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## **Council Kaunihera OPEN MINUTES**

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**Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 12 August 2021 at 9.40am.**

### **PRESENT**

**Chairperson** Mayor P Southgate

*Heamana*

**Deputy Chairperson** Deputy Mayor G Taylor

*Heamana Tuarua*

**Members**

Cr M Bunting  
Cr M Gallagher  
Cr R Hamilton  
Cr D Macpherson  
Cr K Naidoo-Rauf  
Cr A O'Leary  
Cr R Pascoe  
Cr S Thomson  
Cr M van Oosten  
Cr E Wilson

**In Attendance:**

Richard Briggs – Chief Executive  
Chris Allen – General Manager Development  
Blair Bowcott – General Manager Growth  
Eeva-Liisa Wright – General Manager Infrastructure Operations  
Sean Hickey - General Manager Strategy and Communications  
Andrew Parsons – Executive Director Strategic Infrastructure  
Nicolas Wells – Strategic Property Manager  
Trevor Harris – Property Officer Acquisitions Disposal  
Robyn Denton – Operations Team Leader  
Maire Porter – City Waters Manager  
Stephen Halliwell – Water Reform Financial Advisor  
Mark Roberts - Principal Planner  
Jamie Sirl – Team Leader City Planning  
Michelle Hawthorne - Legal Services Manager  
Alice Morris - Principal Planner  
Craig McKibbin - City Planning Communication and Engagement Lead  
Simone van Asbeck – Communications and Engagement Growth  
Debra Stan Barton - Acting City Planning Unit Manager  
Lachlan Muldowney – Lawyer for Hamilton City Council  
Peter Duncan – Tompkins Wake  
Dale Ofoske – Election Services NZ

**Governance Staff:** Becca Brooke – Governance Manager  
Amy Viggers - Governance Team Leader  
Narelle Waite and Tyler Gaukrodger - Governance Advisors

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*The meeting was opened with a karakia by Tame Pokaia.*

**1. Apologies – Tono aroha**

There were no apologies.

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

**Resolved:** (Cr Wilson/Deputy Mayor Taylor)

That the agenda is confirmed noting the following:

- a) Item 10 (Road Stopping - 28 Hammond Street) is to be taken after item 4 (Public Forum) to accommodate members of the public in attendance;
- b) Item 11 (2021 Wider Representation Review - Initial Proposal) will be taken at 2.00pm to accommodate presenter availability;
- c) that the remaining order of the of the agenda will be flexible to accommodate availability; and
- d) Item C5 (Confirmation of the Council Public Excluded (CE Review Committee Matters) Minutes of 29 April 2021 and C6 (CE Recruitment Matters) were deferred to a future meeting of the Council.

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

Cr Wilson declared conflict of interest in item 10 (Road Stopping - 28 Hammond Street) and item 12 (Plan Change 5 - Peacocke Structure Plan) and noted that he would not take part in the discussion or vote of either matters.

Prior to the discussion of item 17 (District Plan Change Programme - Communications and Engagement) Cr Wilson declared a further conflict of interest and did not take part in the discussion or vote on the matter.

Prior to the discussion of item C4 (Recommendations from Public Excluded Committee Meetings) Cr Wilson declared a further interest and did not take part in the discussion or vote on the matter.

**4. Public Forum – AAtēa koorero**

**Vijen Reedy, Sarah Mundy and Alex Till** (Hamilton West School) spoke to item 10 (Road Stopping - 28 Hammond Street), noting their concerns regarding the development and consultation process. They requested the matter be deferred to enable further engagement.

**Annie Scott** spoke to item 10 (Road Stopping - 28 Hammond Street), noting the process followed to date, the concerns raised by the school community and the proposed development.

**Tami Williams** spoke on behalf of Jessie O'Brien regarding item 10 (Road Stopping - 28 Hammond Street), noting their concerns that the development will impact the safety of the students of Hamilton West School.

**Ray Pickett** speaking to item 10 (Road Stopping - 28 Hammond Street) and provided Elected Members with a presentation (attached as **appendix 1** of these open minutes) on the development and process he had followed to date to engage with the Hamilton West School to resolve their concerns.

**Neil Tolan** Spoke to item 11 (2021 Wider Representation Review - Initial Proposal) and requested that community boards be added to the initial Representation proposal to be consulted on. He responded to questions from Members concerning the number of Community Boards he would like to see and his preferred representation format.

Item 10 (Road Stopping - 28 Hammond Street) was taken after item 4 (Public Forum) to accommodate public in attendance.

*Cr Wilson left the meeting during the discussion and vote of the following item having declared an interest in the matter. He did not take part in the discussion or vote on the item.*

**10. Road Stopping - 28 Hammond Street**

The Strategic Property Manager spoke to the report noting errors in attachment 3 of the staff report (which had since been corrected) regarding concerns around on-street parking, the inclusion of Jessie O'Brien's written submission and changes to the land sale agreement. He then outlined an updated staff recommendation.

Staff responded to questions from Elected Members concerning specific provisions to be included in the draft Agreement for Sale and Purchase, carpark requirements in the National Policy Statement Urban Development, communication with the school, the role of Council, school travel planning, the Public Works Act process, current zoning for the area, value of land, and how learnings from this matter can be included the District Plan review.

**Resolved:** (Cr Hamilton/Cr O'Leary)

That the Council:

- a) receives the report;
- b) approves the draft Agreement for Sale and Purchase of Stopped Road adjoining 28 Hammond Street, Hamilton (**Attachment 1** to this report) subject to the inclusion of enforceable provisions requiring the Development to:
  - i. provide a minimum of one (1) onsite carpark for each apartment
  - ii. have all windows on the wall bordering the Hamilton West School swimming pool (Lot 2 DP 521812);
    - (i) with a minimum sill height above finished floor level of 2.0 metres, or;
    - (ii) be screened, opaque or obscure glazed so that it is not possible to view the Hamilton West School swimming pool;
  - iii. have no balconies able to view the Hamilton West School's swimming pool;
  - iv. have solid fencing on the boundary between the two properties at a minimum height of 1.8m;
  - v. ensure any camera on the development is not able to observe the Hamilton West School's swimming pool activities;
- c) notes that the road stopping process to be completed is for an area of 201m<sup>2</sup>, shown as Section 1 on draft survey plan SO 564413, in terms of the Public Works Act 1981 (as shown on **Attachment 4**); and
- d) delegates authority to the Chief Executive to finalise the Agreement for Sale and Purchase of Stopped Road adjoining 28 Hammond Street and to sign all documentation to give effect to the above resolutions.

*Cr Wilson re-joined the meeting at the conclusion of the above item.*

**The meeting was adjourned 11.26am to 11.53am.**

*Item 9 (Chair's Report) was taken after the above adjournment to accommodate availability.*

## 9. Chair's Report

The Mayor took her report as read and responded to questions from Elected Members concerning Council's influence to the Waters Reform process.

**Resolved:** (Cr Wilson/Deputy Mayor Taylor)

That the Council receives the report.

*Items 13 (Three Water Reform Update) was taken after item 9 (Chair's Report) to accommodate availability.*

## 13. Three Water Reform Update

The Executive Director Strategic Infrastructure spoke to the report noting the significant influence that Council could have on the Three Water Reform. The Mayor then spoke to the level of high regard of Hamilton City Council staff have in relation to their work on the Governments Three Water Reform and the future engagement with the public.

Staff responded to questions from Elected Members concerning potential impact of Council debt to revenue ratio based on asset ownership, Council's stance on the reform, public consultation, potential governance, various funding packages such as the worse off and better off funds, the economic case, and the three water services deliver reform programme.

**Staff Action:** *Staff undertook to request an updated three water services deliver reform programme that includes the transitional period and then circulated the document to Elected Members.*

**Motion:** (Mayor Southgate/Cr van Oosten)

That the Council:

- a) receives the report; and
- b) approves the addendum to Council's Local Government New Zealand feedback on The Government's Three Waters Reform Programme (**Attachment 1**) as an initial response ahead of more substantive feedback due by 1 October 2021.

**Amendment:** (Deputy Mayor Taylor/Cr Bunting)

That the Council:

- a) receives the report; and
- b) approves the addendum to Council's Local Government New Zealand feedback on The Government's Three Waters Reform Programme (**Attachment 1**) as an initial response ahead of more substantive feedback due by 1 October 2021 **with the first 4 paragraphs of the addendum to be replaced with the following wording:**

*'Hamilton City Council supports the Government's goals of ensuring safe, sustainable, and economically efficient delivery of three waters services but notes effective transition to any new structure must be in full and equitable partnership with local government.'*

*On 10 June 2021 Council provided feedback to LGNZ on the three waters reform. In that feedback we identified 11 key areas that are critical to the reform's success. On 15 July 2021 LGNZ and the Government signed a Memorandum of Understanding on the three waters reform.*

*To assist LGNZ's discussions with the Government on the Three Waters Reform Programme, this Council has considered the current status of our 11 key areas and consider we require*

*further information on the following key items'*

**The Amendment was put.**

**Those for the Amendment:** Deputy Mayor Taylor Councillors Pascoe, O'Leary, Bunting, Hamilton, Naidoo-Rauf and Wilson.

**Those against the Amendment:** Mayor Southgate, Councillors Gallagher, Macpherson, van Oosten and Thomson.

**The Amendment was declared CARRIED.**

**The Amendment as the Substantive Motion was the put and declared CARRIED.**

**Resolved:** (Deputy Mayor Taylor/Cr Bunting)

That the Council:

- a) receives the report; and
- b) approves the addendum to Council's Local Government New Zealand feedback on The Government's Three Waters Reform Programme (**Attachment 1**) as an initial response ahead of more substantive feedback due by 1 October 2021 **with the first 4 paragraphs of the addendum to be replaced with the following wording:**

*'Hamilton City Council supports the Government's goals of ensuring safe, sustainable, and economically efficient delivery of three waters services but notes effective transition to any new structure must be in full and equitable partnership with local government.*

*On 10 June 2021 Council provided feedback to LGNZ on the three waters reform. In that feedback we identified 11 key areas that are critical to the reform's success. On 15 July 2021 LGNZ and the Government signed a Memorandum of Understanding on the three waters reform.*

*To assist LGNZ's discussions with the Government on the Three Waters Reform Programme, this Council has considered the current status of our 11 key areas and consider we require further information on the following key items'*

**The meeting was adjourned 1.49pm to 2.42pm.**

Item 11 (2021 Wider Representation Review - Initial Proposal) was taken after to above adjournment to accommodate external presenter availability.

**11. 2021 Wider Representation Review - Initial Proposal**

The Governance Manager introduced the report by outlined the processes to date and purpose of the decision at this meeting. She and Dale Ofoske (Consultant) responded to questions from Elected Members concerning the requirement to consult on only one representation arrangement option, Maaori electoral roll options, mixed system, the legislative process, and the consultation document.

**Motion:** (Cr Bunting/Deputy Mayor Taylor)

That the Council:

- a) approves, in accordance with sections 19H and 19J and clauses 1 and 2 of Schedule 1A of the Local Electoral Act 2001, to adopt as its initial proposal for the review of representation arrangements for at least the 2022 triennial elections, one of the following options:

- b) **OPTION 2** – one city-wide general ward and one city-wide Maaori ward, increase to 15 Elected Members (including the Mayor) and no community boards:
- i. Hamilton City Council comprises 14 Councillors elected under the ward system, plus the Mayor elected 'at large';
  - ii. Hamilton City Council is divided into two wards, consisting of the following communities of interest:
    - I. **Hamilton General Ward** (represented by 12 Councillors) comprising the whole city area as shown in **Attachment 2**. Councillors in this ward are to be elected by electors registered on the general electoral roll within the city area;
    - II. **Kirikiroa Maaori Ward** (represented by two Councillors), comprising the whole city area as shown in **Attachment 2**. Councillors in this ward are to be elected by electors registered on the Maaori electoral roll within the city area
  - iii. No community boards are established as:
    - I. Effective representation would not be enhanced by establishing community boards, having considered the identified communities of interest in terms of distinctiveness, representation, access and effective governance; and
    - II. If city-wide wards are confirmed, this recognises Hamilton city has a relatively compact geographic area and its communities of interest are not geographically distinct, but rather they are spread across the city and community boards or smaller wards are unlikely to add value.
- c) approves the option chosen above as the initial proposal for the Wider Representation Review that will undergo formal public consultation, including inviting submissions for a period 25 August 2021 to 6 October 2021; and
- d) recommends that any arrangements confirmed as a result of this Wider Representation Review be reviewed in 2023/24 (for the 2025 triennial elections).

**Amendment:** (Cr Gallagher/Cr O'Leary)

That the Council:

- a) approves, in accordance with sections 19H and 19J and clauses 1 and 2 of Schedule 1A of the Local Electoral Act 2001, to adopt as its initial proposal for the review of representation arrangements for at least the 2022 triennial elections, one of the following options:
- b) **OPTION 1** – Two general wards (East and West) and one city-wide Maaori ward, increase to 15 Elected Members (including the Mayor) and no community boards:
  - i. Hamilton City Council comprises 14 Councillors elected under the ward system, plus the Mayor elected 'at large';
  - ii. Hamilton City Council is divided into three wards, consisting of the following communities of interest:
    - **East General Ward** (represented by six Councillors), comprising the area to the east of the Waikato River as shown shaded blue in **Attachment 2** (i.e. the current East ward). Councillors in this ward are to be elected by electors registered on the general electoral roll within the East ward boundaries;
    - **West General Ward** (represented by six Councillors), comprising the area to the west of the Waikato River as shown shaded green in **Attachment 2** (i.e. the current West ward). Councillors in this ward are to be elected by electors registered on the general electoral roll within the West ward boundaries;
    - **Kirikiroa Maaori Ward** (represented by two Councillors), comprising the whole

city area as shown in **Attachment 2**. Councillors in this ward are to be elected by electors registered on the Maaori electoral roll within the city area.

iii. No community boards are established as:

- I. Effective representation would not be enhanced by establishing community boards, having considered the identified communities of interest in terms of distinctiveness, representation, access and effective governance; and
  - II. If wards are confirmed, ward Councillors are likely to provide sufficient representation of communities of interest and therefore ensure adequate representation and access between Elected Members and the population;
- d) approves the option chosen above as the initial proposal for the Wider Representation Review that will undergo formal public consultation, including inviting submissions for a period 25 August 2021 to 6 October 2021; and
- e) recommends that any arrangements confirmed as a result of this Wider Representation Review be reviewed in 2023/24 (for the 2025 triennial elections).

**The Amendment was put.**

**Those for the Amendment:** Mayor Southgate, Councillors Gallagher, O'Leary, Macpherson, Hamilton, Naidoo-Rauf, van Oosten and Thomson.

**Those against the Amendment:** Deputy Mayor Taylor, Councillors Pascoe, Bunting and Wilson

**The Amendment was declared CARRIED.**

**The Amendment as the Substantive Motion was put and declared CARRIED.**

**Resolved:** (Cr Gallagher/Cr O'Leary)

That the Council:

- a) approves, in accordance with sections 19H and 19J and clauses 1 and 2 of Schedule 1A of the Local Electoral Act 2001, to adopt as its initial proposal for the review of representation arrangements for at least the 2022 triennial elections, one of the following options:
- b) **OPTION 1** – Two general wards (East and West) and one city-wide Maaori ward, increase to 15 Elected Members (including the Mayor) and no community boards:
  - i. Hamilton City Council comprises 14 Councillors elected under the ward system, plus the Mayor elected 'at large';
  - ii. Hamilton City Council is divided into three wards, consisting of the following communities of interest:
    - **East General Ward** (represented by six Councillors), comprising the area to the east of the Waikato River as shown shaded blue in **Attachment 2** (i.e. the current East ward). Councillors in this ward are to be elected by electors registered on the general electoral roll within the East ward boundaries;
    - **West General Ward** (represented by six Councillors), comprising the area to the west of the Waikato River as shown shaded green in **Attachment 2** (i.e. the current West ward). Councillors in this ward are to be elected by electors registered on the general electoral roll within the West ward boundaries;
    - **Kirikiroa Maaori Ward** (represented by two Councillors), comprising the whole city area as shown in **Attachment 2**. Councillors in this ward are to be elected by

electors registered on the Maaori electoral roll within the city area.

iii. No community boards are established as:

- I. Effective representation would not be enhanced by establishing community boards, having considered the identified communities of interest in terms of distinctiveness, representation, access and effective governance; and
  - II. If wards are confirmed, ward Councillors are likely to provide sufficient representation of communities of interest and therefore ensure adequate representation and access between Elected Members and the population;
- d) approves the option chosen above as the initial proposal for the Wider Representation Review that will undergo formal public consultation, including inviting submissions for a period 25 August 2021 to 6 October 2021; and
- e) recommends that any arrangements confirmed as a result of this Wider Representation Review be reviewed in 2023/24 (for the 2025 triennial elections).

**Crs Bunting and Wilson Dissenting.**

Item 14 (Watercare Water Allocation Board of Inquiry) and 15 (Watercare Temporary Water Assignment) were taken after item 11 (2021 Wider Representation Review - Initial Proposal) to accommodate presenter availability.

**14. Watercare Water Allocation Board of Inquiry**

The Executive Director Strategic Infrastructure and Lachlan Muldowney, lawyer for Hamilton City Council, outlined the Board of Inquiry process. They responded to questions from Elected Members concerning the ability to move to conditional support, potential outcomes of the process and the conditions that Hamilton Council has suggested are required.

**Resolved:** (Mayor Southgate/Cr Macpherson)

That the Council receives the report.

*Cr Hamilton left the meeting (3.56pm) during the discussion of the above item. He was not present when the matter was voted on.*

**15. Watercare Temporary Water Assignment**

The Executive Director Strategic Infrastructure and Lachlan Muldowney (Lawyer for Hamilton City Council) introduced the report, noting that as there were no risks associated to the staff recommendation as outlined in the report. Staff responded to questions from Elected Members concerning the agreement and the impact to Hamilton in relation to limited water restriction levels.

**Resolved:** (Cr Macpherson/Cr Wilson)

That the Council:

- a) receives the report;
- b) notes that the Te Huia Rail services is seeking improved access to the Auckland Metro rail network, and seeks support from Auckland Council, the owners of Watercare for that; and instructs staff to raise this issue as part of the negotiations over the detail of the agreement approved below;
- c) approves the request from Watercare to access water for the next summer period (1 October 2021 to 30 April 2022) as provided for in the agreement between Watercare and Hamilton City



Council (refer **Attachment 1**); and

- d) requests the Chief Executive to formalise Hamilton City Council's agreement to a second period (1 October 2021 to 30 April 2022) under clause 2.1 (b) of the agreement.

**The meeting was adjourned 4.28pm to 4.38pm.**

*Cr Hamilton re-joined the meeting during the above adjournment.*

*Cr Gallagher, Cr Macpherson and Cr Thomson left the meeting during the above adjournment.*

Item 17 (Sale of Land to Wintec - Release of Public Excluded Minutes) and Item 18 (District Plan Change Programme - Communications and Engagement) were taken after the above adjournment to accommodate availability.

**17. Sale of Land to Wintec - Release of Public Excluded Minutes**

The Legal Services Manager introduced the report noting that it was procedural matter and that the information was released with the official information request.

**Resolved:** (Cr O'Leary/Deputy Mayor Taylor

That the Council receives the report.

*Cr Gallagher, Cr Macpherson and Cr Thomson re-joined the meeting (4.42pm) at the conclusion of the above item. They were not present then the matter was voted on.*

*Cr Wilson declared an interest in item 18 (District Plan Change Programme - Communications and Engagement) prior to the commencement of the item. He did not take part in the discussion or vote on the matter.*

**18. District Plan Change Programme - Communications and Engagement**

The City Planning Communication and Engagement Lead took the report as read. They responded to questions from Elected Members concerning the Citizen Panel.

**Staff Action:** *Staff undertook to circulate the background material concerning the District Plan Change programme to Mayor Southgate, Cr Hamilton, Cr O'Leary and Cr Hamilton for approval prior to it being released to the public.*

**Resolved:** (Mayor Southgate/ Cr O'Leary)

That the Council:

- a) receives the report;
- b) notes the communication and engagement strategy for the District Plan Change Programme; and
- c) notes the planned engagement activities for the programme August-October 2021.

Item 12 (Plan Change 5 - Peacocke Structure Plan) was taken after Item 18 (District Plan Change Programme - Communications and Engagement) to accommodate availability.

*Cr Wilson left the meeting during the discussion and vote of the following item having declared an interest in the matter. He did not take part in the discussion or vote on the item.*

**12. Plan Change 5 - Peacocke Structure Plan**

The Principal Planner presented an overview of the Plan Change 5 - Peacocke Structure Plan. Staff

responded to questions from Elected Members concerning the monitoring the impact on white-tail bats, how the Plan Change would address model shift change requirements, density of development in the area, and members of the independent panel.

**Staff Action:** *Staff undertook to investigate opportunities for the area to have a dual name and report back to Elected Members as soon as is possible.*

**Staff Action:** *Staff undertook to report back to Elected Member on the spread of the independent panel workload.*

**Resolved:** (Cr Pascoe/Deputy Mayor Taylor)

That the Council:

- a) approves the public notification of Proposed Plan Change 5 – Peacocke Structure Plan (Attachments 1-27 to the staff report) pursuant to clause 5 of Schedule 1 to the Resource Management Act 1991 ('RMA');
- b) delegates its powers to hear, determine, and make decisions on all submissions and matters relating to Proposed Plan Change 5 – Peacocke Structure Plan to a panel of three hearing commissioners ('the Plan Change 5 Hearing Panel');
- c) appoints Councillor Ewan Wilson to the Plan Change 5 Hearing Panel; and
- d) delegates authority to the Chief Executive to appoints two further independent commissioners to the Plan Change 5 Hearing Panel, one to act as chair and one with tikanga Maaori expertise, from Council's RMA Independent Hearing Commissioners Panel.

*Cr Wilson re-joined the meeting at the conclusion of the above item.*

Item 16 (2021/22 Heritage Fund Allocation) was taken after Item 12 (Plan Change 5 - Peacocke Structure Plan) to accommodate availability.

#### **16. 2021/22 Heritage Fund Allocation**

The Principal Planner spoke to the report noting that there had been 12 applications to the Heritage Fund and 11 were deemed as eligible to receive funding. She responded to questions from Elected Members concerning specific applications, advice given to applicants to better their future applications, and the available funding amount.

**Resolved:** (Cr Gallagher/Cr van Oosten)

That the Council:

- a) receives the report; and
- b) approves the allocation of the 2021/22 Heritage Fund as set out in **Attachment 2** of the staff report.

Item 19 (Recommendations from Open Committee Meetings) was taken after Item 16 (2021/22 Heritage Fund Allocation) to accommodate availability.

#### **19. Recommendations from Open Committee Meetings**

##### **Financial Strategy Monitoring Report**

**Resolved:** (Cr Pascoe/Cr van Oosten)

That the Council:

- a) approves the capital movement as identified in paragraph 21 of the 15 June 2021 Capital Portfolio Monitoring Report;

- b) approves the significant forecast adjustments as set out in paragraphs 19 and 20 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 22 to 24 of the staff report.

**Audit NZ 2020-21 Audit Plan and Proposed Fees**

**Resolved:** (Mayor Southgate/Cr Pascoe)

That the Council:

- a) approves the Proposed Audit NZ Engagement letter and Fee Proposal letter; and
- b) delegates authority to the Mayor to sign the Proposed Audit Fees letter on the Council's behalf.

**He Pou Manawa Ora**

**Resolved:** (Cr Bunting/Cr Naidoo-Rauf)

That the Council adopts He Pou Manawa Ora – Pillars of Wellbeing Strategy.

**Policy Review - Freeholding of Council Endowment Land Policy**

**Resolved:** (Cr Hamilton/Cr Wilson)

That the Council approves amendments to the Freeholding of Council Endowment Land Policy as detailed in **Attachment 1** of this staff report.

**5. Confirmation of the Council Open Minutes of 10 June 2021**

**Resolved:** (Mayor Southgate/Deputy Mayor Taylor)

That the Council confirm the Open Minutes of the Council Meeting held on 10 June 2021 as a true and correct record.

**6. Confirmation of the Council (Long Term Plan 2021-31 Adoption) Open Minutes of 24 June 2021**

**Resolved:** (Mayor Southgate/Deputy Mayor Taylor)

That the Council confirm the Open Minutes of the Council (Long Term Plan 2021-31 Adoption) Meeting held on 24 June 2021 as a true and correct record.

**7. Confirmation of the Extraordinary Council Open Minutes of 12 July 2021**

**Resolved:** (Mayor Southgate/Deputy Mayor Taylor)

That the Council confirm the Open Minutes of the Extraordinary Council Meeting held on 12 July 2021 as a true and correct record.

**8. Confirmation of the Elected Member Open Briefing Notes - 16 June 2021**

**Resolved:** (Mayor Southgate/Deputy Mayor Taylor)

That the Council confirm the Open Briefing Notes of the Elected Member Briefing held on 16 June 2021 as a true and correct record.

**20. Resolution to Exclude the Public**

**Resolved:** (Mayor Southgate/Cr Wilson)

**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 Public Excluded Minutes of 10 June 2021	) Good reason to withhold ) information exists under ) Section 7 Local Government	Section 48(1)(a)
C2. Confirmation of the Elected Member Public Excluded Briefing Notes - 16 June 2021	) Official Information and ) Meetings Act 1987	
C3. Legal Claim - 355A Hukanui Rd, Hamilton		
C4. 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 to maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment to maintain legal professional privilege to enable Council to carry out negotiations to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (a) Section 7 (2) (f) (ii) Section 7 (2) (g) Section 7 (2) (i) Section 7 (2) (j)
Item C4.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)

**The meeting moved into a public excluded session at 5.29pm.**

**The meeting was declared closed at 5.51pm.**



# 28 Hammond Street

## *A brief Review*

- At the time of survey (1939), the soffit of the house inadvertently straddled over the eastern boundary.



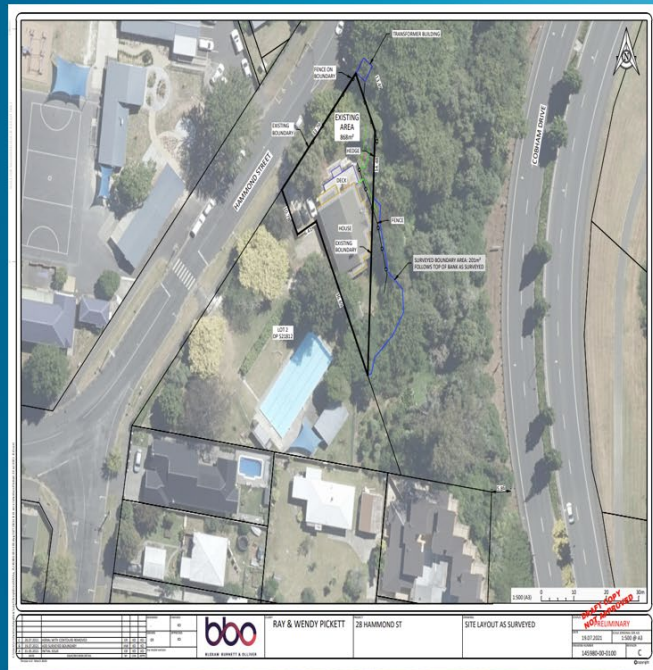
## *A brief review...*

- The rear lawn has the appearance of belonging to the homeowner.
- Approximately half of the lawn is owned by Council.
- The Road stopping seeks to address these long-standing issues from 82 years ago.



## *Proposed boundary*

- BBO have surveyed the property at the top of the bank – the additional land area is confirmed as **201m<sup>2</sup>**.
- The proposed land for sale is valued at the rate for the whole property.







## 28 Hammond St

- Three houses are adjacent to the pool boundary.
- Two of these properties, look directly into the pool area.
- There is no visibility of 28 Hammond St from most of the School.







## Windows

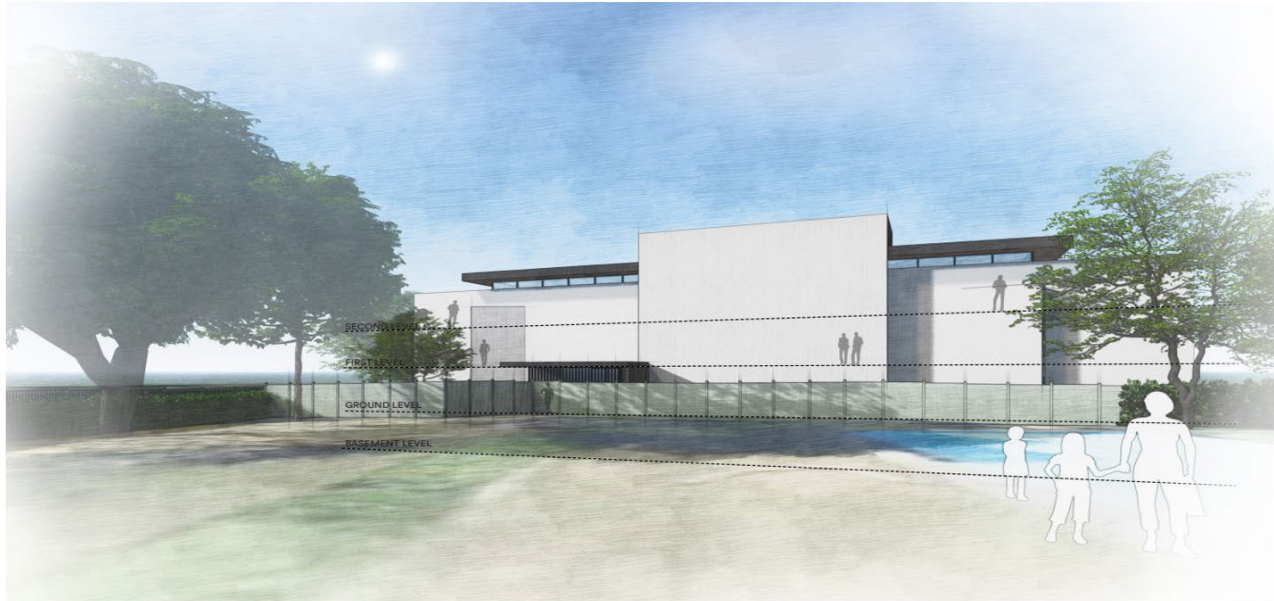
- On the pool side, windows are long and high – above eye level.
- The views are on the East and Northern sides – not the pool (West) side of the building.



**APPENDIX 1**

DESIGN PROPOSAL FOR

**HAMMOND ST APARTMENTS**



PERSPECTIVE VIEW DIAGRAM FROM POOL AREA

JULY 2021



**EDWARDSWHITE**  
REGISTERED ARCHITECTS

## *Shading on the Pool*

- Edwards and White reviewed the shading impact on the pool.
- Shading is less than the trees and therefore has little to no impact.





## Shading on the pool



SHADOW PLAN - 1 DECEMBER 9am



SHADOW PLAN - 1 DECEMBER 12pm



SHADOW PLAN - 1 DECEMBER 3pm

SHADOW PLANS - DECEMBER



**EDWARDSWHITE**  
REGISTERED ARCHITECTS

### DESIGN PROPOSAL FOR HAMMOND ST APARTMENTS



HAMMOND STREET CAR ENTRY PERSPECTIVE

JULY 2021



**EDWARDSWHITE**  
REGISTERED ARCHITECTS

DESIGN PROPOSAL FOR  
HAMMOND ST APARTMENTS



HAMMOND ROAD PERSPECTIVE

DECEMBER 2019



EDWARDSWHITE  
REGISTERED ARCHITECTS

### • *McKenzie Centre*

- A positive meeting was held with members of the MacKenzie Centre.
- Members were relieved to know there is basement onsite parking.
- Feedback from their board is pending.



### *Planting on the Bank*

- The cost to plant native trees is \$8 per m<sup>2</sup>.
- There is approximately 150 - 180 sqm, total cost is approximately \$1,200 – \$1,440.



## Benefits of this proposal

- The development of the site meets Council's and central government's strategy of more intensive inner-city housing.
- The boundary issues with the house(soffit) and rear lawn are resolved.
- On-site basement parking does not add to the parking congestion on Hammond St.
- Windows on the pool side are high, long and narrow and above eye level.
- The shading impact on the pool is minimal.
- The development benefits the community with two units allocated for Affordable housing.
- The unique nature and beauty of the bank would be enhanced by planting native trees.

*Thank you for your time.*

*Kind regards,*

*Ray and Wendy Pickett*