy or by Council resolution).
5. The delegate is acting in their own name on behalf of the Council when exercising delegated authority. In so doing, the delegate will ensure they act in accordance with any:
 - a. binding statutory authority (in relation to each delegation, relevant sections of legislation will be identified); and
 - b. relevant Council policy or process, including delegated financial authority and reporting requirements.
6. Council retains ultimate responsibility for its governance, statutory and financial responsibilities, duties and powers at all times. No delegation relieves Council of the liability or responsibility for the performance of the delegated responsibility, duty or power.
7. Those with responsibility for a delegated task or function should always have the authority to carry it out effectively.
8. Those with authority to perform a delegated responsibility, duty or power should always be responsible for the performance of the delegation in a full, fair and objective manner. To this end, it is open to the person delegated a responsibility, duty or power to consider whether or not to exercise that delegated responsibility, duty or power, or to refer the matter back to Council or the relevant Committee.
9. Subject to any legislative restrictions, a responsibility, duty or power delegated to an officer is also delegated to all officers in a direct line of authority above that officer and is also delegated to any officer who is in an acting capacity for that officer.
10. Any delegation made includes any ancillary responsibilities, duties or powers necessary to give effect to that delegation.
11. Unless specifically restricted by law or expressed to be for a defined period, a delegation continues in force until expressly revoked or varied by resolution of Council. A delegation will survive any change in the person occupying the office to which the delegation was made.
12. Unless otherwise expressly stated in the Policy:
 - a. all financial values stated in this Policy are GST exclusive; and
 - b. all references to a repealed enactment should read as a reference to its replacement.
13. Where any currently adopted delegation to Council staff refers to a position title and the name of the position title has subsequently changed without substantial changes being made to the position-holder's job description (in respect of the function to which the delegation relates), any delegations in the name of the previous position title are and shall be effective for the position-holder of the new position title.

Policy

The meaning of delegation

14. For the purpose of this Policy, delegation means the transfer of a responsibility, duty or power from Council to specified Elected Members, the Chief Executive or other specified officers, together with the authority to carry out that responsibility, duty or power or complete the action delegated.
15. General delegation means the granting of authority to determine a range of matters of a similar kind as and when they arise over a period of time without further reference to the delegator.
16. From time to time the Council may delegate authority by resolution to determine a specific issue. This specific delegation will exist only so long as that matter is unresolved and will then lapse at a specified time.

17. General delegations will be updated in this Policy as they are confirmed. Specific delegations may not necessarily be recorded in this Policy due to the fact that they would be largely historical by the time they are recorded.

Legal basis

18. The delegations in this Policy are made in accordance with the Local Government Act 2002 and any other legislation permitting delegation.
19. **Council cannot delegate** the power to:
- a. make a rate; or
 - b. make a bylaw; or
 - c. borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan or otherwise as expressly covered in this Policy; or
 - d. adopt a long-term plan, annual plan, or annual report; or
 - e. appoint a Chief Executive; or
 - f. 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 local governance statement; or
 - g. adopt a remuneration and employment policy.

(Local Government Act 2002 - Schedule 7, Clause 32(1))

Council has reserved other matters for its sole decision, which are recorded in the Governance Structure.

20. The **Chief Executive and other specified officers** can further delegate their delegations to any other officer, subject to certain restrictions.

(Local Government Act 2002 – Schedule 7, clause 32B)

Delegations by the Council to Elected Members

21. Delegations from Council to specified Elected Members are detailed in Schedule 1.

Delegations by the Council to Chief Executive and Specified Officers

22. Delegations from Council to the Chief Executive and specified officers (including Financial Delegations) are detailed in Schedule 2.
23. This Policy is to be read alongside the Hamilton City Council management policies that record the delegations from the Chief Executive to subordinate officers. The Policies, read together, record compliance with the statutory norm allowing only one sub-delegation. Although inherently linked to this Policy and governed by the same general principles, the management policies are separate documents, and the delegations in those management policies may be changed or updated at any time by the Chief Executive, as necessary.

Review of Policy

24. This Policy shall remain in effect until such time as it is varied or revoked by resolution of the Council. It is intended that this Policy will be reviewed and updated from time to time; at the start of each triennium as a minimum.

Schedule 1 - Delegations by the Council to Elected Members

Position	General Delegations
Mayor	<p>The Mayor is elected by Hamilton City as a whole and as one of the elected members shares the same responsibilities as other members of Council.</p> <p>Authorities</p> <ul style="list-style-type: none"> • Lead the development of Council's plans (including the long-term plan and the annual plan), policies and budgets for consideration by the Council.* • To appoint the Deputy Mayor.* • To establish committees of the Council.* • To appoint the chairperson of each committee.* • Act as a Justice of the Peace. • Requisition a meeting of Council. • Declare a local Civil Defence emergency. • Authority of a chairperson of a Council meeting under Standing Orders. • In relation to the Chief Executive's employment contract, has delegated authority to manage <u>routine</u> employment matters such as; approving leave provisions; deduction and overpayment arrangements; approving expenditure and travel reimbursement claims, but excluding changes to employment contract provisions. <p>*Note: Subject to the provisions of Section 41A of the Local Government Act 2002.</p>

Position	General Delegations
Deputy Mayor	<p>Authorities</p> <ul style="list-style-type: none"> • All the authorities of the Mayor when the Mayor is not available and including, in relation to the Chief Executive's employment contract, the delegated authority to manage <u>routine</u> employment matters such as; approving leave provisions; deduction and overpayment arrangements; approving expenditure and travel reimbursement claims, but excluding changes to employment contract provisions, and the Mayor's powers under section 41A(3) of the Local Government Act 2002.

Position	Signing and Sealing of Formal Documents
Elected Members	<p>Authorities</p> <ul style="list-style-type: none"> • The Mayor, Deputy Mayor, or any other two elected members acting at the specific request of the Mayor or Chief Executive, are authorised to sign any document required by law to be signed under seal, provided those documents have been: <ol style="list-style-type: none"> a) approved by the Council or a Committee (in accordance with its delegations); or b) authorised by an officer (including the Chief Executive) under delegated authority. <p>Note: Council has delegated the power to issue warrants under Council Seal to enforcement officers pursuant to Clause 32A, Schedule 7 of the Local Government Act 2002 to the Chief Executive, General Manager Community and General Manager Growth.</p>

Note: Where a document does not need to be executed under Council seal it may instead be signed by the Chief Executive or any other officer who is authorised under delegated authority, whether under this Policy or otherwise, to approve the transaction involved.

Schedule 2 - Delegations by the Council to the Chief Executive and Specified Officers

Position	General Delegations
Chief Executive Officer	<p>In accordance with clause 32(1) of Schedule 7 of the Local Government Act 2002, the Chief Executive is hereby delegated all Council's responsibilities, duties and powers to act on any matter, subject to the Exclusions, Conditions and Notes below.</p> <p>The Chief Executive may choose to delegate those responsibilities, duties and powers to Officers, unless delegation is specifically restricted by statute or the terms of the Chief Executive's delegation. Every delegation by the Chief Executive will be recorded in writing.</p> <p>To the extent that they are relevant, the following Exclusions, Conditions and Notes below also apply to the Financial Delegations section in this Schedule.</p> <p>Exclusions:</p> <ul style="list-style-type: none"> Any responsibilities, duties and powers that the Council is prohibited by legislation or operation of law from delegating to officers, including those set out in paragraph 19 of this Policy. Any responsibilities, duties and powers conferred on Council by an external entity that the entity has prohibited the Council from delegating to officers. Any matter that can only be given effect to by a resolution of the Council. Any responsibilities, duties and powers that have been delegated by Council to a Committee, unless sub-delegated to the Chief Executive by resolution of that Committee. Any matter that is above the limits of the Chief Executive's delegated financial authority (refer below). In relation to the Resource Management Act 1991 ('RMA'): <ul style="list-style-type: none"> Sub-delegation by the Chief Executive (section 34A(1)) Approval of a Proposed District Plan (section 34A(1)(a)) Notification of a Proposed District Plan Rejection of a private plan change request Hearing and determining objections to officer-declined resource consent applications (delegated to independent hearings commissioners). <p>Conditions:</p> <ul style="list-style-type: none"> The Council's delegations to the Chief Executive do not preclude the Chief Executive from referring any matter to the Council or a Committee for decision if the matter is particularly significant; of political

importance or sensitivity; of special community interest or for any other reasons the Chief Executive determines.

- The Chief Executive shall exercise this delegation in accordance with any plans, policies, and procedures and bylaws adopted by Council and with any specific directives given by way of resolution of the Council or a Committee.

Notes:

- For the purposes of the Trespass Act 1980, the Chief Executive is the person in lawful occupation of land owned, occupied or controlled by the Council.
- For clarity, the Chief Executive has the Council's general authority to exercise all of the Ministerial powers that have been delegated to the Council under the Reserves Act 1977. This differs from the specific delegation to the General Manager Community in this Policy.
- The Chief Executive has the Council's general authority to delegate to any officer any of the Chief Executive's functions, powers and duties under the Sale and Supply of Alcohol Act 2012, other than the general power of delegation.
- The Council may from time to time appoint the Chief Executive (or other senior officers) to act in Council's interests as director or shareholder representative with associate organisations. Any such appointment should be considered a specific delegation and to be fulfilled in terms of the requirements of each specified appointment rather than as a general delegation as provided by this Policy.

Position	<i>Signing and Sealing of Warrants</i>
<i>Chief Executive Officer, General Manager - Community and General Manager - Growth</i>	Pursuant to Clause 32A, Schedule 7 to the Local Government Act 2002 Council delegates to the Chief Executive, General Manager - Community and General Manager - Growth authority to sign and apply the Council seal on any warrant of appointment required by law to be signed under seal.

Position	General Delegations
Acting Chief Executive	<p>The Acting Chief Executive is delegated all the responsibilities, duties and powers of the Chief Executive and may act for the Chief Executive in:</p> <ul style="list-style-type: none"> • the formal and recorded absence of the Chief Executive; or • an emergency where the Chief Executive cannot be contacted.
General Managers and Executive Directors	<p>General Managers and Executive Directors are delegated the following responsibilities, duties and powers within their respective areas of responsibility, where that is permitted by law, in accordance with any Council policy (as appropriate) and subject to any condition, limitation or prohibition imposed by Council or any statutory limitation:</p> <ul style="list-style-type: none"> • The responsibilities, powers and duties delegated to them from the Chief Executive, as are recorded in management policies or specific written delegations, from time to time. • The power to commit Council to financial transactions subject to their delegated financial authority.¹ • The power to sub-delegate, unless expressly restricted by law or the terms of Council's delegation to the General Manager or Executive Director. All such sub-delegations must be recorded in writing. • The power to undertake their specific delegations without further reference (though some may require to be reported). • The power to establish staff committees or working groups. • The power to act for the Chief Executive in an emergency where the Chief Executive and the Deputy Chief Executive cannot be contacted, provided this is done through prior consultation with the Executive Leadership Team.
General Manager - Community	<p>The General Manager may exercise the following specific powers where that is permitted by law, in accordance with any Council policy (as appropriate) and subject to any condition, limitation or prohibition imposed from time to time by Council or any statutory limitation:</p> <ul style="list-style-type: none"> • All the powers and functions of the Council, as an administering body under the Reserves Act 1977, to the extent that the Reserves Act affects reserves held by or under the control of Council.

¹ Refer to the Council Management Policy – *Financial Delegations to Officers*
Page 7 of 14

Governance & Assurance Manager	<p>The Governance & Assurance Manager is appointed Privacy Officer for the Council pursuant to section 201 of the Privacy Act 2020 and is delegated the associated responsibilities of this position. The Governance & Assurance Manager may sub-delegate such responsibilities, duties and powers to other officers, except for the power to delegate under that Act.</p> <p>The Governance & Assurance Manager may exercise the powers of the Council under Parts 2 to 5 of the Local Government Official Information and Meetings Act 1987, except any powers specified in section 32 of that Act; such delegation to be exercised in accordance with any condition, limitation or prohibition imposed from time to time by Council. The Governance & Assurance Manager may sub-delegate such powers to other officers, except for the power to delegate under that Act.</p>
Finance Director	<p>The Finance Director is specifically delegated the responsibility to approve and pay:</p> <ul style="list-style-type: none"> • all Council tax returns to the Inland Revenue Department; and • regular sums for utilities such as power, phone, rates etc.
Rates Administration Officers	<p>The responsibility for exercising the functions, powers or duties and administering the provisions under the Local Government (Rating) Act 2002 are delegated to the following officers:</p> <ul style="list-style-type: none"> • Chief Executive • General Manager People & Organisational Performance • Finance Director • Financial Support Services Manager • Rates Manager <p>In addition, the Rates Manager is specifically delegated the responsibility to:</p> <ul style="list-style-type: none"> • make decisions as to the allocation of rating units to differential rating categories in terms of section 27(5)(a) of the Local Government (Rating) Act 2002; and • amend any entries in the district valuation roll (under section 14 of the Rating Valuations Act 1998) or the rating information database (under section 40 of the Local Government (Rating) Act 2002) which are the result of an error or which are no longer correct as a result of changed circumstances. • Approve and apply remissions and postponements to rates in accordance with Council's Rates Remissions and Postponements Policy. <p>Note:</p> <ul style="list-style-type: none"> • The functions, powers or duties under the Local Government (Rating) Act 2002 and the Rating Valuations Act 1998 delegated by the Council to the above specified officers, including the Chief Executive, may not be sub-delegated. <p>Exclusion:</p> <ul style="list-style-type: none"> • Council must not delegate to any officer, including the Chief Executive: <ul style="list-style-type: none"> a) the power to delegate; or

	b) a function, power or duty conferred by subpart 2, Part 1 or subpart 1, Part 5 of the Local Government (Rating) Act 2002.
Local Civil Defence Controller	<p>The Local Civil Defence Controller ('the Controller') and the Civil Defence Emergency Management Group (CDEMG) for the Waikato Region during a State of Local Civil Defence Emergency shall have the powers vested as described in the Civil Defence Emergency Management Act 2002 ('CDEM Act').</p> <p>Authority has been delegated by Council to the CDEMG/Controller under the CDEM Act. A summary of the powers and obligations of the Controller are contained in the Waikato CDEM Group Plan.</p> <p>Under section 94 of the CDEM Act, the CDEMG/Controller and Alternate Controllers for Hamilton City Council and the CDEMG for the Waikato Region Emergency Operating Area are authorised to enter into urgent contracts on behalf of Hamilton City Council for the purposes of the Act as outlined in the Waikato CDEM Group Plan.</p> <p>Under the Waikato CDEM Group Plan, when formally placed in control of an event by the relevant local authority CE in writing, councils must provide Local and Group Controllers with uncapped financial delegations to manage emergency events (as defined in the Act), declared or otherwise, within their area. This delegation should apply to all Tier 1 and 2 Controllers and specific Tier 3 Controllers in the case of a council where they exist.</p> <p>To ensure appropriate oversight of the ability to enter into urgent contracts and the uncapped financial delegation in emergency events, the Controller is required to present the following incremental reporting to the Chief Executive and Group Controller:</p> <ul style="list-style-type: none"> • for every \$500,000 of expenditure incurred in a declared emergency; and. • for every \$250,000 of expenditure incurred in a non-declared emergency. <p>Note: A non-declared emergency is an emergency, as defined under the CDEM Act, where a formal declaration of state of local emergency has not been made pursuant to section 68 of that Act.</p>

Financial Delegations

The Chief Executive (and other specified officers, as applicable) under this Policy or otherwise, may exercise their delegated responsibilities, duties and powers subject to the following financial limits and conditions²:

General Financial Delegation:

1. The power of the Chief Executive to commit the Council to a financial transaction is limited to:
 - a. a maximum of \$5,000,000 of capital expenditure or revenue; and
 - b. a maximum of \$5,000,000 of operating expenditure or revenue.
2. This power includes authority to administer, enforce or terminate such transactions or to vary them so long as the new total does not exceed \$5,000,000.
3. The exercise of this power is conditional on:
 - a. Expenditure being budgeted for;
 - b. Compliance with procedures identified in any relevant Council or management policy in relation to each transaction;
 - c. With regard to the purchase and disposal of assets, the transaction being in accordance with the Long Term Plan.

Specific Conditions:

Contracts

4. The general financial delegation limit applies on a 'per contract' basis.
5. A contract is any agreement in writing which purports to be legally binding upon Council, including memoranda of understanding, letters of agreement, purchase orders, guarantees, leases (as lessor or lessee), licences (as licensor or licensee) and deeds. A contract includes any subsequent extensions, renewals or variations to the agreement. For clarity, the delegated financial authority limits apply to contracts involving revenues receivable by Council, including contracts and agreements with promoters and organisers of events.
6. The value of the contract for the purposes of this Policy is referred to as the "Approved Contract Sum". The Approved Contract Sum is, as at the date of approval, the aggregate of all amounts most likely to be paid to the other party (including retentions made, or to be made in respect of a contract), or amounts received from the other party (as applicable), for that contract, over the life of the relevant contract. Disaggregation of supplies or contractual arrangements in order to comply with this requirement is expressly prohibited.
7. For the purposes of determining whether a specified officer has the necessary delegated financial authority in relation to a contract that involves both; (a) expenditure (payable by Council) and (b) revenue (receivable by Council), the Approved Contract Sum for that contract is the greater of either the expenditure or revenue in that contract. That is, there must be no offset of expenditure and revenues.
8. The Chief Executive may approve variations that result in an increase to the total value of the contract that exceeds the Approved Contract Sum, provided that the total value approved (inclusive of the original Approved Contract Sum) does not exceed their general financial delegation limit.

² The delegated financial authority limits specific to General Managers, Executive Directors and officers are set out in the Council's Management Policy - *Financial Delegations to Officers*.

9. If a contract has been approved by Council resolution, the Chief Executive, or relevant General Manager or Executive Director (as appropriate), has delegated authority to:
 - a. execute the contract (other than those contracts required to be signed under the Council's seal);
 - b. authorise payments up to the Approved Contract Sum or delegate the authorisation of payments to a nominated position; or
 - c. (if applicable) correct and re-issue invoices, issue credit notes or refunds up to the Approved Contract Sum, in relation to revenue receivable by Council under an approved contract;
 - d. approve a variation that results in the Approved Contract Sum being exceeded by no more than 5%, up to a maximum of \$250,000, provided the new Approved Contract Sum remains within budget. Any exercise of this delegation will be reported to the appropriate Committee.
10. If a contract has been approved under this Policy or by management delegation:
 - a. the payment/s or any correction to invoices (as applicable) must be authorised by an officer with the correct financial delegated authority for that payment or invoice³;
 - b. a brief summary of material contracts are to be reported quarterly to Elected Members.

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

Purchase/Sale of Land

11. The delegated authority to enter into any transaction occurring in respect to the purchase and sale of land only applies where the purchase or sale is provided for in the applicable Long Term Plan/Annual Plan either separately or as an integral part of a project, or authorised by a resolution of Council. For clarity, the purchase and sale of land includes the acquisition or disposal of land under the provisions of the Public Works Act 1981.
12. In exercising this delegation, the Chief Executive is permitted to negotiate the sale and purchase of land to the delegated financial authority limit specified in this Policy, where appropriate:
 - a. **Sale of Land:** at not less than 10% below of the estimated market value determined by a registered valuer;
 - b. **Purchase of Land:** for not more than 10% above the estimated market value determined by a registered valuer.

Legal Proceedings

13. The Chief Executive is delegated authority to commence or defend legal proceedings and claims on behalf of Council for an amount up to the general financial delegation limit specified in this Policy on a per proceeding basis, including taking all steps necessary to:
 - a. manage and defend potential and actual legal claims (including judicial review and injunction proceedings) made against Council;
 - b. commence legal proceedings (without limitation including any prosecutions) on Council's behalf in any New Zealand court or tribunal, and to enforce any court or tribunal judgment in favour of Council.
14. The authority to settle a claim or threatened claim (including a claim in court or tribunal proceedings) and to sign a settlement agreement on Council's behalf that will involve a monetary

³ For management delegations, refer to Council's Management Policy - Financial Delegations to Officers.

payment to be made by Council, or to pay a fine or judgment issued against Council, is subject to the following conditions:

- a. Provision being made within the relevant Group's budget for that year;
 - b. The payment does not exceed the Chief Executive's general financial delegation limit for operational expenditure.
15. All legal claims or other proceedings undertaken by, or on behalf of, the Chief Executive, for an amount in excess of \$250,000 are to be reported to the next meeting of Council or the relevant Committee for noting.

Insurance excluding premiums

16. The Chief Executive is delegated authority to manage and approve insurance-related matters, including
- a. Claim settlement agreement sign off (full/final and interim) for payments to Council;
 - b. Excess payments to insurers or contributions paid directly to third parties in line with insurance policy terms and conditions,
- up to the general financial delegation limit specified in this Policy on a per claim basis.
17. All insurance claims undertaken by, or on behalf of, the Chief Executive, for an amount in excess of \$250,000 are to be reported to the next meeting of Council or the relevant Committee for noting.

Development Contributions

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

Other Financial Delegations

Emergency Work

20. The Chief Executive has the power to approve, which includes authorising other staff and agents to undertake, emergency works required to prevent, contain, or minimise immediate risk to public health, or public safety, or to prevent damage to public property or Council assets.
21. Where any actions taken in connection with emergency works do not comply with the delegated financial authority limits in this Policy, the Chief Executive will, as soon as reasonably practicable following the event, report the exercise of this delegation to Council.

Financial Operation

22. Subject to any Council or management policies, the Chief Executive, General Manager People & Operational Performance and Finance Director are each delegated the authority to operate (including opening and closing accounts) all of the Council's bank accounts, investment accounts, sinking funds, loan accounts, special funds, tax related matters, and other financial matters including exercising signing authority where appropriate.

Unbudgeted Expenditure

23. The power of the Chief Executive to commit the Council to a financial transaction that involves unbudgeted expenditure is subject to a cumulative cap of \$1,000,000 per financial year for the

aggregate total (whole of Council) of all unbudgeted expenditure. Any exercise of this delegation will be recorded and reported to a Finance and Monitoring Committee, for noting.

Budget transfers

24. The financial delegations authorise the following tolerance levels, in order to ensure effective and efficient delivery of the Long Term Plan and Annual Plan:

a) if the operating budget for a Group is expected to be exceeded by an amount no greater than 5% for that year, but the overall Annual Plan budget level is expected to be maintained, the Chief Executive has the authority to approve budget transfers between Groups, subject to the following criteria:

- i. the overspends will not result in other Group's activities being cancelled; or
- ii. any activities included in the Annual Plan that will not be completed as planned in the current or following year will be reported to the relevant Committee.

(Note, the net operating budget or surplus for this purpose excludes revaluations and gain/loss on sale of assets and any other extraordinary items).

b) if an individual capital expenditure project in the Annual Plan or Long Term Plan will be exceeded by no more than 10%, the Chief Executive has the authority to approve budget transfers between projects, subject to the following criteria:

- iii. the overall Annual Plan or Long Term Plan capital expenditure dollar amount is not exceeded; and
- iv. any overspends must be offset by savings in the current year or a reduction in the dollar amount carried forward to the following years; and
- v. the overspends will not result in other projects being cancelled; or
- vi. any projects included in the Annual Plan or Long Term Plan that will not be completed as planned in the current or following year will be reported to the relevant Committee.
- vii. for any projects that are budgeted to be delivered across more than one financial year then the cap applies to the total project cost and not the cost in the current financial year.

Reprioritised budget – Renewals and Compliance programme

25. The Renewals and Compliance Programme will be managed and reported as a programme against 3-year periods. The Chief Executive has the authority to approve budget reprioritisation for the programme, which may be:

- a) between projects and / or activity classes (e.g. stormwater)
- b) related to timing of expenditure on a project (e.g. reprioritised from year 2 to year 1).

26. Any reprioritisation of budgets should be reported to the relevant Council Committee following use of this delegation. Reporting should include:

- a) programme expenditure to demonstrate that the 3-year funding provision is not exceeded
- b) providing assurance that the limits in the Financial strategy are not breached by any expenditure changes from the Long Term Plan Renewal and Compliance budgets
- c) reporting by Long Term Plan activity (and group of activity) to give assurance that the Renewals and Compliance expenditure for the 3-year period is spread appropriately across Councils services.

Debt Write-off

27. The Chief Executive is delegated authority to write off debts up to \$20,000 on a 'per debtor' basis.
28. Irrespective that the Chief Executive, General Managers, Executive Directors and Finance Director may have delegated authority to write-off bad debts⁴, all such debts written off must be reported to a Finance and Monitoring Committee meeting, for noting purposes, on an aggregate basis for each Group.

Waiver of Council Fees & Charges

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

For clarity, development contributions are not within the scope of the delegated authority detailed in this section 29.

⁴ Refer to the Management Policy – *Financial Delegations to Officers*
Page 14 of 14

First adopted:	December 2013
Revision dates/version:	November 2015, November 2016, May 2019, February 2020, April 2020, June 2021, <u>April 2023</u>
Next review date:	
Document Number	D-3276620
Associated documents:	
Sponsor/Group:	Mayor of Hamilton / Chief Executive Officer

Delegations to Positions Policy

Purpose and scope

- Part of Council's strategic and governance role is to ensure that its statutory responsibilities, duties and powers are carried out at the most effective and efficient levels. This Policy sets out the delegations from Council to specified elected members and officers.
- Matters outside the scope of this Policy are:
 - Delegations from Council to Committees, which are specified in the ~~2019-2022~~ Governance Structure; and
 - Delegations from the Chief Executive to subordinate officers through management policies or by way of a specific delegation.

Commented [AH1]: Deleted as the definition of Governance Structure specifically refers to the current triennium

Definitions

Term	Definition
Committee	A committee or subcommittee (if any) of Council, as listed in the 2019-2022 Governance Structure
Delegated Financial Authority	The financial limit delegated to: <ol style="list-style-type: none"> the Chief Executive or a specified officer under this Policy; or <u>an officer under the relevant management policy or a specific delegation from the Chief Executive; or</u> <u>the Chief Executive or a specified officer under a specific delegation from Council.</u>
Governance Structure	The Council's approved Governance Structure document, including the terms of reference and delegations for Council and Committees, for the current triennium.
Officer	A Council staff member who is for the time being the holder of a specified office.

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Principles

- Where local authority activities do not contain a governance component and are not limited by statutory restrictions then they should be delegated to the Chief Executive, who may sub-delegate to officers.

4. To be effective and of legal standing, all delegations from Council must be precise and in writing (i.e. via this Policy or by Council resolution).
5. The delegate is acting in ~~his or her~~**their** own name on behalf of the Council when exercising delegated authority. In so doing, the delegate will ensure they act in accordance with any:
 - a. binding statutory authority (in relation to each delegation, relevant sections of legislation will be identified); and
 - b. relevant Council policy or process, including delegated financial authority and reporting requirements.
6. Council retains ultimate responsibility for its governance, statutory and financial responsibilities, duties and powers at all times. No delegation relieves Council of the liability or responsibility for the performance of the delegated responsibility, duty or power.
7. Those with responsibility for a delegated task or function should always have the authority to carry it out effectively.
8. Those with authority to perform a delegated responsibility, duty or power should always be responsible for the performance of the delegation in a full, fair and objective manner. To this end, it is open to the person delegated a responsibility, duty or power to consider whether or not to exercise that delegated responsibility, duty or power, or to refer the matter back to Council or the relevant Committee.
9. Subject to any legislative restrictions, a responsibility, duty or power delegated to an officer is also delegated to all officers in a direct line of authority above that officer and is also delegated to any officer who is in an acting capacity for that officer.
10. Any delegation made includes any ancillary responsibilities, duties or powers necessary to give effect to that delegation.
11. Unless specifically restricted **by law or expressed to be for a defined period**, a delegation continues in force until expressly revoked or varied by resolution of Council. A delegation will survive any change in the person occupying the office to which the delegation was made.
12. Unless otherwise expressly stated in the Policy:
 - a. all financial values stated in this Policy are GST exclusive; and
 - b. all references to a repealed enactment should read as a reference to its replacement.
13. Where any currently adopted delegation to Council staff refers to a position title and the name of the position title has subsequently changed without substantial changes being made to the position-holder's job description (in respect of the function to which the delegation relates), any delegations in the name of the previous position title are and shall be effective for the position-holder of the new position title.

Policy

The meaning of delegation

14. For the purpose of this Policy, delegation means the transfer of a responsibility, duty or power from Council to specified Elected Members, the Chief Executive or other specified officers, together with the authority to carry out that responsibility, duty or power or complete the action delegated.
15. General delegation means the granting of authority to determine a range of matters of a similar kind as and when they arise over a period of time without further reference to the delegator.
16. From time to time the Council may delegate authority by resolution to determine a specific issue. This specific delegation will exist only so long as that matter is unresolved and will then lapse at a specified time.

17. General delegations will be updated in this Policy as they are confirmed. Specific delegations may not necessarily be recorded in this Policy due to the fact that they would be largely historical by the time they are recorded.

Legal basis

18. The delegations in this Policy are made in accordance with the Local Government Act 2002 and any other legislation permitting delegation.

19. **Council cannot delegate** the power to:

- a. make a rate; or
- b. make a bylaw; or
- c. borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan or otherwise as expressly covered in this Policy; or
- d. adopt a long-term plan, annual plan, or annual report; or
- e. appoint a Chief Executive; or
- f. 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 local governance statement; or
- g. adopt a remuneration and employment policy.

(Local Government Act 2002 - Schedule 7, Clause 32(1))

Council has reserved other matters for its sole decision, which are recorded in the Governance Structure.

20. The **Chief Executive and other specified officers** can further delegate their delegations to any other officer, subject to certain restrictions.

(Local Government Act 2002 – Schedule 7, clause 32B)

Delegations by the Council to Elected Members

21. Delegations from Council to specified Elected Members are detailed in Schedule 1.

Delegations by the Council to Chief Executive and Specified Officers

22. Delegations from Council to the Chief Executive and specified officers (including Financial Delegations) are detailed in Schedule 2.

23. This Policy is to be read alongside the Hamilton City Council management policies that record the delegations from the Chief Executive to subordinate officers. The Policies, read together, record compliance with the statutory norm allowing only one sub-delegation. **Although inherently linked to this Policy and governed by the same general principles, the management policies are separate documents, and the delegations in those management policies may be changed or updated at any time by the Chief Executive, as necessary.**

Review of Policy

24. This Policy shall remain in effect until such time as it is varied or revoked by resolution of the Council. It is intended that this Policy will be reviewed and updated from time-to-time; at the start of each triennium as a minimum.

Schedule 1 - Delegations by the Council to Elected Members

Position	General Delegations
Mayor	<p>The Mayor is elected by Hamilton City as a whole and as one of the elected members shares the same responsibilities as other members of Council.</p> <p>Authorities</p> <ul style="list-style-type: none"> • Lead the development of Council's plans (including the long-term plan and the annual plan), policies and budgets for consideration by the Council.* • To appoint the Deputy Mayor.* • To establish committees of the Council.* • To appoint the chairperson of each committee.* • Act as a Justice of the Peace. • Requisition a meeting of Council. • Declare a local Civil Defence emergency. • Authority of a chairperson of a Council meeting under Standing Orders. • In relation to the Chief Executive's employment contract, has delegated authority to manage <u>routine</u> employment matters such as; approving leave provisions; deduction and overpayment arrangements; approving expenditure and travel reimbursement claims, but excluding changes to employment contract provisions. <p>*Note: Subject to the provisions of Section 41A of the Local Government Act 2002.</p>
Position	General Delegations
Deputy Mayor	<p>Authorities</p> <ul style="list-style-type: none"> • All the authorities of the Mayor when the Mayor is not available and including, in relation to the Chief Executive's employment contract, the delegated authority to manage <u>routine</u> employment matters such as; approving leave provisions; deduction and overpayment arrangements; approving expenditure and travel reimbursement claims, but excluding changes to employment contract provisions, and the Mayor's powers under section 41A(3) of the Local Government Act 2002.
Position	Signing and Sealing of Formal Documents
Elected Members	<p>Authorities</p> <ul style="list-style-type: none"> • The Mayor, Deputy Mayor, or any other two elected members acting at the specific request of the Mayor or Chief Executive, are authorised to sign any document required by law to be signed under seal, provided those documents have been: <ol style="list-style-type: none"> a) approved by the Council or a Committee (in accordance with its delegations); or b) authorised by an officer (including the Chief Executive) under delegated authority. <p>Note: <u>Council has delegated the power to issue warrants under Council Seal to enforcement officers pursuant to Clause 32A, Schedule 7 of the Local Government Act 2002 to the Chief Executive, General Manager Community and General Manager Growth.</u></p>

Note: Where a document does not need to be executed under Council seal it may instead be signed by the Chief Executive or any other officer who is authorised under delegated authority, whether under this Policy or otherwise, to approve the transaction involved.

Schedule 2 - Delegations by the Council to the Chief Executive and Specified Officers

Position	General Delegations
Chief Executive Officer	<p>In accordance with clause 32(1) of Schedule 7 of the Local Government Act 2002, the Chief Executive is hereby delegated all Council's responsibilities, duties and powers, and to further delegate such responsibilities, duties and powers to act on any matter, and shall exercise this delegation subject to the Exclusions, Conditions and Notes below.</p> <p>The Chief Executive may choose to delegate those responsibilities, duties and powers to Officers, unless delegation is specifically restricted by statute or the terms of the Chief Executive's delegation. Every delegation by the Chief Executive will be recorded in writing.</p> <p>To the extent that they are relevant, the following Exclusions, Conditions and Notes below also apply to the Financial Delegations section in this Schedule.</p> <p>Exclusions:</p> <ul style="list-style-type: none"> Any responsibilities, duties and powers that the Council is prohibited by legislation or operation of law from delegating to officers, <u>including those set out in paragraph 19</u> of this Policy. Any responsibilities, duties and powers conferred on Council by an external entity that the entity has prohibited the Council from delegating to officers. Any matter that can only be given effect to by a resolution of the Council. Any power, responsibility, or duties and powers that have been delegated <u>by Council</u> to a Committee, unless sub-delegated <u>to the Chief Executive</u> by resolution of that Committee. Any matter that is outside above the limits of the Chief Executive's delegated financial authority (refer below). In relation to the Resource Management Act 1991 ('RMA'): <ul style="list-style-type: none"> Council's own power of Sub-delegation by the Chief Executive (section 34A(1)) Notification of a Proposed District Plan Approval of a Proposed District Plan (section 34A(1)(a)) Notification of a Proposed District Plan Appointment of a hearings commissioner Decisions on submissions and further submissions to a Proposed District Plan Rejection of a private plan change request

- Hearing and determining objections to officer-declined resource consent applications ~~which will be heard by (delegated to independent hearings commissioners).~~

Conditions:

- The Council's delegations to the Chief Executive do not preclude the Chief Executive from referring any matter to the Council or a Committee for decision if the matter is particularly significant; of political importance or sensitivity; of special community interest or for any other reasons the Chief Executive determines.
- The Chief Executive shall exercise this delegation in accordance with any plans, policies, and procedures and bylaws adopted by Council and with any specific directives given by way of resolution of the Council or a Committee.
- ~~The Chief Executive has the Council's general authority to delegate to any officer any of the Chief Executive's functions, powers and duties under the Sale and Supply of Alcohol Act 2012, other than the general power of delegation.~~

Notes:

- For the purposes of the Trespass Act 1980, the Chief Executive is the person in lawful occupation of land owned, occupied or controlled by the Council.
- For clarity, the Chief Executive has the Council's general authority to exercise all of the Ministerial powers that have been delegated to the Council under the Reserves Act 1977. This differs from the specific delegation to the General Manager Community in this Policy.
- ~~The Chief Executive has the Council's general authority to delegate to any officer any of the Chief Executive's functions, powers and duties under the Sale and Supply of Alcohol Act 2012, other than the general power of delegation.~~
- ~~Where exercised by a General Manager (other than the Deputy Chief Executive) in the unplanned or unforeseen absence of the Chief Executive, that prior consultation occurs with the Senior Leadership Team.~~
- The Council may from time to time appoint the Chief Executive (or other senior officers) to act in Council's interests as director or shareholder representative with associate organisations. Any such appointment should be considered a specific delegation and to be fulfilled in terms of the requirements of each specified appointment rather than as a general delegation as provided by this Policy.

Commented [AH2]: Changes made to mirror the wording of the *Delegations from Council to Officers* specific to the RMA policy

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Commented [AH3]: Moved from Conditions to Notes

Commented [AH4]: Deletion proposed due to repetition in the GM section

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Position	<u>Signing and Sealing of Warrants</u>
<u>Chief Executive Officer, General Manager - Community and General</u>	<u>Pursuant to Clause 32A, Schedule 7 to the Local Government Act 2002 Council delegates to the Chief Executive, General Manager - Community and General Manager - Growth authority to sign and apply the Council seal on any warrant of appointment required by law to be signed under seal.</u>

Manager -
Growth

Position	General Delegations
Acting Chief Executive	<p>The Acting Chief Executive is delegated all the responsibilities, duties and powers of the Chief Executive and may act for the Chief Executive in:</p> <ul style="list-style-type: none"> the formal and recorded absence of the Chief Executive; or an emergency where the Chief Executive cannot be contacted.
General Managers and Executive Directors	<p>General Managers and Executive Directors are delegated the following responsibilities, duties powers and duties powers within their respective areas of responsibility, where that is permitted by law, in accordance with any Council policy (as appropriate) and subject to any condition, limitation or prohibition imposed by Council or any statutory limitation:</p> <ul style="list-style-type: none"> The responsibilities, powers and duties delegated to them from the Chief Executive, as are recorded in management policies or specific written delegations, from time to time. The power to enter into contracts <u>commit Council to financial transactions</u> subject to their delegated financial authority.¹ The power to sub-delegate, unless expressly restricted by law or the terms of Council's delegation to the General Manager or Executive Director. All such sub-delegations must be recorded in writing. The power to undertake their specific delegations without further reference (though some may require to be reported). The power to establish staff committees or working groups. The power to act for the Chief Executive in an emergency where the Chief Executive and the Deputy Chief Executive cannot be contacted, provided this is done through prior consultation with the Senior <u>Executive</u> Leadership Team.
General Manager - Community	<p>The General Manager may exercise the following specific powers where that is permitted by law, in accordance with any Council policy (as appropriate) and subject to any condition, limitation or prohibition imposed from time to time by Council or any statutory limitation:</p> <ul style="list-style-type: none"> All the powers and functions of the Council, as an administering body under the Reserves Act 1977, to the extent that the Reserves Act affects reserves held by or under the control of Council.
City Safe Manager	<p>The City Safe Manager is to act as Secretary of the District Licensing Committee with authority to perform all responsibilities, duties and powers of the Secretary under the Sale and Supply of Alcohol Act 2012.</p>

Commented [AH5]: Amendment to reflect the proposed amendments to the financial delegations

Commented [AH6]: Deletion of this delegation is proposed as section 196 of the Sale and Supply of Alcohol Act provides that the chief executive is the secretary of the licensing committee. As a result, this delegation should sit within a management policy instead of the Council policy

¹ Refer to the Council Management Policy – Financial Delegations to Officers
Page 8 of 17

<p><u>Legal Services Governance & Assurance Manager</u></p>	<p>The Legal ServicesGovernance & Assurance Manager is appointed Privacy Officer for the Council pursuant to section 201 of the Privacy Act 2020 and is delegated the associated responsibilities of this position. The Governance & Assurance Legal Services Manager may sub-delegate such responsibilities, duties and powers to other officers, except for the power to delegate under that Act.</p> <p>The Governance & Assurance Legal Services Manager may exercise the powers of the Council under Parts 2 to 5 of the Local Government Official Information and Meetings Act 1987, except any powers specified in section 32 of that Act; such delegation to be exercised in accordance with any condition, limitation or prohibition imposed from time to time by Council. The Governance & Assurance Legal Services Manager may sub-delegate such powers to other officers, except for the power to delegate under that Act.</p>
<p><u>Finance Director</u></p>	<p><u>The Finance Director is specifically delegated the responsibility to approve and pay:</u></p> <ul style="list-style-type: none"> • <u>all Council tax returns to the Inland Revenue Department; and</u> • <u>regular sums for utilities such as power, phone, rates etc.</u>
<p><u>Rates Administration Officers</u></p>	<p>The responsibility for exercising the functions, powers or duties and administering the provisions under the Local Government (Rating) Act 2002 are delegated to the following officers:</p> <ul style="list-style-type: none"> • Chief Executive • General Manager Corporate People & Organisational Performance • Financial Finance Controller Director • Financial Support Services Manager • Rates and Revenue Manager <p>In addition, the Rates and Revenue Manager is specifically delegated the responsibility to:</p> <ul style="list-style-type: none"> • make decisions as to the allocation of rating units to differential rating categories in terms of section 27(5)(a) of the Local Government (Rating) Act 2002; and • <u>amend any entries in the district valuation roll (under section 14 of the Rating Valuations Act 1998) or the rating information database (under section 40 of the Local Government (Rating) Act 2002) which are the result of an error or which are no longer correct as a result of changed circumstances.</u> • <u>Approve and apply remissions and postponements to rates in accordance with Council's Rates Remissions and Postponements Policy.</u> <p>Note:</p> <ul style="list-style-type: none"> • The functions, powers or duties under the Local Government (Rating) Act 2002 and the Rating Valuations Act 1998 delegated by the Council to the above specified officers, including the Chief Executive, may not be sub-delegated. <p>Exclusion:</p> <ul style="list-style-type: none"> • Council must not delegate to any officer, including the Chief Executive:

Commented [AH7]: This delegation is added here for clarity

	<p>a) the power to delegate; or</p> <p>b) a function, power or duty conferred by subpart 2, Part 1 or subpart 1, Part 5 of the Local Government (Rating) Act 2002.</p>
Local Civil Defence Controller	<p>The Local Civil Defence Controller ('the Controller') and the Civil Defence Emergency Management Group (CDEMG) for the Waikato Region during a State of Local Civil Defence Emergency shall have the powers vested as described in the Civil Defence Emergency Management Act 2002 ('CDEM Act').</p> <p>Authority has been delegated by Council to the CDEMG/Controller under the CDEM Act. A summary of the powers and obligations of the Controller are contained in the Waikato CDEM Group Plan.</p> <p>Under section 94 of the CDEM Act, the CDEMG/Controller and Alternate Controllers for Hamilton City Council and the CDEMG for the Waikato Region Emergency Operating Area are authorised to enter into urgent contracts on behalf of Hamilton City Council for the purposes of the Act as outlined in the Waikato CDEM Group Plan.</p> <p>Under the Waikato CDEM Group Plan, when formally placed in control of an event by the relevant local authority CE in writing, councils must provide Local and Group Controllers with uncapped financial delegations to manage emergency events (as defined in the Act), declared or otherwise, within their area. This delegation should apply to all Tier 1 and 2 Controllers and specific Tier 3 Controllers in the case of a council where they exist.</p> <p>To ensure appropriate oversight of the ability to enter into urgent contracts and the uncapped financial delegation in emergency events, the Controller is required to present the following incremental reporting to the Chief Executive and Group Controller:</p> <ul style="list-style-type: none"> • for every \$500,000 of expenditure incurred in a declared emergency; and. • for every \$250,000 of expenditure incurred in a non-declared emergency. <p>Note: A non-declared emergency is an emergency, as defined under the CDEM Act, where a formal declaration of state of local emergency has not been made pursuant to section 68 of that Act.</p>

Financial Delegations

The limits of the specified sum(s) applicable to various financial transactions delegated to the Chief Executive (and other specified officers, as applicable) under this Policy or otherwise, ~~are~~ may exercise their delegated responsibilities, duties and powers as follows, subject to the following financial limits and conditions²:

Expenditure Type – Refer to Terms of Delegation below

Unexpended Budget – (Operating and Capital)	Overspends/ Unbudgeted (Operating and Capital)	Capex B/Fwd	Contracts	Purchase/ Sale of Land	Debt Write-off	Legal Proceedings	Financial Operations (Admin disbursements)	Development Contributions	Reprioritisation Budget – Renewals and Compliance Programme
Limited to the approved budget	\$250,000	\$500,000	\$3,000,000 Total contract term not exceeding 5 years including renewals For contracts not going to tender: \$250,000 (and \$3,000,000 where the protocol set out in the notes below at (c) is complied with) (subject to the restrictions in clause 11 below).	\$3,000,000	\$10,000	\$500,000 for weather-tight building claims (leaky buildings) \$250,000 for all other legal proceedings	Limited to the approved budget	\$1,500,000	\$1,000,000 (Within years 1-3 of any approved 10 Year Plan) For individual movement of budget between capital projects and activity classed and timing (subject to terms of delegation below).

General Financial Delegation:

- The power of the Chief Executive to commit the Council to a financial transaction is limited to:
 - a maximum of \$5,000,000 of capital expenditure or revenue; and
 - a maximum of \$5,000,000 of operating expenditure or revenue.
- This power includes authority to administer, enforce or terminate such transactions or to vary them so long as the new total does not exceed \$5,000,000.
- The exercise of this power is conditional on:
 - Expenditure being budgeted for;
 - Compliance with procedures identified in any relevant Council or management policy in relation to each transaction;
 - With regard to the purchase and disposal of assets, the transaction being in accordance with the Long Term Plan.

Notes Specific Conditions:

² The delegated financial authority limits specific to General Managers, Executive Directors and officers are set out in the Council's Management Policy - Financial Delegations to Officers.

~~There is a cumulative cap of \$1,000,000 per financial year for the aggregate total (whole of Council) of all unbudgeted items, overspends and operational expenditure (Opex) brought forward and approved under delegated authority during that financial year. Any significant overspends or underspends will be recorded and reported to the Finance Committee on a quarterly basis. The delegated financial limit for contracts not going to tender shall not apply in the following situations:~~

~~— For Private Developer Agreements, which is a contract with a developer to upsize or deliver infrastructure on behalf of the Council in a new subdivision or development that will eventually vest in the Council;~~

~~i. — For appointment of utility service providers to relocate, connect or alter utility services for the purpose of capital works budgeted within the applicable Long Term Plan, where a provider is the only possible supplier by virtue of being the owner of, or otherwise being legally responsible for, the relevant utility infrastructure. Examples of such utility service providers include, but is not limited to, Transpower, WEL Networks and Kiwirail.~~

~~The Chief Executive must ensure that appropriate mechanisms are in place and implemented to ensure, as far as is reasonably possible, the Council obtains Best Value from any appointed utility service provider.~~

~~i. — Any other capital works contract award prior to 1 July 2021.~~

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

~~— The Chief Executive's delegated authority limit for contracts that have not been openly tendered is \$250,000 (subject to the exclusions at (1.b) above). However, the Chief Executive, Mayor (or Deputy Mayor), Chair of the Finance Committee and Chair of the Infrastructure Operations Committee are jointly delegated authority to approve, by majority, contracts that have not been openly tendered exceeding the Chief Executive's limit of \$250,000 and up to a value of \$3,000,000 for a term not exceeding five years (including renewals). Where the full group listed above is unable to meet, then the delegation may be jointly exercised by two of the abovenamed Elected Members and the Chief Executive. Exercise of this delegation must be reported by the Chief Executive to the relevant committee for noting on a quarterly basis. This exemption should only be used in exceptional circumstances and in consultation with relevant Elected Members.~~

Expenditure Types — Terms of Delegation

Unexpended Budget

~~10. Operating and capital expenditure including deferred capital expenditure (approved by Council resolution) that has been budgeted in the applicable Long Term Plan/Annual Plan and not yet spent. All expenditure must comply with the requirements of Council's Procurement Policy.~~

Overspend and Unbudgeted

~~10. Any expenditure on an item that exceeds the amount budgeted for that item in the applicable Long Term Plan/Annual Plan or is not budgeted but required to deliver the level of service and outcomes outlined in the applicable Long Term Plan/Annual Plan e.g. contract or project cost over-run.~~

~~10. A Local Civil Defence Controller has an uncapped delegated financial authority in the event of a declared or non-declared emergency, subject to the conditions and reporting provisions in this Policy (See: *Local Civil Defence Controller above*).~~

Capex — Capital Expenditure Brought Forward

Commented [AH8]: This section has been moved to the Other Financial Delegations section below

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

Contracts

~~4. The delegated general financial authority delegation limit for contracts applies on a 'per contract' basis.~~

~~5. A contract is any agreement in writing which purports to be legally binding upon Council, including memoranda of understanding, letters of agreement, purchase orders, guarantees, leases (as lessor or lessee), licences (as licensor or licensee) and deeds. A contract includes any subsequent extensions, renewals or variations to the agreement.~~ For clarity, the delegated financial authority limits apply to contracts involving revenues receivable by Council, including contracts and agreements with promoters and ~~relating to the organising organisers~~ of events.

~~6. The value of the contract for the purposes of this Policy is referred to as the "Approved Contract Sum". The Approved Contract Sum is, as at the date of approval, the aggregate of all amounts most likely to be paid to the contractor other party (including retentions made, or to be made in respect of a contract), or amounts received from the other party (as applicable), for that contract, over the life of the relevant contract. Disaggregation of supplies or contractual arrangements in order to comply with this requirement is expressly prohibited.~~

~~7. For the purposes of determining whether a specified officer has the necessary delegated financial authority in relation to a contract that involves both; (a) expenditure (payable by Council) and (b) revenue (receivable by Council), the Approved Contract Sum for that contract is the greater of either the expenditure or revenue in that contract. That is, there must be no offset of expenditure and revenues.~~

~~8. The Chief Executive may approve variations that result in an increase to the total value of the contract that exceeds the Approved Contract Sum, provided that the total value approved (inclusive of the original Approved Contract Sum) does not exceed their general financial delegation limit.~~

~~3-9. If a contract has been approved by Council resolution, the Chief Executive, or relevant General Manager or Executive Director (as appropriate), ~~can~~ has delegated authority to:~~

- a. execute the contract (other than those contracts required to be signed under the Council's seal);
- b. authorise payments up to the Approved Contract Sum or delegate the authorisation of payments to a nominated position; or
- ~~c. (if applicable) correct and re-issue invoices, issue credit notes or refunds up to the Approved Contract Sum, in relation to revenue receivable by Council under an approved contract;~~
- ~~d. approve a variation that results in the Approved Contract Sum being exceeded by no more than 5%, up to a maximum of \$250,000, provided the new Approved Contract Sum remains within budget. Any exercise of this delegation will be reported to the appropriate Committee.~~

~~4-10. If a contract has been approved under this Policy or by management delegation:~~

- a. the payment/s or any correction to invoices (as applicable) must be authorised by an officer with the correct financial delegated authority for that payment or invoice³;
 - b. a brief summary of ~~such material~~ contracts are to be reported quarterly to Elected Members.
- For clarity, no reporting is required under section 10(b) above for contracts approved by Council or a Committee.

~~4. Contracts exceeding five years total term (including renewals) must be authorised by Council or the relevant Committee.~~

~~4. All contracts approved by the Chief Executive or management under delegated authority in sections (1.b) and (1.c) are to be reported to the relevant committee for noting on a quarterly basis.~~

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Purchase/Sale of Land

~~5.11. Includes any expenditure~~ The delegated authority to enter into any transaction occurring in respect to the purchase and sale of land only applies where the purchase or sale is provided for in the applicable Long Term Plan/Annual Plan either separately or as an integral part of a project, or authorised by a resolution of Council. For clarity, the purchase and sale of land includes the acquisition or disposal of land under the provisions of the Public Works Act 1981.

12. In exercising this delegation, the Chief Executive is permitted to negotiate the sale and purchase of land to the delegated financial authority limit specified in this Policy, where appropriate.

a. **Sale of Land:** at not less than 10% below90% of the estimated market value determined by a registered valuer;

~~a.b.~~ **Purchase of Land:** for not more than 10% above the estimated market value determined by a registered valuer.

Debt Write-off

~~5. The delegated financial authority limit applies on a 'per debtor' basis.~~

~~5. Irrespective that the Chief Executive, General Managers, Executive Directors and Financial Controller may have delegated authority to write off bad debts⁴, all such debts written off must be reported to the next Finance Committee meeting on an aggregate basis for each Group.~~

Legal Proceedings

~~13. The delegated financial authority is determined on a per proceeding basis~~ The Chief Executive is delegated authority to commence or defend legal proceedings and claims on behalf of Council for an amount up to the general financial delegation limit specified in this Policy on a per proceeding basis, including taking all steps necessary to:

a. manage and defend potential and actual legal claims (including judicial review and injunction proceedings) made against Council;

b. commence legal proceedings (without limitation including any prosecutions) on Council's behalf in any New Zealand court or tribunal, and to enforce any court or tribunal judgment in favour of Council.

~~14. Includes commencing or defending, negotiating, settling or withdrawing from legal proceedings (including prosecutions and claims) on the Council's behalf in any New Zealand court or tribunal. The Chief Executive is also delegated the authority to take all steps necessary to enforce any court or tribunal judgment in favour of the Council, and to recover debts owing to the Council, subject to the delegated financial authority limit. The authority to settle a claim or threatened claim (including a claim in court or tribunal proceedings) and to sign a settlement agreement on Council's~~

³ For management delegations, refer to Council's Management Policy - Financial Delegations to Officers.

⁴ ~~Refer to the Management Policy - Financial Delegations to Officers~~

behalf that will involve a monetary payment to be made by Council, or to pay a fine or judgment issued against Council, is subject to the following conditions:

a. Provision being made within the relevant Group's budget for that year;

~~6-b.~~ The payment does not exceed the Chief Executive's general financial delegation limit for operational expenditure.

15. All legal claims or other proceedings undertaken by, or on behalf of, the Chief Executive, for an amount in excess of \$~~100~~250,000 are to be reported to the next meeting of Council or the relevant Committee for noting.

Insurance excluding premiums

16. The Chief Executive is delegated authority to manage and approve insurance-related matters, including

a. Claim settlement agreement sign off (full/final and interim) for payments to Council;

b. Excess payments to insurers or contributions paid directly to third parties in line with insurance policy terms and conditions,

up to the general financial delegation limit specified in this Policy on a per claim basis.

17. All insurance claims undertaken by, or on behalf of, the Chief Executive, for an amount in excess of \$250,000 are to be reported to the next meeting of Council or the relevant Committee for noting.

Development Contributions

18. Subject to the development contributions provisions in the Local Government Act 2002 and the provisions of the Council's Development Contributions Policy, the Chief Executive is delegated authority to approve a remission, postponement, or refund of a development contribution levied on a developer to the delegated general financial authority delegation limit specified in this Policy. All remissions, postponements or refunds are to be reported, for noting purposes, at the next relevant Committee meeting.

19. For clarity, Council will not delegate to the Chief Executive any powers in relation to hardship related remissions or remissions not provided for in the Development Contributions Policy.

Other Financial Delegations

Emergency Work

20. The Chief Executive has the power to approve, which includes authorising other staff and agents to undertake, emergency works required to prevent, contain, or minimise immediate risk to public health, or public safety, or to prevent damage to public property or Council assets.

21. Where any actions taken in connection with emergency works do not comply with the delegated financial authority limits in this Policy, the Chief Executive will, as soon as reasonably practicable following the event, report the exercise of this delegation to Council.

Financial Operation

~~6-22.~~ Subject to any Council or management policies, the Chief Executive, General Manager People & Operational Performance, ~~Corporate~~ and ~~Financial Controller-Director~~ are each delegated the authority to operate (including opening and closing accounts) all of the Council's bank accounts, investment accounts, sinking funds, loan accounts, special funds, tax related matters, and other financial matters including exercising signing authority where appropriate. This includes payment of regular sums for administrative matters such as: power, heat and light; tax and GST payments; rates; etc.

Unbudgeted Expenditure

23. The power of the Chief Executive to commit the Council to a financial transaction that involves unbudgeted expenditure is subject to a cumulative cap of \$1,000,000 per financial year for the aggregate total (whole of Council) of all unbudgeted expenditure. Any exercise of this delegation will be recorded and reported to a Finance and Monitoring Committee, for noting.

Budget transfers

24. The financial delegations authorise the following tolerance levels, in order to ensure effective and efficient delivery of the Long Term Plan and Annual Plan:

a) if the operating budget for a Group is expected to be exceeded by an amount no greater than 5% for that year, but the overall Annual Plan budget level is expected to be maintained, the Chief Executive has the authority to approve budget transfers between Groups, subject to the following criteria:

- i. the overspends will not result in other Group's activities being cancelled; or
 - ii. any activities included in the Annual Plan that will not be completed as planned in the current or following year will be reported to the relevant Committee.
- (Note, the net operating budget or surplus for this purpose excludes revaluations and gain/loss on sale of assets and any other extraordinary items).

b) if an individual capital expenditure project in the Annual Plan or Long Term Plan will be exceeded by no more than 10%, the Chief Executive has the authority to approve budget transfers between projects, subject to the following criteria:

- iii. the overall Annual Plan or Long Term Plan capital expenditure dollar amount is not exceeded; and
- iv. any overspends must be offset by savings in the current year or a reduction in the dollar amount carried forward to the following years; and
- v. the overspends will not result in other projects being cancelled; or
- vi. any projects included in the Annual Plan or Long Term Plan that will not be completed as planned in the current or following year will be reported to the relevant Committee.
- vii. for any projects that are budgeted to be delivered across more than one financial year then the cap applies to the total project cost and not the cost in the current financial year.

Reprioritised budget – Renewals and Compliance programme

~~7-25.~~ The Renewals and Compliance Programme will be managed and reported as a programme against 3-year periods ~~being 2018-21, 2021-24.~~ The Chief Executive has the authority to approve budget Reprioritisation ~~changes to~~ for the programme, ~~which can~~ may be:

- a) between projects and / or activity classes (e.g. stormwater)
- b) related to timing of expenditure on a project (e.g. reprioritised from year 2 to year 1).

~~8-26.~~ Any reprioritisation of budgets should be reported to the relevant Council Committee following use of this delegation. Reporting should include:

- a) programme expenditure to demonstrate that the 3-year funding provision is not exceeded
- b) providing assurance that the limits in the Financial strategy are not breached by any expenditure changes from the ~~10-Year~~ Long Term Plan Renewal and Compliance budgets

c) reporting by ~~10-Year~~Long Term Plan activity (and group of activity) to give assurance that the Renewals and Compliance expenditure for the 3-year period is spread appropriately across Councils services.

Debt Write-off

~~27. The Chief Executive is delegated authority to write off debts up to \$20,000 on a 'per debtor' basis.~~

~~9-28. Irrespective that the Chief Executive, General Managers, Executive Directors and Finance Director may have delegated authority to write-off bad debts⁵, all such debts written off must be reported to a Finance and Monitoring Committee meeting, for noting purposes, on an aggregate basis for each Group.~~

Development Contributions

~~Subject to the development contributions provisions in the Local Government Act 2002 and the provisions of the Council's Development Contributions Policy, the Chief Executive is delegated authority to approve a remission, postponement, or refund of a development contribution levied on a developer to the delegated financial authority limit specified in this Policy. All remissions, postponements or refunds are to be reported, for noting purposes, at the next relevant Committee meeting.~~

~~10. For clarity, Council will not delegate to the Chief Executive any powers in relation to hardship related remissions or remissions not provided for in the Development Contributions Policy.~~

Waiver of Council Fees & Charges

~~11-29.~~ Subject to any specific waiver policies adopted by Council, the Chief Executive, General Managers and Executive Directors are each delegated authority to waive fees and charges for their respective areas of responsibility **provided:**

- a. the waiver and the amount are recorded and available for audit purposes;
- b. the circumstances of the specific waiver will not create a precedent;
- c. the act of waiving such fees and charges reflects 'good citizen' conduct;
- d. any waivers in excess of \$10,000 (calculated on an aggregate basis per Group) are to be reported to the next Finance and Monitoring Committee meeting.

For clarity, development contributions are not within the scope of the delegated authority detailed in this section ~~29-29-25~~.

⁵ Refer to the Management Policy – Financial Delegations to Officers



Hamilton Streetscape and Gateways Policy review 2023

23 March 2023

Purpose of Briefing/Workshop

1. Staff are reviewing the 'Gateways Policy' and the 'Streetscape Beautification and Berm Maintenance Policy';
2. Deep dive discussion into **private planting on berms** to inform the review; and
3. Capturing any other feedback that will inform the review.

What direction/feedback is needed from Members?

- Should the policies be merged?
- Staff require direction/feedback from Members on **private planting on berms** that will inform this policy review.
- Staff require direction from Members on the Health and Safety implications regarding working in the roading corridor for members of the public.
- Staff are seeking input from Members as to any other concerns they may have of relevance to the policy.

Dates	Proposed timeline
22 March	This workshop with Members to seek direction on specific points to shape draft 1 of the policy.
22 March – 24 April	Draft 1 of Policy prepared informed by Member workshop
24-April – 5 May	Share Point Exercise - draft 1 circulated to Members prior to engagement with Iwi and Mana Whenua and key internal stakeholders (TBC)
10-26 May	Seek feedback from local Iwi and Mana Whenua representatives on draft 1 of the policy
10-26 May	Seek feedback with key internal stakeholders on draft 1 of the policy
26 May - 12 June	Consolidate feedback of draft 1 to form draft 2
12-16 June	Circulate draft 2 with elected members prior to second briefing 21 June.
21 June	Second briefing seeking preliminary approval for Draft 2 prior to final approval at 20 July I&T committee. (TBC)
20 July	Final approval at 20 July I&T committee.

Our review will ensure alignment with:

Access Hamilton

Our Climate Future



A safe transport system



Environmental responsibility



Climate change

Outcome one:

By acting together, our emissions are reducing

CO₂↓

He mahi tahi noo maatou, e mimiti haere ana ngaa paanga parakino

Outcome two:

Our neighbourhoods enable low-carbon living

Maa oo tatou takiwaa noohanga e ora ai te ao waro-hakahaka

Outcome three:

Our city is ready for Hamilton's climate

Kei te rite too taatou taaone moo te aahuarangi o Kiri-kiri-roa

Nature in the City

OUTCOME AREA ONE

We invest in the continued growth of nature in Kiri-kiri-roa/Hamilton

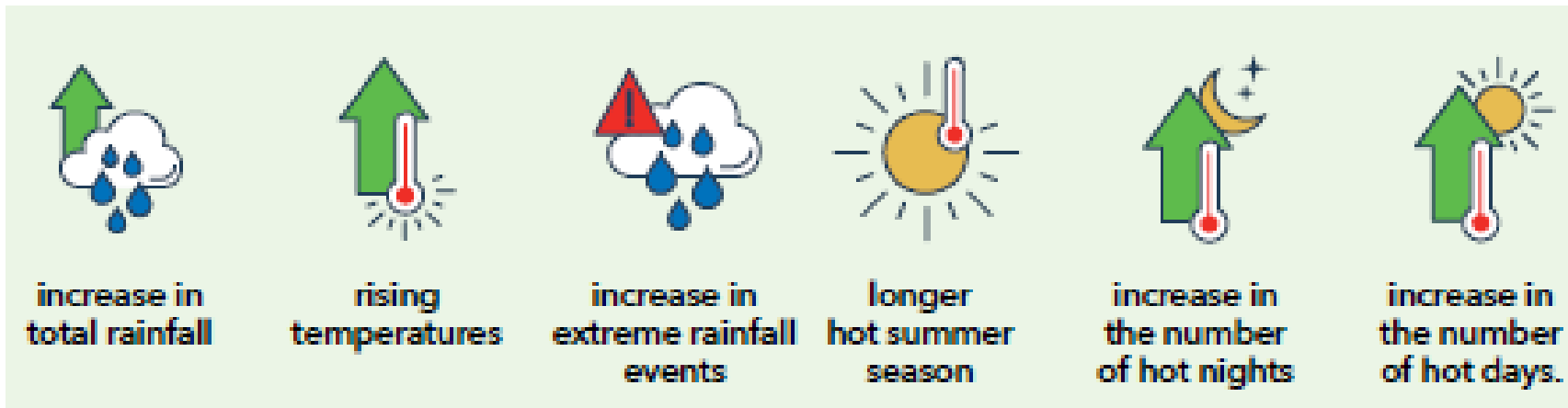
OUTCOME AREA TWO

We are courageous in staying the course

OUTCOME AREA FOUR

Thriving nature is all around us

Our future climate



We are also considering in this review:

- **Opportunities to update and enhance other work programs**
 - LTP 2024-2034
 - Transport AMP renewal
 - Open Spaces Strategy (*under development/review*)
 - Hamilton Tree Policy (*currently under development*)
 - RITS (*currently under review*)
- **Safety**
 - Workers
 - Road users
 - Adjoining land owners
- **Accessibility impacts**
 - Vulnerable road users and the impact the berm has on the footpath
- **Incorporation of Cultural elements**
 - Public art and monuments
 - Holistic approach and perspective
 - He Pou Manawa Ora
- **Roles and responsibilities**
 - City Transport, IA, City Parks and Waka Kotahi
- **Environmental protection**
 - Improving biodiversity
 - Increasing native vegetation (Nature in the city)
 - Erosion
 - Water conservation
- **Climate change resilience (temperature and water extremes)**
 - Carbon reduction
 - Urban heat island effects
 - Improving water quality
 - Vegetation management in a warming climate
- **Resilient and future proofed infrastructure**
 - Fit for purpose planting

Gateways Policy

Purpose and Scope:

1. To identify gateway entrances and routes into Hamilton.
2. To prioritise levels of service for gateway treatments to create a sense of arrival and reflect the city's character, history, and environment or cultural significance.

The Hamilton Gateways Policy is most often used to guide discussions with external agencies such as Waka Kotahi (NZ Transport Agency) to ensure a consistent approach as the public do not differentiate between State Highways and local roads..



Streetscape Beautification and Berm Maintenance Policy

Purpose and Scope:

1. To prioritise maintenance efficiency for streetscape and landscaping in the city to achieve quality streetscapes while ensuring essential utility services are protected and road user safety is maintained.

The Policy provides guidance to planners, developers, and maintenance staff regarding the appropriate level of service for street beautification and responsibility for verge maintenance

The need to review and opportunity to merge the policies

- The 'Hamilton Gateways Policy' and 'Streetscape Beautification and Verge Maintenance Policy' are overdue to be reviewed. This review will ensure they support changes in strategic direction and priorities.
- Both policies have strong alignment and are synergistic in nature.
- The two policies were separated in a 2012 resolution to council. They are no-longer needing to be separate.
- The amalgamation of the policies will help ensure the guidance in these policies is more easily accessible to planners, developers and maintenance staff.



Policy exclusions to note:

- This Policy only applies only to on-street plantings (berms and traffic islands/medians) in the city. This Policy does not apply to parks and reserves including the river corridor.
- This policy excludes defining the species of trees that are allowed to be planted. This is covered in the Hamilton Tree Policy (*currently under development*).
- This policy excludes the specific maintenance and renewal levels of service (LOS) of on-street planting. These LOS are defined in the Transport Activity Management Plan (AMP).

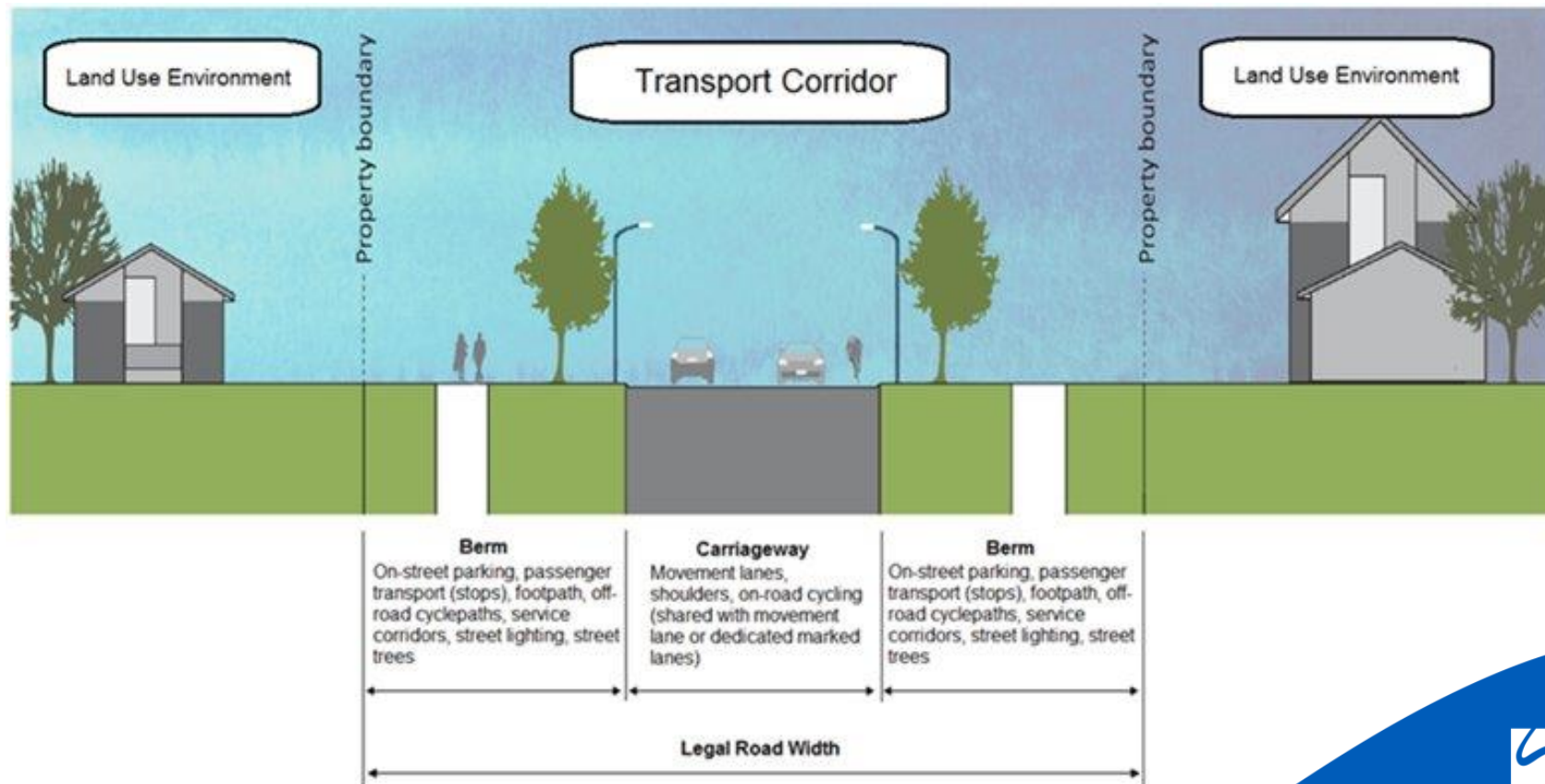


What direction/feedback is needed from Members?

Combining the policies:

Do you want to combine the 'Gateways Policy' and the 'Streetscape Beautification and Berm Maintenance Policy'?

The Berm



Not all berms are the same



Things to consider for private berm planting:

1. The health and safety of working in the road corridor.
2. Visibility and encroachment
3. Resource recovery
4. Utility Encroachment
5. Neighbours
6. Boundaries
7. Growing for human consumption or to sell
8. Artificial grass/tiger turf
9. Alternative ground cover

Things to consider:

1: Health and safety

- Council staff are required to meet traffic management requirements for working on the road when maintaining berms.
- Members of the public are not expected to meet these traffic management requirements when mowing their grass berms.
- Encouraging private planting on berms by members of the public without proper traffic management increases health and safety risks. Should Council be condoning this?



Things to consider:

2: Visibility and encroachment:

- Private planting can adversely affect visibility of pedestrians, street signs and reduce sight lines at intersections and driveways.
- It can also encroach into footpaths and impede pedestrians particularly those who are visually impaired or wheelchair users.
- Ground cover materials such as bark, pebbles or stones can be displaced onto footpaths and pose a nuisance to pedestrians.



Geoff Benge, one of 180 or so mobility scooter users in Waikanae, is calling for urgent work in his part of the country. He's fed up with overgrown vegetation blocking his path, and branches that interfere with riding on pavements.

Things to consider:

3: Resource recovery

- Rubbish and recycling collection trucks must be able to access the berm without any obstructions or hazards.
- It is important to ensure rubbish and recycling is collected efficiently and the berm does not increase any environmental and public health concerns.
- Residents need to ensure that there is that there is unimpeded access of the berm on the kerb-side for regular rubbish and recycling collection.
- If the berm is not returned to grass at the sale of a property, It can be considered illegal dumping, who owns the berm planting permit? And is it transferred in the sale of a property?



Things to consider:

4: Utility Services

- Private planting can result in damage to utility services particularly lateral connections which are at a shallower depth.
- The presence of private planting also creates challenges for utility operators when maintaining existing infrastructure or installing new infrastructure. Root intrusion can also be an issue particularly from fruit trees.
- Some people may install structures such as raised garden beds or compost units which impede maintenance and may be a safety or public health concern. Such structures are also more difficult to remove for utility maintenance.



A New Plymouth woman established two raised square gardens she established on the grass verge outside her home.

Things to consider:

5: Neighbours

- Private plantings have the potential to cause discontent between adjoining landowners who have differing views as to what is appropriate and the look and feel of neighborhoods can be compromised by plantings that do not fit their environment.
- Most private planting is brought to our attention by complaints being made by adjoining landowners



Tim Field recently installed artificial grass after seeing an artificial berm in another part of Christchurch. However, his neighbour didn't think it was a good idea and complained to the Christchurch City Council.

Things to consider:

6: Boundaries

- Private planting on road reserve can blur the boundary between private property and public space and create an inappropriate expectation of ownership or control in respect to this public space by the landowner.
- An adjoining landowner has no more right of use of the road corridor outside their property than any other party. They also have no right of ownership of any flowers or produce grown in the road corridor.



A Wellington woman enclosed a public berm with a hedge, effectively 'claiming' the public land for her own use. .

Things to consider:

7: Growing for human consumption

- Growing plants designed to gardens on the berm are open to animal fouling and automobile pollution, potentially inviting public health issues if vegetables / fruit are not adequately washed.
- Berm gardeners may become unhappy if their produce or plants are removed by members of the public. This could potentially result in conflict.



As an example, in an ongoing issue in Avondale, Auckland involves people entering a property to 'harvest' private gardens and then sell the produce at the Avondale markets.

Things to consider:

8: Artificial Grass

- Residents could amend their berm by planting artificial grass/tiger turf.
- Synthetic turf is becoming more popular, with some environmental concerns that widespread uptake may threaten the loss of wildlife and habitat.
- As most synthetic turf is made from a mix of plastics – polypropylene, polyurethane and polyethylene – it also has the potential to create waste problems.
- Synthetic turf comes in a wide variety of types and quality – and it may be prudent to have some oversight of the type of artificial grass installed on berms.

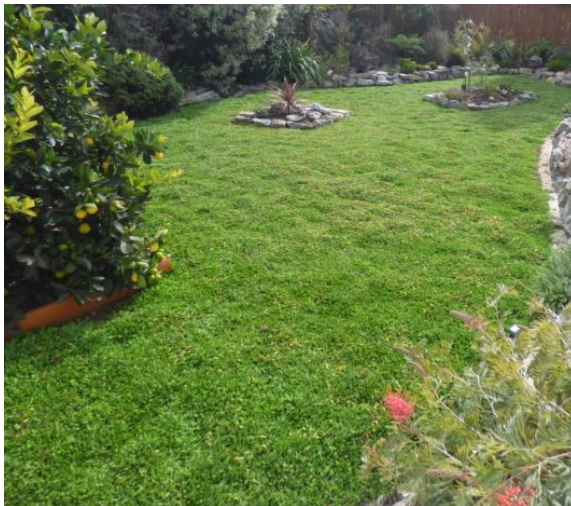


Nelson resident Andrew Wise landscaped his berm in cover other than grass and feature trees. When Council reinstated the grass, he poisoned the grass berm outside his house. Nelson City Council later changed their policy to allow other landscaping materials.

Things to consider:

9: Alternative plants than grass

- Residents could amend their berm by planting alternative plants.
- There are a wide range of options, including New Zealand native plants or creeping thyme.
- Can provide drought-resistant solutions.
- Maintenance requirements are different to regular grass mowing (eg regular weeding and fertilising)



These are two examples of native bedding plantings that could provide an alternative to artificial grass



Looking around New Zealand

Council	Private planting in berm
Hamilton City Council	Requires approval
Waikato District Council	Prohibited
Horowhenua District Council	Requires approval
Palmerston North District Council	Requires approval
Selwyn District Council	Requires approval
Kapiti Coast District Council	Prohibited
Tauranga City Council	Requires approval
Nelson City Council	Inside Berm – Allowed Outside Berm - Prohibited
Auckland Council	Allowed if meet conditions If does not meet conditions, requires approval + license fee

Our Streetscape

Schedule 1	Schedule 2	Schedule 3
		
A high level of amenity characterised by a mix of landscaping and planting, including bedding plants.	A medium level of amenity characterised by a mix of landscaping and planting designed for lower maintenance than Level 1.	Amenity value including planting designed for low maintenance and high resilience.
Examples Central city <ul style="list-style-type: none"> • Garden Place/Civic Square • Victoria Street between Hood Street and London Street City-wide <ul style="list-style-type: none"> • Anzac Parade/Angelsea Street roundabout • Cobham Road/Tristram Street roundabout • Primary City Gateways as outlined in the Hamilton Gateways Policy 	Examples Central city <ul style="list-style-type: none"> • Remainder of central city streets City-wide <ul style="list-style-type: none"> • Dinsdale Road/Tuhikarama Road roundabout • Ohaupo Road/Normandy Avenue roundabout 	All other streets and sites

Our Gateways

Primary	Secondary
	
<p>Provide a high level of amenity characterised by a selection of the following treatments:</p> <ul style="list-style-type: none"> • Landscaping and planting • Public art • Signage, including billboards • Built features 	<p>Provide a medium level of amenity characterised by a selection of the following treatments:</p> <ul style="list-style-type: none"> • Minor planting • Signage <p><i>Current: 6. Gateways are not intended to incorporate promotional tools (e.g. pole banners for upcoming events), but billboards may include city promotion.</i></p>
<ul style="list-style-type: none"> • Resolution Drive • Mangaharakeke Drive • Cambridge Road 	<p>Examples</p> <ul style="list-style-type: none"> • Whatawhata Road SH23 • Ohaupo Road SH3 • Morrinsville Road SH26 • Ruakura Road (link to Waikato Expressway)

What direction/feedback is needed from Members?

Regarding private planting on berms:

Taking everything into consideration, particularly health and safety implications for the public, do you want:

- 1: to continue to allow private planting in the berm?
- 2: private planting to be permitted in 'all of the sections' of berms? Or just certain places?

If private planting is allowed to continue in berms, would you prefer:

- 1: Private planting on berms only be permitted with prior written approval from Council (current policy).
- 2: Private planting on berms permitted without Council approval if it meets all conditions of the policy.

What can be planted (considering environmental assessment for artificial grass)?

- 1: Do you want to allow artificial grass?
- 2: Do you want to investigate further the use of alternative plants than grass?
- 3: Do you want to ban all plants that are grown for human consumption or for sale?

Any other concerns?

- Staff would like to know if there is anything further that Members would like addressed or investigated in this policy's review?

Next steps

- Staff will incorporate Member guidance into a first draft Hamilton Streetscape and Gateways Policy which will be circulated to members
- Staff will then engage with key stakeholders and iwi groups
- Staff will reflect feedback into a second draft and re-circulate the policy for preliminary approval at a second briefing in June
- Final policy presented for approval at 20 July I&T Committee

