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## Extraordinary Council

### *Kaunihera*

## OPEN MINUTES

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Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton and Audio Visual Link on Thursday 2 December 2021 at 2.13pm.

#### PRESENT

<b>Chairperson</b> <i>Heamana</i>	Mayor P Southgate
<b>Deputy Chairperson</b> <i>Heamana Tuarua</i>	Deputy Mayor G Taylor
<b>Members</b>	Cr M Bunting (exclusively via Audio Visual link) Cr M Gallagher Cr R Hamilton Cr M Donovan Cr D Macpherson Cr R Pascoe Cr K Naidoo-Rauf (exclusively via Audio Visual link) Cr S Thomson Cr M van Oosten (exclusively via Audio Visual link) Cr E Wilson
<b>In Attendance</b>	Helen Paki - General Manager Community Kelvin Powell - City Safety Unit Manager Tilly Murcott - Programme Manager
<b>Governance Staff</b>	Amy Viggers – Governance Team Leader Tyler Gaukrodger and Carmen Fortin– Governance Advisors

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**The meeting was adjourned from 2.15pm to 3.01pm**

- 1. Apologies – *Tono aroha***  
**Resolved:** (Mayor Southgate/Deputy Mayor Taylor)  
That the apologies for absence from Crs O’Leary and Cr Macpherson are accepted.
- 2. Confirmation of Agenda – *Whakatau raarangi take***  
**Resolved:** (Cr Wilson/Cr Hamilton)  
That the agenda is confirmed.
- 3. Declarations of Interest – *Tauaakii whaipanga***  
No members of the Council declared a Conflict of Interest.
- 4. Public Forum – *AAtea koorero***  
No members of the public wished to speak.

**5. Extension of outdoor dining permits into public places in response to Covid-19 dining restrictions**

The City Safety Unit Manager introduced the report, noting the process that staff will undertake with the hospitality sector to enable outdoor dining. Staff responded to questions from Members concerning the flexibility of the proposed criteria, on licences, locations where outdoor dining facilities were or could be available, accessibility concerns, compliance obligations, staff's role, Garden Place noise concerns and restrictions due to current alcohol legislation.

**Resolved:** (Mayor Southgate/Deputy Mayor Taylor)

That the Council:

- a) revokes points b) through to f) of the resolution relating to **waiver of fees and charges for outdoor dining permits** approved by the Council on 11 November 2021 (*point 18 of the this staff report*) ; and
- b) approves instead, to:
  - i. refund all fees that have been paid for outdoor dining permits for the 2021/22 year; and
  - ii. issue all new outdoor dining permit applications or extensions, without fees and charges, through to 30 June 2022;
- c) approves **increased use of public places for outdoor dining** and directs staff to consider applications for outdoor dining permits, or permit extensions, that make reasonable increased use of a public place beyond what is currently permitted under the Trading in Public Places Policy, on a case-by-case basis;
- d) delegates authority to the City Safe Unit Manager to make the final decisions on all permits considered in recommendation c) above;
- e) notes that all outdoor dining permits and extensions must still comply with the purpose and principles of the [Trading in Public Places Policy](#);
- f) notes that the extension of outdoor dining permits into public places is part of the Council's efforts to support Hamilton's hospitality industry, which has been significantly impacted by Covid-19 restrictions on dining; as such, it is intended to be temporary and will be reviewed by 30 April 2022 to consider whether it is appropriate to make further provision.

*Cr Macpherson joined the meeting (3.24pm) during the discussion of the above item. He was present when the matter was voted on.*

**The meeting was declared closed at 3.27pm**