
Community Committee

OPEN MINUTES

Minutes of a meeting of the Community Committee held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 20 February 2020 at 9.35am.

PRESENT

Chairperson	Cr Bunting
Deputy Chairperson	Cr Naidoo-Rauf
Members	Mayor Southgate
	Cr Forsyth
	Cr Gallagher
	Cr Hamilton
	Cr Macpherson
	Cr O'Leary
	Cr Pascoe
	Cr Thomson
	Cr van Oosten
	Cr Wilson
	Maangai Thompson-Evans
	Maangai Te Ua

In Attendance:	Lance Vervoort – General Manager Corporate
	Jen Baird – General Manager City Growth
	Maria Barrie - Park and Recreation Manager
	Rebecca Whitehead – Business and Planning Manager
	Helen Paki - Community Services Manager
	Kelvin Powell – City Safe Unit Manager
	Beverly Petersen – Open Spaces and Facilities Manager
	Nick Chester – Social Development Policy Advisor
	Karen Kwok – Recreation and Community Facilities Senior Advisor
	Andy Mannering – Manager Social Development
	James Campbell – Team Leader Sport, Recreation and Community Facilities
	Sandra Murray - Consultant

Governance Staff:	Becca Brooke - Governance Manager
	Amy Viggers – Governance Team Leader
	Claire Guthrie, Carmen Fortin and Rebecca Watson – Governance Advisors

1. Apologies

Resolved: (Cr Wilson/Cr Thomson)

That the apologies for absence from Deputy Mayor Taylor, for early departure from Mayor Paula (due to Council business) are accepted.

2. Confirmation of Agenda

Resolved: (Cr Hamilton/Maangai Te Ua)

That the agenda is confirmed noting that item 6 (Community Committee Draft Schedule of Reports 2020) is taken after Item 14 (Part Reclassification of Claudelands Park – Deferral) to accommodate presenters.

3. Declarations of Interest

Maangai Te Ua declared an interest in item 10 (Community Occupancy Applications) as he was a previously a member of Aberdeen School board. He noted that he was not conflicted and would take part in the discussion and vote of the item.

4. Public Forum

Bruce Holloway (Representing Melville United) spoke to item 10 (Community Occupancy Applications).

Megan Thomas (Representing life Unlimited) spoke to item 10 (Community Occupancy Applications).

Rachel Karalus (CEO, K'aute Pasifika Trust) spoke in support of item 8 (K'aute Pasifika Trust Agreement to Lease).

Desiree Ratima (individual) spoke in support of item 8 (K'aute Pasifika Trust Agreement to Lease).

Lale Ieremia (Representing Hamilton Girls Highschool) spoke in support of item 8 (K'aute Pasifika Trust Agreement to Lease).

Edgar Wilson spoke to item 8 (K'aute Pasifika Trust Agreement to Lease).

Hon Tim Macindoe (MP for Hamilton West) spoke to item 8 (K'aute Pasifika Trust Agreement to Lease).

5. Community Committee Chairs Report - 20 February 2020

Resolved: (Cr Bunting/Cr Naidoo-Rauf)

That the Community Committee receives the report.

6. Part Reclassification of Hinemoa Park

Resolved: (Cr Gallagher/Cr O'Leary)

That the Community Committee:

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

Schedule One

<i>Reserve Name</i>	<i>Approximate area subject to survey (ha)</i>	<i>Legal Description</i>	<i>Computer Freehold Register</i>
Hinemoa Park	0.8386	Section 1 SO 57622	130189

7. K'aute Pasifika Trust - Agreement to Lease

Motion: (Cr Gallagher/Cr Wilson)

That the Community Committee approves an Agreement to Lease with K'aute Pasifika Trust for part of the proposed reclassification area at Hinemoa park, being part of Section 1 SO 57622; subject to the following conditions:

- a) reclassification of part of Hinemoa park from recreation to local purpose (community facility), pursuant to the Reserves Act 1977;
- b) K'aute Pasifika being able to meet all relevant regulatory, compliance and policy matters;
- c) K'aute Pasifika working with Orchestra Central for shared use of the proposed facility;
- d) K'aute Pasifika to undertake fundraising for the project;
- e) Open Spaces and Facilities staff being included in the design of the Pan Pasifika Hub to ensure consistency with the West Town Belt Masterplan;
- f) a total lease term of no more than 30 years maximum;
- g) K'aute Pasifika provide a detailed business plan including and staged development programme, which is satisfactory to Council;
- h) notes that the proposal is based on the current Stadium Bowling Club building ownership transferring to K'aute Pasifika;
- i) notes that the current proposed financial modelling includes sub-leasing components at a commercial rate for the purposes of servicing the bank debt which enables the facility build; and
- k) notes that the final proposal and lease agreement will be reported back to the Community Committee by August 2020 for approval.

Amendment: (Cr Pascoe/Maangai Thompson-Evans)

That the Community Committee approves an Agreement to Lease with K'aute Pasifika Trust for part of the proposed reclassification area at Hinemoa park, being part of Section 1 SO 57622; subject to the following conditions:

- a) reclassification of part of Hinemoa park from recreation to local purpose (community facility), pursuant to the Reserves Act 1977;
- b) K'aute Pasifika being able to meet all relevant regulatory, compliance and policy matters;
- c) K'aute Pasifika working with Orchestra Central for shared use of the proposed facility;
- d) K'aute Pasifika to undertake fundraising for the project;
- e) Open Spaces and Facilities staff being included in the design of the Pan Pasifika Hub to ensure consistency with the West Town Belt Masterplan;
- f) a total lease term of no more than 30 years maximum;
- g) K'aute Pasifika provide a detailed business plan including and staged development programme, which is satisfactory to Council;
- h) notes that the proposal is based on the current Stadium Bowling Club building ownership transferring to K'aute Pasifika;
- i) notes that the current proposed financial modelling includes sub-leasing components at a commercial rate for the purposes of servicing the bank debt which enables the facility build;

- j) that the allowance for the sub-leasing arrangements of the facilities at a commercial rate cease when Kaute Pasifika have paid off the loan relating to the facility build and this being no later than the original loan term agreed with the lender; and
- k) notes that the final proposal and lease agreement will be reported back to the Community Committee by August 2020 for approval.

The Amendment was put.

Those for the Amendment:	Councillors Pascoe, Naidoo-Rauf and Maangai Thompson-Evans.
Those against the Amendment:	Mayor Southgate, Councillors Bunting, Gallagher, Macpherson, O'Leary, Hamilton, Forsyth, Thomson, van Oosten, Wilson and Maangai Te Ua.

The Amendment was declared LOST.

The Motion was put and declared CARRIED.

Resolved: (Cr Gallagher/Cr Wilson)

That the Community Committee approves an Agreement to Lease with K'aute Pasifika Trust for part of the proposed reclassification area at Hinemoa park, being part of Section 1 SO 57622; subject to the following conditions:

- a) reclassification of part of Hinemoa park from recreation to local purpose (community facility), pursuant to the Reserves Act 1977;
- b) K'aute Pasifika being able to meet all relevant regulatory, compliance and policy matters;
- c) K'aute Pasifika working with Orchestra Central for shared use of the proposed facility;
- d) K'aute Pasifika to undertake fundraising for the project;
- e) Open Spaces and Facilities staff being included in the design of the Pan Pasifika Hub to ensure consistency with the West Town Belt Masterplan;
- f) a total lease term of no more than 30 years maximum;
- g) K'aute Pasifika provide a detailed business plan including and staged development programme, which is satisfactory to Council;
- h) notes that the proposal is based on the current Stadium Bowling Club building ownership transferring to K'aute Pasifika;
- i) notes that the current proposed financial modelling includes sub-leasing components at a commercial rate for the purposes of servicing the bank debt which enables the facility build; and
- k) notes that the final proposal and lease agreement will be reported back to the Community Committee by August 2020 for approval.

The meeting adjourned 11.33am to 11.50am.

Mayor Southgate retired from the meeting during the above adjournment.

8. Accessible Properties New Zealand Limited - 2019 Activity Report

Motion: (Cr Macpherson/Cr Wilson)

That the Community Committee receives the report.

Amendment: (Cr Hamilton/Cr Pascoe)

That the Community Committee:

- a) receives the report; and
- b) approves the change in reporting for Accessible Properties Limited to one annual report until the completion of conditions set out in the Sale and Purchase Agreement.

Those for the Amendment: Councillors O'Leary, Pascoe, Hamilton, Forsyth and Naidoo-Rauf.

Those against the Amendment: Councillors Bunting, Macpherson, Thomson, van Oosten, Wilson, Maangai Te Ua and Thompson-Evans.

**The Amendment was declared LOST.
The Motion was put and declared CARRIED.**

Resolved: (Cr Macpherson/Cr Wilson)

That the Community Committee receives the report.

Cr Gallagher left the meeting at 12.00pm during the discussion of the above item. He was not present when the matter was voted on.

Following item 9 (Accessible Properties New Zealand Limited - 2019 Activity Report) item 11 (Civil Defence Emergency Management (CDEM) Update) and item 6 (Community Committee Draft Schedule of Reports 2020) was taken to accommodate staff availability.

9. Civil Defence Emergency Management (CDEM) Update

Resolved: (Cr Hamilton/Cr Bunting)

That the Community Committee receives the report.

10. Community Committee Draft Schedule of Reports 2020

Staff Action: Staff undertook to update Elected Members on the Committee that the City Safety Strategy would report to and when it would be reported to that Committee.

Staff Action: Staff undertook to organise an Elected Members Briefing concerning the Public Arts agenda.

Staff Action: Staff undertook to provide Elected Members with an update as to which committee the Naming of Roads, Opens Spaces and Council Facilities Policy would be referred to.

Staff Action: Staff undertook to update the Schedule of Reports to reflect six monthly reporting required from Accessible properties.

Resolved: (Cr O’Leary/Cr Macpherson)

That the Community Committee:

- a) receives the draft 2020 Schedule of Reports;
- b) notes that the Schedule of Reports is intended to be a living document that will be updated as necessary and will be made available to Elected Members and Maangai Maaori on Diligent; and
- c) requests staff report back to the 7 April 2020 Community Committee meeting with a timeline for a review of the Alcohol Control Bylaw Policy 2015.

Cr Gallagher re-joined the meeting at 12.40pm during the discussion of the above item. He was present when that matter was voted on.

The report was adjourned 12.43pm to 1.30pm.

Cr Forsyth retired from the meeting during the above adjournment.

11. Community Occupancy Applications

Resolved: (Cr Bunting/Cr Pascoe)

That the Community Committee:

- a) approves a new *community group lease*, under s54(1)(b) of the Reserves Act 1977, to **Melville Association Football Club Incorporated** for land area of 148m² (building footprint) and commercial activity under s54(1)(d) of the Reserves Act 1977, for part building area of 53m² (bar and kitchen) at Gower Park, being part Lot 3 DP 33638, subject to the following terms and conditions:
 - i. Term – fifteen years;
 - ii. Rent - \$383.88 plus GST per annum, in accordance with the Community Occupancy Policy;
 - iii. The lease includes approval to operate a commercial activity (bar and kitchen);
 - iv. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- b) approves a new *community group lease* to **Hamilton City Netball Incorporated**, under s54(1)(b) of the Reserves Act 1977, for land area of 18,175m² and building area of 301m² (changeroom/ toilet) at Minogue Park, being Part Allot 75 Pukete PSH and part Lot 9 DP 8639, subject to the following terms and conditions:
 - i. Term – fifteen years;
 - ii. Rent - \$3,575.31 plus GST per annum, in accordance with the Community Occupancy Policy;
 - iii. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- c) approves a new *community group lease*, under s54(1)(b) of the Reserves Act 1977, to **The Flagstaff Club Incorporated** for part building area of 410m² (clubhouse) and commercial activity under s54(1)(d) of the Reserves Act 1977, for building area of 60m² (bar and kitchen) at Flagstaff Park; being part Lot 188 DPS 55370, subject to the following terms and conditions:
 - i. Term – ten years;

- ii. Rent - \$2,818.75 plus GST per annum, in accordance with the Community Occupancy Policy;
 - iii. The lease includes approval to operate a commercial activity (bar and kitchen);
 - iv. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- d) approves a new *community group lease*, under s54(1)(b) of the Reserves Act 1977, to **St Peters Tennis Incorporated**, for land area of 4,191m²; at Palmerston Street Reserve, being part Lot 15 DPS 60901, subject to the following terms and conditions:
 - i. Term – ten years;
 - ii. Rent - \$1,171.66 plus GST per annum, in accordance with the Community Occupancy Policy;
 - iii. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- e) approves a new *community group lease*, under s54(1)(b) of the Reserves Act 1977, to **Life Unlimited Charitable Trust** for a total land area of 2,401m² and commercial activity under s54(1)(d) of the Reserves Act 1977, for part land area of 270m² (shop footprint) at Palmerston Street Reserve, Section 3 SO 61576, subject to the following terms and conditions:
 - i. Term – fifteen years;
 - ii. Rent - \$880.79 plus GST per annum in accordance with the Community Occupancy Policy;
 - iii. The lease includes approval to operate a commercial activity (Mobility Centre shop);
 - iv. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- f) approves a new *community group lease*, under s54(1)(b) of the Reserves Act 1977, to **Aberdeen School** for a building area of 123m² at Wake park, being Part Lot 1 DPS 14452, subject to the following terms and conditions:
 - i. Term – ten years;
 - ii. Rent - \$230.63 plus GST per annum in accordance with the Community Occupancy Policy;
 - iii. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- g) approves a new *community group commercial occupancy agreement*, under s54(1)(d) of the Reserves Act 1977, to **Hamilton City Netball Incorporated**, for part land 68m² (kitchen footprint); at Minogue Park, being part Allot 75 Pukete PSH, subject to the following terms and conditions:
 - i. Term – fifteen years;
 - ii. Rent - \$158.36 plus GST per annum, in accordance with the Community Occupancy Policy; and
 - iii. Commercial activity - canteen/kitchen;
 - iv. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.

- h) approves a new *community group commercial occupancy agreement*, under s54(1)(d) of the Reserves Act 1977, to **St Peters Tennis Club Incorporated** for part land of 25m² (tennis pro-shop footprint) at Palmerston Street Reserve, being part Lot 15 DPS 60901, subject to the following terms and conditions:
 - i. Term – ten years;
 - ii. Rent - \$58.22 plus GST per annum, in accordance with the Community Occupancy Policy;
 - iii. Commercial activity – tennis pro-shop;
 - iv. All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.

12. Joint consultation for the Hamilton Safety in Public Places Bylaw and Public Places Policy Reviews

Resolved: (Cr O’Leary/Cr Bunting)

That the Community Committee defers this report to a future Elected Member Briefing.

13. Draft Hamilton Gardens Management Plan Report Update

Resolved: (Cr Bunting/Cr Naidoo-Rauf)

That the Community Committee:

- a) receives the report;
- b) defers consideration of the draft Hamilton Gardens Management Plan to the Community Committee meeting of 7 April 2020; and
- c) notes that staff will present legal advice related to progressing the Hamilton Gardens Management Plan and updated lay-out options that address the significant public interest in the Rhododendron Lawn at an Elected Member briefing on 26 February 2020.

14. Part reclassification of Claudelands Park – deferral

Resolved: (Cr Gallagher/Cr O’Leary)

That the Community Committee:

- a) receives the report; and
- b) defers the report on part reclassification of Claudelands Park to the Council meeting of 19 March 2020.

The meeting was declared closed at 2.20pm.