
Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 13 December 2018 at 9.30am.

PRESENT

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

In Attendance:

- Richard Briggs – Chief Executive
- Lance Vervoort – General Manager Community
- David Bryant – General Manager Corporate
- Chris Allen – General Manager Development
- Eeva-Liisa Wright – General Manager Infrastructure Operations
- Jen Braid – General Manager City Growth
- Sean Hickey - General Manager Strategy and Communication
- Sean Murray – General Manager Venues, Tourism and Major Events
- Blair Bowcott – Executive Director Special Projects
- Paul Mens – Director Business Transformation
- Helen Paki – Business Planning Manager Community
- Tracey Musty – Financial Controller
- Natasha Ryan – Key Projects Programme Manager
- Paul Bowman – Team Leader Economic Growth and Urban Policy
- Keith Hornby – Strategic Policy Analyst
- Cory Lang – Building Control Manager
- Natalie Palmer – Unit Manager Communications and Marketing
- Nigel Ward - Communications Team Leader
- Rebecca Whitehead – Libraries Director
- Jason Harrison – Special Projects Manager
- Julie Clausen – Strategic Programme Manager
- Luke O’Dwyer – City Planning Unit Manager
- Andre Chatfield – Risk and Insurance Manager

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

Tame Pokaia carried out a blessing to open the Council Meeting.

1. Apologies

Resolved: (Mayor King/Cr Mallett)
That the apology for absence from Cr Casson be accepted.

2. Confirmation of Agenda

The Chief Executive responded to questions from Elected Members concerning item C5 (Update of Hamilton i-SITE review).

Resolved: (Mayor King/Deputy Mayor Gallagher)
That the agenda is confirmed noting the following:

- a) the debate will be 2 minutes with a 1 minute extension if required;
- b) item 25 (Policy Review - TAB Board Venue Policy) has been circulated to Elected Members under separate cover and will be taken after item 16 (Insurance Renewal for 2018/19);
- c) items 22 & 23 (Recommendations from the Community Services and Environment (CSE) Committee) are placeholders to accommodate potential recommendations in relation to these matters from the CSE Committee meeting taking place on 11 December 2018. Recommendations from this meeting will be circulated under separate cover;
- d) item 16 (Insurance Renewal for 2018/19) is to be taken at 2.00pm to accommodate external presenters;
- e) item 10 (Chair's Report) to be taken after item 8 (Garden Place Update); and
- f) item C5 (Update of Hamilton i-SITE Review) is removed from the agenda to address a request from Elected Members.

3. Declarations of Interest

No members of the Council declared a conflict of interest.

4. Public Forum

No members of the public wished to speak.

5. Confirmation of the Extraordinary Council Open Minutes - 15 November 2018

Resolved: (Mayor King/Cr Bunting)

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

6. Confirmation of the Elected Member Briefing Open Notes - 13 November 2018

Resolved: (Mayor King/Deputy Mayor Gallagher)

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

7. Confirmation of the Elected Member Briefing Open Notes - 29 November 2018

Resolved: (Deputy Mayor Gallagher/Cr Southgate)

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

8. Garden Place Update

Vanessa Williams (Hamilton Central Business Association) introduced Mike Neale (Hamilton Central Business Association), Brian Squair (Chow: Hill), Dave Moule and (Boffa Miskell). Ms Williams explained that the group wished to bring a proposal to Council in the new year in relation to a redesign of Garden Place. The group responded to questions from Elected Members regarding the potential design process Hamilton Central Business Association would follow, the expected timeline and opportunities for expression of interest from other parties.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council receives the report.

10. Chair's Report

The Chair took the report as read.

The General Manager Strategy and Communications provided Elected Members with an overview of the Annual Plan Process.

The Chair explained that a kō was a tool Maaori historically used for digging and that the purpose of his recommendation was for a city kō to be commissioned to be used at sod turnings. He responded to questions from Elected Members concerning the background to the motion, the design and cost of this tool.

Staff Action: *Staff undertook to notify Elected Members when the letter concerning cross-boundary matters was sent to Waikato District Council and to organise a meeting to discuss matters with key Elected Members from both councils.*

Resolved: (Cr Macpherson/Cr Southgate)

That the Council receives the Annual Plan 2019 section of the report.

Mayor King and Cr Mallett Dissenting.

Resolved: (Mayor King/Cr Hamilton)

That the Council requests the Chief Executive investigate the creation of a city kō and report back to a future Council meeting.

Cr Mallett Dissenting.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council defers the Waikato District Council Discussions report until a meeting between both councils has occurred and notes that future updates on the matter will be provided through the Chair's Report.

The meeting adjourned 11.36am to 11.41am.

9. River Plan Update

The General Manager Community introduced the report, noting that staff were requesting direction from Elected Members regarding the River Plan. Staff responded to questions from Elected Members concerning the scope of a River Plan Taskforce, River Plan projects and funding.

Resolved: (Deputy Mayor Gallagher/Cr Taylor)

That the Council:

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

Cr Mallett Dissenting.

Resolved: (Deputy Mayor Gallagher/Mayor King)

That the Council approves Cr Taylor (Chair), Deputy Mayor Gallagher, Cr Hamilton and Cr Pascoe be appointed to the River Plan Taskforce.

The meeting adjourned 12.00pm to 2.10pm during the discussion of the above item.

Following the above adjournment, Item 16 – Insurance Renewal for 2018/19 Report was taken prior to commencing with the debate and vote of Item 9 – River Plan update.

16. Insurance Renewal for 2018/19

The General Manager Corporate introduced Matthew Wilson from Aon insurance. Mr Wilson outlined the reasons why insurance costs had gone up globally. He and staff responded to questions from Elected Members on this issue.

Resolved: (Mayor King/Cr Southgate)

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

11. Te Rapa North - Deferred Industrial Land Update

The Senior Strategic Policy Analyst introduced the report noting that there would be a further report on the matter in the New Year. He responded to questions from Elected Members concerning the scope of the review of available industrial land.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council:

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

Cr Southgate left the meeting 3.19pm during the discussion of the above item. She was not present when the matter was voted on.

12. Mandatory Change to the Hamilton District Plan - inclusion of NPS-UDC minimum development capacity targets

The report was taken as read.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council:

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

13. Amendment to the Hamilton Special Housing Areas Policy

The report was taken as read.

Resolved: (Mayor King/Cr Pascoe)

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

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

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

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

Cr Southgate re-joined the meeting (3.22pm) during the discussion of the above item. She was present when the matter was voted on.

14. Development Contributions Policy - minor amendments

The report was taken as read.

Resolved: (Cr Mallett/Cr Pascoe)

That the Council

- a) receives the report
- b) approves the following minor amendments to Council's Development Contributions Policy 2018/19:
 - i. Policy definition 6.5 "bedroom" be amended to clarify that only one of a living room or dining room (but not both) is excluded when calculating a development contribution
 - ii. Policy definition 6.38 "wet industries" be corrected to state "15,000 litres"

iii. 22. Schedule 2 – Growth-Related Capital Expenditure (Table 3, note 1), insert “.. or specified in the 2017-18 Annual Plan”.

iv. Schedule 8, add new map “Map 7, CBD catchment”.

15. Change to Contract 17047 - Building Control Professional Services

The Building Control Manager introduced the report and responded to questions from Elected Members concerning the need to use professional services and the issues with recruitment.

Resolved: (Cr Tooman/Cr Pascoe)

That the Council:

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

25. Policy Review - TAB Board Venue Policy

The report was taken as read.

Resolved: (Mayor King/Cr Macpherson)

That the Council approves that the TAB Board Venue Policy remain unamended and that the next ‘review by’ date be December 2021.

17. Review of Standing Orders

The Governance Manager took the report as read and responded to questions from Elected Members concerning the review process, feedback methods, and the timing for adoption of the standing orders.

Resolved: (Mayor King/Cr Taylor)

That the Council:

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

18. Online Voting Trial Update

The Governance Manager provided a verbal update on the Online Voting Trial. She noted the Chief Executives of participating Councils had decided to withdraw from the trial for 2019 primarily due to the cost to be borne by a small number of councils. The intent was for Online voting to be considered for the 2022 local elections.

Staff responded to questions from Elected Members concerning future opportunities for online voting, Central Government’s position, and how members of the public were to be notified of Hamilton’s position.

Action: Staff undertook to develop a media advisory on Hamilton's position in relation to online voting.

Resolved: (Cr Mallett/Cr O'Leary)

That the Council receives the report.

19. Recommendation from the Finance Committee - Financial Strategy Monitoring Report - Te Awa Cycleway Remediation Project

The report was taken as read.

Resolved: (Cr Mallett/Cr Pascoe)

That the Council:

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

20. Recommendation from the Finance Committee - Investment and Liability Management Policy

The report was taken as read.

Resolved: (Cr Mallett/Cr Pascoe)

That the Council:

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

21. Recommendation from the Growth and Infrastructure Committee - Passenger Rail Business Case

The report was taken as read.

Resolved: (Cr Macpherson/Cr Taylor)

That the Council:

- a) receives the report;
- b) endorses the Single Stage Business Case for the Hamilton to Auckland Start-up Passenger Rail Service for submission to the New Zealand Transport Agency for decision;

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

Crs Mallett and Tooman Dissenting.

22. Recommendation from the Community, Services and Environment Committee - Hamilton Gardens Development Trust Proposal

The report was taken as read.

Resolved: (Cr Southgate/Cr Hamilton)

That the Council:

- a) approves the establishment of a Project Governance Group (PGG) made up of five appointed members and the General Manager Community;
- b) appoints the Mayor and Cr Southgate as Chair of the Community Services and Environment Committee to join the appointment recommendation panel with two of the Hamilton Gardens Development Trust members to select five people with the right skills for the PGG to be presented to the Council for approval;
- c) notes that any proposed co-opted member of the PGG be approved by Council; and
- d) requests a report back on the Hamilton Gardens development programme, following the outcome of the Provincial Growth Fund.

23. Recommendation from the Community, Services and Environment Committee - Community Development Strategic Business Plan 2019-2022

The report was taken as read.

Resolved: (Cr Southgate/Cr Hamilton)

That the Council:

- a) approves the draft Community and Social Development Strategic Plan 2019 – 2022;
- b) notes that progress on the goals of the Strategic Plan are reported annually to the Community, Services and Environment Committee; and
- c) notes that progress on the outcomes are reported every six months to the Community, Services and Environment Committee.

Cr Mallett Dissenting.

25. Resolution to Exclude the Public

Resolved: (Cr Macpherson/Cr Tooman)

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

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

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

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of the Extraordinary Council Public Excluded Minutes - 15 November 2018) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987	Section 48(1)(a)
C2. Confirmation of the Elected Member Briefing Closed Notes - 13 November 2018		
C3. Confirmation of the Elected Member Briefing Closed Notes - 29 November 2018		
C4. Wet Industry Captial Contributions		

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

Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C3.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C4.	to enable Council to carry out commercial activities without disadvantage to enable Council to carry out negotiations	Section 7 (2) (h) Section 7 (2) (i)

The meeting went into a Public Excluded session at 4.05pm.

The meeting was declared closed at 5.09pm.