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## **Council Kaunihera OPEN MINUTES**

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**Minutes of a meeting of the Council held in the Council Chamber and via Audio-Visual Link, Municipal Building, Garden Place, Hamilton on Thursday 6 July 2023 at 9.32am.**

### **PRESENT**

**Chairperson** Mayor Paula Southgate  
**Heamana**

**Deputy Chairperson** Deputy Mayor Angela O’Leary  
**Heamana Tuarua**

**Members:** Cr Maxine van Oosten  
Cr Moko Tauariki  
Cr Mark Donovan  
Cr Louise Hutt  
Cr Andrew Bydder  
Cr Geoff Taylor  
Cr Sarah Thomson (Via Audio-visual Link)  
Cr Emma Pike  
Cr Melaina Huaki  
Cr Anna Casey-Cox

**In Attendance:** Lance Vervoort – Chief Executive  
Sean Murray – General Manager, Venues, Tourism & Events  
David Bryant - General Manager, Business Services  
Andrew Parsons – General Manager, Infrastructure and Assets  
Helen Paki – General Manager, Customer and Community  
Julie Clausen – Acting General Manager, Partnerships, Communication and Maaori  
Greg Carstens – Acting General Manager, Growth and Planning  
Eeva-Liisa Wright – Executive Director, Infrastructure Operations  
Chris Allen – Executive Director, Development  
Michelle Hawthorne - Governance & Assurance Manager  
Carmen Fookes - Policy and Bylaw Advisor

**Governance Staff:** Amy Viggers – Governance Lead  
Nicholas Hawtin and Chantal Jansen – Governance Advisor

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*Tame Pokaia opened the meeting with a karakia.*

### **1. Apologies – Tono aroha**

**Resolved:** (Deputy Mayor O’Leary /Cr van Oosten)

That the apologies for absence from Cr Wilson, Cr Hamilton and Cr Naidoo-Rauf and for partial attendance from Mayor Southgate are accepted.

**2. Confirmation of Agenda – *Whakatau raarangi take***

**Resolved:** (Deputy Mayor O’Leary/Cr Taylor)

That the agenda is confirmed.

**3. Declarations of Interest – *Tauaakii whaipaaanga***

During the discussion of Item C6 (2023 LGNZ AGM President and Vice-President) Mayor Southgate declared a conflict. She did not take part in the discussion or vote on that matter and left the meeting.

**4. Public Forum – *Aatea koorero***

Not applicable.

**5. Confirmation of the Council Open Minutes - 15 June 2023**

**Resolved:** (Mayor Southgate/Deputy Mayor O’Leary)

That the Council confirm the Open Minutes of the Council Meeting held on 15 June 2023 as a true and correct record.

**6. Confirmation of the Elected Member Open Briefing Notes - 8 June 2023**

**Resolved:** (Deputy Mayor O’Leary/Cr Casey-Cox)

That the Council confirm the Open Briefing Notes of the Elected Member Briefing held on 8 June 2023 as a true and correct record.

**7. 2023 LGNZ Remits for Consideration**

The Governance & Assurance Manager and the Policy and Bylaw Advisor took the report as read. Staff responded to questions from Elected Members in regards to the Remits, Co-Chairs at formal meetings, Data sharing agreements, public transport and low emission transport systems.

**Resolved:** (Deputy Mayor O’Leary/Cr van Oosten)

That the Council:

- a) receives the report; and
- b) notes that the Council has indicated to **support** the following remits, to be voted on by the presiding HCC Delegate at the 2023 Local Government NZ AGM, and that the presiding delegate may duly take into consideration additional information received on the day to inform the final vote on behalf of the Council:
  - i. Allocation of risk and liability in the building sector;
  - ii. Rates rebate;
  - iii. Roading/transport maintenance funding;
  - iv. Local election accessibility;
  - vi. Parking infringement penalties;
  - viii. Establishing resolution service;
  - ix. Earthquake prone buildings;
  - x. Kiwisaver contributions for elected members; and
  - xi. Audit NZ fees.

**Resolved:** (Cr Tauariki/Cr Casey-Cox)

That the Council notes it has indicated to support "Ability for co-chairs at formal meetings" remit.

**Deputy Mayor O'Leary, Cr Bydder, Cr Taylor and Cr Donovan Dissenting.**

**Resolved:** (Deputy Mayor O'Leary/ Cr Hutt)

That the Council notes it has indicated to support "Rural and regional public transport " remit.

**Cr Bydder and Cr Taylor Dissenting.**

**8. Request for a leave of absence - Cr Ryan Hamilton**

The Governance & Assurance Manager took the report as read. Staff responded to questions from Elected Members in regards to councillor insurance coverage and benefits.

**Resolved:** (Cr Taylor/Cr Tauariki)

That the Council:

- a) receives the report;
- b) approves a formal, extended Leave of Absence without pay for Cr Hamilton from Wednesday 12 July 2023 to Saturday 14 October 2023 (inclusive of these dates) as provided for under Section 13.3 of Council's Standing Orders and the rules of the Remuneration Authority;
- c) approves the appointment of Cr Thomson as Chair and Cr Wilson as the Deputy Chair of the Growth Strategic Growth and District Plan Committee for the above leave of absence period;
- d) requests staff to seek approval from the Remuneration Authority to:
  - i. increase Cr Thomson's annual remunerations to that of 'Chair of Committee of the Whole' for the above Leave of Absence Period; and
  - ii. allocate the difference between the role of 'Senior Chair' and 'Chair of Committee of the Whole' to all Councillors evenly for the above Leave of Absence Period.

**9. Report from the Strategic Risk and Assurance Committee - Safety and Wellbeing**

The General Manager, Business Services took the report as read. Staff responded to questions from Elected Members in regards to staff wellbeing, mental health awareness, metrics within the staff report and engagement from staff.

**Resolved:** (Deputy Mayor O'Leary/Cr Donovan)

That the Council receives the report.

**10. Report from the Strategic Risk and Assurance Committee - Risk Management Report**

The Governance & Assurance Manager took the report as read. Staff responded to questions from Elected Members in regards to climate change, preparation for extreme weather events and the impact on infrastructure.

**Resolved:** (Deputy Mayor O'Leary/Cr Tauariki)

That the Council receives the report.

**11. Recommendations from Open Committee Meetings****Financial Performance & Strategy Report****Resolved:** (Cr van Oosten/Cr Tauariki)

That the Council:

- a) approves the capital movement as identified in paragraph 29 of the 30 April 2023 Capital Portfolio Monitoring Report;
- b) approves the significant forecast adjustments as set out in paragraphs 56 to 58 of the staff report; and
- c) approves the revised Financial Strategy position for Debt to Revenue, Net Debt and Balancing the Books as set out in paragraphs 60 to 62 of the staff report.

**12. Resolution to Exclude the Public****Resolved:** (Deputy Mayor O’Leary/Cr Tauariki)**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 Council Unconfirmed Public Excluded Minutes 15 June 2023	) Good reason to withhold ) information exists under ) Section 7 Local Government ) Official Information and ) Meetings Act 1987	Section 48(1)(a)
C2. Hamilton Gardens Additional Pavilion Renewals		
C3. IS Contract Renewals		
C4. Whatukooruru Dr Contract Award		
C5. Maangai Maaori - Committee Appointments		
C6. 2023 LGNZ AGM President and Vice-President		

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 protect the privacy of natural persons	Section 7 (2) (a)
Item C2.	to enable Council to carry out commercial	Section 7 (2) (h)

	activities without disadvantage	Section 7 (2) (i)
Item C3.	to enable Council to carry out negotiations	Section 7 (2) (i)
Item C4.	to enable Council to carry out negotiations	Section 7 (2) (f) (ii)
	to maintain the effective conduct of public	Section 7 (2) (h)
	affairs through protecting persons from	Section 7 (2) (i)
	improper pressure or harassment	
	to enable Council to carry out commercial	
	activities without disadvantage	
	to enable Council to carry out negotiations	
Item C5.	to protect the privacy of natural persons	Section 7 (2) (a)
Item C6.	to protect the privacy of natural persons	Section 7 (2) (a)

**The meeting moved into a public excluded session at 10:30am.**

**The meeting was declared closed at 1:20pm.**

Minute Note 06/07/2023:

On 06/07/2023 the following resolutions were determined to be released to the public via these minutes and the quarterly update:

That the Council:

a) receives the report;

b) approves Option 2, to bring forward \$3.5m of Renewals and Compliance budget from 2024/25 (year 4 of the 2021-31 LTP) for the delivery of the Hamilton Gardens Pavilion and Forecourts renewals alongside the Visitor Precinct Project; and

c) notes that the decision and information in relation to this matter be released at the appropriate time, to be determined by the Chief Executive.