
Council *Kaunihera* OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber and Audio-Visual Link , Municipal Building, Garden Place, Hamilton on Thursday 7 September 2023 at 9.30am.

PRESENT

Deputy Chairperson Deputy Mayor Angela O’Leary
Heamana Tuarua

Members:

- Cr Maxine van Oosten
- Cr Moko Tauariki
- Cr Ewan Wilson
- Cr Mark Donovan
- Cr Louise Hutt
- Cr Andrew Bydder
- Cr Geoff Taylor
- Cr Sarah Thomson
- Cr Emma Pike
- Cr Anna Casey-Cox
- Cr Kesh Naidoo-Rauf

In Attendance:

- Lance Vervoort – Chief Executive
- David Bryant – General Manager Business Services
- Andrew Parson – General Manager Infrastructure and Assets
- Blair Bowcott – General Manager Strategy, Growth and Planning
- Helen Paki – General Manager Customer and Community
- Julie Clausen – Acting General Manager Partnerships, Communication and Maaori
- Nicolas Wells – Strategic Property Manager
- Michelle Hawthorne – Governance and Assurance Manager
- Dale Ofoske and Ben Roser Election Services Representatives

Governance Staff:

- Amy Viggers – Governance Lead
- Nicholas Hawtin and Arnold Andrews – Governance Advisors

Tame Pokaia opened the meeting with a karakia.

1. **Apologies – Tono aroha**
Resolved: (Deputy O’Leary/Cr van Oosten)
That the apologies for absences from Mayor Southgate (Council Business) and Cr Huaki, and for lateness from Cr Donovan is accepted.
2. **Confirmation of Agenda – Whakatau raarangi take**
Resolved: (Deputy O’Leary/Cr Thomson)
That the agenda is confirmed.

3. Declarations of Interest – *Tauaakii whaipaaanga*

Cr Wilson declared an interest in Item C3 (District Licensing Committee Appointments).

4. Public Forum – *Aatea koorero*

Neil Curgenven (President of the Waikato Historical Society) spoke to item 8 (Sonning Carpark – Application to Change Name) in support and highlighted his views that the land to be returned to Iwi. He responded to questions from Elected Members concerning the land.

Gordon Chesterman (Chair of Guardians of Claudelands) spoke to item 8 (Sonning Carpark – Application to Change Name) in support of the name change application. He responded to questions from Elected Members concerning the future of Sonning Car Park.

Priya Kurian spoke to item 9 (Electoral Decisions for 2025 Triennial Election) in support of the retention of the STV voting system. She responded to questions from Elected Members concerning perceived barriers of the STV voting system.

5. Confirmation of the Council Open Minutes - 3 August 2023

Resolved: (Cr Wilson/Cr Donovan)

That the Council confirm the Open Minutes of the Council Meeting held on 3 August 2023 as a true and correct record.

6. Confirmation of the Elected Member Open Briefing Notes - 2 August 2023

Resolved: (Deputy O'Leary/Cr van Oosten)

That the Council confirm the Open Briefing Notes of the Elected Member Briefing held on 2 August 2023 as a true and correct record.

7. Chair's Report 7 September 2023

The Deputy Mayor provided a verbal report regarding the FIFA world cup, National Council meetings, the Resource Management Local Government Reform steering group meetings and the Waikato Regional Council Waikato Scheme Subcommittee.

Resolved: (Cr Wilson/Cr Donovan)

That the Council

- a) receives the verbal report; and
- b) appoints Cr Maxine van Oosten as Hamilton City Councils representative on the Waikato Regional Council Waikato Scheme Subcommittee.

8. Sonning Carpark - Application to Change Name

Wiremu Puke (Ngaati Wairere Representative) spoke to the application, their support to rename Sonning Carpark, alternative development options, and the site's history. He responded to questions from Elected Members concerning history of the site, alternative options for development on the site, and the desired outcomes from Ngaati Wairere perspective .

The Strategic Property Manager introduced the report and staff recommendation. Staff responded to questions from Elected Members concerning the history of Sonning Carpark, work that would in relation to Jesmond park, risks to Council, the name change policy process, and the impact of the proposed name change.

Motion: (Deputy Mayor O'Leary /Cr Tauariki)

That the Council:

- a) receives the report;
- b) approves **Options One and Three** of the staff report, to:
 - i. change the name of the Sonning Carpark (described first and second in the schedule) to Opoia Paa in recognition of the history and cultural importance of the site with immediate effect;
 - ii. partner with mana whenua to consider the next steps for enhancing and developing Sonning Carpark;
 - iv. investigate changing the name of Jesmond Park (described third in the schedule) to Opoia Paa in recognition of the history and cultural importance of the site, and report back to the Community and Natural Environment Committee with a recommendation; and
- d) notes that the high-level options for the future of the site will be considered by the Economic Development Committee on 14 September 2023.

SCHEDULE

First All that land described as an Estate in Fee Simple comprising Allotment 465 Parish of Kirikiriroa contained in Computer Freehold Register Identifier SA50D/392 of 7,264 square metres more or less and physically located at **191 River Road**, Hamilton (**Attachment 1**).

Second All that land described as an Estate in Fee Simple comprising Lot 2 DPS 31617 contained in Computer Freehold Register Identifier SA30A/477 of 2,496 square metres more or less and physically located at **197 River Road**, Hamilton (**Attachment 2**).

Third All that land described as an Estate in Fee Simple comprising Lots 1-7 DP 14636 contained in Computer Freehold Register Identifier SA611/187 of 6,880 square metres more or less, known as **Jesmond Park** and physically located at Opoia Road, Hamilton (**Attachment 3**).

Amendment: (Cr Taylor/Cr Wilson)

That the Council:

- a) receives the report;
- b) defers any decision on the future name of Sonning car park and Jesmond Park until such time as any future development of the Sonning Park site has been approved by council and that relevant discussions have taken place with any other parties involved in the site's development; and
- c) notes that the high-level options for the future of the Sonning car park site will be considered by the Economic Development Committee on 14 September 2023.

The Amendment was put.

Those for the Amendment: Councillors Taylor, Naidoo-Rauf, Donovan and Wilson

Those against the Amendment: Councillors Bydder, Hutt, O'Leary, Pike, Casey-Cox, van Oosten, Thomson and Tauariki

The Amendment was declared LOST.

Resolved: (Deputy Mayor O’Leary /Cr Tauariki)

That the Council:

- a) receives the report;
- b) approves **Options One and Three** of the staff report, to:
 - i. change the name of the Sonning Carpark (described first and second in the schedule) to Opoia Paa in recognition of the history and cultural importance of the site with immediate effect;
 - ii. partner with mana whenua to consider the next steps for enhancing and developing Sonning Carpark;
 - iv. investigate changing the name of Jesmond Park (described third in the schedule) to Opoia Paa in recognition of the history and cultural importance of the site, and report back to the Community and Natural Environment Committee with a recommendation; and
- d) notes that the high-level options for the future of the site will be considered by the Economic Development Committee on 14 September 2023.

SCHEDULE

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Crs Taylor, Naidoo-Rauf, Donovan and Wilson Dissenting.

The meeting was adjourned from 11:00am to 11:10am

9. Electoral Decisions for 2025 Triennial Election

The Governance and Assurance Manager outlined the report. Along with staff, Dale Ofoske responded to questions from Elected Members concerning Council’s civic education programme and timeframes.

Motion: (Cr Wilson/Cr Donovan)

That the Council:

- a) receives the report;
- b) pursuant to section 27 of the Local Electoral Act 2001 Council resolves for the 2025 Hamilton City Council triennial elections to change to the First Past the Post electoral system;
- c) notes that public notice be given by 19 September 2023 of the decision and of the right of electors to demand a poll on the electoral system to be used; and
- d) notes that representation arrangements review will be undertaken during the 2025-2028 triennium.

Amendment: (Cr Thomson/Cr van Oosten)

That the Council:

- a) receives the report;
- b) pursuant to section 27 of the Local Electoral Act 2001 Council resolves for the 2025 Hamilton City Council triennial elections to retain the Single Transferable Voting electoral system;
- c) notes that public notice be given by 19 September 2023 of the decision and of the right of electors to demand a poll on the electoral system to be used; and
- d) notes that representation arrangements review will be undertaken during the 2025-2028 triennium.

The Amendment was put.

Those for the Amendment: Councillors Hutt, Pike, Casey-Cox, van Oosten, Thomson and Tauariki.

Those against the Amendment: Councillors Bydder, O'Leary, Taylor, Naidoo-Rauf, Donovan and Wilson.

The Amendment was declared EQUAL.

The Chair did not exercise a casting vote and the Amendment was declared LOST.

The Motion was then put.

Those for the Motion : Councillors Bydder, O'Leary, Taylor, Naidoo-Rauf, Donovan and Wilson

Those against the Motion: Councillors Hutt, Pike, Casey-Cox, van Oosten, Thomson and Tauariki

The Motion was declared EQUAL.

The Chair did not exercise a casting vote and the Motion was declared LOST.

10. Recommendations from Open Committee Meetings

Capital Portfolio Monitoring report

Resolved: (Cr van Oosten/Cr Tauariki)

That Council approves to bring forward the 3 capital budgets that are identified in paragraph 52 of the staff report.

Financial Performance & Strategy Report

Resolved: (Cr van Oosten/Cr Tauariki)

That the Council:

- i) approves the capital movement as identified in paragraph 29 of the 30 June 2023 Capital Portfolio Monitoring Report; and
- ii) approves the revised Financial Strategy position for Debt to Revenue, Net Debt and Balancing the Books as set out in paragraphs 54 to 56 of the staff report.

11. Resolution to Exclude the Public

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

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 3 August 2023) 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 - 2 August 2023		
C3. District Licensing Committee Appointments		
C4. Peacocke Programme Update		
C5. Recommendations from Public Excluded Committee Meetings		

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 protect the privacy of natural persons	Section 7 (2) (a)
Item C4.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
	to enable Council to carry out negotiations	Section 7 (2) (i)
Item C5.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
	to enable Council to carry out negotiations	Section 7 (2) (i)

The meeting was moved into public excluded session at 11:49am.

The meeting was declared closed at 12:56pm.

Minute Note 07/09/2023:

On 07/09/2023 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; and
- b. requests staff to provide a short list of potential candidates - including current Hamilton City Councillors with Commissioner qualifications - for the two available places on the District Licensing Committee, to be considered at the next full council meeting on October 12.