
Extraordinary Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Tuesday 9 April 2019 at 2.46pm.

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 G Taylor
	Cr L Tooman
	Cr R Hamilton

In Attendance: Richard Briggs – Chief Executive

David Wilson (retired District Court Judge) – External Presenter
James McGillvray – City Solicitor – Tompkins Wake

Governance Staff: Becca Brooke – Governance Team Leader
Amy Viggers and Rebecca Watson – Committee Advisors

1. Apologies

Resolved: (Mayor King/Deputy Mayor Gallagher)
That the apology for absence from Cr Southgate is accepted.

1. Confirmation of Agenda

Resolved: (Mayor King/Deputy Mayor Gallagher)
That the Council approves the agenda.

2. Declarations of Interest

Crs Taylor, Bunting and Henry each declared a pecuniary conflict of interest in relation to item 5 (Proposed changes to SKYCITY submissions process). They would not take part in the discussion or vote on the matter and left the meeting following their declarations.

3. Public Forum

Sir David John Moxon - Sir Moxon spoke to item 5 (Proposed changes to SKYCITY's Submission process). He noted that he was in support of Hamilton City Council's submission to oppose SKYCITY's proposal to exchange 3 blackjack tables for 60 gaming machines. He outlined the reasons for this being the harm that gambling, particularly with these types of gaming machines, did to the wider community and at risk groups.

4. Proposed changes to SKYCITY submission process

Mr David Wilson (retired District Court Judge) provided a presentation to Elected Members concerning his recommendation that the Council engage appropriate Queens Counsel representation and expert witnesses to create, manage and deliver a submission opposing the application by SKYCITY Hamilton. The Mayor outlined the process the Council had followed to date. Council's Solicitor then outlined the options the Council could employ with regards to a representative opposing the proposal at the hearing. Along with staff, Mr Wilson responded to questions from Elected Members concerning the application, the submissions and hearings process, and options available to lessen the cost to Council.

Resolved: (Mayor King/Cr Casson)

That the Council:

- a) receives the report;
- b) delegates authority to the CE to engage Tompkins Wake, appropriate Queens Counsel representation and expert witnesses to create, manage and deliver a submission opposing the application by SKYCITY Hamilton to exchange three blackjack tables for sixty gaming machines and to provide a reply and rebuttal submission on behalf of Hamilton City Council, up to a value of \$150,000;
- c) notes the legal and expert costs of preparing the submission will be funded from existing budget in the Mayor's Office;
- d) notes that the CE will approach other parties to contribute up to 50% of the funding; and
- e) delegates authority to the CE to finalise the submission on behalf of Council regardless of any external funding being received.

Cr Mallet Dissenting.

The meeting was declared closed at 3.57pm.