
Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 18 April 2019 at 9.33am.

PRESENT

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 G Taylor
	Cr L Tooman
	Cr R Hamilton

In Attendance:	Richard Briggs – Chief Executive
	Chris Allen – General Manager Development
	Jen Baird – General Manager City Growth
	Sean Hickey - General Manager Strategy and Communication
	Eeva-Liisa Wright – General Manager Infrastructure Operations
	David Bryant – General Manager Corporate
	Julie Clausen – Programme Manager
	Robyn Denton – Operations Team Leader
	Jen Parlane – Parks Planner
	Nick Chester – Social Development Advisor

Governance Staff:	Lee-Ann Jordan – Governance Manager
	Becca Brooke – Governance Team Leader
	Amy Viggers – Committee Advisor

Tame Pokaia opened the meeting with a Karakia and then Reverend Stephen Black opened the meeting with a reading.

Cr Southgate was not present at the start of the meeting.

1. Apologies

There were no apologies.

2. Confirmation of Agenda

Resolved: (Mayor King/Cr Casson)

That the agenda is confirmed noting the following:

- a) Item 13 (Westtown Belt Masterplan – Approval for Public Consultation) attachment 1 (draft Hamilton West Town Belt Masterplan) has been circulated under separate cover and would be attached to the minutes as appendix 1;
- b) Item 16 (103 London St Encroachment License) has been circulated prior to the meeting as a late report. This item is unable to be taken to the following meeting of Council due to the timing of the development; and
- c) notes that that the order of items is to be flexible to accommodate members of public and Elected Member availability.

3. Declarations of Interest

Crs Bunting and Taylor noted that they had a conflict of interest in relation to item 16 (103 London St Encroachment License) and would not take part in the discussion or vote on the matter.

4. Public Forum

Roger Stratford spoke to item 14 (Local Government New Zealand (LGNZ) Annual General Meeting 2019 - Hamilton City Council Remits for Consideration). Mr Stratford noted that he was in support of the phasing out the use of glyphosate due to environmental concerns.

Grant Edwards of Edwards White Architects (Representing Urban Homes) spoke to item 16 (103 London St Encroachment License). Mr Edwards noted that there was already an encroachment of 200mm at the site and that the current proposal was for that encroachment to increase to 500mm. He responded to questions from Elected Members concerning the three encroachment proposals.

Cr Southgate joined the meeting (9.58am) during the public forum.

Crs Taylor and Bunting did not take part in the discussion or vote of the below item due to a previously declared conflict of interest.

16. Request for Encroachment Licence for 103 London Street

The General Manager Infrastructure Operations introduced the report and noted that there was an updated staff recommendation for this item (*which was the motion below*). Staff responded to questions from Elected Members concerning the status of a draft Encroachment Licence Policy, the difference between the three proposals, and the potential effect the billboard could have on drivers and residents.

Resolved: (Mayor King/Cr Casson)

That the Council:

- a) receives the report;
- b) notes that in the absence of an approved Encroachment Policy, the following draft principles will be used in determining encroachment and airspace licence applications:
 - i. an encroachment request should not reduce the ability of the public to enjoy public spaces (e.g. it cannot allow only private or commercial uses).
 - ii. encroachments with greater public benefits than detriments should generally be accepted; those with greater public detriments than benefits generally should

not.

- iii. the structure over the road or encroaching should not cause any safety issues to other road or reserve users.
 - iv. people who are materially affected by a proposed encroachment should be consulted and their views considered when decisions are made.
 - v. encroachment does not interfere with the maintenance or utility carrying needs of the road reserve.
 - vi. the encroachment enables for an optimal economic outcome where an existing building is required to meet reasonable modern standards (e.g. recladding an existing building).
 - vii. the encroachment does not restrict Council's ability to make decisions in respect of the likely use of the affected public land, including air space, in the future.
 - viii. multiple encroachment's affecting the same site must be considered in their entirety, however, where an aspect of the encroachment is to meet reasonable modern standards as outlined in vi), further encroachments must be allowed where they do not materially change the impact of the encroachment to meet reasonable modern standards.
 - ix. where an encroachment and air space licence application does not meet the principles (i) to (viii), the licence application is to be considered by Council.
- c) endorses the staff position that an encroachment and air space licence for the existing cladding and building footprint of 103 London Street is approved;
 - d) approves the application for an encroachment and air space licence from Urban Homes for the redevelopment at 103 London Street including new cladding and a billboard in addition to the existing building footprint;
 - e) notes the Urban Homes encroachment application approval is made on the provision that the application meets the draft principles as outlined in b) above; specifically that the billboard encroachment does not materially alter the impact of the overall encroachment when considering the allowance for new cladding;
 - f) notes that the draft principles as outlined in b) above, will be used in the preparation of the draft 'encroachment policy report' to be considered at the 18 June 2019 Growth and Infrastructure Committee; and
 - g) delegates the Chief Executive to give effect to this resolution.

14. Local Government New Zealand (LGNZ) Annual General Meeting 2019 - Hamilton City Council Remits for Consideration

The General Manager Strategy introduced the report noting that there was an error in the attachment which meant that the LGNZ Remit Policy was not attached to the report. It was circulated to Elected Members at the meeting and would be attached as **appendix 2** to these minutes. Staff responded to questions from Elected Members concerning Council's current policy regarding the use of glyphosate, the potential cost increase if Council was to change to other weed control methods, and the purpose the Local Government Official Information and Meetings Act (1987) request remit which was to seek a sector-wide best practice approach to the management of Local Government Official Information and Meetings requests.

Resolved: (Cr Macpherson/Cr O'Leary)

That the Council approves the submission of the following remit to the 10 May 2019 LGNZ Metropolitan Group meeting, proposing:

- i. LGNZ initiates a national review of Local Government Official Information and Meetings Act (1987) request management

Cr Mallett Dissenting.

Motion: (Mayor King/Cr O'Leary)

That the Council approves the submission of the following remit to the 10 May 2019 LGNZ Metropolitan Group meeting, proposing:

- i. LGNZ encourages member councils to consider using environmentally friendly weed control methods and requests the Chief Executive to develop a remit aligned to this.

Amendment : (Cr Henry/Cr Macpherson)

That the Council approves the submission of the following remit to the 10 May 2019 LGNZ Metropolitan Group meeting, proposing:

- i. LGNZ encourages member councils to commit to phasing out the use of glyphosate by 2025.

The Amendment was put.

Those for the Amendment: Deputy Mayor Gallagher, Crs Macpherson, Henry, Taylor and Hamilton.

Those against the Amendment: Mayor King, Crs Pascoe, Mallett, Tooman, O'Leary, Bunting, Casson and Southgate

The Amendment was declared LOST.

The Motion was then put and declared CARRIED.

Resolved: (Mayor King/Cr O'Leary)

That the Council approves the submission of the following remit to the 10 May 2019 LGNZ Metropolitan Group meeting, proposing:

- i. LGNZ encourages member councils to consider using environmentally friendly weed control methods and requests the Chief Executive to develop a remit aligned to this.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council:

- a) receives the report; and
- c) notes the remits from Hamilton City Council will be submitted to the LGNZ Annual General Meeting on 7 July 2019 if the Metropolitan Group indicates their support.

The meeting adjourned 11.42am to 11.52am.

Cr O'Leary retired from meeting during the above adjournment.

Deputy Mayor Gallagher left the meeting during the above adjournment.

13. West Town Belt Masterplan - Approval for Public Consultation

The report was taken as read.

Resolved: (Mayor King/Cr Hamilton)

That the Council:

- a) receives the report;
- b) approves public consultation of the Draft Hamilton West Town Belt Masterplan from 29 April 2019 to 26 May 2019; and
- c) notes that the final decision on the plan will be brought back to the Council for consideration.

11. Recommendations from the Community, Services & Environment Committee Meeting – 2 April 2019 – Event Sponsorship Policy Review and Draft Play Strategy

The report was taken as read.

Resolved: (Cr Southgate/Cr Hamilton)

That the Council:

- a) approves the Event Sponsorship Policy Review; and
- b) approves the Draft Play Strategy.

12. Recommendation from the Finance Committee Meeting – 9 April 2019 - Financial Strategy Monitoring Report

Resolved: (Cr Mallett/Cr Pascoe)

That the Council:

- a) approves the rephrasing and delay deferrals of an additional \$26.3M capital projects from 2018/19 to future years as listed in the 9 April 2019 Capital Portfolio Monitoring Report;
- b) approves the significant forecast adjustments as set out in paragraphs 20 to 32 of this report; and
- c) approves the revised forecast Financial Strategy graphs for Debt to Revenue, Net Debt and Balancing the Books as set out in paragraphs 33 to 42 of this report.

5. Confirmation of the Council Open Minutes - 14 March 2019

Elected Members asked that clarification be made to the words 'rates rebate' to specify WEL Energy rates rebates.

Resolved: (Mayor King/Cr Casson)

That the Council confirm the Open Minutes of the Council Meeting held on 14 March 2019 as a true and correct record.

6. Confirmation of Elected Member Briefing Open Notes - 28 February 2019

Resolved: (Mayor King/Cr Hamilton)

That the Council confirm the Open Notes of the Elected Member Briefing held on 28 February 2019 as a true and correct record.

7. Confirmation of Elected Member Open Briefing Notes - 6 March 2019

Resolved: (Mayor King/Cr Casson)

That the Council confirm the Open Notes of the Elected Member Briefing held on 6 March 2019 as a true and correct record.

8. Confirmation of Elected Member Open Briefing Notes - 12 March 2019

Elected Members asked for clarification to be made around the word 'Treasured' in the briefing notes.

Resolved: (Mayor King/Cr Tooman)

That the Council confirm the Open Notes of the Elected Member Briefing held on 12 March 2019 as a true and correct record.

Deputy Mayor Gallagher rejoined the meeting at 12.04pm during the discussion of the above item. He was present when the matter was voted on.

9. Confirmation of Elected Member Open Briefing Notes (Annual Plan) - 21 March 2019

Resolved: (Mayor King/Cr Hamilton)

That the Council confirm the Open Notes of the Elected Member Briefing (Annual Plan) held on 21 March 2019 as a true and correct record.

10. Confirmation of Elected Member Open Briefing Notes - 28 March 2019

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council confirm the Open Notes of the Elected Member Briefing held on 28 March 2019 as a true and correct record.

15. Resolution to Exclude the Public

Resolved: (Mayor King/Deputy Mayor Gallagher)

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 - 14 March 2019) Good reason to withhold information exists under Section 7 Local Government	Section 48(1)(a)
C2. Confirmation of the Elected Member Briefing Closed Notes - 28 February 2019) Official Information and Meetings Act 1987	
C3. Confirmation of Elected Member Briefing Notes - Closed - 28 March 2019)	

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 prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)

The meeting went into a public excluded session at 12.06pm.

The meeting was declared closed at 12.08pm.

Draft questions

PREAMBLE

Thank you for providing feedback on the Draft West Town Belt Masterplan. The West Town Belt (WTB) is a large 54-hectare site in the centre of Hamilton and an important public open space that can contribute to delivering the city's open space needs.

The masterplan sets out a 30-year vision for the WTB, to help ensure consistent and well-informed future decisions.

The vision is supported by a set of goals, principles and key design moves. The plan includes short-term projects that can be implemented incrementally, and longer-term projects requiring more significant and strategic planning. Your feedback will help to shape the final masterplan.

The projects in this plan are not yet funded. The plan will help to prioritise funding through the 10-Year Plan process.

QUESTIONS

1. Vision, Goals, Principles and Key Design Moves: 'A dynamic, connected and treasured inner-city destination for everyone.'

Do you have any feedback on the Vision, Goals, Principles and Key Design Moves? (free text box)

2. Masterplan Character Areas (include map)

The Masterplan has been organised into nine Character Areas (see page 76)

Each character area includes open space and streetscape projects contributing to achieving the vision, goals and principles of the masterplan.

Do you support the projects in each character area?

3. Do you have any feedback on the Character Areas and projects? (Free text)

4. What type of WTB projects are most important to you (please rank 1-6)?

- Strengthen and grow open space areas
- Provide better connectivity through active transport (cycling and walking)
- Embrace and enhance diverse cultural activities
- Strengthen and increase biodiversity and access

to natural areas

- Increase formal and informal recreational opportunities
- Improve how stadia relate to the public spaces and provide for the community
- Improved park infrastructure (picnic tables, rubbish bins etc).
- Improve heritage visibility and understanding
- Other (please specify)

5. Are there any outcomes not included you would like to see added?

(Free text)

SPECIFIC PROJECTS

6. Norris Ward Park

The vision for Norris Ward Park is to be an intimate civic park with an arts and community focus, and possible future public transport hub.

The Masterplan proposes two future options, should the current buildings be removed at any stage in the next 30 years. Which of the options do you support?

- Development of new community facility, supporting the park as an arts and cultural hub/precinct.
- Return park to open green space and find alternative venue for lease holders.
- Other suggestions/comments.

7. Norton Rd Roundabout

The vision for the Norton and Boyes Character Area is to be the leafy green 'heart' of the West Town Belt where community and families come to enjoy play spaces and events.

The Masterplan has two future options for the roundabout to improve cycling and pedestrian access, making Rostrevor St more pedestrian friendly and improving the links and amenity value of surrounding parks. Both options will investigate removing traffic from the section of Rostrevor St in the WTB. Which of the options do you support?

- Optimise pedestrian crossing across thresholds to roundabouts.
- Optimise pedestrian crossings, plus additional signalised crossings.
- Other suggestions/comments?

8. Passing Red site

The vision for Hinemoa Park (where the sculpture Passing Red was located) is to be a destination park where diverse cultural activities, sports and recreation co-exist.

The Masterplan has three future options of the "Passing red" site on the Mill St side of Hinemoa Park. This space is zoned open space. It is currently reinforced concrete and asphalt used for informal commuter parking, adjoining the site where K'aute Pasifika is proposing to build a large fale.

Which of the options do you support?

- Retain reinforced concrete and asphalt areas as commuter parking in the short term, and review once the K'aute Pasifika proposal is completed.
- Maintain reinforced concrete for parking, and return the Hinemoa site to open space over the next 30 years, allowing for overflow parking for events.
- Maintain reinforced concrete for parking on the western side of Seddon Road, and repurpose as an informal skate space.
- Other suggestions/comments

9. Beetham Park

The vision for the Whatanoa Character Area, where Beetham Park is located, is to become a community and recreation hub set in restored parkland.

The Masterplan provides two options for the future of Beetham Park. This space is currently used for commercial purposes by the Prodrive Golf Range, which has lease to operate on the site for the next 15 years. The park sits on top of the historic Whatanoa Paa site and closed landfill location.

Which of the options do you support?

- Continue to operate Beetham Park as a golf driving range - this currently works given the limitations placed on how a former landfill site is used.
- Begin the conversation about returning it to open space once the current lease expires
- Other suggestions/comments?

10. Do you have any other comments (free text)

Demographic questions

- Age?:
- Part of city you live in?
- How often you use/visit/travel through the WTB currently?

Advertising: Print

Mail drop
200 x DLE



Community hub
posters
30 x A3 posters



West Town Belt
Sites
10 x A0 corflutes



Advertising: Standard HCC avenues

- HCC website and masterplan homepage
- City news
- Radio interview
- Media release
- Social media

Online Survey

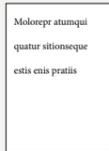
INFORMATION

Electronic document



FEEDBACK CAPTURE

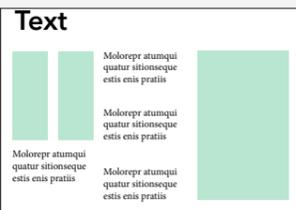
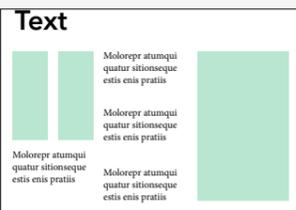
Electronic survey



Council foyer + library displays

INFORMATION

Display Posters

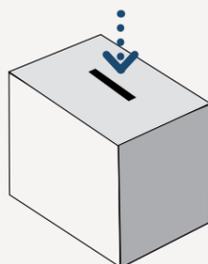
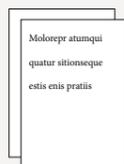


1 x Bound hardcopy



FEEDBACK CAPTURE

Hardcopy survey questions



Main Open Day (x1) and Tag Along Open Days (minimum of two)

INFORMATION

Triangular information stands



FEEDBACK CAPTURE

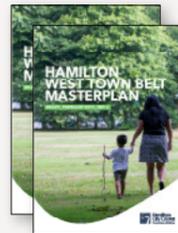
iPads (to access online survey)



A0 Map (info capture tool. Post its and pens)



2-3 x Bound hardcopies



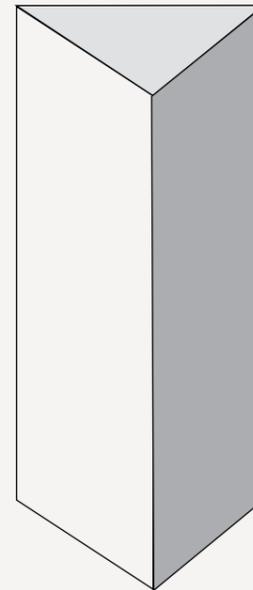
DLE take away



Business Card take away



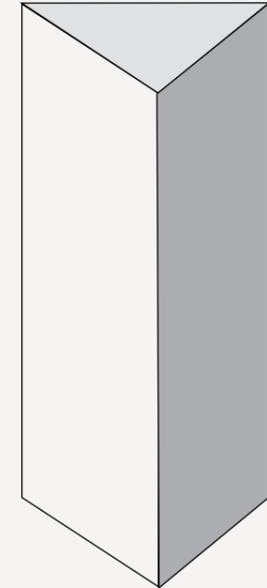
Possibly Triangular feedback stands (sticky dot/pin-based questions)



Stakeholder Workshops

INFORMATION

Triangular information stands



2-3 x Hardcopies



FEEDBACK CAPTURE

A0 Plans (overall + site specific. Info capture through drawing and post-its)



Whiteboard feedback

LOCAL GOVERNMENT NEW ZEALAND REMIT POLICY

The criteria for considering remits were reviewed in March 1999 and National Council adopted the following Remits Screening Policy:

1. Remits must be relevant to local government as a whole rather than exclusively relevant to a single zone or sector group (or an individual council.)
2. Remits should be of a major policy nature (constitutional and substantive policy) rather than matters that can be dealt with by administrative action.
3. Remits must have formal support from at least one zone or sector group meeting, or five Councils, prior to their being submitted, in order for the proposer to assess support, clarity of the proposal etc.
4. Remits defeated at the AGM in two successive years will not be permitted to go forward.
5. Remits will be assessed to determine whether the matters raised can be actioned by alternative, and equally valid, means to achieve the desired outcome.
6. Remits that deal with issues or matters currently being actioned by LGNZ may also be declined on the grounds that the matters raised are "in-hand." This does not include remits that deal with the same issue but from a different point of view.
7. Remits must be accompanied by background information and research to show that the matter warrants consideration by delegates. Such background should show:
 - the nature of the issue
 - the background to its being raised
 - the issue's relationship, if any, to the current Work Programme and its objectives
 - the level of work, if any, already undertaken on the issue by the proposer, and outcomes to date
 - the outcomes of any zone or sector meetings which have discussed the issue
 - suggested actions that could be taken by LGNZ should the remit be adopted.

Process

Under the remits process:

- a remits committee (comprising the President, Vice Presidents and chief executive) is to be formed to review and assess proposed remits against the criteria described in this policy
- to allow time for the remits committee to properly assess remits, all proposed remits and accompanying information are forwarded to LGNZ within two months prior to the AGM

Appendix 2

- prior to their assessment meeting, the remits committee will receive a staff report on each remit. The reports will assess each remit against the criteria outlined in this policy
- proposers whose remits fail to meet the tests imposed by this policy will be informed prior to the AGM of the Committee's decision, alternative actions available, and the reasons behind the decision.

To ensure quality preparation for members' consideration at the AGM, the committee will not consider or take forward proposed remits that do not meet this policy, or are received after the due date.

General

Remits discussed at the AGM will be presented in the AGM Business Papers that will be with delegates not later than 2 weeks before the AGM, as required by the Rules.