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# Council

## OPEN MINUTES

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**Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 14 December 2017 at 9.42am.**

### PRESENT

|                    |                          |
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| 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 R Pascoe              |
|                    | Cr P Southgate           |
|                    | Cr L Tooman              |
|                    | Vacancy                  |

|                |  |
|----------------|--|
| In Attendance: | Richard Briggs – Chief Executive                               |
|                | Lance Vervoort – General Manager Community                     |
|                | Chris Allen – General Manager City Infrastructure              |
|                | Kelvyn Eglinton – General Manager City Growth                  |
|                | Sean Murray – General Manager Major Events, Venues and Tourism |
|                | Blair Bowcott – Executive Director Special Projects            |
|                | Fraser McNutt – Acting Manager Planning Guidance               |
|                | Robyn Denton – Operations Team Leader                          |
|                | Maria Barrie – Parks and Recreation Manager                    |
|                | Luke O'Dwyer – Economic Growth and Planning Manager            |
|                | Jeff Neems – Communications Advisor                            |
|                | Tim Chapman – Treasury/Financial Accountant                    |

|                      |  |
|----------------------|--|
| External Presenters: | Thomas Gibbons (Chair of Vibrant Hamilton Trust) |
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| Governance Advisors: | Lee-Ann Jordan – Governance Manager   |
|                      | Becca Brooke – Governance Team Leader |
|                      | Amy Viggers – Committee Advisor       |

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*Muna Wharawhara carried out a blessing. Bishop Helen-Ann Hartley carried out a short reading.*

*The Mayor acknowledged and thanked Bishop Helen-Ann Hartley for her services to the City and wished her well for her upcoming return to the United Kingdom.*

**1. Apologies**

**Resolved:** (Crs Casson/Mallett)

That the apologies from Cr Taylor and Cr Pascoe (for part of the meeting) are accepted.

**2. Confirmation of Agenda**

**Resolved:** (Crs Casson/Mallett)

That the agenda is confirmed noting the following:

- the agenda will be flexible to accommodate external presenters and staff in attendance;
- Item 9 (*Vibrant Hamilton Trust*) Attachment 1 and 2 have been circulated under separate cover and the report is to be taken after the public forum to accommodate external presenters; and
- Item 10 (*Application for Temporary Extension to Hamilton Alcohol Control Bylaw International Sevens*) is to be taken prior to 12.30pm to accommodate external presenters.

**3. Declarations of Interest**

No members of the Council declared a Conflict of Interest.

**4. Public Forum**

**Margaret Evans** – spoke to Item 11 (Recommendation from Community and Services Committee - Road Naming - Dame Hilda Ross Place) – Ms Evans expressed TOTI's preference for re-naming Ward St to Dame Hilda Ross Place.

**5. Vibrant Hamilton Trust - Annual Report 2017**

Thomas Gibbons (Chair of Vibrant Hamilton Trust) introduced the report and provided a presentation outlining the role of the trust, current status and future options of the trust. He responded to questions from Elected Members concerning the future of the trust and the view of the trust on the matter.

**Resolved:** (Mayor King/Deputy Mayor Gallagher)

That the Council receives the report.

**6. Recommendation from Community and Services Committee - Road Naming - Dame Hilda Ross Place.**

The report was taken as read.

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

That the Council:

- a) approves the area on the corner of Ward Street and Worley Place, where the Dame Hilda Ross commemorative artwork is to be located, be named Dame Hilda Ross Plaza;
- b) requests staff bring back a report to the Community and Services Committee on 28 February 2018 on options to upgrade the area on the corner of Ward Street and Worley Place. Where the Dame Hilda Ross commemorative artwork will be located, including concept designs, estimated costs and possible funding sources;
- c) renames the east section of Ward Street between (Victoria Street and Worley Place) as Dame Hilda Ross Place; and
- d) appoints Councillors Southgate and O'Leary to liaise with TOTI on the upgrade, design and launch of Dame Hilda Ross Plaza and Dame Hilda Ross Place, and report back to Council as appropriate.

**Crs Tooman and Bunting Dissenting.**

**7. Application for Temporary Extension to Hamilton Alcohol Control Bylaw (International Sevens)**

The City Safe Unit Manager introduced the report, explaining why staff viewed there was a need for a temporary extension to the Hamilton Alcohol Control Bylaw for the International Sevens. He responded to questions from Elected Members concerning clarification of area to be covered for the alcohol ban and communications plan for letting the public know about the ban. The intention is to make the event safe for the public.

**Resolved:** (Crs O'Leary/Tooman)

That the Council, pursuant to clause 8 of the Hamilton Alcohol Control Bylaw 2015 (the Bylaw), approves the creation of the International Sevens Temporary Alcohol Ban Area (the Area), to which clause 5.1 of the Bylaw will apply from 6am on Saturday 3 February 2018 to 10pm on Sunday 4 February 2018 (inclusive), as if the Area were included in Schedule 1 of the Bylaw, and will encompass the areas shaded in blue on the map at Attachment 2.

**8. Confirmation of Council Minutes - Open - 16 November 2017**

**Resolved:** (Cr Casson/Mayor King)

That the Council confirm the Open Minutes of the Council Meeting held on 16 November 2017 as a true and correct record.

**9. Confirmation of Elected Member Briefing Notes - Open - 13 November 2017**

**Resolved:** (Cr Bunting/Cr Casson)

That the Council confirm the Open Minutes of the Elected Member Briefing held on 13 November 2017 as a true and correct record.

**10. Confirmation of Elected Member Briefing Notes - Open - 30 November 2017**

**Resolved:** (Cr Henry/Cr Casson)

That the Council confirm the notes of the Elected Member Briefing held on 30 November 2017 as a true and correct record.

**11. Chair's Report**

**Resolved:** (Mayor King/Deputy Mayor Gallagher)

That the Council:

- a) receives the report; and
- b) accepts Cr Bunting's resignation from the role of Deputy Chair of the Community and Services Committee.

**12. Recommendation from Growth and Infrastructure Committee - Treatment Plant Seismic Strengthening Upgrade**

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

That the Council:

- a) approves a total project budget of up to \$1,620,000 including \$1,500,000 capital and \$120,000 operational cost, to seismically strengthen four buildings located at the Pukete Wastewater Treatment Plant and the Wairoa Water Treatment Station; and
- b) notes the unfunded budget will be reported through risks and opportunities.

**13. Recommendation from Growth and Infrastructure Committee - Future Proof Strategy Adoption**

**Resolved:** (Mayor King/Deputy Mayor Gallagher)

That the Council:

- a) receives the report;
- b) adopts the Future Proof Strategy – Planning for Growth 2017; and
- c) requests the Futureproof Implementation Committee amends the process for making submissions, to ensure that before any submission is formally submitted by the Futureproof Chair, the content of the submission is discussed and feedback sought with the Futureproof Implementation Committee members, either at the next available meeting or if timeframes do not allow, by email or phone.

**Cr Mallett Dissenting.**

**14. Special Housing Area - Progress Report**

Economic Growth and Planning Manager introduced the report, noting there was a change to the staff recommendation. He also tabled an updated map showing the area of the Rotokauri Special Housing Area (SHA) Expression of Interest application.

He responded to questions from Elected Members concerning SHA applications received to date.

**Resolved:** (Mayor King/Deputy Mayor Gallagher)

That the Council:

- a) receives the report; and
- b) endorses an expanded application area for the Rotokauri SHA Expression of Interest (EOI), as per late attachment 1 (distributed as a late attachment), and further, authorises the Chief Executive to publicly consult on the expanded application area as per Council’s SHA Policy.

*Cr Pascoe left the meeting (10.30am) during the discussion of the above item. He was not present when the matter was voted on.*

**15. Recommendation from Growth and Infrastructure Committee - Hamilton City Speed Bylaw**

The operations team leader introduced the report noting that Waikato District Council had not yet approved the change to Rotokauri Road and therefore the recommendation was modified to accommodate this.

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

That the Council:

- a) approves the following changes to the Hamilton City Speed Limit Bylaw 2013:

| # | Location                                   | Proposed change to bylaw<br>(indicated in red text and underlined)  |
|---|--|---|
| 1 | Knox St                                    | <b>Amend</b> Schedule 3: Designation Areas and Roads with a speed limit of 30 km/h.<br><b>By the following addition to the schedule:</b><br><u>Knox Street - Victoria Street to Anglesea Street.</u>  |
| 2 | Endeavour Ave                              | <b>Amend</b> Schedule 4: Designation Areas and Roads with a speed limit of 40 km/h.<br><b>By the following addition to the schedule:</b><br><u>Endeavour Avenue - From a point 40m north east of Cashmere Place to a point 95m south east of Spinnaker Drive.</u>   |
| 3 | North City Rd and Borman Rd (at Hector Dr) | <b>Amend</b> Schedule 8: Designation Areas and Roads with a speed limit of 80 km/h.<br><b>By the following change to the schedule:</b><br>North City Road - <u>From a point 220m north of Bourn Brook Drive Borman Road</u> to Kay Road.<br><br><b>Amend</b> Schedule 12: Roads with a variable speed limit<br><b>By the following changes to the schedule:</b><br><br><b>Hamilton Christian School and Te Totara Primary</b><br>Borman Road: 90m west of Northcity Road to <u>10m 60m</u> east of Hector Drive.<br>Northcity Road: From Borman Road to <u>50m 195m</u> north of Borman Road. |
| 4 | Kimbrae Dr                                 | <b>Amend</b> Schedule 12: Roads with a variable speed limit<br><b>By the following addition to the schedule</b>   |

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|   |                            | <p><b><u>Rototuna High School</u></b></p> <p><u>Kimbrae Drive: from a point 30m east of the intersection of Bourn Brook Drive extending in an easterly direction to a point 595m east of Bourn Brook Drive.</u></p>   |
| 5 | Borman Rd and Hare Puke Dr | <p><b>Amend</b> Schedule 12: Roads with a variable speed limit</p> <p><b>By the following addition to the schedule</b></p> <p><b><u>Sylvester Primary School</u></b></p> <p><u>Borman Road: from a point 260m west of Hare Puke Drive to a point 110m south east of Hare Puke Drive.</u></p> <p><u>Hare Puke Drive: from a point 95m north of Borman Road to a point 10m north of Wetherby Road.</u></p>  |
| 6 | Gordonton Road             | <p><b>Amend</b> Schedule 12: Roads with a variable speed limit</p> <p><b>By the following changes to the schedule</b></p> <p><u>Variable Intersection Speed Zones are subject to the following conditions:</u></p> <ol style="list-style-type: none"> <li>1. <u>The speed limit is the limit displayed when the variable speed limit signs are operating and the numerals are displayed.</u></li> <li>2. <u>The variable speed limit signs are activated by vehicles turning within the intersection.</u></li> <li>3. <u>The variable speed limit applies on the main road(s) of the intersection only.</u></li> <li>4. <u>The speed limit is the posted speed limit at all times when the variable speed limit signs are not operating.</u></li> </ol> <p><u>60/80 km/h variable speed limit</u></p> <p><u>Gordonton Road: From a point 120 metres north of Thomas Road and extending in a southerly direction to a point 120 metres south of Thomas Road.</u></p> |
| 7 | Rotokauri Rd               | <p><b>Amend</b> Schedule 6: Designation Areas and Roads with a speed limit of 60 km/h.</p> <p><b>By the addition of the following to the schedule:</b></p> <p><u>Rotokauri Road - From a point 310m west of Karariki Drive to a point 300m north west of Baverstock Road.</u></p> <p><b>Amend</b> Schedule 8: Designation Areas and Roads with a speed limit of 80 km/h.</p> <p><b>By the following change to the schedule:</b></p> <p>Rotokauri Road - <u>From a point 310m west of Karariki Drive to 250m south west of Exelby Road.</u></p> <p><del><u>300m north west of Baverstock Road to City Boundary</u></del></p>   |
| 8 | Te Kowhai Rd East          | <p><b>Amend</b> Schedule 6: Designation Areas and Roads with a speed limit of 60 km/h</p> <p><b>By the removal of the following from the schedule:</b></p> <p><del><u>Te Kowhai Road East – Te Rapa Road Tasman Road</u></del></p> <p><b>Amend</b> Schedule 8: Designation Areas and Roads with a speed limit of 80</p>   |

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|    |   | km/h.<br><b>By the removal of the following from to the schedule:</b><br><u>Te Kowhai Road East – Tasman Road to end (W)</u>   |
| 9  | Baverstock Rd   | <b>Amend</b> Schedule 7: Designation Areas and Roads with a speed limit of 70 km/h.<br><b>By the removal the following from the schedule:</b><br><u>Baverstock Road – 1200 m north east of Brymer Road to Brymer Road.</u>   |
| 10 | Wairere Dr  | <b>Amend</b> Schedule 6: Designation Areas and Roads with a speed limit of 60 km/h.<br><b>By the following change to the schedule:</b><br>Wairere Drive: <u>50m 135m</u> north of Ruakura Road to the southern end.<br><b>Amend</b> Schedule 8: Designation Areas and Roads with a speed limit of 80 km/h.<br><b>By the following change to the schedule:</b><br>Wairere Drive - Arthur Porter Drive to <u>50m 135m</u> north Ruakura Road.  |
| 11 | Masters Ave, Silverdale Rd, Barrie Cres and Morris Rd                                       | <b>Amend</b> Schedule 12: Roads with a variable speed limit<br><b>By the following changes to the schedule</b><br><b>Silverdale Primary School and Hillcrest High School.</b>  |
| 12 | Schedule 15 Speed Limit Map   | <b>Amend</b> Schedule 15: Hamilton City Speed Limits Map<br><b>By the removal</b> of the old map from the schedule and replacement with a new map included as part of Attachment 1   |
| 13 | Schedule 8: Designation Areas and Roads with a speed limit of 80 km/h                       | <b>Amend</b> Schedule 8: Designation Areas and Roads with a speed limit of 80 km/h<br><b>By the following changes to the schedule:</b><br>Brymer Road <del>425m north of Baverstock Road</del> to <u>75m south of Rotokauri Road to Rotokauri Road.</u><br>Exelby Road - Rotokauri Road to <u>340m north west of Lee Road. Te Kowhai Road</u><br>Horsham Downs Road - 10m north of North Ridge Drive to <u>155m north of Borman Road. Kay Road</u><br><u>Rotokauri - From a point 310m west of Karariki Drive to 250m south west of Exelby Road. 300m north west of Baverstock Road to City Boundary</u> |
| 14 | <b>Amend</b> Schedule 11: Roads Located in Neighbouring Authorities included in this bylaw. | <b>Amend</b> Schedule 11: Roads Located in Neighbouring Authorities included in this bylaw.  |
|    |   | <b>Speed Limit</b>   |
|    |   | <u>50</u><br><u>Brymer Road - 45m west of Farnborough Drive 425m north of Baverstock Road.</u>   |

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|  |  | <u>80</u>  | <u>Exelby Road - 340m north west of Lee Road to Te Kowhai Road.</u>   |
|  |  | <u>80</u>  | <u>Greenhill Road 1115m east of Gordonton Road (with Waikato District Council)</u>  |
|  |  | <u>80</u>  | <u>Horsham Downs Road - Kay Road to 155m north of Borman Road (with Waikato District Council)</u>   |
|  |  | <u>80</u>  | <u>Kay Road - Horsham Downs Road to 10m east of Osborne Road (with Waikato District Council).</u>   |
|  |  | <u>100</u> | <u>Kay Road - Osborne Road to River Road (with Waikato District Council)</u>  |
|  |  | <u>50</u>  | <u>Rotokauri Road (50km/h) - From city boundary to a point 235m northeast of Bagust Road (with Waikato District Council).</u>                 |
|  |  | <u>100</u> | <u>Rotokauri Road - From a point 250m south west of Exelby Road to a point 235m northeast of Bagust Road (with Waikato District Council).</u> |
|  |  | <u>50</u>  | <u>Saxby Road - McDonald Road to end (with Waipa District Council).</u>   |

b) approves the following change to the Hamilton City Council Bylaw 2013, noting that it will not come into effect until Waikato District Council resolves to adopt the change.

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| 14 | <b>Amend</b><br>Schedule 11:<br>Roads<br>Located in<br>Neighbouring<br>Authorities<br>included in<br>this bylaw. | <b>Amend</b> Schedule 11: Roads Located in Neighbouring Authorities included in this bylaw.<br><b>By the following changes to the schedule:</b> |  |
|    |  | <b>Speed Limit</b>  |  |
|    |  | <u>80</u>   | Rotokauri Road - From a point 250m south west of Exelby Road to a point 235m northeast of Bagust Road (with Waikato District Council). |

c) adopts the Hamilton City Speed Limit Bylaw 2013 (amended 2017) as set out in Attachment 1 of the Growth and Infrastructure Committee meeting of 5 December 2017, with the exception of administrative changes to correct the date of the Council Meeting of 14 December 2017.

**16. Dangerous and Insanitary Buildings Policy - Revised Statement of Proposal**

**Resolved:** (Mayor King/Deputy Mayor Gallagher)

That the Council:

- a) revokes that part of paragraph (b) of the resolution for Item 9 from its Meeting of 16 November 2017, approving the Statement of Proposal for the Draft Dangerous and Insanitary Buildings Policy (Attachment 1 of Item 9 in the Agenda for the 16 November 2017 Meeting) for consultation; and
- b) approves the Statement of Proposal for the Draft Dangerous and Insanitary Buildings Policy (Attachment 2 of the staff report) for public consultation between 5 February 2018 to 5 March 2018.

**17. Submission to the Remuneration Authority - Local Government Review (Part 3)**

The Governance Manager introduced the report.

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

That the Council:

- a) approves the draft submission, dated 14 December 2017, to Part 3 of the Remuneration Authority's consultation document – *Local Government Review*; and
- b) requests that the approved submission be uploaded to the Council's website.

**18. 2018 East Ward By-election - Order of Candidate Names**

The Governance Manager introduced the report and responded to questions from Elected Members concerning options available for ordering names.

**Resolved:** (Crs Mallett/Macpherson)

That the Council approves that the order of candidate names be arranged on the voting documents for the East Ward by-election, on 17 February 2018, in random order (Option 3), as permitted under clause 31 of the Local Electoral Regulations 2001.

**19. Resolution to Exclude the Public**

**Resolved:** (Mayor King/Cr Bunting)

**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 |
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