
Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 8 February 2018 at 9.37am.

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
	Vacancy

In Attendance:	Richard Briggs – Chief Executive
	Lance Vervoort – General Manager Community
	Chris Allen – General Manager City Infrastructure
	Kelvyn Eglinton – General Manager City Growth
	David Bryant – General Manager Corporate
	Sean Hickey – General Manager Strategy and Communications
	Sean Murray – General Manager Major Events, Venues and Tourism
	Jen Baird – Unit Manager Communications and Marketing
	Julie Clausen – Programme Manager Strategy
	Nigel Ward – Communications Team Leader
	Brendan Stringer – Legal Services and Governance Officer
	Jeff Neems – Communications Advisor
	Tracy Wood – City Events Manager
	Chelsey Stewart – Project Manager 10 Year Plan

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

Meeting opened by Kaumatua Tame Pokaia and the Venerable Paul Weeding.

1. Apologies

There were no apologies.

2. Confirmation of Agenda

Resolved: (Cr Casson/Cr Mallett)

That the agenda be confirmed noting that:

- Debate will be 2 minutes with an extension of 1 minute if required;
- the meeting will break from 1.15pm to approximately 3.15pm to allow all Elected Members to attend the Waikato Business Summit; and
- there are some additions to the Chair's Report as previously communicated to Elected Members.

3. Declarations of Interest

Cr Tooman declared conflict of interest in relation to Item 11 (*New Lease - Verandah Cafe - Hamilton Lake Domain*). He did not take part in this item.

4. Public Forum

No members of the public wished to speak.

5. Confirmation of Council Minutes - 6 December 2017 (10 Year Plan)

The Governance Manager spoke to the minutes noting that there had been changes to the 6 December 2017 (10 Year Plan) minutes which had been circulated prior to the meeting to all Elected Members. It was noted by some Elected Members that they misunderstood the intent of the Central City Park alteration motion (below) when voting. It was accepted that the outcome of the vote would not have changed.

Resolved: (Cr Mallett/Cr Taylor)

That the Council confirm the Open Minutes of the Council Meeting (10 Year Plan) held on 6 December as a true and correct record noting the following changes/amendments:

- Pg 39 and 40 of the Agenda - Cr Tooman was recorded twice on the River Plan vote in error. The second 'Tooman' should have been Cr Mallett.
- Pg 9 of the Agenda – typo - Principle should be Principal.
- Pg 22 of the Agenda - Votes for the Playgrounds Proposal should include Crs Pascoe, O'Leary, and Macpherson as voting for the amendment.
- Pg 25 of the Agenda – typo – 'Brian' Squair spelt incorrectly.
- An explanation regarding the Standing Order rule for alterations and revocations would be added to the minutes by way of explanation that 75% of members votes were required for this.
- Deputy Mayor Gallagher be recorded as saying that he would be seconding the mayor on his proposals as a matter of process in his capacity as Deputy Mayor.

6. Confirmation of Council Open Minutes - 12 December 2017 (10 Year Plan)

Resolved: (Cr Casson/Cr Mallett)

That the Council confirm the Open Minutes of the Council Meeting (10 Year Plan) held on 12 December as a true and correct record.

7. Confirmation of Council Open Minutes - 14 December 2017

Resolved: (Cr Casson/Cr Mallett)

That the Council confirm the Open Minutes of the Council Meeting held on 14 December 2017 as a true and correct record.

8. Chair's Report - 8 February 2018

The Mayor acknowledged the success of the International Sevens' event and thanked staff for securing the event and ensuring the smooth running of the event. He noted a correction to the calculations in relation to the Central Park total cost which should be \$22,200 rather than \$22,000. He gave a verbal update on the Housing Infrastructure Fund, a Hamilton fuel tax, the establishment of a short term review panel for Development Contributions Policy, and a mid-year recess from Council and Committee meetings.

Along with staff he responded to questions from Elected Members concerning the following:

- Council's need for funding sources such as a Hamilton Fuel tax;
- The expectation from Central Government that Special Housing Accord agreements would have an affordability target of 40%; and
- The known terms of the Housing Infrastructure Fund and future discussions on the fund.

Resolved: (Mayor King/Cr Macpherson)

That the Council:

- a) requests the Chief Executive to develop the case for a fuel tax to support Hamilton City Council's Transport Improvements budget, and the steps necessary to promote it.

Crs O'Leary and Southgate Dissenting.

Motion: (Mayor King/Deputy Mayor Gallagher)

That the Council:

- b) approves \$ 19,200 for the activation of the Victoria on the River open space for the remainder of the 2017/18 summer period.

The Motion was put.

Those for the Motion:

Mayor King, Councillors Gallagher, Macpherson and Southgate.

Those against the Motion:

Councillors Pascoe, Mallett, Tooman, O'Leary, Bunting, Casson, Henry and Taylor.

The Motion was declared lost.

Resolved: (Crs Mallett/Pascoe)

That the Council:

- c) appoints Deputy Mayor Gallagher to the role of Deputy Chair of the Community and Service Committee in an interim capacity until the full review of the Governance Structure and the by-election are completed.

Resolved: (Crs Mallett/Pascoe)

That the Council:

- d) appoints:
 - i. Cr James Casson to the Single Year Community Grants Allocation Committee;
 - ii. Cr Siggie Henry to the Multi Year Community Grants Allocation Committee;
 - iii. Cr Leo Tooman to the University of Waikato Animal Ethics Committee.

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

That the Council:

- e) approves the 2018 Schedule of Reports for Council.

Resolved: (Mayor King/Cr Bunting)

That the Council:

- f) approves the establishment of a Development Contributions review panel for a period of three months and appoints Mayor Andrew, Crs Pascoe, Mallett and Macpherson to the panel to work with staff and bring recommendations back to Council for consideration.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council:

- g) approves the cancellation of Finance Committee, Growth and Infrastructure Committee and Community and Services Committee meetings and the Elected Member briefings scheduled between 2 July and 29 July inclusive 2018 (inclusive).

The Meeting moved into a Public Excluded session at 11.10am to accommodate external presenters.

14. Resolution to Exclude the Public

Resolved: (Cr Casson/Mayor King)

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 Council Public Excluded Minutes - 12 December 2017 (10 Year Plan)) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987)	Section 48(1)(a)
C2. Confirmation of Council Public Excluded Minutes - 14 December 2017)	
C3. Major Event Opportunity for Hamilton		
C4. Contract for Electoral Services for 2019 Triennial Elections		

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 to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (a) Section 7 (2) (j)
Item C3.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
Item C4.	to enable Council to carry out negotiations	Section 7 (2) (i)

The meeting moved back into the open session at 12.15pm.

Item 12 (Regulatory and Effectiveness Programme – half yearly report from Taskforce) was taken next to accommodate staff availability.

12. Regulatory Efficiency and Effectiveness Programme - half yearly report from Taskforce

The General Manager City Growth introduced the item. He responded to questions from Elected Members concerning the cost benefit in relation to the regulatory efficiency and effectiveness programme; whether the programme could be incorporated with Re-imagining Local Government; and the possible outcome to the program based on the evidence staff had accumulated.

Resolved: (Mayor King/Cr Casson)

That the Council receives the report.

Crs O’Leary and Henry Dissenting.

The meeting adjourned from 12.55pm to 3.25pm.

9. 10 Year Plan Engagement

The Programme Manager Strategy introduced the report, noting that this report was in response to a question from Elected Members during the 10 Year Plan meeting as to whether contact information requested from submitters should be mandatory and verified. She outlined the background behind the staff recommendation which was to seek approval regarding profile questions.

Staff responded to questions from Elected Members concerning:

- What questions were being asked and where in the submission process the question were listed.
- The possible impact of making names and addresses mandatory.
- Elected Members were advised that it is their decision as to how much weight they put on each submission.

Resolved: (Mayor King/Cr Bunting)

That the Council directs staff to make the contact details questions on the submission form for consultation on the draft 2018-28 10-Year Plan mandatory questions (Option b in this report).

Cr Southgate Dissenting.

10. Priority Vehicular and Pedestrian Thoroughfares and Routes of Strategic Importance

The report was taken as read. Staff responded to questions from Elected Members concerning the requirement for council to identify priority vehicular and pedestrian thoroughfares and transport routes strategically important from a emergency management perspective as well as the impact on property owners if their property was to be determined to be earthquake prone.

Resolved: (Mayor King/Cr Mallett)

That the Council:

- a) receives the report; and
- b) approves the proposal for public consultation on priority vehicular and pedestrian thoroughfares and routes of strategic importance in Hamilton between 5 March 2018 to 6 April 2018.

11. New Lease - Verandah Cafe - Hamilton Lake Domain

The report was taken as read. Staff responded to questions from Elected Members concerning the procurement process council follows for lease agreements and extension, the exclusivity clause within the Verandah Café lease, and the requested change to commission and rent calculations.

Resolved: (Crs Macpherson/Mayor King)

That this item be reported back to the 15 March 2018 Council meeting, with staff entering into further discussions with the current operator, that addresses the discussion by Council at the 8 February 2018 Council Meeting concerning comparability with other leases and additional services within the area of exclusivity.

Cr Tooman had previously declared a conflict of interest in relation to the above item. He did not partake in the discussion or vote on the matter.

Cr Bunting retired from the meeting (4.08pm) during the discussion of the above Item. He was not present when the matter was voted on.

13. Private Developer Agreements - Change to Council Delegations

The report was taken as read. Staff responded to questions from Elected Members concerning the purpose of private developer agreements which allowed work to be upsized or infrastructure completed on behalf of Council in new subdivision or developments. Elected members also clarified the change in delegation that the Chief Executive would have under the proposed changes to the policy which would approve agreements up to \$3 million and not exceeding 5 years.

Staff undertook to bring a report to a future Elected Member Briefing concerning the Private Developer Agreements.

S Resolved: (Mayor King/Cr Casson)

That the Council:

- a) ratifies the Private Developer Agreements signed by staff during the current triennium, as scheduled in Attachment 1 of the staff report.
- b) approves the changes to the Governance Structure, as set out in Attachment 2 of the staff report.
- c) approves the changes to the Delegations to Positions Policy, as set out in Attachment 3 of the staff report.

The meeting was declared closed at 4.45pm.