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## Strategy & Policy Committee

### OPEN MINUTES

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**Minutes of a meeting of the Strategy & Policy Committee held in Council Chamber, Municipal Building, Garden Place, Hamilton on Tuesday 19 July 2016 at 10:30am.**

#### **PRESENT**

Chairperson	Cr A O’Leary
Deputy Chairperson	Cr A King
Members	Her Worship the Mayor J Hardaker Cr G Chesterman Cr M Gallagher Cr D Macpherson Cr G Mallett Cr R Pascoe Cr L Tooman Cr E Wilson Cr P Yeung
In Attendance	Richard Briggs – Chief Executive Sean Hickey – General Manager Strategy & Communications Chris Allen – General Manager City Infrastructure Lance Vervoort – General Manager Community Kelvyn Eglinton – General Manager City Growth Cherie Meecham – Museum Director, Waikato Museum Deanne McMannus-Emery – Community Development & Leisure Manager Kelvin Powell – City Safe Unit Manager Julie Clausen – Programme Manager - Strategy Rachael McMillan – Strategic Analyst - Corporate Strategy Nick Johnston – Strategic Advisor (Arts and Culture) Raewyn Simpson – Senior Planner, City Waters  Julie Nelson – CEO People’s Project Dr Wayne Cartwright – Sustainability Advisory Panel Member
Committee Advisors	Mr B Stringer, Mrs MM Birch and Ms D Smith

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## 1. Apologies

**Apology:** (Crs O'Leary/Yeung)

That the apologies from Councillors Green and Forsyth be received and accepted.

That the apologies for lateness from Her Worship the Mayor Hardaker, Councillors Chesterman, and Pascoe be received and accepted.

## 2. Confirmation of Agenda

The Chair proposed that:

- Item 4 – Public Forum – take place after Item 5 – *Submissions Report - Amendment to Class 4 Gambling Venue Policy*; and
- Item 8 – *Hamilton Central City Safety Plan Annual Report* – be taken after lunch to accommodate external presenters.

**Motion:** (Crs O'Leary/Yeung)

That the Committee confirm the agenda, subject to the noted changes.

## 3. Declarations of Interest

Councillor Gallagher noted that, in relation to Item 5 – *Submissions Report – Amendment to Class 4 Gambling Venue Policy* - both he and Councillor Wilson were members of the Waikato District Health Board, which would not prejudice their hearing of the submissions.

Item 5 was taken at this time as agreed by the Committee.

## 5. Submissions Report - Amendment to Class 4 Gambling Venue Policy

### Submissions

The following people presented, and responded to questions on, their submissions:

- **Mr Jarod True – New Zealand Racing Board**
  - i. Mr True spoke in support of the proposed amendment to the Class 4 Gambling Venue Policy ('the Policy').
  - ii. The Policy allowed for movement into Gambling Permitted Areas ('GPA') but not within GPA.
  - iii. The movement of larger pubs or clubs could free up valuable tracts of land for other development.
  - iv. The proposed amendment to the Policy would also allow for the possibility for businesses to modernise their venues, or to open at another venue within a GPA if the current building was designated earthquake prone.
  
- **Mr Eru Loach – Problem Gambling Foundation of New Zealand**
  - i. Mr Loach spoke against the proposed amendment to the Policy.
  - ii. He expressed concern at the harm created by the availability of gambling in community venues.
  - iii. Relocation of Class 4 electronic gambling machines ('gaming machines') did not reduce or remove gambling harm, only removal of the machines would achieve this. A true 'sinking lid' approach to gambling would require that when a venue closed that it could not reopen in another location.
  - iv. A meta-study in New Zealand found that 41-60% of the funds received from gaming machines came from problem gamblers.
  
- **Dr Richard Wall – Population Health Waikato District Health Board**
  - i. Dr Wall spoke against the proposed amendment to the Policy.
  - ii. Population Health Waikato wanted a true 'sinking lid' approach to be maintained.
  - iii. Gaming machines were a particular issue in the harm that arose from gambling. Data showed greater rates of problem gambling amongst Maaori and Pacific Island communities, as well as lower socio-economic groups. Social issues associated with problem gambling could include addiction and financial loss leading to selling of property to raise funds, over-borrowing or stealing.
  - iv. He was not aware that Population Health Waikato had submitted to the Government on the issue of gambling and its impacts on public health.
  - v. While funding came into the community via the trusts overseeing Class 4 gambling, this did not outweigh the harm from gambling.

Some Elected Members raised concerns as to the accuracy of Dr Wall's statistics.

Cr Chesterman joined the meeting during discussion on Item 5 (11.17am).

- **Mr Tim Wood – Grassroots Trust**

- i. Mr Wood spoke in support of the proposed amendment. Gaming machines should be allowed to be moved within a GPA.
- ii. The 'sinking lid' approach under the Policy had been effective, with a 28% decrease in venues and 26% decline in gaming machines venues over the last 10 years.
- iii. The Class 4 gambling sector contributed significant amounts of funding back to the community.
- iv. While automatic approval to move within permitted zones would be ideal, it could be an option for Council to approve applications on a case-by-case basis. In that scenario, there would need to be objective criteria known by applicants in advance.

- **Mr Edwin Mercer**

- i. Mr Mercer spoke against the proposed amendment to the Policy. He claimed that behind the statistics were thousands of people harmed by gambling.
- ii. Very few businesses moved in order to reduce their income, so any relocation would generally be intended to increase revenue, including from gambling.
- iii. Mr Mercer also believed that there was crime linked to the running of gambling trusts, citing examples outside of Hamilton. He had reported his concerns to the Department of Internal Affairs.
- iv. His experience in the area of gambling was primarily personal, in that family members had been affected by gambling harm.

### **Staff Presentation**

In response to questions, the General Manager Strategy & Communications ('GM Strategy') gave an overview of the Policy amendment process to date. There had been very close debate over this Item in previous Committee and Council meetings. He believed that the current Policy was now more permissive than had previously been the case.

*Minute Note:* GM Strategy provided a correction of the statement above to Elected Members post-meeting; which noted that the current Policy was *less* permissive than the previous Policy.

Staff confirmed that the wording of the proposed Policy amendment indicated that a venue could move between GPAs and was not restricted to moving within the GPA in which it was already located in (page 8 of the Agenda, paragraph 4.(b)).

**The meeting adjourned from 12.09pm to 12.57pm**

Elected Members queried why deliberations could not immediately follow the hearings at the present meeting.

The Acting Democracy Manager explained that:

- proceeding immediately to deliberation was a risk to the transparency of the decision-making process for this matter. The public and absent Committee members had been advised in advance of the hearings but not that deliberations would be undertaken. Where hearings and deliberation had taken place at a same meeting previously, this had been publicised in advance of that relevant meeting as required by legislation and the Standing Orders.
- if the Committee wished to proceed to deliberations, the resolution to accept Item 2 – *Confirmation of Agenda* would need to be revoked. That would require a majority vote of 75% of the present Committee members, in accordance with Standing Order 3.8.3.

**Motion:** (Crs Macpherson/King)

That Council revokes the resolution on Item 2 – *Confirmation of the Agenda* – to enable deliberations on Item 5 – Amendment to Class 4 Gambling Venue Policy, based on the information presented to the Committee at the meeting.

**Those for the Motion:** Councillors King, Gallagher, Wilson, O'Leary and Macpherson

**Those against the Motion:** Councillors Chesterman, Yeung, Mallett and Tooman

**The Motion was declared lost in accordance with the majority required by Standing Order 3.8.3**

**Resolved:** (Crs Chesterman/Yeung)

- a) That the report be received.
- b) That a report on the Proposed Amended Class 4 Gambling Venue Policy is submitted to the Strategy & Policy Committee on 30 August 2016.

*Action:* It was requested that staff report on all three options for the proposed Policy amendment to the next meeting on 30 August 2016, such options being:

- Automatic right to venue relocation within GPAs
- Approval for venue relocation within GPAs by application to Council; and
- Automatic decline of venue relocation upon business closure.

## 6. Chairperson's Report

The Chair introduced her report.

The GM Strategy advised that internet access for staff and Elected Members in the Municipal Building was via profile login. Accordingly, from a security perspective, it was not a current option to offer free Wi-Fi to guests.

The city centre public Wi-Fi was not available in the Municipal Building.

**Resolved:** (Crs O'Leary/Yeung)

That the Committee:

- a) receives the report.
- b) requests that a report on the costs of providing free Wi-Fi for visitors to the Municipal Building be presented to the 30 August 2016 Strategy & Policy Committee meeting.

Staff were requested that the report back to this Committee was aligned with the Central City Transformation Plan in relation to Wi-Fi access in the central city.

## 7. Strategy and Policy Committee Open Minutes 7 June 2016

**Resolved:** (Crs Wilson/Tooman)

That the Committee confirm and adopt as a true and correct record the Open Minutes of the Strategy and Policy Committee Meeting of 7 June 2016.

Item 9 was taken at this time to accommodate external guests for Item 8.

## **9. Local Government New Zealand AGM 2016 - Remits**

In response to questions, the Chief Executive confirmed that he would be attending the Local Government New Zealand conference and Annual General Meeting. In future, all Elected Members would be asked if they would also wish to attend the AGM with sufficient notice.

Direction was provided to the Chief Executive for each of the 2016 Remits as follows:

### **Impact of dust on unsealed roads**

That the Crown establish and support a working party in conjunction with Local Government New Zealand, NZT, MBIE, Ministry of Health, Iwi and other affected parties to:

- i. investigate the impact of dust on human health and the environment as it relates to our unsealed road network; and
- ii. to develop a national strategy and policy for supporting Road Controlling Authorities to mitigate the effects of road dust on the environment and human health.

**Resolved:** (Crs Mallett/Macpherson)

That the remit not be supported.

### **Cr Gallagher dissenting**

### **Community policing**

That LGNZ advocate to Government for it to provide increased resourcing to the Police to ensure adequate police staffing and coverage can be provided to New Zealand communities, and that Police commanders are not forced to compromise community policing services due to budget constraints.

**Resolved:** (Crs Macpherson/Gallagher)

That the remit be supported.

### **Preservation of earthquake prone public buildings heritage buildings**

That LGNZ advocate to the Government to set up a fund to provide assistance to local Councils to preserve earthquake prone public heritage buildings.

**Resolved:** (Crs Mallett/King)

That the remit not be supported.

**Those for the Motion:** Councillors King and Mallett

**Those against the Motion:** Councillors Gallagher, Wilson, Chesterman, Yeung, Tooman, O'Leary and Macpherson

**The Motion was declared lost. The remit was therefore supported.**

**Relocation of government services to regional centres**

- i. That LGNZ requests that the Government investigates the potential benefits that could come from relocating more government services from Wellington to regional centres; and
- ii. That the Government also explores ways to increase the ability for more civil servants to work remotely from regions outside of Wellington.

**Resolved:** (Crs Chesterman/Yeung)

That the remit be supported.

**Crs Mallett and King dissenting**

Her Worship Mayor Hardaker joined the meeting at 2.05pm during Item 9 after the vote on *Relocation of government services to regional centres*.

**Minimum standards for rental housing**

That LGNZ urgently engages with the Government on ways to strengthen the minimum standards for rental housing to ensure that all rental homes are warm, dry and healthy to live in.

**Resolved:** (Crs Mallett/King)

That the remit not be supported.

**Those for the Motion:** Councillors King and Mallett

**Those against the Motion:** Her Worship the Mayor Hardaker  
Councillors Gallagher, Wilson,  
Chesterman, Yeung, Tooman, O'Leary and  
Macpherson

**The Motion was declared lost. The remit was therefore supported.**

### **Freedom camping**

- i. The Freedom Camping Act 2011 should be amended to allow any infringement fine to be tagged to the vehicle which was being utilised to cause the offence, thus forcing rental companies/vehicle owners to take some responsibility for the actions of their clients and to collect fines on behalf of enforcement authorities;
- ii. A change to the Summary Proceedings Act 1957 to allow fines to be instantaneous, thus preventing individuals from avoiding payment of fines by leaving the country during the period where infringements are able to be paid (minimum 56 days from date of issue); and
- iii. A change to s14(3) of the Camping Ground Regulations 1985 (made under s120B of the Health Act 1956) to allow broader exemptions to the need for provision of camping facilities for those that wish to freedom camp in all areas and not just at “remote” camps.

**Resolved:** (Crs Tooman/Chesterman)

That the remit be supported.

### **Beverage container deposit system**

That Local Government New Zealand endorses the concept of a national-mandated beverage container deposit system and requests that the Government requires industry to develop and implement one within a two year period.

**Resolved:** (Crs Macpherson/O’Leary)

That the remit be supported.

**Crs Mallett and King dissenting**

Item 4 was taken at this time to accommodate the late attendance of the Public Forum speaker

## **4. Public Forum**

Mr Robert Aldridge spoke to Item 14 – *Sustainability Principles*, highlighting, and responding to questions on the following points:

- Sustainability Principle 1 could be reworded positively to focus on enhancement of the environment as opposed to avoidance of degradation.
- The term “sustainable” in his view related to a focus on positive environmental improvements.
- The contributions to water pollution and rate of resource use were currently unsustainable.

## 8. Hamilton Central City Safety Plan Annual Report

The Community Development & Leisure Manager, supported by the City Safe Unit Manager and Julie Nelson, CEO People's Project, spoke briefly to the report. The Chair also welcomed Senior Sergeant Tim Anderson, Area Prevention Manager, who was in attendance from the Hamilton Police Force.

Staff and Miss Nelson responded to questions on the following points:

- **Survey Structure and Process**
  - i. The Hamilton City Safety Perception Survey was overseen by the Community Development team. The survey was posted on the Council Intranet to allow all staff to participate.
  - ii. The libraries were included in the survey as there have been incidents within these venues over the years.
  
- **Survey Feedback**
  - i. There had been a notable improvement in perceptions on inner city safety from business owners.
  - ii. Key to the success to date in safety improvements had been the joint work across multiple organisations. There could be opportunities to share lessons learned with other local authorities.
  - iii. Some of the people travelling to Hamilton from Auckland were eligible for a \$5,000 government grant. Many who had moved into the area to take advantage of the housing provisions had since gained employment and were contributing back to the city.

*Action:* Staff were asked to advise the Committee on initiatives being worked on by the Hamilton Central Business Association ('HCBA') and the Chamber of Commerce to provide services to young people not provided for under Government contracts.

Staff and community representatives were thanked for their work and congratulated on being nominated for a LGNZ Excellence award.

**Resolved:** (Her Worship the Mayor Hardaker/Cr Chesterman)

**Recommendation to Council**

That:

- a) the report be received.
- b) Council acknowledges and thanks the stakeholders assisting with the implementation of the Plan and in particular the Hamilton Central Business Associations, the Police and the Peoples' Project.
- c) the Hamilton Central City Safety Plan be changed to annual reporting in line with other Council Plans.
- d) the following new action is included in the status report on the actions in the Hamilton Central City Safety Plan:
  - i) City Safe and Central Library to work together to ensure library staff have strategies and training appropriate for dealing effectively with incidences of anti-social behavior.
- e) Staff work with HCBA to understand the concerns behind the response to Q12, page 91 of the Agenda (Hamilton City Council responds appropriately to safety concerns).

**The meeting adjourned from 3.15pm to 3.31pm**

Councillor Wilson retired from the meeting at the conclusion of Item 9 (3.15pm).

Item 14 was then taken as external attendees speaking to the Item had arrived.

**14. Sustainability Principles**

The GM Strategy introduced Dr Wayne Cartwright, representing the Sustainability Advisory Panel ('the Panel').

Dr Cartwright, spoke to, and responded to questions on, the report:

- The Sustainability Principles were intended to maintain a healthy and resource-friendly environment for current and future generations and it would be key that Council demonstrated a leadership role in achieving this.
- The Principles would be a good start to addressing some current unsustainable practices.

In response to queries from Elected Members, the GM Strategy, accompanied by the Strategic Analyst - Corporate Strategy, clarified:

- In the context of the Principles "environment" was defined as the "natural environment". Thus sustainability was viewed as the ability of the ecosystem to continue to provide basic resources.
- There were significant benefits to managing environmental impacts including in economic and social sectors.
- More recent actions by the Council were recognised, such as implementing Integrated Catchment Management to manage stormwater flows, were recognised.
- While data collection had not always been a priority for Council this was now underway and should inform future modelling and decisions.

- An annual 'stocktake' would be undertaken each December reviewing implementation of the Principles. The results would be brought to Council via the Committee or its successor.
- Staff clarified that Hamilton City Council could advocate to the Waikato Regional Council for desired improvements to processes and or outcomes but cannot instruct that particular actions be taken.

**Resolved:** (Crs O'Leary/Chesterman)

**Recommendation to Council**

That

- a) the report be received.
- b) Council adopt the Sustainability Principles as follows:
  - 1) Council anticipates and acts to prevent or mitigate environmental degradation where there are threats of serious or irreversible damage
  - 2) Council includes environmental, economic, social, and cultural considerations in its decision-making criteria
  - 3) Council is an integral part of regional efforts to restore and protect the water quality of waterways
  - 4) Council is an integral part of regional efforts to restore and protect biodiversity in Hamilton City
  - 5) Council works with central government to deliver on national greenhouse gas emission reduction targets and supports resilience to climate change in our communities
  - 6) Council promotes walking, cycling, public transport and other low carbon transport options
  - 7) Council works to improve the resource efficiency and health of homes, businesses and infrastructure in our city
  - 8) Council supports the use of renewable energy and uptake of electric vehicles
  - 9) Council ensures that it understands, prepares for and responds to the impacts of climate change
  - 10) Council works with its communities to minimise the production of waste and maximise opportunities to recycle
  - 11) Council uses its position as a city leader to educate and influence the wider Hamilton community to embrace sustainability.
- c) the Sustainable Hamilton Strategy is retired.

**Cr Mallett dissenting**

Her Worship the Mayor left the Meeting during Item 14 (4.00pm) and did not take part in the voting.

Councillor Pascoe joined the Meeting during the debate on Item 14 (4.21pm) but did not take part in the voting.

## 10. Governance Policies Review - Citizens Initiated Referenda Policy

The Chief Executive introduced the Report. In response to questions, he discussed:

- the prior referendum that had been held under the Policy;
- the difference between a referendum under the Policy and a petition under the Standing Orders; and
- that there had not been a situation where clause 9 in the Policy (requiring 10% of Hamilton residents on the electoral roll to force a referendum) had been triggered.

**Resolved:** (Crs Chesterman/Macpherson)

### **Recommendation to Council**

That:

- a) the report be received; and
- b) the Citizens Initiated Referenda Policy be retained.

## 11. Trade Waste and Wastewater Bylaw 2016 Deliberation and Adoption Report

The General Manager City Infrastructure and Senior Planner, City Waters provided an overview of the Trade Waste and Wastewater Bylaw 2016 ('the proposed bylaw') and the process to date:

- **Public Consultation**  
Following public consultation only some minor improvements to language were required to the proposed bylaw.
- **Existing Tradewaste Users**  
The likely impacts from the proposed bylaw on existing users was clarified, including a brief commentary on the processes of sampling and monitoring undertaken. Those tradewaste users operating to existing resource consents would continue to be allowed to discharge to the agreed levels until such time as the consent expires.
- **Communication of Rules**  
An education plan was in development to support learning about users obligations and requirements under the Bylaw.

*Action:* Councillors requested as to whether information for secondary tradewaste users (for example, takeaway shops) could be translated into a variety of languages to aid understanding across the sector.

**Resolved:** (Her Worship the Mayor Hardaker/ Cr Chesterman)

### **Recommendation to Council**

That the Strategy and Policy Committee

- a) receives the report.
- b) determines that the Hamilton Trade Waste and Wastewater Bylaw 2016 does not give rise to implications under the New Zealand Bill of Rights 1990.
- c) accepts the recommended changes to the Hamilton Trade Waste and Wastewater Bylaw 2016 as shown in Attachment 3.
- d) recommends to Council that the Hamilton Trade Waste and Wastewater Bylaw be adopted as at 15 August 2016.
- e) the Plain English Guide is placed on the Council website, in an easy-to-find location, by 15 August 2016.

Her Worship the Mayor returned to the meeting during Item 11 (5.00pm) and took part in the voting.

### **Extension of Time**

**Resolved:** (Cr Chesterman/Cr Tooman)

That the Committee extend the time of the Meeting in accordance with Standing Order 3.2.7

**The Meeting adjourned 5.25pm to 5.40pm**

Item 13 was then taken by the Committee to accommodate staff availability.

### 13. Beale Cottage Historic Reserve Management Plan Review

The Strategic Advisor (Arts and Culture) and the Museum Director, Waikato Museum, spoke to, and responded to questions on, the report:

- The existing Management Plan for Beale Cottage was agreed to still be largely appropriate by the working group established by the Committee to undertake a preliminary assessment on the plan.
- The Reserves Act permitted minor updates to be undertaken to a Management Plan without a comprehensive review being required. The changes contemplated, to reflect the assessment of the working group, equated to a non-comprehensive review (as defined in the Reserves Act), which still required Council approval.
- Officers noted that it was considered prudent to take the updated Management Plan to the Heritage Advisory Panel and Heritage New Zealand for comment, as part of the non-comprehensive review.
- It was most likely that, moving forward, Beale Cottage would be overseen by the Parks and Reserves Team with input from the Waikato Museum in recognition of its historic status.

**Resolved:** (Crs Chesterman/Mallett)

That

- a) the report be received.
- b) staff undertake a non-comprehensive review of the Beale Cottage Historic Reserve Management Plan.
- c) staff report back to the Council meeting on 29 September 2016.

### 12. Hamilton East Neighbourhood Plan

The Programme Manager - Strategy, accompanied by the Strategic Analyst – Corporate Strategy provided background on the process to date, then clarified the following in response to questions:

- The concept of “connections” was a key idea raised by the focus group; this incorporated connections to the environment such as the River and parks, and connections in the sense of moving around the community.
- Hamilton East was the City’s oldest suburb and it was considered important to maintain and value this heritage.
- Proposed measurements have been included in the Plan to guide monitoring of any changes following approval and implementation of the Plan.
- Steele Park was well-used destination for many purposes, particularly on weekends, and investment to upgrade the pavilion and improve vegetation was supported.
- The Australian Roding Research Institute would be providing their expertise in traffic management and related considerations on the Hamilton East village area free of charge as part of its research project.

**Resolved:** (Her Worship the Mayor Hardaker/Cr Gallagher)

That:

- a) the report be received.
- b) the Strategy and Policy Committee approves the Hamilton East Neighbourhood Plan for public engagement from 22 July to 11 August 2016.

**Cr Mallett dissenting**

Councillor Macpherson retired from the Meeting during Item 12 (6.00pm) and did not take part in the voting.

**15. Update on HCC Strategic Plans**

**Recommendation to Council**

**Resolved:** (Her Worship the Mayors Hardaker/Pascoe)

- a) That the report be received.
- b) That the Active Hamilton Strategy be deleted.

Councillor Mallett retired from the Meeting at the conclusion of Item 15 (6.40pm) and took part in the voting.

**16. Regional Strategic Round up report**

**Resolved:** (Crs Pascoe/Tooman)

That the report be received.

**17. Action List for 19 July 2016; and Actions Still Underway or Pending for HCC submissions to External Organisations**

**Resolved:** (Crs O'Leary/Chesterman)

That the Committee

- a) receive the report; and
- b) agree to the deferment of the items noted in the following table:

Item and Resolution Date	Original Due Date	Deferred To
Arts Agenda – Pre-feasibility Study for Arts Gallery (8 December 2015)	30 June 2016	30 September 2016 <i>Pre-feasibility work, led by Creative Waikato, will be considered following the conclusion on the Founders Theatre matter.</i>
Policy and Bylaw Review – Standing Orders (3 May 2016)	19 July 2016	31 December 2016 <i>To align the review of Standing Orders with work undertaken by LGNZ, continue to work with Elected Member working group, and present revised Standing Orders to the new Council for adoption.</i>
Policy and Bylaw Review - Road, Reserve and Park Naming Policy (3 May 2016)	19 July 2016	30 August 2016 <i>Staff have been requested to undertake further consultation with elected members and bring this report to the August meeting, to provide adequate time to conduct this consultation.</i>

**The Meeting was declared Closed at 6.46pm**