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## Council

### OPEN MINUTES

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**Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 27 July 2017 at 9.30am.**

#### PRESENT

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

Richard Briggs – Chief Executive  
Chris Allen – General Manager City Infrastructure  
David Bryant – General Manager Corporate  
Sean Hickey – General Manager Strategy and Communications  
Blair Bowcott – Executive Director Special Projects  
Luke O'Dwyer – Acting General Manager City Growth  
Helen Paki – Acting General Manager Community  
Tracey Musty – Financial Controller  
Nick Johnston – Strategic Advisor Arts and Community  
Jen Baird – Communications Manager  
Nigel Ward – Communications Team Leader  
Greg Carstens – Team Leader Growth Funding and Analytics  
Julie Clausen – Programme Manager Strategy  
Riki Manarangi – Corporate Policy Specialist  
Sarah Ward – Programme Manager Corporate Planning  
Rachael McMillian - Project Manager - Special Projects Strategy

PWC Representatives - Andrew Ricketts, Brent Goldsack, and Justin Liddell.

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

**1. Apologies**

**Resolved:** (Crs Casson/Mallett)

That the apology from Cr Yeung is accepted.

**2. Confirmation of Agenda**

**Resolved:** (Crs Casson/Macpherson)

That the agenda is confirmed, noting that Item 15 – Waikato Plan Adoption (Circulated Under Separate Cover) was added to the agenda.

**3. Declarations of Interest**

No members of the Council declared a Conflict of Interest.

**4. Public Forum**

**Frank Grover** (Resident) *spoke to Item 12 – Draft Easter Sunday Shop Trading Policy – Deliberations.* Mr Grover expressed his views that he was against shop trading on Easter Sunday for religious reasons and because he thought people needed more family time.

**5. Council - Open Minutes to be Confirmed - 29 June 2017**

**Resolved:** (Crs Casson/Gallagher)

That Council confirm the Open Minutes of the Council Meeting held on 29 June 2017 as a true and correct record.

**6. Extraordinary Council - Open Minutes to be Confirmed - 4 July 2017**

**Resolved:** (Crs Bunting/Casson)

That Council confirm the Open Minutes of the Extraordinary Council Meeting held on 4 July 2017 as a true and correct record.

**7. Elected Member Briefing Notes (Open) - 5 July 2017 - To be confirmed**

**Resolved:** (Crs Macpherson/Casson)

That Council confirm the notes of the Elected Member Briefing held on 5 July 2017 as a true and correct record.

**8. Elected Member Briefing Notes (Open) - 6 July 2017 - To be confirmed**

**Resolved:** (Crs Casson/Mallett)

That Council confirm the notes of the Elected Member Briefing held on 6 July 2017 as a true and correct record, noting that the risk workshop discussions were restricted to assets that Council has jurisdiction over.

**9. Chair's Report (Open) - 27 July 2017**

The report was taken as read. The Chair and staff responded questions from Elected Members concerning alignment of the Waterworld Project with the 10 Year Plan process.

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

That the Council:

- a) receives the report; and
- b) approves consideration of the Waterworld report as aligned with the 2018/2028 10 Year Plan Process, and that the report comes to the 21 September 2017, or 19 October 2017, Council Meeting.

**The Motion was put.**

**Those for the Motion:** Mayor King, Councillors Gallagher, Mallett, Macpherson, Bunting, Casson and Taylor.

**Those against the Motion:** Councillors Pascoe, Tooman, O'Leary, Henry and Southgate.

**The Motion was declared carried.**

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

That the Council:

- a) receives the report; and
- b) approves consideration of the Waterworld report as aligned with the 2018/2028 10 Year Plan Process, and that the report comes to the 21 September 2017, or 19 October 2017, Council Meeting.

**10. Financial Strategy Assessment - External Review**

PWC representatives spoke to the report, noting that the report was following on from an Elected Member Briefing on Council's Financial Strategy. Along with staff, they responded to questions from Elected Members on the 8 key points from the Financial Strategy Assessment, as outlined in attachment 1 of the staff report. Elected Members raised concerns regarding the reasons for and the cost of the PWC report.

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

That Council receives the report.

**Cr O'Leary Dissenting.**

***The meeting adjourned 11.36am – 11.53am.***

**11. Vibrant Hamilton Trust (VHT)**

The Strategic Advisor Arts and Community introduced the report, noting that VHT were seeking Council's preference for the future use of the Trust's funds and that the recommended option from the Trust was Option 2 (directed funding towards a key project). It was confirmed that all of the options outlined in the report would result in the VHT being dissolved.

Staff responded to questions from Elected Members concerning the proposed options. It was noted that the final decision regarding the future of VHT and the funds would lie with the trust.

**Resolved:** (Crs O'Leary/Taylor)

That the Council:

- a) receives the report.
- b) confirms the Council's preference for option two for the future use of the Vibrant Hamilton Trust funds; and
- c) advises the Trust of Council's preference for projects for option two, after they have been discussed as part of the 10 Year Plan Process.

**Cr Bunting Dissenting.**

*Cr Macpherson left the meeting (12.31pm) during the discussion on the above Item. He was not present when the matter was voted on.*

***The meeting adjourned from 12.35pm – 1.15pm.***

*Cr Tooman retired from the meeting during the above adjournment.*

*Item 13 (2018-28 10-Year Plan – Confirmation of Community Outcomes and Population and Household Growth Projections) was taken before Item 12 (Draft Easter Sunday Shop Trading Policy – Deliberations) to accommodate staff availability.*

**12. 2018-28 10-Year Plan - Confirmation of Community Outcomes and Population and Household Growth Projections**

The report was taken as read. Staff responded to questions from Elected Members concerning the following:

**Community Outcomes:** Staff confirmed that Council was required to outline its Community Outcomes in the 10-Year plan as they were an important component of strategic direction setting. The Community Outcomes were intended to set some aspirational goals, and reflect the activities Council would undertake to deliver services to the community. The 10 Hamilton Plan priorities were the current Council Community Outcomes.

**Population and Household Growth Projects:** It was noted that Council must approve a set of population and household growth projections to inform the 10-Year Plan process.. The risk of projections being inaccurate were mitigated by the regular monitoring of the projections against actual growth.

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

That the Council:

- a) approves the Community Outcome: to enhance the cultural, social, economic and environmental well-being of Hamilton; and

- b) approves that the National Institute of Demographic and Economic Analysis (NIDEA) low series population and household growth projections to be used for the development of the 2018-28 10-Year Plan.

**Amendment:** (Crs O'Leary/Bunting)

That the Council:

- a) approves the following 10 priorities from the Hamilton Plan as its Community Outcomes:
- i. Our books are balanced
  - ii. The third city economy in New Zealand
  - iii. Providing outstanding infrastructure
  - iv. Strongly connected to the river
  - v. Best garden in the world
  - vi. An active, strong commercial central city with distinctive suburban villages
  - vii. An urban garden
  - viii. Access to affordable housing
  - ix. Celebrated for our arts and culture
  - x. Waikato is the capital of high performance sport
- b) approves the National Institute of Demographic and Economic Analysis (NIDEA) low series population and household growth projections to be used for the development of the 2018-28 10-Year Plan.

**Procedural Motion:** (Crs Southgate/Macpherson)

That this item (in relation to staff recommendation **a**), be adjourned to be discussed as part of the next available 10-Year Plan Elected Member Briefing.

**The Procedural Motion was put.**

**Those for the Procedural Motion:** Mayor King, Councillors Pascoe, Macpherson, Bunting, Henry and Southgate.

**Those against the Procedural Motion:** Councillors Gallagher, Mallett, O'Leary, Casson and Taylor.

**The Procedural Motion was declared carried.**

**Resolved:** (Crs Southgate/Macpherson)

That this item (in relation to staff recommendation (a)), be adjourned to be discussed as part of the next available 10-Year Plan Elected Member Briefing.

**Resolved:** (Crs Mallett/Bunting)

That Council approves that the National Institute of Demographic and Economic Analysis (NIDEA) low series population and household growth projections to be used for the development of the 2018-28 10-Year Plan.

*The meeting adjourned 2.45pm-3.08pm during the discussion of the above Item.*

**13. Draft Easter Sunday Shop Trading Policy – Deliberations**

The Corporate Policy Specialist summarised the public consultation process that had been undertaken concerning the amendment to the Shop Trading Hours Act 1990 which allowed Councils the ability to adopt an Easter Sunday Shop Trading Policy. Staff responded to questions from Elected Members concerning the outcomes of the public consultation process, particularly regarding the position of major retailers such as JPL Group (compromising of Farmers, Whitcoulls, Stevens, Pascoes, Stewart Dawsons) who had indicated they would not trade on Easter Sunday.

**Motion:** (Crs Macpherson/Pascoe)

That Council does **not** approve the Easter Sunday Shop Trading Policy for adoption.

**Those for the Motion:** Mayor King, Councillors Pascoe, Gallagher, Macpherson, O’Leary, Henry, Casson and Southgate.

**Those against the Motion:** Councillors Mallett, Taylor and Bunting.

**Resolved:** (Crs Macpherson/Pascoe)

That Council does **not** approve the Easter Sunday Shop Trading Policy for adoption.

**5. Waikato Plan Adoption (under separate cover)**

The Executive Director Special Projects summarised the report noting that the Waikato Plan was a high level non-statutory strategic document that focused on regional collaboration. Staff responded to questions from Elected Members concerning the following:

**Value to Hamilton City Council:** The Waikato Plan facilitated regional conversations about large scale issues and opportunities which provided benefit to Hamilton City as the central hub of the region. It also enabled and encouraged Central Government, and large regional organisations such as Waikato District Health board, to be involved in those discussions early on. It was indicated by Central Government that having a model in place such as the Waikato Plan, meant that the region would increase the chance of receiving regional economic funding from the Government.

Staff noted that Council would review its ongoing participation in the Waikato Plan by 30 June 2018, with the understanding that if expectations were not met, Hamilton City Council would end its membership with the Waikato Plan.

**Leadership Group:** The Leadership structure was comprised of local government, businesses, community groups, iwi and government agencies. Members of the Leadership Group would have voting rights with the exception of the government agencies being observers and non-voting members.

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

That Council:

- a) receives the report;
- b) adopts the Waikato Plan and summary;
- c) approves, in accordance with Clauses 30 and 30A, Schedule 7 of the Local Government Act 2002, establishment of the Waikato Plan Leadership Group as a Joint Committee of Hamilton City Council, Hauraki District Council, Matamata-Piako District Council, Otorohanga District Council, South Waikato District Council, Taupo District Council, Thames-Coromandel District Council, Waikato District Council, Waikato Regional Council, Waipa District Council, Waitomo District Council, tāngata whenua, with additional representation from business and the wider community as well as government agencies and that the Leadership Group have the terms of reference and membership as outlined in Attachment 3;
- d) delegates authority to the Waikato Plan Leadership Group to implement the Waikato Plan in accordance with the delegated functions set out in the Agreement and Terms of Reference as outlined in Attachment 3;
- e) approves that the Waikato Plan Leadership Group will endure and will not be discharged at the point of the next election period in line with Clause 30(7) of Schedule 7 of the Local Government Act 2002;
- f) approves that the Leadership Group will be chaired by an independent chairperson (non-elected member) to be appointed by the Leadership Group;
- g) approves that a deputy chairperson will also be appointed by the Leadership Group, who may be an elected member and a committee member;
- h) notes that the membership of the Leadership Group will be reviewed within 12 months of the adoption of the Waikato Plan, with the aim of reducing the number of members to 12;
- i) approves the appointment of the Mayor or Mayor's nominee as per the agreed appointment process as Council's representative on the Waikato Plan Leadership Group; and
- j) reviews its ongoing participation in the Waikato Plan by 30 June 2018, taking into consideration the progress against outcomes achieved by the Plan following adoption, external funding contribution targets being achieved (25% for 2018/19 and 50% for 2019/20 and future years) and other key partners' feedback.

**Those for the Motion:**

Mayor King, Councillors Pascoe, Gallagher, Bunting, O'Leary, Henry, Casson and Southgate.

**Those against the Motion:**

Councillors Mallett, Taylor and Macpherson.

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

That Council:

- a) receives the report;
- b) adopts the Waikato Plan and summary;

- c) approves, in accordance with Clauses 30 and 30A, Schedule 7 of the Local Government Act 2002, establishment of the Waikato Plan Leadership Group as a Joint Committee of Hamilton City Council, Hauraki District Council, Matamata-Piako District Council, Otorohanga District Council, South Waikato District Council, Taupo District Council, Thames-Coromandel District Council, Waikato District Council, Waikato Regional Council, Waipa District Council, Waitomo District Council, tāngata whenua, with additional representation from business and the wider community as well as government agencies and that the Leadership Group have the terms of reference and membership as outlined in Attachment 3;
- d) delegates authority to the Waikato Plan Leadership Group to implement the Waikato Plan in accordance with the delegated functions set out in the Agreement and Terms of Reference as outlined in Attachment 3;
- e) approves that the Waikato Plan Leadership Group will endure and will not be discharged at the point of the next election period in line with Clause 30(7) of Schedule 7 of the Local Government Act 2002;
- f) approves that the Leadership Group will be chaired by an independent chairperson (non-elected member) to be appointed by the Leadership Group;
- g) approves that a deputy chairperson will also be appointed by the Leadership Group, who may be an elected member and a committee member;
- h) notes that the membership of the Leadership Group will be reviewed within 12 months of the adoption of the Waikato Plan, with the aim of reducing the number of members to 12;
- i) approves the appointment of the Mayor or Mayor’s nominee as per the agreed appointment process as Council’s representative on the Waikato Plan Leadership Group; and
- j) reviews its ongoing participation in the Waikato Plan by 30 June 2018, taking into consideration the progress against outcomes achieved by the Plan following adoption, external funding contribution targets being achieved (25% for 2018/19 and 50% for 2019/20 and future years) and other key partners’ feedback.

**Resolution to Exclude the Public**

**Resolved:** (Crs Casson/Bunting)

**Section 48, Local Government Official Information and Meetings Act 1987**

The following motion is submitted for consideration:

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

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

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Council - Public Excluded Minutes to be Confirmed - 29 June 2017	) Good reason to withhold information exists under Section 7 Local Government	Section 48(1)(a)
C2. Extraordinary Council - Public Excluded Minutes to	) Official Information and Meetings Act 1987	

be Confirmed - 4 July 2017 )

C3. Elected Member Briefing  
Notes (Closed) - 5 July 2017  
- To be confirmed

C4. Elected Member Briefing  
Notes (Closed) - 6 July 2017  
- To be confirmed

C5. Council - Chair's Report  
(Public Excluded) - 27 July  
2017

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

Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C3.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C4.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C5.	to protect the privacy of natural persons	Section 7 (2) (a)

**The Meeting went into a Public Excluded session at 4.10pm.**

**The Meeting was declared closed at 6.00pm.**

**Appendix 1**

During the public excluded session of the 27 July 2017 Council meeting, the Council resolved to release the following resolution and voting record.

**C5. Chair's Report (Public Excluded) – 27 July 2017**

**Resolved:** (Elected Member/Elected Member)

That the Council:

- a) receives the report;
- b) approves an increase to the Chief Executive's salary to \$440,000 effective immediately;
- c) approves an extension to Chief Executive's contract by a further 2 years to October 2021 subject to receiving advice from Council's lawyer on all proposed changes to the CE's employment contract.

**Those for the Motion : 7**

**Those against the Motion: 4**

**Absent: 2**

**The Motion was declared carried.**