
Council *Kaunihera* OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Tuesday 11 February 2025 at 9:30 am.

PRESENT

Chairperson	Mayor Paula Southgate
<i>Heamana</i>	
Deputy Chairperson	Deputy Mayor Angela O’Leary
<i>Heamana Tuarua</i>	
Members	Cr Maxine van Oosten
	Cr Moko Tauariki
	Cr Ewan Wilson
	Cr Mark Donovan
	Cr Louise Hutt
	Cr Andrew Bydder
	Cr Geoff Taylor
	Cr Sarah Thomson
	Cr Emma Pike
	Cr Maria Huata
	Cr Anna Casey-Cox
	Cr Kesh Naidoo-Rauf

Kaumatua Tame Pokaia opened the meeting with a karakia.

1. **Apologies – *Tono aroha***

Resolved: (Mayor Southgate/Deputy Mayor O’Leary)
That the Council accepts the apologies for full absence from Cr Naidoo-Rauf.

2. **Confirmation of Agenda – *Whakatau raarangi take***

Resolved: (Mayor Southgate/Cr Hutt)

That the Council confirms the agenda noting:

- a) Item 11 (local Water Done Well – “Water” we talking about) will be taken after Item 7 (Chair’s Report) at the request of the Chair; and
- b) The addition of the late report, Item 13 (2025/26 Annual Plan Draft Budget) that was circulated to members under separate cover. This report was circulated late to enable the most up to date information was available and was unable to be deferred to a future meeting due to time constraints.

3. Declarations of Interest – *Tauaakii whaipaa*

Cr Wilson and Cr Donovan declared a conflict to Item 13 (2025/26 Draft Annual Plan Budget) particularly the matter of a Local Alcohol Policy. They noted that they would not take part in the discussion or vote on the matter.

Prior to the discussion of the Item Cr Macindoe declared an interest in Item C2 (Temporary Road Closures for Events). He noted he was not conflicted and would take part in the discussion and vote.

4. Public Forum – *Aatea koorero*

Maureen Chrystall spoke to Item 8 (Heaphy Terrace Pedestrian Crossing) in opposition to the proposed crossing on Heaphy Terrace.

Peter H Bos on behalf of Living Streets Kirikiriroa spoke to Item 8 (Heaphy Terrace Pedestrian Crossing) and requested the reinstatement of a signalised intersection on Heaphy Terrace and Boundary Road.

Sergeant Jim Kernohan spoke to Item 13 (2025/26 Draft Annual Plan Budget) in particular in support of the potential introduction of a Local Alcohol Policy.

Michael Keehan spoke to Item 13 (2025/26 Draft Annual Plan Budget) in particular in support of the potential introduction of a Local Alcohol Policy.

5. Confirmation of the Council Open Minutes 12 December 2024

Resolved: (Mayor Southgate/Deputy Mayor O'Leary)

That the Council confirm the Open Minutes of the Council Meeting held on 12 December 2024 as a true and correct record.

6. Confirmation of the Elected Member Open Briefing Notes 11 December 2024

Resolved: (Mayor Southgate/Cr Hutt)

That the Council confirm the Open Notes of the Elected Member Briefing held on 11 December 2024 as a true and correct record.

7. Chair's Report

The Chair took the report as read.

Resolved: (Mayor Southgate/Deputy Mayor)

That the Council receives the report.

8. Local Water Done Well - "Water" We Talking About

The General Manager Infrastructure & Assets and Waters consultant Peter Winder introduced report and highlighted the purpose of the consultation document and the draft submission to Central Government. Staff responded to questions from Elected Members concerning the draft submission, national standards for water quality, Te Ture Whaimana, the transition period, consultation requirements set by Central Government and clarity of costs.

Resolved: (Mayor Southgate/Deputy Mayor O'Leary)

That the Council:

- a) receives the report; and
- b) approves Council's submission (Attachment 2) on the Local Government (Water Services) Bill, subject to the final analysis of technical details by staff.

Cr Taylor Dissenting

Resolved: (Mayor Southgate/Deputy Mayor O’Leary)

That the Council approves the draft Consultation Document (Attachment 1) for Hamilton City Council’s response to Local Water Done Well, and consultation on the introduction of targeted rates for waters, subject to minor changes including those requested at the meeting and factchecking.

The meeting was adjourned from 10.50am to 11.12am.

9. Heaphy Terrace Pedestrian Crossing Location Approval

The Design & Deliver Unit Director and the Urban Transport Manager outlined the staff report. Staff responded to questions from Elected Members concerning design, construction logistics, future work programmes or projects in the area, and concerns raised during the Public Forum section of the meeting.

Resolved: (Cr Wilson/Cr Hutt)

That the Council:

- a) receives the report; and
- b) approves the construction of an at-grade signalised pedestrian crossing on Heaphy Terrace at the location detailed in this report between the Hamilton Jamia Mosque and Stanley Street using funding available from the Climate Emergency Response Fund Transport Choices Programme with subsidy from the New Zealand Transport Agency Waka Kotahi and the work to be completed by 30 June 2025.

10. Our Climate Future: Te Pae Tawhiti o Kirikiriroa - Implementation update

The Sustainability and Climate Change Manager took the report as read. Staff responded to questions from Elected Members concerning funding of projects, Nature in the City impacts due to delays, reporting metrics, internal projects to reduce emissions.

Resolved: (Cr Hutt/Deputy Mayor O’Leary)

That the Council:

- a) receives the report; and
- b) notes the current challenges with the implementation of Our Climate Future: Te Pae Tawhiti o Kirikiriroa.

Cr Donovan retired from the meeting (12.05pm) and did not vote in the above matter.

11. Temporary Road Closures for Events

The Operate & Maintain Unit Director took the report as read. They responded to questions from Elected Members concerning access to homes, planning for recurring events.

Resolved: (Mayor Southgate/Cr van Oosten)

That the Council:

- a) receives the report;
- b) approves the closure of Worley Place Shared Zone between 4pm and 11pm on Saturday 22 February 2025 (with a backup date of Sunday 23 February 2025) to accommodate the Chinese Lantern Festival in Garden Place;
- c) approves the closure of the following roads to accommodate the Frankton Thunder event:
 - i. 8 March 2025 from 4pm to 6am:
 - Kent Street – Rawhiti Street to Commerce Street
 - ii. 9 March 2025 from 6am to 6pm
 - Kent Street, between Rawhiti Street and Commerce Street;
 - Commerce Street, between High Street and The Hamilton Workingmen's Club 39 Commerce Street;
 - Lake Road, between Rawhiti Street and King Street;
 - Keddell Street, between Commerce Street and King Street; and
 - Kent Street, between Rawhiti Street and King Street.
- d) approves the issue of a Notice of Decision stating Council’s decision to close Worley Place

Shared Zone between 4pm and 11pm on Saturday 22 February 2025 (with a backup date of Sunday 23 February 2025) to accommodate the Chinese Lantern Festival in Garden Place.

- e) approves the issue of a Notice of Decision stating Council's decision to close the following roads to accommodate the Frankton Thunder event:
- i. 8 March 2025 from 4pm to 6am:
 - Kent Street – Rawhiti Street to Commerce Street
 - ii. 9 March 2025 from 6am to 6pm:
 - Kent Street, between Rawhiti Street and Commerce Street;
 - Commerce Street, between High Street and The Hamilton Workingmen's Club 39 Commerce Street;
 - Lake Road, between Rawhiti Street and King Street;
 - Keddell Street, between Commerce Street and King Street; and
 - Kent Street, between Rawhiti Street and King Street.

The meeting was adjourned from 12.47pm to 1.45pm.

Cr Huata left the meeting during the above adjournment.

12. Consequential Amendment to 2024-34 Long-Term Plan and proposed changes to Revenue and Financing Policy

Resolved: (Cr Wilson/Cr Van Oosten)

That the Council:

- a) receives the report;
- b) notes the updates on the Local Water Done Well programme as it relates to corporate planning processes;
- c) notes the proposed sequencing of processes as set out in Figure 1 of the staff report;
- d) notes that subject to further legal advice, engagement with Audit NZ and the progression of the Local Government (Water Services) Bill, the sequencing of processes may need to be modified and, where appropriate, reported back to the Council;
- e) notes the proposed next steps on the development of a Financial Contributions Policy;
- f) approves Option 1 of the staff report as a proposal for public consultation, with the funding approach modified by transferring status quo rates to targeted rates set on a capital value basis, involving:
 - i. the creation of new targeted rates for water, wastewater, and citywide stormwater;
 - ii. the discontinuation of the 'Other' category of general rates;
 - iii. the renaming of the 'Commercial and Other category non-metered water' to 'Commercial non-metered water' and the updating of the definition for clarity;
 - iv. the discontinuation of the Government compliance rate; and
 - v. the discontinuation of the service use water and service use wastewater rates.
- g) approves the draft Revenue and Financing Policy (Attachment 1) for public consultation;
- h) approves the draft rating definitions (Attachment 2), Funding Needs Analysis (Attachment 3) and Indicative Rates Samples for 2025/26 (Attachment 4) as supporting material for the consultation;
- i) approves the development of a Financial Contributions Policy to enable Council to recover Financial Contributions to fund capital and operational costs for the purposes identified in Chapter 24 of the Operative District Plan; and
- j) notes the updated Rating Policy will be reported to the Council at its 20 March 2025 meeting.

13. 2025/26 Annual Plan Draft Budget

Resolved: (Mayor Southgate/Deputy Mayor O’Leary)

That the Council:

- a) receives the report;
- b) approves the 2025/26 Annual Plan draft budget, noting this reflects Council’s resolutions of 12 December 2024 regarding water services delivery and changes to interest and inflation assumptions, as well as other changes (including the inclusion of indicative water levies) since the adoption of the 2024-34 Long-Term Plan;
- c) notes that, without the inclusion of any of the possible addition changes outlined in the staff report, the draft budget includes the following results against our financial strategy measures:
 - i. net debt of \$1,282 million;
 - ii. debt-to-revenue ratio of 262%; and
 - iii. a balancing the books deficit of (\$22.0 million);
- d) notes that staff currently expect to balance the books for residual Council in Year Three (2026/27) with operating surpluses in subsequent years, as projected in the 2024-34 Long-Term Plan (assuming water services are delivered by an asset owning Council Controlled Organisation from 1 July 2026 as per the preferred option for community consultation) – although this is inevitably subject to uncertainty at this stage, dependent on actual market outcomes for key assumptions including the valuation of assets;
- e) notes the financial strategy results and projection above are predicated on maintaining the average rates increase to existing ratepayers for 2025/26 of 15.5% projected for Year Two in the 2024-34 Long-Term Plan, with the proposed new waters targeted rates being funded from within the total amount, rather than being additional to it;
- g) notes that work is ongoing with Waikato District Council in relation to the funding of establishment costs of a potential Council Controlled Organisation;
- h) approves the change to the drinking water non-financial service performance measures as required by the Department of Internal Affairs; and
- i) notes the progress on the work requested in Council resolutions during and subsequent to the development of the 2024-34 Long-Term Plan.

2025 Local Body Elections

Resolved: (Deputy Mayor O’Leary/Cr van Oosten)

That the Council approves the inclusion of the additional funding of \$132,000 (casual staff and the voting phase) for 2025 Local Body Elections in the 2025/26 Annual Plan draft budget.

The Motion was put.

Those for the Amendment:	Mayor Southgate, Deputy Mayor O’Leary, Councillors Hutt, Pike, Casey-Cox, van Oosten, Thomson, Tauariki and Huata.
Those against the Amendment:	Councillors Bydder, Taylor, Wilson and Macindoe.

The Amendment was declared Carried.

Mitigation for illegal dumping

Resolved: (Cr Thomson/Deputy Mayor O’Leary)

That the Council:

- a) approves an additional two (2) fulltime equivalent roles and associated overheads (or a level of service agreement of an equivalent value, whichever is deemed most appropriate by staff) to be funded through the waste minimisation levy that Council receives at a total ongoing annual value of \$214,000; and
- b) notes, that these positions will have a focus on education and behaviour change to support the waste hierarchy as an early mitigation for illegal dumping;

- c) notes, that through the education and behavioural change programmes, research and findings will be used to inform future approaches to waste related issues; and
- d) requests staff seek a legal opinion on the scope of what council can spend the waste levy on, including whether it could be used for the monitoring and enforcement of illegal dumping and to what extent provisions could be included in the bylaw to address illegal dumping, and report back to the Infrastructure and Transport Committee.

Development Contribution grant for small-scale community development

Resolved: (Cr Thomson/Cr Wilson)

That the Council approves the inclusion of the additional funding of \$20,000 annually, for Development Contribution grant for small-scale community development in the 2025/26 Annual Plan draft budget.

Prior to the discussion of the following item, Cr Wilson left the meeting as declared during Item 3 (Declarations of Interest). He was not present when the matter was voted on.

Local Alcohol Policy

Resolved: (Cr Casey-Cox/Cr Macindoe)

That the Council requests that staff undertake research and pre-consultation to inform the development of a draft Local Alcohol Policy (LAP) with a particular focus on reducing alcohol related harm from off-licenses, noting that:

- i. research and pre-consultation will require \$20,000 in addition to staff time (1 fulltime equivalent for 6 months) in year 2 of the Long-Term Plan to be covered within existing budgets
- ii. a decision to proceed with full consultation on a draft Local Alcohol Policy will depend on the outcomes of the pre-consultation; and
- iii. full consultation on a draft Local Alcohol Policy will require \$30,000 in addition to staff time (1 fulltime equivalent for 6 months) in year 3 of the Long-Term Plan to be covered within existing budgets.

The Motion was put.

Those for the Amendment:

Councillors Hutt, Pike, Casey-Cox, van Oosten, Thomson, Tauariki, Macindoe and Huata.

Those against the Amendment:

Mayor Southgate, Deputy Mayor O'Leary, Councillors Taylor and Bydder.

The Amendment was declared Carried.

Cr Huata rejoined the meeting (1.56pm) during the discussion of the above item. She was present when the matter was voted on.

14. Resolution to Exclude the Public

Section 48, Local Government Official Information and Meetings Act 1987

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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C1. Confirmation of the Elected Member Closed Briefing Notes 11 December 2024) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987	Section 48(1)(a)
C2. Waikato Regional Theatre		

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 moved into Public Excluded at 3.17pm.

The meeting was declared closed at 4.47pm.