
Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 26 September 2019 at 1.15pm.

PRESENT

Chairperson	Mayor A King
Deputy Chairperson	Deputy Mayor M Gallagher
Members	Cr M Bunting
	Cr J R Casson
	Cr R Hamilton
	Cr S Henry
	Cr D Macpherson
	Cr G Mallett
	Cr A O'Leary
	Cr R Pascoe
	Cr G Taylor
	Cr L Tooman

In Attendance:	Richard Briggs – Chief Executive
	Lance Vervoort – General Manager Community
	David Bryant - General Manager Corporate
	Chris Allen – General Manager Development
	Eeva-Liisa Wright – General Manager Infrastructure Operations
	Jen Baird – General Manager City Growth
	Sean Hickey – General Manager Strategy and Communications
	Sean Murray – General Manager Venues, Tourism and Mayor Events
	Blair Bowcott - Executive Director Special Projects
	Tracey Musty – Financial Controller
	Lee-Ann Jordan – Visitor Destination Manager
	Peter Sergal - Hamilton Gardens Manager
	Mark Roberts – Senior Planner
	Greg Carstens – Growth , Funding and Analytics Unit Manager
	Stafford Hodgson – Programme Manager, Economic and Policy
	Keiran Horne – Chair Audit and Risk Committee
Governance Staff:	Becca Brooke – Governance Lead
	Amy Viggers, Rebecca Watson and Claire Guthrie - Committee Advisors

Tame Pokaia opened the meeting with a karakia followed by a reading from the Very Reverend Phil Wilson.

A Mayoral Citation was then presented to Robyn McDougal and her late husband Ken McDougal for their acts of bravery on 6 February 1966 when they saved 11 people from a burning boat on the Waikato River.

1. Apologies

Resolved: (Mayor King/Deputy Mayor)

That the apologies for absence from Cr Southgate and for partial attendance from Cr Mallett and Cr O'Leary are accepted.

2. Confirmation of Agenda

Resolved: (Mayor King/ Deputy Mayor Gallagher)

That the agenda is confirmed noting the following:

- a) that item 9 (Recommendation from the Audit and Risk Committee - Adoption of the Annual Report 2018/19) is to be taken after item 5 (Confirmation of the Open Council and Committee Minutes) to accommodate availability; and
- b) that item 11 (Response to Urban Economic Report), item 12 (Chair's Report) and item C2 (Stadia Eftpos Update) are accepted as late items, noting that all have been circulated under separate cover prior to the meeting.

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 the Open Council and Committee Minutes

Resolved: (Mayor King/Deputy Mayor Gallagher)

Community, Services and Environment Committee - Open Minutes – 22 August 2019

That the Council confirm the Open Minutes of the Community, Services and Environment Committee Meeting held on 22 August 2019 as a true and correct record.

Resolved: (Mayor King/Deputy Mayor Gallagher)

Growth and Infrastructure Committee - Open Minutes – 27 August 2019

That the Council confirm the Open Minutes of the Growth and Infrastructure Committee Meeting held on 27 August 2019 as a true and correct record.

Resolved: (Mayor King/Deputy Mayor Gallagher)

Finance Committee - Open Minutes – 10 September 2019

That the Council confirm the Open Minutes of the Finance Committee Meeting held on 10 September 2019 as a true and correct record.

Resolved: (Mayor King/Deputy Mayor Gallagher)

Regulatory and Hearings Committee - Open Minutes – 12 September 2019

That the Council confirm the Open Minutes of the Regulatory and Hearings Committee Meeting held on 12 September 2019 as a true and correct record.

Resolved: (Mayor King/Deputy Mayor Gallagher)

Council - Open Minutes – 17 September 2019

That the Council confirm the Open Minutes of the Council Meeting held on 17 September 2019 as a true and correct record.

Resolved: (Mayor King/Cr Mallett)

Audit and Risk Committee - Open Minutes – 23 September 2019

That the Council confirm the Open Minutes of the Audit and Risk Committee Meeting held on 23 September 2019 as a true and correct record (*circulated under separate cover as a late item*).

Following the above item 5 (Confirmation of the Open Council and Committee Minutes) item 9 (Recommendation from the Audit and Risk Committee - Adoption of the Annual Report 2018/19) was taken to accommodate availability.

9. Recommendation from the Audit and Risk Committee - Adoption of the Annual Report 2018/19

The Chair of the Audit and Risk Committee introduced the report and outlined the Audit Opinion.

Resolved: (Mayor King/ Deputy Mayor Gallagher)

That Council adopts the 2018/19 Annual Report.

7. Hamilton Gardens Management Plan Approval

The General Manager Community and the Visitor Destination Manager provided an update on the consultation on the Hamilton Gardens Management Plan that had been undertaken since the last meeting of the Council. They responded to questions from Elected Members concerning the proposed Governor's Green amphitheatre, further consultation, the large gum tree, and the effect of a potential deferral of the Draft Management Plan to a future meeting of the Council.

A Procedural Motion was put.

Resolved: (Cr Bunting/Cr Macpherson)

In order for the community to have further input on this matter the report and recommendations on The Hamilton Gardens Management Plan be referred to the first normal business meeting of the 2019-2022 Council.

Those for the Procedural Motion: Mayor King, Deputy Mayor Gallagher, Councillors O'Leary, Macpherson, Bunting, Casson, Henry and Taylor.

Those against the Procedural Motion : Councillors Pascoe, Mallett, Tooman and Hamilton.

The Procedural Motion was declared carried.

Cr O'Leary left the meeting (1.47pm) during the discussion of the above item. She was not present when the matter was voted on.

8. Appointment of Hearing Commissioners for Notice of Requirement Rotokauri Greenway

The General Manager City Growth took the report as read and responded to questions from Elected Members concerning the independent hearing panel.

Resolved: (Mayor King/ Deputy Mayor Gallagher)

That the Council appoints Nigel Mark-Brown as independent hearing commissioner on the panel of 3 commissioners to hear and make recommendations on the Notice of Requirement for the Rotokauri Greenway.

Cr Macpherson Dissenting.

10. Notice of Motion - Alteration of Previous Resolution - Seddon Park Lights

Cr Macpherson spoke to his notice of motion noting that the intention of the motion was for a saving of \$200,000 be found within operational savings at Seddon Park. Staff responded to questions from Elected Members concerning whether this could be achieved.

Resolved: (Cr Macpherson/Cr Bunting)

That the Council:

- a) alters the below resolution in relation to item 11 (Capital Portfolio Monitoring Report) from the 10 September 2019 Finance Committee meeting:

"That the Finance Committee:

a) receives the report; and

*b) approves an increase to the Approved Contract Sum of Contract 17460 for the replacement and upgrade of the Seddon Park Lights from \$4,000,000 to \$4,200,000."*and

- b) approves an increase to the Approved Contract Sum of Contract 17460 for the replacement and upgrade of the Seddon Park Lights for \$4,000,000 to 4,200,00 subject to the \$200,000 increase being funded from operational savings at Seddon Park.

11. Response to report by Urban Economics

The General Manager City Growth introduced the report and responded to questions from Elected Members concerning points raised within the report by Urban Economics.

Resolved: (Mayor King/ Deputy Mayor Gallagher)

That the Council receives the report.

12. Chair's Report

The Mayor took his report as read. Cr Macpherson then provided Elected Members with a verbal update concerning the Hamilton to Auckland Passenger Rail and responded to questions from Elected Members concerning the portion of the project that Hamilton Council was accountable for.

Resolved: (Mayor King/ Deputy Mayor Gallagher)

That the Council receives the report.

Cr Mallett left the meeting (2.21pm) during the discussion of the above item. He was not present when the matter was voted on.

The meeting was adjourned at 2.48pm to 3.30pm.

During the above adjournment there was a short ceremony to acknowledge the end of the 2016-19 Triennium.

Mayor Andrew acknowledged the achievements of the Council and thanked all that had been involved throughout the triennium. He then opened the floor to the Elected Members, Maangai Maaori and members of the Senior Leadership Team to speak if they wished.

Cr Paula Southgate provided a short statement which was read by Cr Mark Bunting. Cr Mark Bunting read his own poem to acknowledge the Elected Members and the 2016-19 triennium this was followed by statements from Deputy Mayor Gallagher, Cr James Casson, Cr Siggie Henry, Cr Ryan Hamilton, Cr Geoff Taylor, Cr Leo Tooman, Cr Rob Pascoe, and Cr Dave Macpherson. Maangai Norm Hill and Maangai Olly Te Ua spoke to their time as part of Council Committees.

Cr Mallett re-joined the meeting during the above adjournment.

12. 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
C1. Confirmation of the Council and Committee Public Excluded Minutes) Good reason to withhold) information exists under) Section 7 Local Government	Section 48(1)(a)
C2. Update on Stadia Facilities) Official Information and) Meetings Act 1987	

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 enable Council to carry out commercial activities without disadvantage to enable Council to carry out negotiations	Section 7 (2) (h) Section 7 (2) (i)

The meeting went into a public excluded session at 3.34pm.

The meeting was declared closed at 4.01pm.