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## Business and Investment Subcommittee

### OPEN MINUTES

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**Minutes of a meeting of the Business and Investment Subcommittee held in Committee Room 1, Municipal Building, Garden Place, Hamilton on Friday 9 October 2015 at 10:05am.**

#### PRESENT

Chairperson	Her Worship the Mayor J Hardaker
Members	Cr A King Cr R Pascoe
In Attendance	Debra Stan-Barton – Acting General Manager City Environments Kelvin Powell – Unit Manager City Safe Chris Simpson – Business Manager
Committee Advisor	Mr B Stringer

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#### 1. Apologies

**Resolved:** (Her Worship the Mayor Hardaker/Cr King)

That the apologies from Councillors Forsyth and O’Leary be received and accepted.

#### 2. Confirmation of Agenda

**Resolved:** (Her Worship the Mayor Hardaker/Cr Pascoe)

The Committee confirm the Agenda.

#### 3. Declarations of Interest

No members of the Committee declared a Conflict of Interest.

#### 4. **Business and Investment Subcommittee Open Minutes 15 September 2015**

**Resolved:** (Cr Pascoe/Her Worship the Mayor Hardaker)

That the Subcommittee confirm and adopt as a true and correct record the Open Minutes of the Business and Investment Subcommittee Meeting held on 15 September 2015.

#### 5. **Draft Public Places Policy and Bylaw**

The Unit Manager City Safe ('Unit Manager') introduced the report and summarised the proposed changes to the draft Public Places Policy ('the draft Policy') and draft Public Places Bylaw.

The Unit Manager responded to questions on the following points:

- **Signs**  
A shop sign placed on the footpath was required to be moved on request and at the close of business.
- **Outdoor Dining Barriers**  
Barriers were required to be removed from the designated outdoor area at the conclusion of an establishment's trading hours. The premises' permit would detail the number of tables and chairs allowed. Crowd control barriers utilised by some clubs were not captured under the draft Policy as they were not used for permitted outdoor dining areas.
- **Mobile Shops**
  - i. Staff were requested to update the Central City map (Schedule 4 in the draft Policy) to clearly delineate the area in which mobile shops would be able to operate as proposed under clause 4 of the draft Policy.
  - ii. The Unit Manager acknowledged that the exact location where mobile shops could trade in the central city, and the process of selecting the three mobile shops contemplated in the draft Policy, had yet to be decided.
  - iii. Whether mobile shops should operate within the central city was an issue that had been a subject of discussion for some time. The Unit Manager advised it was for the Subcommittee to determine whether the draft Policy permitted such activities. He suggested mobile shops could provide services that are not otherwise catered for in the central city at specified times; though accepted that key stakeholders who had been consulted expressed divided views on the matter.
  - iv. Staff were not aware of the exact number of mobile shops that operated across the city, though believed there were two that were permanently situated on private land.
- **Buskers**
  - i. The draft Policy contemplated allowing buskers to operate from 7am to 1am under a six-month permit, which would be available at no cost. City Safe staff were comfortable with the extended hours.
  - ii. If an organisation was performing for the purpose of collecting money, it would be considered to be a 'busker' under the draft Policy. It was not intended to capture individuals who wished to speak in a public place without financial reward.
  - iii. The draft Policy prohibited the use of amplified equipment.

**Resolved:** (Her Worship the Mayor Hardaker/Cr Pascoe)

That:

- a) the report be received;
- b) the **draft Public Places Policy** is approved for recommendation to the Strategy and Policy Committee;
- c) the **draft Public Places Bylaw** is approved for recommendation to the Strategy and Policy Committee; and
- d) the following public engagement timeframe is recommended to the Strategy and Policy Committee:
  - i. Public engagement for the bylaw and policy commences following the Council meeting in November 2015 and remains open until 15 January 2016;
  - ii. The Business and Investment Subcommittee meet on 3 February 2016 to approve any changes to the policy, if any, and to hold hearings and deliberate on the bylaw;
  - iii. Recommendations are made to the Strategy and Policy Committee meeting on 11 February 2016; and
  - iv. The Council approve the bylaw at its meeting on 18 February 2016.

**Cr King dissenting.**

Staff were asked to include the following matters in their report to the Strategy and Policy Committee meeting of 3 November 2015 in relation to the draft Policy's proposal for mobile shops trading in the central city:

- i. Whether Council could apply a 'market-rate' permit fee;
- ii. The experience of other territorial authorities to gauge what has or has not worked;
- iii. Confirmation of the number of mobile shops that operate across the city, including on a permanent basis and/or on private land.

**Minute Note:** Subsequent to the Meeting, it was determined that the Business and Investment Subcommittee would meet on 9 February 2016, not 3 February 2016; and that the Strategy and Policy Committee would meet on 16 February 2016, not 11 February 2016.

## **6. Resolution to Exclude the Public**

**Resolved:** (Her Worship the Mayor Hardaker/Cr Pascoe)

### **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. Business and Investment Subcommittee Excluded Minutes 15 September 2015	) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987 ) ) ) )	Section 48(1)(a)

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)

**The Meeting was declared closed at 10:54am.**