
Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 16 November 2017 at 1.14pm.

PRESENT

Chairperson	Mayor A King
Deputy Chairperson	Deputy Mayor M Gallagher
Members	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

Richard Briggs – Chief Executive
Lance Vervoort – General Manager Community
Chris Allen – General Manager City Infrastructure
Kelvyn Eglinton – General Manager City Growth
Sean Hickey – General Manager Strategy and Communications
Sean Murray – General Manager Venues, Tourism and Major Events
Blair Bowcott – Executive Director Special Projects
Nigel Ward – Communications Team Leader
Jason Howarth – Mayor's Advisor
Phil Saunders – Senior Building Advisor
Riki Manarangi – Corporate Policy Specialist
Cory Lang – Building Control Manager

Lee-Ann Jordan – Governance Manager
Becca Brooke – Governance Team Leader
Rebecca Watson – Committee Advisor

Council Kaumaatua, Tame Pokaia carried out a blessing and read a bible reading to open the meeting.

1. Apologies

Resolved: (Crs Casson/Mallett)

That the apologies from Crs Bunting and Taylor (on Council Business) are accepted.

2. Confirmation of Agenda

Resolved: (Crs Mallett/Casson)

That the agenda is confirmed noting the following:

- Mayor King will provide a verbal update regarding Alcohol Regulatory Licensing Authority (ARLA) during Item 7 (Chair's Report);
- Supplementary information in relation to Item 8 (Policy Review – Class 4 Gambling Venue Policy) was circulated to the Elected Members prior to the meeting;
- An amended page 6 for Item C2 (City Honours - Civic Awards 2017) was circulated prior to the meeting; and
- the agenda order will need to be flexible to accommodate presenters.

3. Declarations of Interest

No members of the Council declared a Conflict of Interest.

4. Public Forum

No members of the public wished to speak.

5. Confirmation of Council Minutes - Open - 18 October 2017

Resolved: (Crs Casson/Mallett)

That the Council confirm the Open Minutes of the Council Meeting held on 18 October 2017 as a true and correct record.

6. Confirmation of Elected Member Briefing Notes - Open - 18 October 2017

Resolved: (Crs Casson/ Mallett)

That the Council confirm the open Briefing Notes of the Elected Member Briefing held on 18 October 2017 as a true and correct record.

The following order of items was taken to accommodate staff and presenter availability.

7. Dangerous and Insanitary Buildings Policy

The Corporate Policy Specialist took the report as read. Staff responded to questions from Elected Members concerning financial considerations and changes made to the policy, which were confirmed as being in line with recent legislative changes.

In response to a request from Elected Members, staff undertook to use plainer language in some sections of the Statement of Proposal to make it easier to understand.

It was noted that an Earthquake Prone Priority Buildings Report would be coming to the 14 December 2017 Council Meeting for consideration. Elected Members requested that this report include a cost benefit analysis for building owners.

Resolved: (Crs O'Leary/Tooman)

That the Council:

- a) receives the report; and
- b) approves the attached Draft Dangerous and Insanitary Buildings Policy and Statement of Proposal for public consultation between 5 February 2018 to 5 March 2018.

8. Policy Review - Class 4 Gambling Venue Policy

The Corporate Policy Specialist took the report as read and responded to questions from Elected Members concerning the coverage and consideration of all options and why all options were not covered in the staff report.

Staff undertook to provide further information to, and seek feedback from Elected Members concerning supplementary information missing from the report, which needed to be included in the consultation document.

Motion: (Mayor King/Cr Macpherson)

That the Council:

- a) receives this report; and
- b) approves option 3 (attachment 5) as the draft Class 4 Gambling Venue Policy for consultation between 5 February 2018 and 5 March 2018.

Amendment: (Crs Pascoe/Southgate)

That the Council:

- a) receives the report; and
- b) notes no amendments are made to the existing Class 4 Gambling Venues Policy.

The Amendment was put.

Those for the Amendment: Councillors Pascoe, Mallett, O'Leary, Henry and Southgate.

Those against the Amendment: Mayor King, Councillors Gallagher, Tooman, Macpherson and Casson.

The Amendment was declared equal.

The Chair exercised his casting vote against the Amendment.

The Amendment was declared lost.

The Motion was then put.

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

Those against the Motion: Councillors Pascoe, Mallett and O'Leary.

The Motion was declared carried.

Resolved: (Mayor King/Cr Macpherson)

That the Council:

- a) receives this report; and
- b) approves option 3 (attachment 5) as the draft Class 4 Gambling Venue Policy for consultation between 5 February 2018 and 5 March 2018.

9. Recommendation from the Finance Committee - NZ Food Innovation (Waikato) Ltd - Spray Dryer Two

Resolved: (Mayor King/Cr Casson)

That the Council:

- a) approves the Spray Dryer Two proposal by NZ Food Innovation (Waikato) Ltd, on the basis that the shareholding arrangements in the new subsidiary does not inhibit Councils ability to sell its shareholding in NZ Food Innovation (Waikato) Ltd in the future;
- b) notes that no Council direct investment is required in this proposal;
- c) notes the NZ Food Innovation (Waikato) Ltd will invest \$1.4m from existing cashflows in a new company to be established to build and operate a Spray Dryer and receive a 10% shareholding in the company;
- d) notes the development of Spray Dryer Two aligns with the approved Innovation Waikato Ltd and Group of companies 2017-2018 Statement of Intent; and
- e) notes that the CE will investigate and report to council an exit strategy for NZ Food Innovation (Waikato) Ltd noting that this strategy is unable to be executed until 2020 at the earliest due the legal contractual considerations.

10. 2018 Hamilton City Council Schedule of Meetings

The Governance Manager introduced the report, noting that the key difference to the 2018 Schedule of Meetings was that staff were recommending meetings continue through the school holidays. She responded to questions from Elected Members concerning timing and scheduling of meeting dates.

Elected Members asked that the following be taken into consideration for the 2018 Schedule of Meetings:

- *reserve dates included for Elected Member Briefings;*
- *reserve dates for Citizenship Ceremonies; and*
- *staff are to review the number of meeting dates set aside for the 10 Year Plan process.*

Resolved (Mayor King/Cr Gallagher)

That the Council:

- a) receives the report; and
- b) the proposed 2018 Schedule of Meetings attached to this report as Attachment 1 be approved, noting that further reserve dates are to be added for Elected Member Briefings, Citizenship Ceremonies and 10-Year Plan Meetings.

11. Chair's Report

The General Manager City Infrastructure advised the Council that the Hillsborough Terrace Developers had withdrawn their request for road stopping as they did not want to proceed with purchasing Council owned land for their proposed development.

The General Manager City Growth provided an update in relation to the letter received from the Alcohol Regulatory and Licensing Authority (ARLA) in response to a letter sent by Mayor King regarding the delays being experienced with hearing dates.

The Mayor and staff responded to questions from Elected Members concerning:

- the process to change the Caro St right turn traffic restriction;
- Clark Lounge access and usage;
- Embassy Park Toilet opening hours and associated costs to increase opening hours;
- Elected Member Support Policy clarification around mileage claims; and
- reasons for making 9th floor balustrade improvements.

Motion: (Mayor King/Cr Mallett)

Caro St Right Turn

That the Council requests staff consider the removal of the right turn restrictions out of Caro Street onto Anglesea Street as part of the first suite of proposed changes to the Hamilton City Traffic Bylaw 2015 registers in 2018.

The Motion was put.

Those for the Motion: Mayor King, Councillors Gallagher, Mallett and Macpherson.

Those against the Motion: Councillors Pascoe, Tooman, O'Leary, Casson, Henry and Southgate.

The Motion was declared lost.

Resolved: (Mayor King/Cr Casson)

1) Clark Lounge

That the Council:

- a) approves access and use of the Clarke lounge and accompanying seats, remaining available for Hamilton City Council without incurring additional cost, for all events being hosted at FMG Stadium Waikato; and
- b) requires written approval from both the Chief Executive and the Mayor if there is a need for an exception to this.

2) Hillsborough Tce Road Stopping

That the Council notes that no decision is required on the Hillsborough Tce Road Stopping Report as the request from the Developer has been withdrawn.

3) Embassy Park Toilets

That the Council approves additional funding to accommodate extra cleaning to open Embassy Park toilets Thursday to Sunday during night time hours.

4) Elected Member Support Policy

That the Council approves the following change to the Elected Members Support Policy, to take immediate effect:

"23. Subject to paragraph 24, A mileage allowance is payable for any distance travelled in excess of 80 kilometres per week where the travel claimed is:

- i. within the city boundary; or
- ii. to and within the city boundary where the member resides outside the city boundary, for travel to and from that member's place of residence.
- iii. For clarity, subject to subparagraph (ii) above, the 80 kilometre threshold does not apply when claiming for travel outside of the city boundary, though such travel cannot count towards the 80 kilometre threshold."

5) 9th Floor Deck Balustrade

That Council approves up to \$25,000 for the replacement of the 9th floor deck balustrade with safety glass.

12. Resolution to Exclude the Public

Resolved: (Mayor King/Cr Casson)

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 Elected Member Briefing Notes - Closed - 18 October 2017) Good reason to withhold information exists under Section 7 Local Government	Section 48(1)(a)
C2. City Honours - Civic Awards 2017) Official Information and Meetings Act 1987	
C3. Victoria on the River Precinct Update)	

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 protect the privacy of natural persons	Section 7 (2) (a)
Item C3.	to enable Council to carry out negotiations	Section 7 (2) (i)

The meeting went into a public excluded session at 3.30pm.

The meeting was declared closed at 5.15pm.