
Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Wednesday 18 October 2017 at 1.24pm.

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 P Southgate
	Cr G Taylor
	Cr L Tooman (part)

In Attendance:	Lance Vervoort – General Manager Community
	Sean Hickey – General Manager Strategy and Communications
	David Bryant – General Manager Corporate
	Kelvyn Eglinton – General Manager City Growth
	Luke O’Dwyer – Economic Growth and Planning Unit Manager
	Tracey Musty – Financial Controller
	Eeva-Liisa Wright – Business Manager City Infrastructure
	Riki Manarangi – Corporate Policy Specialist
	Racheal McMillan – Special Projects Programme Manager
	Justine Allen – Civic Events Manager
	Stafford Hodgson – Economic Growth and Planning Analyst
	Debbie Lascelles – Community Services Manager
	Chelsey Stewart – Project Manager
	Paul Bowman – Team Leader Economic Growth and Urban Policy
	Morva Kaye – Financial Accountant
	Jeff Neems – Communications Advisor
	Mark Servian – Communications Advisor
	Nigel Ward – Communications Team Leader
	Michelle Howie – Project Manager
	Brendan Stringer – Legal Services and Governance Officer
	Muna Wharawhara – Amorangi Maaori
	Dale Ofsofske – Electoral Officer
	Paul Connell – Chair of the Audit and Risk Committee
	Tame Pokaia – Council Komatua
	Lee-Ann Jordan – Governance Manager

Becca Brooke – Governance Team Leader
Amy Viggers – Committee Advisor

Tame Pokaia carried out a blessing and Venerable Paul Weeding read a bible reading ahead of the official meeting starting.

The General Manager Community asked that a minute silence be observed to acknowledge the passing of Cr Philip Yeung. Following the minutes silence, the General Manager Community advised that this was the first Council Meeting to take place after the passing of Cr Philip Yeung. He acknowledged Philip's wife Alice and daughter Jeannie who were in attendance and invited people to share acknowledgements and memories of Cr Philip Yeung.

1. Apologies

Resolved: (Crs Casson/Gallagher)

That the apology from Cr O'Leary is accepted.

Leave of Absence previously approved for Cr Pascoe to 24 October 2017.

2. Confirmation of Agenda

Resolved: (Crs Mallett/Bunting)

That that agenda is confirmed noting the following:

- **Item 11 - Special Housing Area Application - Jebson Place Residential Development**
Attachment 3 (*Full Application for the Jebson Place Special Housing Area proposal*) has been circulated under separate cover.
- **Item 13 - Recommendation from the Audit and Risk Committee – Adoption of the Annual Report 2016/17** to be taken after item 6 (Chairs Report) to accommodate external presenter (Paul Connell). Attachment 1 (2016/17 Annual Report) and 2 (2016/17 Annual Report Summary) were circulated under separate cover prior to the meeting.

3. Declarations of Interest

Cr Mallett noted that in relation to Item 10 (Special Housing Area – Expressions of Interest), his father had owned Fosters Construction 20 years ago but he had no pecuniary interest in relation to this item.

4. Public Forum

Mr Geoff Kreegher (*resident*) spoke to Item 7 (Review of Maaori Representation). Mr Kreegher outlined the reasons he was not supportive of Maaori representation or Maaori Wards.

Tame Pokaia and representatives of Council's Maaori collective stakeholder groups spoke to Item 7 (Review of Maaori Representation). They noted that they were supportive of option d) outlined in the staff report.

5. Confirmation of Council Minutes - Open - 21 September 2017

Resolved: (Cr Casson/Cr Mallett)

That the Council confirms the Open Minutes of the Council Meeting held on 21 September 2017 as a true and correct record.

6. Chair's Report 18 October 2017

The Chair took the report as read.

Resolved: (Mayor King/Cr Henry)

That Council:

- a) defers the class 4 gambling policy report to the 16 November 2017 Council meeting; and
- b) defers the Hillsborough Terrace Road Stopping report to the 16 November 2017 Council meeting.

Item 13 – (Recommendation from the Audit and Risk Committee – Adoption of the Annual Report) was taken next to accommodate an external presenter.

7. Recommendation from the Audit and Risk Committee - Adoption of the Annual Report 2016/17

The Chair of the Audit and Risk Committee introduced the report. It was noted that there were minor changes to the following parts of the annual report: note 19 was updated to include the additional \$5 million spent on two capital assets related to the water treatment system and the roads and traffic network; and note 30 was updated to include the sale of Waikato Innovation Park Limited shares and the dissolution of Hamilton Properties Limited.

Resolved: (Mayor King/Cr Mallett)

That the Council adopts the 2016/17 Annual Report, noting the following changes:

- Page 16 – 'no data' be changed to 'zero'
- Page 108 note 19 – include additional \$5 million spend on two capital assets related to the water treatment system and roads and traffic network
- Page 124 note 30 – updated to include the sale of Waikato Innovation Park Limited shares and the dissolution of Hamilton Properties Limited.

8. Review of Maaori Representation

The Governance Manager introduced the report, noting a robust process had been followed by the project group and the timeline. She also noted that staff had provided all options available for consideration but not made a recommendation as this was a Governance matter.

Resolved: (Mayor King/Cr Southgate)

That the Council:

- a) resolves to further explore Maaori governance representation options ('alternative representation models') other than Maaori wards and requests the Chief Executive to further investigate such alternative representation models including:

- (i) consulting with key stakeholders (including Waikato-Tainui, Te Runanga o Kirikiriroa and Te Haa o te Whenua o Kirikiriroa); and
 - (ii) assessing implications for the Council, including financial, legal, policy and process. (*option 3 in the options table on page 25-27 of this report*).
- b) notes that the additional work requested will align with the mid-term Governance Structure review, and that a report will be presented to the Council with recommended options before 30 May 2018; and
- c) thanks Linda Te Aho for her support to the project team on the representation review.

Cr Mallett Dissenting.

Cr Tooman joined the meeting (2.00pm) during the debate of the above Item. He was present when the matter was voted on.

9. Waterworld Renewals Project - Delegation to Award Contract

The Community Services Manager took the report as read.

Resolved: (Cr Bunting/Cr Casson)

That the Council:

- a) receives the report; and
- b) delegates authority to the Chief Executive to finalise award of Contract 15468 for the Waterworld Renewals Project with Fletcher Construction Company Limited, subject to the total Approved Contract Sum not exceeding \$10,050,402.

10. 2018-28 10-Year Plan - Community Outcomes

The General Manager Strategy and Communications took the report as read.

Motion: (Crs Bunting/Taylor)

That the Council approves the following as the Hamilton City Council's Community Outcomes:

- a) *A great river city –*
Our city embraces its natural environment and has green spaces, features and community facilities that make it a great place to live, work, play and visit.
- b) *A city that embraces growth –*
Our city has infrastructure that meets our current demands, supports growth and helps build a strong economy.
- c) *A council that is best in business –*
Our council is customer focussed, financially sustainable and has the best people delivering the best outcomes for the city.

Amendment: (Crs Southgate/Henry)

That the Council approve the following as the Hamilton City Council's Community Outcomes:

Hamilton will have:

- 1) Robust city finances;
- 2) A strong, growing economy;
- 3) High quality infrastructure and facilities ;
- 4) A thriving commercial central city;
- 5) Positive connections with the Waikato River;
- 6) World class public gardens;
- 7) Exciting arts and culture;
- 8) Fantastic parks and green spaces; and
- 9) Recreation and sporting activities for all to enjoy

The Amendment was put.

Those for the Amendment: Councillors Casson and Henry.

Those against the Amendment: Mayor King, Councillors Gallagher, Mallett, Tooman, Macpherson, Bunting, Southgate and Taylor.

The Amendment was declared lost.

The Motion was then put.

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

Those against the Motion: Councillor Southgate.

The Motion was declared carried.

Resolved: (Crs Bunting/Taylor)

That the Council approves the following as the Hamilton City Council's Community Outcomes:

- a) *A great river city* –
Our city embraces its natural environment and has green spaces, features and community facilities that make it a great place to live, work, play and visit.
- b) *A city that embraces growth* –
Our city has infrastructure that meets our current demands, supports growth and helps build a strong economy.
- c) *A council that is best in business* –
Our council is customer focussed, financially sustainable and has the best people delivering the best outcomes for the city.

11. Special Housing Area (SHA) - Expressions of Interest

The Economic Growth and Planning Unit Manager introduced the report and responded to questions from Elected Members concerning the process for consultation/notification of SHA applications and provided details around the SHA applications received so far, as outlined in the staff report.

Staff were thanked and acknowledged by Elected Members for the work that had been carried out in relation to SHA's.

Resolved: (Mayor King/Cr Casson)

That the Council:

- a) receives the report; and
- b) approves all EOI's received and scheduled in Appendix 1 for further evaluation in accordance with the criteria set out in the SHA Policy and Housing Accords and Special Housing Areas Act 2013 (HASHAA) and seek public feedback for three weeks on all sites.

12. Special Housing Area Application - Jebson Place Residential Development

The Economic Growth and Planning Unit Manager introduced the report noting the application met all of the criteria to be a special housing area. He responded to questions from Elected Members concerning public consultation not being required due to the sites location and recently granted consent.

Resolved: (Mayor King/Cr Taylor)

That the Council:

- a) receives the report; and
- b) recommends to the Minister for Building and Construction pursuant to section 17 of the Housing Accords and Special Housing Areas Act 2013, that a Special Housing Area be established over Jebson Place or street address of 5A Cassidy Street listed by the land parcels identified in Schedule 1 as shown on the proposed SHA map set out in.
Attachment 1. Subject to the receipt of a report that demonstrates that all infrastructure necessary to service the proposed SHA is available or will be made available by the developer at no cost to the Council in advance of all identified infrastructure demand arising then;
- c) confirms for the purpose of section 16 of the Housing Accords and Special Housing Areas Act that it is satisfied that:
 - (i) there is evidence of demand to create qualifying developments in the SHA
 - (ii) there is demand for residential housing in the SHA
- d) recommends to the Minister for Building and Construction pursuant to section 17 of the Housing Accord and Special Housing Areas Act 2013, that the Special Housing Area has prescribed criteria as follows:
 - (i) the maximum calculated height of dwellings shall be 10m
 - (ii) the SHA shall not contain fewer than 80 dwellings

- e) delegates authority to the Chief Executive to receive and accept the assessment identified in b) above prior to recommending to the Minister for Building and Construction and enter into negotiations with the proponent to secure a development agreement to secure provisions on necessary infrastructure, if required.

13. Waikato Regional Council Review of Regional Emergency Services Fund

The report was taken as read.

Resolved: (Cr Southgate/Cr Tooman)

That the Council:

- a) supports the retention of the Regional Emergency Services Fund and its current non-contestable funding model, the list of current recipients, and the current level of funding adjusted for inflation; and
- b) requests the Chief Executive inform the Waikato Regional Council of Council's support as per a) above.

14. Policy Review - Elected Member Support Policy

The Governance Manager introduced the report, noting that the draft policy reflected any feedback that had been provided by Elected Members. She responded to questions from Elected Members on the proposed policy changes.

The Governance Manager undertook to provide further clarification to Elected Members concerning mileage claims following the meeting.

Resolved: (Crs Taylor/Bunting)

That the Council:

- a) approves the amended Elected Member Support Policy (Attachment 2 to the staff report).
- b) notes that paragraphs 15 and 16 in the amended Policy (*Communications Expenses and Allowances*) took effect from 1 July 2017 as required by the Remuneration Authority's 2017/18 determination.

15. Resolution to Exclude the Public

Resolved: (Cr Casson/Cr Mallett)

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 Council Minutes - Public Excluded - 21 September 2017	<ul style="list-style-type: none">) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987 	Section 48(1)(a)
<p>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:</p>		
Item C1.	<p>to prevent the disclosure or use of official information for improper gain or improper advantage</p>	Section 7 (2) (j)

The Meeting went into a Public Excluded session at 3.20pm.

The Meeting was declared closed at 3.21pm.