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## Council

### OPEN MINUTES

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**Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 5 September 2019 at 9.31am.**

#### **PRESENT**

|                    |                          |
|--------------------|--------------------------|
| Chairperson        | Mayor A King             |
| Deputy Chairperson | Deputy Mayor M Gallagher |
| Members            | Cr J R Casson            |
|                    | Cr D Macpherson          |
|                    | Cr G Mallett             |
|                    | Cr R Pascoe              |
|                    | Cr P Southgate           |
|                    | Cr G Taylor              |
|                    | Cr L Tooman              |
|                    | Cr R Hamilton            |

|                |   |
|----------------|---|
| In Attendance: | Jen Baird - General Manager City Growth                       |
|                | Eeva-Liisa Wright - General Manager Infrastructure Operations |
|                | Luke O'Dwyer – City Planning Manager                          |
|                | Andrew Parsons – Strategic Development Manager                |
|                | Paula Rolfe – Team Leader Implementation and Monitoring       |
|                | Lachlan Muldowney - Lawyer for Hamilton City Council          |

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| Governance Staff: | Amy Viggers and Rebecca Watson - Committee Advisors |
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- 1. Apologies**  
**Resolved:** (Cr Macpherson/Cr Casson)  
That the apologies for absence from Cr O'Leary, Henry, and Bunting is accepted.
- 2. Confirmation of Agenda**  
**Resolved:** (Mayor King/Cr Hamilton)  
The Council confirm the agenda.
- 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. Rotokauri North Private Plan Change Application

The report was taken as read.

**Resolved:** (Mayor King/Cr Taylor)

That the Council:

- a) receives the report;
- b) accepts the private plan change for the Rotokauri North development as outlined in Attachment 2 of this report pursuant to clause 25(2)(b) of the First Schedule of the RMA and delegates responsibility to the Chief Executive for processing the plan change in accordance with the First Schedule of the RMA;
- c) approves limited notification of the plan change to all persons directly affected by the plan change, pursuant to Clause 5A (2) of the First Schedule of the RMA;
- d) requires that limited notification of the plan change not proceed until such time as all staging infrastructure related requirements identified in the Private Development Agreement (PDA) between Hamilton City Council and Made Group Ltd, Green Seed Consultants Ltd and Green Seed Holdings Ltd dated 29 August 2019 (PDA) are included in a redraft of the plan change to the satisfaction of the Chief Executive;
- e) subject to recommendation (f) below, requests staff to convene a hearings panel to hear, determine and make decisions on all submissions and matters relating to the Rotokauri North plan change once notified. The hearings panel will comprise three independent commissioners who are accredited and hold qualifications and skills in land use planning and/or urban design/ infrastructure engineering. The panel will have expertise in tikanga Maaori and one member will be appointed as a chair;
- f) the delegated authority to hear and determine the plan change is subject to the performance of the PDA and in particular clause 12.1(b) and 12.8 of the PDA which requires that the plan change be withdrawn if the performance bond requirements are not met; and
- g) delegates authority to the Chief Executive to select and appoint three suitably qualified independent commissioners as per recommendation e).

## 6. Resolution to Exclude the Public

This item was not required.

**The meeting was declared closed at 9.35am.**