

Notice of Meeting:

I hereby give notice that an ordinary Meeting of the Council will be held on:

Date: Thursday 22 September 2022
Time: 9.30am
Meeting Room: Council Chamber and via Audio Visual link
Venue: Municipal Building, Garden Place, Hamilton

Lance Vervoort
Chief Executive

Council *Kaunihera* OPEN AGENDA

Membership

Chairperson Mayor P Southgate
Heamana

Deputy Chairperson Deputy Mayor G Taylor
Heamana Tuarua

Members

Cr M Bunting	Cr A O’Leary
Cr M Gallagher	Cr R Pascoe
Cr R Hamilton	Cr S Thomson
Cr D Macpherson	Cr M van Oosten
Cr K Naidoo-Rauf	Cr E Wilson
Cr M Donovan	

Quorum: A majority of members (including vacancies)

Meeting Frequency: Monthly – or as required

Amy Viggers
Mana Whakahaere
Governance

15 September 2022

Telephone: 07 838 6727
Amy.Viggers@hcc.govt.nz
www.hamilton.govt.nz

Purpose

The Council is responsible for:

1. Providing leadership to, and advocacy on behalf of, the people of Hamilton.
2. Ensuring that all functions and powers required of a local authority under legislation, and all decisions required by legislation to be made by local authority resolution, are carried out effectively and efficiently, either by the Council or through delegation.

Terms of Reference

1. To exercise those powers and responsibilities which cannot legally be delegated by Council:
 - a) The power to make a rate.
 - b) The power to make a bylaw.
 - c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan.
 - d) The power to adopt a Long Term Plan or Annual Plan, or Annual Report.
 - e) The power to appoint a Chief Executive.
 - f) The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan, or developed for the purpose of the Council's governance statement, including the 30-Year Infrastructure Strategy.
 - g) The power to adopt a remuneration and employment policy.
 - h) The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
 - i) The power to approve or amend the Council's Standing Orders.
 - j) The power to approve or amend the Code of Conduct for Elected Members.
 - k) The power to appoint and discharge members of committees.
 - l) The power to establish a joint committee with another local authority or other public body.
 - m) The power to make the final decision on a recommendation from the Parliamentary Ombudsman, where it is proposed that Council not accept the recommendation.
 - n) The power to amend or replace the delegations in Council's *Delegations to Positions Policy*.
2. To exercise the following powers and responsibilities of Council, which the Council chooses to retain:
 - a) Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
 - b) Approval of any changes to Council's vision, and oversight of that vision by providing direction on strategic priorities and receiving regular reports on its overall achievement.
 - c) Approval of any changes to city boundaries under the Resource Management Act.
 - d) Adoption of governance level strategies plans and policies which advance Council's vision and strategic goals.

- e) Approval of the Triennial Agreement.
- f) Approval of the local governance statement required under the Local Government Act 2002.
- g) Approval of a proposal to the Remuneration Authority for the remuneration of Elected Members.
- h) Approval of any changes to the nature and delegations of the Committees.
- i) Approval of all Council and Committee Advisory Groups and their terms of reference.
- j) Appointments to, and removals from, CCO CCTO and CO boards;
- k) Approval of proposed major transactions or constitutional adjustments of CCOs, CCTOs and COs.
- l) Approval or otherwise of any proposal to establish, wind-up or dispose of any holding in, a CCO, CCTO or CO.
- m) Approval of city boundary changes, including in respect of Strategic Boundary Land Use Agreements.
- n) Approval Activity Management Plans.

Oversight of Policies and Bylaws:

- *Corporate Hospitality and Entertainment Policy*
- *Delegations to Positions Policy*
- *Elected Members Support Policy*
- *Significance and Engagement Policy*

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1 Apologies – *Tono aroha*

2 Confirmation of Agenda – *Whakatau raarangi take*

The Council to confirm the agenda.

3 Declaration of Interest – *Tauaakii whaipaaanga*

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

4 Public Forum – *Aatea koorero*

As per Hamilton City Council's Standing Orders, a period of up to 30 minutes has been set aside for a public forum. Each speaker during the public forum section of this meeting may speak for five minutes or longer at the discretion of the Mayor.

Please note that the public forum is to be confined to those items falling within the terms of the reference of this meeting.

Speakers will be put on a Public Forum speaking list on a first come first served basis in the Council Chamber prior to the start of the Meeting. A member of the Governance Team will be available to co-ordinate this. As many speakers as possible will be heard within the allocated time.

If you have any questions regarding Public Forum please contact Governance by telephoning 07 838 6727.

Council Report

Item 5

Committee: Council

Date: 22 September 2022

Author: Tyler Gaukrodger

Authoriser: Michelle Hawthorne

Position: Governance Advisor

Position: Governance and Assurance
Manager

Report Name: Confirmation of the Council Open Minutes - 14 September 2022

Report Status	<i>Open</i>
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Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Council confirm the Open Minutes of the Council Meeting held on 14 September 2022 as a true and correct record.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Council Unconfirmed Open Minutes - 14 September 2022

Council Kaunihera OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton and via Audio Visual link on Wednesday 14 September 2022 at 9.33am.

PRESENT

Chairperson Mayor P Southgate

Heamana

Deputy Chairperson Deputy Mayor G Taylor

Heamana Tuarua

Members

Cr M Bunting
Cr M Gallagher
Cr R Hamilton
Cr D Macpherson
Cr K Naidoo-Rauf
Cr M Donovan
Cr A O'Leary (exclusively via audio visual link)
Cr R Pascoe
Cr S Thomson
Cr M van Oosten
Cr E Wilson

In Attendance:

Lance Vervoort – Chief Executive
Andrew Parsons - Executive Director Strategic Infrastructure
Dan Finn - People, Safety & Wellness Manager
Rebecca Whitehead – Unit Director – Community Services
Maria Barrie – Parks and Recreation Manager
Alice Morris – Principal Planner
Keiran Horne – Strategic Risk and Assurance Chair

Governance Team:

Amy Viggers – Governance Lead
Carmen Fookes – Senior Governance Advisor
Tyler Gaukrodger – Governance Advisor

Tame Pokaia opened the meeting with a karakia. A minute of silence was then observed to acknowledge the passing of Queen Elizabeth II.

- 1. Apologies – Tono aroha**
There were no apologies.

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

Resolved: (Mayor Southgate/Cr Bunting)

That the agenda is confirmed noting that:

- a) the late Attachment 1 (Public Realm Design Guidelines Final Document) for item C11 (Recommendations from Public Excluded Committee Meetings) is accepted. The attachment was circulated under separate cover to enable the most up to date information to be included; and
- b) the late Item C19 (Infrastructure Acceleration Fund – Central City Proposal) is accepted. The Item was circulated under separate cover to enable the most up to date information to be included.

3. **Declarations of Interest – Tauaakii whaipanga**

No members of the Council declared a Conflict of Interest.

4. **Public Forum – AAtea koorero**

Margaret Evans (TOTI Charitable Trust) spoke to item 19 (Notice of Motion – Founders Theatre Site) in support of the notice of motion and the proposed process. She provided letters of pledges from Robin Ratcliffe and John Gallagher that were circulated to members and attached as **Appendix 1 and 2** of the minutes. She responded to questions from Members concerning written funding proposals and operating budget works.

Harry Mowbray spoke to item 19 (Notice of Motion – Founders Theatre) noting his support for the retention of the Theatre Building. He outlined the similar work he was undertaking to repurpose buildings as a way to preserve history and how this work could be funded.

Robin Ratcliffe spoke to item 19 (Notice of Motion – Founders Theatre) noting his previous work to restore another site into a community and public space and his view that it is possible and preferred to refurbish of the Founder’s Theatre. He responded to questions from Members regarding operational funding and budget, timing required to create detailed business plan, and funding towards repurpose.

Raymond Mudford spoke to item 19 (Notice of Motion – Founders Theatre), noting his support of the notice of motion and proposal, and the demand for community hubs in the city. His written submission was circulated to members and attached as **Appendix 3** of the minutes. He responded to questions from Members concerning cost to build a new building.

Rudi du Plooy spoke to item 19 (Notice of Motion – Founders Theatre) noting his support of the notice of motion and proposal, the value of the Founder’s Theatre, and passion of the community to preserve the Theatre. His written submission was circulated to members and attached as **Appendix 4** of the minutes.

Kevin Macdonald spoke to item 19 (Notice of Motion – Founders Theatre) noting his support of the notice of motion and proposal, the opportunity to refurbish founders theatre to become a community centre, examples of refurbishment in Hamilton, woodworking guild purpose and contributions, alternative community group options, and timeline required to create a new community centre. His written submission was circulated to members and attached as **Appendix 5** of the minutes. He responded to questions from members concerning alternative community centre locations.

Grant Taylor (Waikato Woodworkers Guild) spoke to item 19 (Notice of Motion – Founders Theatre) in favour of the notice of motion and proposal. He outlined the time spent looking for alternative community venues, the need for community hubs, the opportunity for fine arts display, creation of another visitor destination, cost to community groups in using multiple buildings. His

written submission was circulated to members and attached as **Appendix 6** of the minutes. He responded to questions from Members concerning other location options, membership of Waikato Woodworkers Guild, physical space required, and space available within suggested building design.

Item 9 (Confirmation of the Infrastructure Operations Committee Open Minutes - 9 August 2022) after item 4 (Public Forum) at the request of Elected Members.

5. Confirmation of the Infrastructure Operations Committee Open Minutes - 9 August 2022

Cr O’Leary provided an update on the Climate Relief Fund which had been discussed within the 9 August 2022 Infrastructure Operations meeting, noting that this action had now been completed.

Staff Action: *That the Infrastructure Operations Committee 9 August 2022 meeting be reflected to include both the Chair and staff in writing the letter to Minister of Transport in the staff action for item 11 (Cycling Improvement Opportunities for 2022/23) .*

Resolved: (Cr O’Leary/Cr Thomson)
That the Infrastructure Operations Committee confirm the Open Minutes of the Infrastructure Operations Committee Meeting held on 9 August 2022 as a true and correct record.

Item 6 (Confirmation of the Hearings and Engagement Committee Open Minutes - 21 June 2022) after item 9 (Confirmation of the Infrastructure Operations Committee Open Minutes - 9 August 2022) at the request of Elected Members.

6. Confirmation of the Hearings and Engagement Committee Open Minutes - 21 June 2022

Cr Wilson provided an update on the Speed Management Plan hearing at the 21 June 2022 Hearings and Engagement Committee meeting. He responded to questions from Members concerning the resolutions of the meeting.

Resolved: (Cr Macpherson/Cr Hamilton)
That the Council confirm the Open Minutes of the Hearings and Engagement Committee Meeting held on 21 June 2022 as a true and correct record.

Item 14 (Confirmation of the Community Committee Open Minutes - 30 August 2022) after item 6 (Confirmation of the Hearings and Engagement Committee Open Minutes - 21 June 2022) at the request of Elected Members.

7. Confirmation of the Community Committee Open Minutes - 30 August 2022

The Parks and Recreation Manager provided an update on the opening of Fairfield Hall.

Resolved: (Cr Macpherson/Cr Hamilton)
That the Council confirm the Open Minutes of the Community Committee meeting held on 30 August 2022 as a true and correct record.

8. Confirmation of the Council Open Minutes - 18 August 2022

Staff confirmed the Department of Internal Affairs has approved Council’s request for an extension of time or deadline waiver of the Three Waters Reform – Better Off Funding Agreement Tranch 1. This maintains all options for Council post-election.

Resolved: (Cr Macpherson/Cr Hamilton)
That the Council confirm the Open Minutes of the Council Meeting held on 18 August 2022 as a true and correct record.

Council 14 SEPTEMBER 2022 - OPEN

9. **Confirmation of the Environment Committee Open Minutes - 2 August 2022**
Resolved: (Cr Macpherson/Cr Hamilton)
That the Council confirm the Open Minutes of the Environment Committee meeting held on 2 August 2022 as a true and correct record.
10. **Confirmation of the District Plan Committee Open Minutes - 4 August 2022**
Resolved: (Cr Macpherson/Cr Hamilton)
That the Council confirm the Open Minutes of the District Plan Committee meeting held on 4 August 2022 as a true and correct record.
11. **Confirmation of the Economic Development Committee Open Minutes - 11 August 2022**
Resolved: (Cr Macpherson/Cr Hamilton)
That the Council confirm the Open Minutes of the Economic Development Committee Meeting held on 11 August 2022 as a true and correct record.
12. **Confirmation of the Community Grants Allocation Sub-Committee Open Minutes - 16 August 2022**
Resolved: (Cr Macpherson/Cr Hamilton)
That the Council confirm the Open Minutes of the Community Grants Allocation Sub-Committee meeting held on 16 August 2022 as a true and correct record.
13. **Confirmation of the Finance Committee Open Minutes - 23 August 2022**
Resolved: (Cr Macpherson/Cr Hamilton)
That the Council confirm the Open Minutes of the Finance Committee Meeting held on 23 August 2022 as a true and correct record.
14. **Confirmation of the Dog Control Hearings Panel Open Minutes - 24 August 2022**
Resolved: (Cr Macpherson/Cr Hamilton)
That the Council confirm the Open Minutes of the Dog Control Hearings Panel Meeting held on 24 August 2022 as a true and correct record.
15. **Confirmation of the Open Minutes of the CE Review Committee Meeting - 6 September 2022**
Resolved: (Cr Macpherson/Cr Hamilton)
That the Council confirm the Open Minutes of the CE Review Committee Meeting held on 6 September 2022 as a true and correct record.
16. **Confirmation of the Elected Member Open Briefing Notes - 10 August 2022**
Resolved: (Cr Macpherson/Cr Hamilton)
That the Council confirm the Open Briefing Notes of the Elected Member Briefing held on 10 August 2022 as a true and correct record.
17. **Chair's Report**
- Mayor Southgate spoke to her report thanking the Chairs and Deputy Chairs for their work on their respective portfolios, as well the Councillors who were retiring. She responded to questions from Members concerning feedback received on the Water Services Entity Bill submission.
- Resolved:** (Cr Southgate/Deputy Mayor Taylor)
That the Council receives the report.

The meeting was adjourned from 10.43am to 11.09am.

18. Recommendations from Open Committee Meetings

Mayor Southgate thanked the Chair and Deputy Chair of the Strategic Risk and Assurance Committee for their work this term. The Strategic Risk and Assurance Chair then introduced the report, noting some key work undertaken within the triennium.

Financial Performance & Strategy Report to 30 June 2022

Resolved: (Cr Pascoe/Cr van Oosten)

That the Council:

- a) approves the capital movement as identified in paragraph 33 of the 30 June 2022 Capital Portfolio Monitoring Report;
- b) approves the significant forecast adjustments as set out in paragraphs 59 to 60 of the staff report; and
- c) approves the revised Financial Strategy position for Debt to Revenue, Net Debt and Balancing the Books as set out in paragraphs 62 to 64 of the staff report.

Disability Policy – 2022 Review and Action Plan

Resolved: (Cr Bunting/Cr Naidoo-Rauf)

That the Council approves the updated Disability Policy.

Strategic Risk and Assurance Committee – Annual Self Review

Resolved: (Cr Pascoe/ Cr van Oosten)

That the Council receives the report.

Item 19 was deferred to be taken later in the meeting at the discretion of the Chair.

19. Report from the Strategic Risk and Assurance Committee - Safety and Wellness

The report was taken as read.

Resolved: (Cr Donovan/Mayor Southgate)

That the Council receives the report.

20. River Safety Project Funding Update

The Unit Director – Community Services introduced the report, noting the river drowning statistics provided, the actions approved for mitigation within the 14 June 2022 Community Committee meeting and the external funding decisions that were to be yet to be received. She responded to questions from Members concerning alternative funding opportunities, the purpose of City Safe presence and messaging based on the staff recommended option, funding, nationwide communication strategies and water safety initiatives, swimming at Wellington Street beach, school education programmes and development, and the legal responsibility that sat with Regional Council.

Resolved: (Cr Bunting/Deputy Mayor Taylor)

That the Council:

- a) receives the report;

Council 14 SEPTEMBER 2022 - OPEN

- b) approves **Option 3** (of the staff report), funding for the trial of increased riverside presence by City Safe Staff if the current funding application is not successful, noting that the River Safety Education Trial and Part 2 of the Communications Strategy would not be completed unless Council received external funding;
- c) approves \$76,000 be redirected from River Infrastructure funding (available 2022/23 and 2023/24) to enable b) above
- d) note that staff will provide an update to the incoming Council on the Waikato Regional River Forum, including projects led and funded by other stakeholders including neighbouring and Regional Councils.

The meeting was adjourned from 11.48am to 11.54am during the discussion of the above item.

21. 2022/23 Heritage Fund Allocation

The Principal Planner took the report as read and responded to questions from Members concerning earthquake funding and proposed allocation.

Resolved: (Cr Gallagher/Cr Bunting)

That the Council:

- a) receives the report; and
- b) approves the allocation of the 2022/23 Heritage Fund to the recipients as set out in **Attachment 1** of the staff report.

The meeting was adjourned from 12.22pm to 1.12pm.

22. Notice of Motion - Founders Theatre Site

Staff responded to questions from Members concerning the community groups proposals, public consultation to date, community facilities availability and needs which were to be identified in the audit, the pledges received during public forum submissions, retrofitted buildings, new community facilities funding, community facilities renewals, the previous resolution, cost to Council, and the injunction process and delay implications.

Resolved: (Cr Macpherson/Cr O'Leary)

That the Council:

- a) requests staff to continue with the options report for community facilities in central Hamilton, to be reported back in March 2023, and to include:
 - i. a needs analysis for community space in central Hamilton;
 - ii. a business case for the establishment or development of a community hub;
 - iii. consideration of proposals by Momentum and other potential financial partners;
 - iv. consideration of the Founders site, and other potential sites in central Hamilton;
- b) the report will include:
 - i. independent analysis of capital and operational budgets;
 - ii. a financing plan for each option considered;
 - iii. consideration of benefits and disadvantages of each option;
 - iv. recommendation(s) on the optimum option(s) for a central Hamilton community hub;
- c) the 12 May 2022 decision on the 'Founders Theatre Upgrade Project' will not be acted on prior to consideration on the report in a) and b) above, and will remain the active Council decision until and unless it is superseded; and

- d) requests the Chief Executive work with the Mayor Elect to form a Reference Group, that includes the Mayor and relevant 2022-25 Elected Members, who will be tasked to review the development of the options report in part a) and b) above.

Deputy Mayor Taylor, Crs Bunting, Hamilton, Naidoo-Rauf and Donovan Dissenting.

23. Resolution to Exclude the Public
Resolved: (Mayor Southgate/Cr Wilson)

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

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
C1. Confirmation of the Council Public Excluded Minutes - 18 August 2022	) Good reason to withhold) information exists under) Section 7 Local Government	Section 48(1)(a)
C2. Confirmation of the District Plan Committee Public Excluded Minutes - 4 August	) Official Information and) Meetings Act 1987)	
C3. Confirmation of the Infrastructure Operations Committee Public Excluded Minutes - 9 August 2022		
C4. Confirmation of the Economic Development Committee Public Excluded Minutes - 11 August 2022		
C5. Confirmation of the Community Grants Allocation Sub-Committee Public Excluded Minutes - 16 August 2022		
C6. Confirmation of the Finance Committee Public Excluded Minutes - 23 August 2022		
C7. Confirmation of the Dog Control Hearings Panel Public Excluded Minutes - 24 August 2022		
C8. Confirmation of the Community Committee Public Excluded Minutes - 30 August 2022		
C9. Confirmation of the Elected		

-
- Member Public Excluded
Briefing Notes - 10 August
2022
 - C10. Confirmation of the Elected
Member Public Excluded
Briefing Notes - 31 August
2022
 - C11. Recommendations from Public
Excluded Committee Meetings
 - C12. City Honours
Recommendations September
2022
 - C13. Strategic Land Purchase -
Enderley
 - C14. Gully Restoration and Other
Works (Contract 17160)
 - C15. Contract Approvals
 - C16. Information Services -
Performance Framework Closed
Request for Procurement
 - C17. Information Services -
Milestone (CCTV) Migration and
Maintenance Contract
 - C18. Development Contribution
Remission Application
 - C19. Infrastructure Acceleration
Fund - Central City Proposal
 - C20. Confirmation of the Public
Excluded Minutes of the
Council (CE Review Committee
Matters) meeting - 29 June
2022
 - C21. Confirmation of the Public
Excluded Minutes of the CE
Review Committee meeting - 6
September 2022
 - C22. Recommendations from Public
Excluded CE Review Committee
Meeting of 6 September 2022

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 prevent the disclosure or use of official | Section 7 (2) (j) |

	information for improper gain or improper advantage	
Item C3.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C4.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C5.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C6.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C7.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C8.	to maintain legal professional privilege	Section 7 (2) (g)
Item C9.	to enable Council to carry out negotiations to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (i) Section 7 (2) (j)
Item C10.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C11.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C12.	to protect the privacy of natural persons	Section 7 (2) (a)
Item C13.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h) Section 7 (2) (i)
Item C14.	to enable Council to carry out negotiations to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h) Section 7 (2) (i)
Item C15.	to enable Council to carry out negotiations to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h) Section 7 (2) (i)
Item C16.	to enable Council to carry out negotiations	Section 7 (2) (i)
Item C17.	to enable Council to carry out negotiations	Section 7 (2) (i)
Item C18.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h) Section 7 (2) (i)
Item C19.	to enable Council to carry out negotiations to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h) Section 7 (2) (i)
Item C20.	to enable Council to carry out negotiations to protect the privacy of natural persons to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (a) Section 7 (2) (j)
Item C21.	to protect the privacy of natural persons to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (a) Section 7 (2) (j)

- | | | |
|-----------|---|--|
| Item C22. | to protect the privacy of natural persons
to prevent the disclosure or use of official
information for improper gain or improper
advantage | Section 7 (2) (a)
Section 7 (2) (j) |
|-----------|---|--|

The meeting went into a Public Excluded session at 2.50pm.

The meeting was declared closed at 5.40pm.

Appendix 1

Founders Theatre

8 September 2022

Her Worship the Mayor and Councillors
Hamilton City Council
Hamilton

Rejuvenation of the Founders Theatre

I support the proposed motion for Council staff to prepare an options paper for the re-purposing of the Founders Theatre ("the Founders") as a community facility hub.

The hub will provide a community space for use by various community groups for the betterment of those groups and the people of Hamilton they serve.

In support of the proposed motion, I **pledge to contribute services of up to \$500,000.**

The services and/or funds will be applied towards the rejuvenation of the Founders, to make it a "fit for purpose" community space.

I am confident that fellow business acquaintances will also support this project and I undertake to use my best endeavours to attract their support.

With the goodwill of Council and a commitment to work collaboratively together, I believe we can rescue and rejuvenate a much-loved Hamilton Icon.

Yours faithfully
Modern Transport Group of Companies



Robin Ratcliffe

Appendix 2

Founders Theatre

13th September 2022

Her Worship the Mayor and Councillors
Hamilton City Council
Hamilton

Rejuvenation of the Founders Theatre

I support the proposed motion for Council staff to prepare an options paper for the re-purposing of the Founders Theatre ("the Founders") as a community facility hub.

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Yours faithfully



John Gallagher CNZM KStJ JP HonD

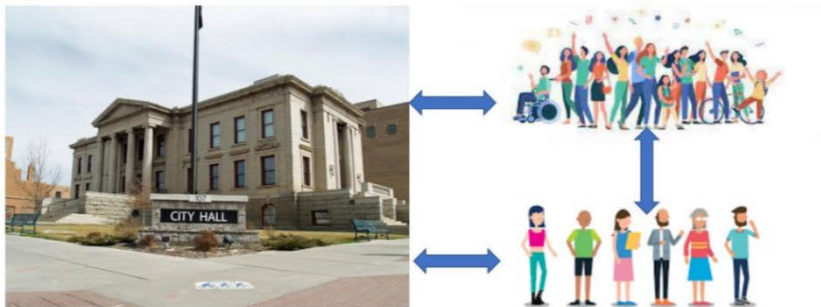
Appendix 3



Community Hub

- "How to bring democracy and integrity into our future..."
- "How to ensure public engagement in civic affairs"
- "A community hub in the heart of the city..."

Community Connections and City Hall



Today's Challenges

- Community Group subscription \$10 to \$30 per year
- Commercial venues are too expensive
 - Example Hotel conference rooms start at around \$90 per day)
- Community venues are reducing
 - Example Age Concern building
- Cost of Living impact – prices rising by at least 7%
- Where can a small start-up business go?
- Where can small part-time enterprise share their skills with others?
- Where can small community groups meet & greet with dining?

The Big Question?

- What about repurpose the existing Founders building for the community?
 - It is not a Theatre (That is the Regional Theatre purpose)
 - It is not competing with the private sector
- It Provides
 - Space for the individual community Committees/Boards to meet collectively
 - Office Space for small enterprise start-up businesses
 - Temporary Display space for small art enterprises
 - Place for community meet and greet occasions
 - Centralisation of CBD community services
 - A place that CBD homeowners can call home

Benefits

- Close to the Transport Centre
- Place where Community can discuss and initiate proposals
- Place where Community and City Hall can debate proposals
- A key element in the need for vibrancy in the City.

- A place where environmental improvements can be trialled and promoted.
- A place for fun.

Appendix 4



Rudi du Plooy <savethefounderstheatre@gmail.com>

The Bellamy Brothers

5 messages

Judy Seale <judyseale1@gmail.com> Fri, Feb 12, 2021 at 7:10 AM
To: savethefounderstheatre@gmail.com
Cc: Scott Adkins <scott@adkinspublicity.com>

Hi Rudi,

Scott Adkins forwarded your email to me for reply regarding the Bellamy Brothers since I handle all their International Tours. Below is a message from David Bellamy on behalf of the Bellamy Brothers.

We wish you the best of luck in saving the theatre. Such a difficult time for everyone around the world due to COVID. We're hoping to re-schedule the Bellamys proposed tour to Australia and New Zealand to November of 2022. Would love to meet you if that happens.

All the best,
Judy Seale
www.judysealeinternational.com
615-872-2122 office
615-397-8777 mobile

MESSAGE FROM THE BELLAMY BROTHERS:

Hi Rudi,

So sorry to hear about your dilemma with the Founders Theater. We do remember very fondly playing there and wish you luck with your campaign to save it.

While there's not a lot we can do from afar, you have our best wishes and we hope you'll be successful and we send the folks in Hamilton our love.

Best Regards

David Bellamy

Bellamy Brothers

Rudi du Plooy <savethefounderstheatre@gmail.com> Fri, Feb 12, 2021 at 3:17 PM
To: Judy Seale <judyseale1@gmail.com>

Hi Judy,

Thank you so much for sending us this very positive response. We are always careful what we put out on social media and for that reason I want to ask if we may post your Email on our FB page and Website or would you prefer to make a quotable statement that we may use?

Thanks again, our team was visibly excited about your Email.

Rudi
+64 21 300 770
[Quoted text hidden]

Judy Seale <judyseale1@gmail.com> Fri, Feb 12, 2021 at 4:37 PM
To: Rudi du Plooy <savethefounderstheatre@gmail.com>

Appendix 5

I would like to say thank you for giving me the opportunity to present to you. I am here to ask for some Common Sense.

HCC has started a great recycling programme and we are all being encouraged to be environmentally friendly and reuse things and here we have HCC hell bent on demolishing a very good building. We should be looking at reusing not knocking down.

I see a golden opportunity for Founders to be used as a hub for like-minded groups, particularly in arts & crafts.

The location is central and within the CBD. There is going to be infil-housing within the city, and I can see that Founders will be ideally suited to support the occupants of these.

The synergies of crafts being together, as businesses do at Innovation Park, will generate benefits (creativity) to the city and the community. Look how Innovation Park has grown since starting, but also what it has contributed to the city.

The Waikato Guild of Woodworkers has for the last four years been looking at options as the hall the Guild owns does not fit the requirements of the club as the city population continues to expand and also the Guilds long-term goals. The contribution of the Guild and members to Hamilton is evident in the carvings in HCC foyer and at the Hamilton gardens. There are many and varied craft groups in Hamilton and they will all continue to contribute to the city community if given a central "meeting hub".

Leadership from HCC has been woeful in helping or long-term planning for any arts & crafts location, building or the HUB, in fact as far as I can see there has been no planning for arts & crafts. While HCC supports organisations such as sporting bodies and more recently the Pacifica Trust, there has been little support for arts & crafts when all these groups develop and enhance the community we live in and pay rates to build. Let's cover all interests, not just some.

So what are the options for the community?

1. Option of doing nothing is not acceptable.
2. The guild could join in the Norris Ward project which was designated a Creative Crafts location approx. 12 years ago, but there is no space and an unwillingness

in present tenants to involve other groups With HCC having no plans to utilise Founders, it will be another 12 years, that is close to 25 years before this can come to fruition, with what seems to be no leadership and no plan.

This to me seems to be the crux of the problem. There is no plan, other than demolition of Founders Theatre. What happens then? What is the Plan B. We have not heard of any, so this is why I say HCC has been very remiss, there has just been procrastination which is evident in the senior living building.

The cost for a range of clubs to society, carrying on as they are, is greater for them than in a HUB and there are mutual benefits of them being together. I believe an Arts and Crafts HUB is the best option for capital, ongoing expenses, and getting members and public involved. The Founders Theatre building is ideally suited for it.

I would like to think that given the opportunity of having differing arts & crafts in the same location will lead to having benefits and the ability to be it being a bit like the TV programme “The Repair Shop” – where citizens can take items of family/historic value in to be repaired and that citizens have access to learning and involving themselves in the multitude of craft skills in this city and surrounds, thus promoting a strong community identity - not trash it. So, we get recycling and not dumping of items.

I liken Councils to Aircraft carriers. They take a lot of time to slow down and turn around. Given that we are meeting today indicates that there has been a slowing down on the thoughts of demolishing Founders Theatre and I suggest the time is now right for turning around.

So please bring some common sense to this debate and say no to demolishing a good building.





Kevin Macdonald

Appendix 6

HCC presentation 14th September 2022

Our club has been looking for over 4 years for new premises to suit our club members requirements. Those requirements also take into account the population of Hamilton increasing, a maturing population and people's **well-being** the core reason of providing adequate club facilities. We have considered many different locations, buildings and options. As our enquiries have progressed, we realised that a **"Creative HUB for Arts and Crafts"** was the best option moving forward for Hamilton City and our members.

Founders is the best by far to suit those needs and at less capital cost, less operating costs for all the groups involved and a quicker completion of the project as it is recycling a vacant building with the location suiting the city and the groups that would use its facilities.

Our AIM is for a facility that combines the TV Repair Shop and its arts and crafts with the benefits of synergies that Innovation Park makes to businesses, the community and the vibrancy of Hamilton City.

We believe this will help the city become a place to visit, just like the Hamilton Gardens, while helping the Arts and Crafts cater better for the Well Being of the members of the clubs and groups involved and the public enjoying the resulting creativity.

We also wish to incorporate a Fine Wood Arts display, that could involve other crafts and become another focus for inspiring Hamilton residents, but also visitors to Hamilton as the Hamilton Gardens have contributed to the city.

The cost of operation, capital, repairs and maintenance individually to clubs and groups operating around the city is far greater than working together in 1 location that the Founders building will allow. These cost savings will help ensure the success of these clubs and groups, but the whole HUB.

In summary:

- There is a need that HCC has not met.
- The clubs/ groups are trying to do their best for members and the city.
- It will reduce the costs for the groups involved compared to present situation.
- It is less capital than any other option
- Can be completed in an acceptable timeframe
- It is Eco friendly by recycling a sound building
- We have the financial backing of benefactors
- This project will add to the vibrancy of the city



Council Report

Item 6

Committee: Council

Date: 22 September 2022

Author: Tyler Gaukrodger

Authoriser: Michelle Hawthorne

Position: Governance Advisor

Position: Governance and Assurance
Manager

Report Name: Confirmation of the Strategic Growth Committee Open Minutes - 7
September 2022

Report Status	<i>Open</i>
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Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Council confirm the Open Minutes of the Strategic Growth Committee Meeting held on 7 September 2022 as a true and correct record.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Strategic Growth Committee Unconfirmed Open Minutes - 7 September 2022

Strategic Growth Committee

Komiti Rautaki Whakatupu

OPEN MINUTES

Minutes of a meeting of the Strategic Growth Committee held in the Council Chamber, Municipal Building, Garden Place, Hamilton and via Audio Visual link on Wednesday 7 September 2022 at 9.30am.

PRESENT

Chairperson <i>Heamana</i>	Cr D Macpherson
Deputy Chairperson <i>Heamana Tuarua</i>	Cr R Hamilton
Members	Mayor P Southgate Deputy Mayor G Taylor (exclusively via Audio Visual link) Cr M Gallagher Cr K Naidoo-Rauf Cr A O'Leary Cr R Pascoe Cr S Thomson Cr M van Oosten Cr E Wilson Cr M Donovan
In Attendance	Lance Vervoort – Chief Executive Blair Bowcott – General Manager Growth Chris Allen – General Manager Development Jackie Colliar – Strategic Manager Infrastructure Phil Haizelden – Transport Strategy Principal Karen Saunders – Growth Programmes Manager Mark Davey - City Planning Unit Manager Hannah Windle - Special Projects Manager Robert Brodnax – Beca Group Lachlan Muldowney – Barrister for Hamilton City Council
Governance Team	Amy Viggers – Governance Lead Tyler Gaukrodger – Governance Advisor Chantal Jansen – Governance Officer

1. Apologies – *Tono aroha*

Resolved: (Cr Macpherson/Cr Wilson)

That the apologies for absence from Cr Bunting, Maangai Te Ua and Whetu, and for partial attendance from Mayor Southgate, Deputy Mayor Taylor, Crs Wilson and Gallagher were accepted.

2. Confirmation of Agenda – *Whakatau raarangi take*

Resolved: (Cr Macpherson/Cr Gallagher)

That the agenda is confirmed noting that:

- a) the late Attachment 5 (Updated Draft MOU in relation to WA) for Item 8 (Memoranda of Understanding in relation to WA, R2 and SL1) is accepted. The attachment was circulated under separate cover to enable the most up to date information to be included; and
- b) Item 9 (Metro Spatial Plan (MSP) Transport Programme Business Case) is to be taken following Item 7 (Hamilton – Waikato Metro Wastewater Detailed Business Case Update) to accommodate availability.

3. Declarations of Interest – *Tauaakii whaipaaanga*

No members of the Council declared a Conflict of Interest.

4. Public Forum – *Aatea koorero*

No members of the public wished to speak.

5. Confirmation of the Strategic Growth Committee Open Minutes for 26 July 2022

Resolved: (Cr Macpherson/Cr Hamilton)

That the Strategic Growth Committee confirm the Open Minutes of the Strategic Growth Committee Meeting held on 26 July 2022 as a true and correct record.

6. Chair's Report

The Chair spoke to the report, noting projects progressed by the Committee during the Triennium, greenspace considerations, central city growth, and thanked the staff for their work.

Resolved: (Cr Macpherson/Cr Wilson)

That the Strategic Growth Committee receives the report.

Mayor Southgate joined the meeting (9.35am) during the discussion of the above item. She was present when the matter was voted on.

Deputy Mayor Taylor retired from the meeting (9.47am) during the discussion of the above item. He was not present when the matter was voted on.

7. Hamilton-Waikato Metro Wastewater Detailed Business Case Update

The Strategic Manager Infrastructure and Robert Brodnax (Beca Group) spoke to the report, noting the timeline for business case approval, project objectives, preferred options outlined in the business case, costs for each option, financial modelling, project delivery structure and timeline, and collaboration with stakeholders. They responded to questions from Members concerning committee delegations, funding partner risk and opportunities, wastewater plant support network, development timelines, local government reform, engagement with mana whenua, on-site wastewater treatment options, collaboration with local authorities, future proofing requirements, increased development cost, transfer of assets to Entity B, business case peer review, and potential rates increases.

Resolved: (Cr Macpherson/Cr Hamilton)

That the Strategic Growth Committee:

- a) receives the report;
- b) approves the Northern Metro Wastewater Detailed Business Case noting the preferred option was approved at the 26 July 2022 meeting;

- c) delegates authority to the chief executive to finalise all outstanding matters along with feedback on the business case documents, including the preparation and agreement of Waikato District Council and Waipa District Council of Memorandums of Understanding and Funding Agreements before any further budget spending beyond that already approved in the LTP/Annual Plan to 30 June 2023.
- d) notes that Schedule 3 of the approved Memorandum of Understanding will be updated to reflect the preferred option for the Northern Metro area;
- e) approves continued use of 2021-2031 LTP funding to progress planning and investigations to support delivery of the Southern Sub-Regional WWTP;
- f) notes that the supplementary assessment to evaluate the impacts of accelerated development of the Southern Sub-Regional WWTP (i.e., more capacity earlier than assumed for the Southern WW DBC and MoU) will be reported back to the new Council prior to March 2023; and
- g) notes that the Northern and Southern WW DBC programmes will need to be integrated into planned investment programmes, including further consideration of WW system investment timing and triggers and development and implementation of the sub-regional WW consenting strategy.

Cr Wilson left the meeting (10.42am) during the discussion of the above item. He was not present when the matter was voted on.

The meeting was adjourned from 11.03am to 11.26am

Item 9 (Metro Spatial Plan (MSP) Transport Programme Business Case) was taken after the above adjournment to accommodate availability.

9. Metro Spatial Plan (MSP) Transport Programme Business Case

The Transport Strategy Principal and Robert Brodnax (Beca Group) spoke to the report, noting the programme of work progress and collaboration with Waka Kotahi. They responded to questions from Members concerning the position of Council, central government funding opportunities, implementation of the spatial plan, climate change considerations, local authority partnership opportunities, and additional mode shift opportunities.

Resolved: (Cr Macpherson/Cr Thomson)

That the Strategic Growth Committee:

- a) receives the report;
- b) approves the Metro Spatial Plan Transport Programme Business Case as the strategic direction for transport and land use integration in the Metro Spatial Plan area, noting the recommended programme was supported in principle at the 19 May 2022 Strategic Growth Committee;
- c) delegates authority to the General Manager Growth to finalise any outstanding matters, including review feedback related to the Programme Business Case documents;
- d) notes that the Metro Spatial Plan Transport Programme Business Case was considered for approval by the Future Proof Implementation Committee on 2 September 2022; and
- e) notes that further detailed work will be required to plan for implementation of the recommended programme outlined in the Metro Spatial Plan Transport Programme Business Case and will be reported to the new Council by June 2023.

Cr Wilson re-joined the meeting (11.31am) during the discussion of the above item. He was present when the matter was voted on.

8. Memoranda of Understanding in relation to WA, R2 and SL1

The Growth Programmes Manager, the City Planning Unit Manager and Lachlan Muldowney (Barrister) spoke to the report, noting changes made to the Memorandum of Understanding, the Memorandum of Understanding timelines, current growth cell funding in the Long Term Plan, and increased operational funding. They responded to questions from Members concerning administrative amendments to the Memorandum of Understanding, flexibility for changes to the Memorandum of Understanding for each party, legal liability when entering a Memorandum of Understanding, collaboration with land owners, consistency of approach, and ensuring quality community outcomes.

Resolved: (Cr Macpherson/Cr Hamilton)

That the Strategic Growth Committee:

- a) receives the report;
- b) delegates authority for the Chief Executive and General Manager Growth after discussion with the Chair and Deputy Chair to finalise and sign the Memorandum of Understanding (**Attachment 4** of the staff report) in relation to the process for investigating bringing the WA area into the Hamilton City Council boundaries from Waikato District Council;
- c) delegates authority for the Chief Executive and General Manager Growth to draft and sign Memorandum of Understanding agreements, which reflect the same principles set out in the WA Memorandum of Understanding, in relation to the process for investigating bringing the R2 and SL1 growth areas into the Hamilton City Council Boundaries from Waikato District Council and Waipa District Council;
- d) notes that the Memorandum of Understanding in relation to WA (and for R2 and SL1) is high level and that a more detailed and binding development agreement will need to be entered into following completion of the scoping studies for the areas; and
- e) notes that the Memorandum of Understanding in relation to WA (and for R2 and SL1) is aligned with the 'Emerging Strategic Areas Process', which seeks to ensure that new growth areas meet the HUGS out-of-boundary principles, deliver quality communities and limit the financial burden on future ratepayers and Council;
- f) notes that the findings of the scoping studies for WA, R2 and SL1 will be reported back to Council by May 2023; and
- g) notes that staff will quantify and prepare a proposal for operational funding to be included in the 2023-24 draft Annual Plan for consideration by Council, with this additional funding to resource the progression of the next phases for R2, WA and SL1 following completion of the scoping studies; and
- h) notes that the full list of HUGS principles will be described in clause 2 of each Memorandum of Understanding.

Mayor Southgate retired from the meeting (12.15pm) during the discussion of the above item. She was not present when the matter was voted on.

10. Strategic Land Agreement between Waipa District Council and Hamilton District Council – Recommendation to the Council

The Special Projects Manager spoke to the report, noting the land included with the agreement and the timeline for the agreement. She responded to questions from Members concerning land purchase funding options.

Resolved: (Cr Macpherson/Cr Donovan)

That the Strategic Growth Committee:

- a) receives the report; and
- b) recommends that the Council:
 - i. approves the Strategic Land Agreement between Hamilton City Council and Waipa District Council (**Attachment 1** of the staff report);
 - ii. delegates authority to the Chief Executive to finalise the Strategic Land Agreement, subject to any feedback from this meeting and from Waipa District Council; and
 - iii. approves the Mayor and Chief Executive to sign the Strategic Land Agreement on behalf of Hamilton City Council.

5. General Manager's Report

The General Manager Growth and General Manager Development took the report as read, noting potential central city underground rail station developments. They responded to questions from Members concerning rail station development collaboration with central government.

Resolved: (Cr Hamilton/Cr Macpherson)

That the Strategic Growth Committee receives the report.

6. Resolution to Exclude the Public

Resolved: (Cr Macpherson/Cr van Oosten)

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

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
C1. Confirmation of the Strategic Growth Committee Public Excluded Minutes 26 July 2022	) Good reason to withhold) information exists under) Section 7 Local Government	Section 48(1)(a)
C2. Ruakura Private Developer Agreements	) Official Information and) Meetings Act 1987)	
C3. Southern Wastewater Treatment Plant Land Acquisition)	

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 | Section 7 (2) (h)
Section 7 (2) (i) |
| Item C3. | to enable Council to carry out negotiations
to enable Council to carry out negotiations
to prevent the disclosure or use of official information for improper gain or improper advantage | Section 7 (2) (i)
Section 7 (2) (j) |

The meeting went into Public Excluded session at 12.46pm.

The meeting was declared closed at 12.59pm.

Council Report

Item 7

Committee: Council

Date: 22 September 2022

Author: Narelle Waite

Authoriser: Michelle Hawthorne

Position: Governance Advisor

Position: Governance and Assurance
Manager

Report Name: Confirmation of the Strategic Risk and Assurance Committee Open
Minutes - 13 September 2022

Report Status	<i>Open</i>
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Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Council confirm the Open Minutes of the Strategic Risk and Assurance Committee Meeting held on 13 September 2022 as a true and correct record.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Strategic Risk and Assurance Committee Open Unconfirmed Minutes - 13 September 2022

Strategic Risk and Assurance Committee

Komiti Whakamauru Tuuraru

OPEN MINUTES

Minutes of a meeting of the Strategic Risk and Assurance Committee held in Council Chamber, Municipal Building, Garden Place, Hamilton and via Audio Visual link on Tuesday 13 September 2022 at 9.34am.

PRESENT

Chairperson Ms K Horne (exclusively via Audio Visual link)

Heamana

Deputy Chairperson Mr B Robertson

Heamana Tuarua

Members Mayor P Southgate
Cr R Pascoe
Cr D Macpherson
Cr M van Oosten
Maangai J Kana

In Attendance: Cr M Donovan
Cr E Wilson
Lance Vervoort – Chief Executive
David Bryant – General Manager People and Organisational Performance
Eeva-Liisa Wright – General Manager Infrastructure Operations
Tracey Musty – Finance Director
Michelle Hawthorne – Governance and Assurance Manager
Dan Finn – People, Safety and Wellness Manager
Marie Snowball – Safety & Wellness Lead
Julie Ambury - Enterprise Risk Lead
DJ Jordan – Chief Information Officer
Aaron Steele and Matt White – PricewaterhouseCoopers
Clarence Susan and Naude Kotze – Audit NZ

Governance Team: Narelle Waite and Tyler Gaukrodger – Governance Advisors
Arnold Andrews – Governance Officer

- 1. Apologies - *Tono aroha***
Resolved: (Mr Robertson/Cr Pascoe)
That the apologies for absence from Crs Bunting and O’Leary, and for partial attendance from Mayor Southgate and Cr Macpherson are accepted.
- 2. Confirmation of Agenda - *Whakatau raarangi take***
Resolved: (Mr Robertson/Cr van Oosten)
That the agenda is confirmed.

Strategic Risk and Assurance Committee 13 SEPTEMBER 2022 - OPEN

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. Confirmation of the Strategic Risk and Assurance Committee Open Minutes - 9 June 2022

Resolved: (Mr Robertson/Maangai Kana)

That the Strategic Risk and Assurance Committee confirm the Open Minutes of the Strategic Risk and Assurance Committee Meeting held on 9 June 2022 as a true and correct record.

6. Chief Executive Report

The Chief Executive spoke to the report, noting the removal of the Covid-19 response framework, staff absence rates, the effect of weather on capital projects, staff awards, remuneration, the future staff engagement survey, the local election, representation review, and cyber security. He responded to questions from Members concerning changes to electoral voting methods, public engagement during elections, changes to project timelines, and invalid votes.

Resolved: (Cr Pascoe/Maangai Kana)

That the Strategic Risk and Assurance Committee receives the report.

7. Safety and Wellness Report - 1 May 2022 to 31 July 2022 (*Recommendation to the Council*)

The People, Safety and Wellness Manager and the Safety & Wellness Lead spoke to the report, noting the release of Council's new ORA incident reporting system. They responded to questions from Members concerning the purpose of Co-Lab, and internal and external audits of Councils incident reports.

Resolved: (Cr van Oosten/Maangai Kana)

That the Strategic Risk and Assurance Committee:

- a) receives the report; and
- b) recommends that the Council receives the Safety and Wellness Report – 1 May 2022 to 31 July 2022.

8. Risk Management Report - September 2022

The Governance and Assurance Manager and Enterprise Risk Lead spoke to their report, noting the changes to the reporting structure of risks, increasing status of risks, and the global status of risks. They responded to questions from Members concerning the updated reporting of risks, requirement for risk related information to be easily available, and mitigation of potential risks.

Staff Action: Staff undertook to amend the identified list of controls concerning Strategic Risks 1 and 4.

Resolved: (Mr Robertson/Maangai Kana)

That the Strategic Risk and Assurance Committee receives the report.

9. PwC - Internal Audit Update and Report

The General Manager People and Organisational Performance, Aaron Steele and Matt White (PricewaterhouseCoopers) spoke to the report, noting the changes to the proposed audit plan timeline, Council business continuity plans, and contractor health and safety requirements. Staff

responded to questions from Members concerning internal audit resourcing changes and capacity, internal audit conflicts of interest, contractor health and safety insurance, recommendations from PricewaterhouseCoopers, Council maturity rating, reporting timelines, safety and wellness reporting, business continuity management and emergency management.

Staff Action: *Staff undertook to report to the appropriate Committee in early 2023 concerning outcomes from the new internal audit resourcing trial.*

Resolved: (Mr Robertson/Maangai Kana)

That the Strategic Risk and Assurance Committee receives the report.

The meeting was adjourned from 11.04am to 11.21am

Cr Macpherson retired from the meeting during the above adjournment.

10. Organisational Improvement Report

The Financial Director took the report as read. She responded to questions from Members concerning reporting of high risk recommendations.

Staff Action: *Staff undertook to update Members on the outstanding Cyber Risk Phase 1 recommendations.*

Resolved: (Cr Pascoe/Cr van Oosten)

That the Strategic Risk and Assurance Committee receives the report.

11. 2022 Annual Report Update

The Financial Director and Naude Kotze and Clarence Susan (Audit NZ) spoke to the report, noting the changes to the staff recommendation, the Annual Report audit timeline, emphases of matter, process for confirming the final Annual Report and management letter, and software as a service. They responded to questions from Members concerning the effect of local government reform, timeline of audit reporting, and qualification and emphasis of matters.

Resolved: (Mr Robertson/Cr Pascoe)

That the Strategic Risk and Assurance Committee:

- a) receives the report;
- b) notes that the 2022-2025 Council will be asked to complete the audit requirements in relation to the 2021/22 Annual Report;
- c) notes that the Annual Report is effectively the accountability of the current council, and as such the 2019-2022 Council have considered the representations required of the Council at the point of adopting the Annual Report and receiving the audit opinion; and
- d) notes that, having considered the probable required representations at 14 September 2022, the Strategic Risk and Assurance Committee provides assurance to the 2022-2025 Council that the Letter of Representation can be signed subject to any matters that may arise between 14 September 2022 and the date of signing.

12. Compliance Reporting Update

The Governance and Assurance Manager took the report as read. She responded to questions from Members concerning security around our protected disclosure processes.

Strategic Risk and Assurance Committee 13 SEPTEMBER 2022 - OPEN

Staff Action: Staff undertook to review the need for a management policy on speaking up, separate from the Protected Disclosure Policy.

Resolved: (Mr Robertson/Cr van Oosten)

That the Strategic Risk and Assurance Committee receives the report.

13. Strategic Risk and Assurance Committee - Annual Self Review (*Recommendation to the Council*)

The Chair spoke to the report noting the safety and risk system improvements made over the triennium, cyber risks, the current terms of reference, health safety and wellness and cyber security ownership within Council terms of reference, and thanked the Committee for their work.

Resolved: (Ms Horne/Mr Robertson)

That the Strategic Risk and Assurance Committee:

- a) receives the report; and
- b) recommends that the Council receives the report.

Mayor Southgate retired from the meeting (11.57am) during the discussion of the above item. She was not present when the matter was voted on.

14. Resolution to Exclude the Public

Resolved: (Mr Robertson/Cr van Oosten)

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

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
C1. Confirmation of the Strategic Risk and Assurance Committee Public Excluded Minutes - 9 June 2022	) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C2. Gas Utility Service Strikes)	
C3. Legal Risks - Committee Update		
C4. Loss of Information or Access to Systems (Cyber Risk)		

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 Section 7 (2) (j)

- | | | |
|----------|--|------------------------|
| | information for improper gain or improper advantage | |
| Item C2. | to avoid the unreasonably, likely prejudice to the commercial position of a person who supplied or is the subject of the information | Section 7 (2) (b) (ii) |
| Item C3. | to maintain legal professional privilege | Section 7 (2) (g) |
| Item C4. | to prevent disclosure of a trade secret | Section 7 (2) (b) (i) |
| | to prevent the disclosure or use of official information for improper gain or improper advantage | Section 7 (2) (j) |

The meeting went into a Public Excluded session at 12.02pm.

The meeting was declared closed at 12.57pm.

Council Report

Item 8

Committee: Council

Date: 22 September 2022

Author: Narelle Waite

Authoriser: Michelle Hawthorne

Position: Governance Advisor

Position: Governance and Assurance
Manager

Report Name: Confirmation of the Traffic, Speed Limit and Road Closure Hearings Panel
Open Minutes - 19 September 2022

Report Status	<i>Open</i>
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Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Council confirm the Open Minutes of the Traffic, Speed Limit and Road Closure Hearings Panel meeting held on 19 September 2022 as a true and correct record.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Traffic, Speed Limit and Road Closure Hearings Panel Open Unconfirmed Minutes - 19 September 2022 (*Under Separate Cover*)

Traffic, Speed Limit and Road Closure Hearings Panel

Ko Ngaa Taki Huarahi

OPEN MINUTES

Minutes of a meeting of the Traffic, Speed Limit and Road Closure Hearings Panel held in Council Chamber, Municipal Building, Garden Place, Hamilton and Audio Visual Link on Monday 19 September 2022 at 9.30am.

PRESENT

Chairperson Cr Ewan Wilson
Heamana

Members Cr Maxine van Oosten
Cr Rob Pascoe (exclusively via audio-visual link)
Cr M Donovan
Cr Martin Gallagher

In Attendance Robyn Denton – Network Operations Team Leader
Tracey Wood – Event and Engagement Manager

Governance Staff Narelle Waite and Tyler Gaukrodger – Governance Advisors

- 1. Apologies - *Tono aroha***
There were no leaves of absence.
- 2. Confirmation of Agenda - *Whakatau raarangi take***
Resolved: (Cr Wilson/Cr Donovan)
That the agenda is confirmed.
- 3. Declarations of Interest - *Tauaakii whaipanga***
No members of the Council declared a Conflict of Interest.
- 4. Confirmation of the Traffic, Speed Limit and Road Closure Hearings Panel Open Minutes - 8 September 2022**
Resolved : (Cr van Oosten/Cr Donovan)
That the Council confirm the Open Minutes of the Traffic, Speed Limit and Road Closure Hearings Panel meeting held on 8 September 2022 as a true and correct record.
- 5. Temporary Road Closure for Worley Place Shared Zone for Your Neighbourhood Event**
The Network Operations Team Leader took the report as read. She responded to questions from Members concerning the road closure process for a shared zone, time period of closure, communication to local business.

Resolved : (Cr Wilson/Cr Donovan)

That the Traffic, Speed Limit and Road Closure Hearings Panel:

- a) receives the report;
- b) approves the closure of Worley Place Shared Zone to accommodate the 'Your Neighbourhood' event on 1 October 2022 between 5.00 am to 5.00 pm; and
- c) approves the Notice of Decision be issued stating Council's decision to close Worley Place Shared Zone to accommodate the 'Your Neighbourhood' event on 1 October 2022 between 5.00 am to 5.00 pm.

Cr Pascoe joined the meeting (9.33am) during the discussion of the above item. He was present when the matter was voted on.

The meeting was declared closed at 9.37am.

Council Report

Item 9

Committee: Council **Date:** 22 September 2022
Author: Michelle Hawthorne **Authoriser:** Lance Vervoort
Position: Governance and Assurance Manager **Position:** Chief Executive
Report Name: End of Triennium Matters

Report Status	<i>Open</i>
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Purpose - Take

1. To seek the Council's approval to extend the Chief Executive's existing delegations from polling day until the inaugural Council meeting (the 'interim election period', otherwise known as the interregnum period), subject to certain limitations as set out in legislation and this report.
2. To update the Council on a number of procedural matters relating to the end of the triennium.

Staff Recommendation - *Tuutohu-aa-kaimahi*

3. That the Council:
 - a) receives the report;
 - b) extends the Chief Executive's current delegations (detailed in the Delegations to Positions Policy) to include all of Council's responsibilities, duties, and powers currently retained by the Council or delegated to the Council's standing Committees (except the District Licensing Committee), subject to the following conditions:
 - i. the extended delegations will have effect only for the period from 8 October 2022 (polling day) until the swearing in of the new Council;
 - ii. the extended delegations do not include a delegation of any Council powers, duties and functions which are prohibited by law from delegation - including, without limitation, those set out in clause 32(1) of the Seventh Schedule to the Local Government Act 2002;
 - iii. the Chief Executive may only exercise the extended delegations for those matters that cannot reasonably wait until the first meeting of the new Council;
 - iv. the Chief Executive is not permitted to use the extended delegations in respect of any politically significant matters that require input from Elected Members;
 - v. where reasonably practicable, the Chief Executive must, before exercising an extended delegation power, duty or function, first consult with the Mayor-elect;
 - vi. the Chief Executive must report all matters relating to the exercise of an extended delegation to the incoming Council at the first meeting following the triennial general election;
 - vii. should any urgent matters arise during the interim election period which require significant political input, or at law must be made by Council, the first meeting

following the triennial general election must be called by the Chief Executive as an 'emergency' meeting under clause 21 of Schedule 7 to the Local Government Act 2002; and

- c) notes that, as required under clause 30(7) of Schedule 7 to the Local Government Act 2002, the District Licensing Committee shall continue (and not be deemed to be discharged) on the coming into office of the members of the Council elected at the 2022 triennial general.

Executive Summary - *Whakaraapopototanga matua*

4. The Council needs to consider arrangements to ensure the effective and efficient conduct of the Council's business during the interim election period.
5. It is proposed that the Council extends the Chief Executive's current delegations to undertake Council's responsibilities, duties, and powers (except those that cannot be delegated) in respect of urgent matters for the period in question subject to certain conditions ('extended delegations').
6. Staff note that if Council were to take a more prescriptive approach to any extended delegations to the Chief Executive, adverse or unintended impacts on Council functions will need to be taken in to consideration.
7. Council's Committees and Subcommittees are deemed to be discharged on the coming into office of the newly elected Council unless Council resolves otherwise. There is no requirement for Council to resolve to retain any existing Committee or Subcommittee under the existing Governance Structure, other than the District Licensing Committee which is a committee of Council by virtue of the Sale and Supply of Alcohol Act 2012 ('SSAA').
8. Minutes of this Council Meeting will be authenticated in accordance with the process set out in Standing Orders.
9. Staff consider the decision has low significance when assessed under the Council's Significance and Engagement Policy and that the recommendation comply with the Council's Legal requirements.

Discussion - *Matapaki*

Urgent Issues – General Delegation

10. Clause 14 of Schedule 7 to the Local Government Act 2002 (LGA) provides that a person newly elected to Council may not act until they have made the necessary declaration at the inaugural Council meeting. This provision combines with sections 86, 115 and 116 of the Local Electoral Act 2001 to the effect that, from the day after the declaration of election results (which is by way of public notice in a local newspaper), until the new members' declaration is taken at the inaugural Council meeting, neither the outgoing nor the incoming elected members can act in their capacity as members of the Council. Although subject to change, it is anticipated this will be for a period of 13 days – from Saturday 8 October 2022 until the inaugural Council meeting.
11. It is important that Council puts a process in place by which urgent decisions may be made during the interim election period. It is recommended that the Council extends the Chief Executive's existing delegations, during this period, to undertake all of the Council's responsibilities, duties, and powers (except as prohibited by clause 32(1)(a) to (h) of Schedule 7 to the LGA and any other Act). The Chief Executive's current delegations are set out in the [Delegations to Positions Policy](#).
12. It is common practice for local authorities to authorise their Chief Executives to deal with such matters, and is consistent with the approach taken by the Council in previous triennia.

13. For clarity, on the swearing in of the new Council, the Chief Executive's delegated powers, duties and functions revert to those delegations set out in the Delegations to Positions Policy, together with any delegations on specific matters that have already been resolved by the Council or any of its standing Committees.
14. The recommended extended delegations are made subject to a number of qualifications (set out in paragraph 10 above) to ensure that these delegations only empower the Chief Executive to make such decisions as are necessary for the effective and efficient day-to-day conduct of Council's business during the period in question.
15. Relevant excerpts of legislation are set out in **Attachment 1**.

Delegation: Traffic Bylaw Functions and Local Government Act 1974 Schedule 10

16. In the processing of development applications, there are often changes required to existing parking restrictions or turning movements, cycle paths or special vehicle lanes due to changes in locations of driveways. It is recommended that these are dealt with prior to the granting of a Resource Consent, so there is a need to be able to consider and approve changes in a timely manner.
 - Clause 5.1 – Parking Places – on-street parking
 - Clause 5.5 – Parking Places – metered parking
 - Clause 11.2 – Turning Restrictions
 - Clause 13.2 - Cycle Paths
 - Clause 14.2 – Special Vehicle Lanes
17. Temporary Road closures for events are normally processed under the Transport (Vehicular Traffic Road Closures) Regulations 1965 which requires 42 days public notice. Occasionally there are situations where the required timeframes are not able to be met and the approval by Council for a temporary road closure for an event is granted under the Local Government Act 1974 No 66, Schedule 10, Clause 11(e).
18. These functions are covered in the delegation to the Chief Executive as set out in the staff recommendation.

Submissions

19. During the interregnum period there may be opportunities for Council to make a submission on matters such as National Policy Statements, Regional Policy Statements and amendments to legislation. Staff recommend that in these cases a staff submission be made to enable Council's views and priorities to be highlighted.
20. As per Hamilton City Council's standard submission process a draft Council submission would be circulated to Members (if possible) for feedback, with comments then being analysed for inclusion in the final version.

Discharging Committees

21. Following a triennial election, Clause 30(7) of Schedule 7 to the LGA deems all existing committees, subcommittees and other subordinate decision-making bodies to be discharged when newly elected members of the local authority come into office.
22. The Council may resolve to retain any existing Committee or Subcommittee under clause 30(7).

District Licensing Committee

23. The District Licensing Committee (DLC) is a committee appointed by Council under the SSAA to make decisions on, amongst other things, applications for licences and managers' certificates relating to the sale and supply of alcohol.

24. All members of the DLC are external appointees, appointed for a five year term (including the Commissioner and Alternate Commissioners). The Terms of Reference for the DLC are set out on page 43 of the [Council's Governance Structure](#).
25. The DLC is the only Committee of Council which consists solely of external appointees and that is required to continue to operate into the next triennium. Whilst established under the SSAA, section 200(1) of that Act states that the DLC is a committee of the Council. The provisions of the LGA relating to the discharge of Council committees therefore apply, which means that that unless Council resolves otherwise (under clause 30(7)), the DLC will be deemed to be discharged when the newly elected members come into office. To ensure that the DLC continues into the new triennium it is considered prudent for Council to resolve that the DLC continues (and is not discharged) on the coming into office of the newly elected members.

Minutes of last meetings before election

26. Standing Order 28.4 - Minutes of last meeting before Election
"The Chief Executive and the relevant Chairpersons must sign the minutes of the last meeting of the local authority and its local and community boards before the next election of members."
27. With the exception of the Council meeting of 22 September 2022, the Minutes from the final meetings of all Committees will be reported to the final Council meeting of 14 and 22 September 2022.
28. The process for the approval of the Minutes of the final Council Meeting is as follows:
 - i. Copies of the Minutes will be circulated to Councillors as soon as possible following this Meeting.
 - ii. Any comments from Councillors will need to be given to the respective Chairs and Governance by close of business on Monday 3 October 2022.
 - iii. The respective Chairs of Council and the External Funding Subcommittee, with the Chief Executive, will make the final decision regarding any changes sought by Councillors.
 - iv. The Minutes will then be signed by close of business Friday 7 October 2022.
29. The above process is in accordance with Standing Orders and must be completed prior to Election Day.

Financial Considerations - *Whaiwhakaaro Puutea*

30. This is a regular operating activity funded through the 2021-31 Long Term Plan.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

31. Staff confirm that the staff recommendation complies with the Council's legal and policy requirements.
32. Staff have considered the key considerations under the Climate Change Policy and have determined that an adaptation assessment and emissions assessment is not required for the matters at this point.

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

33. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
34. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below. The recommendations set out in this report are consistent with that purpose.

35. There are no known social, economic, environmental or cultural considerations associated with this matter.

Risks – Tuuraru

36. If the recommended extended delegation is not approved, there is a risk of Council not being able to undertake its business effectively and efficiently during the interim election period.
37. If the recommended resolution to retain the DLC is not approved, the DLC may be deemed discharged when the newly elected members come into office. This result would be inconsistent with decisions of Council on the establishment of the DLC and appointment of its members and could impede the DLC's work.

Significance & Engagement Policy - *Kaupapa here whakahira/anganui*

Significance

38. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matter(s) in this report has/have a low level of significance.

Engagement

39. Given the low level of significance determined, the engagement level is low. No engagement is required.

Attachments

Attachment 1 - Legislation for End of Triennium Matters

Local Government Act 2002, Schedule 7

14 Declaration by member

- (1) A person may not act as a member of a local authority until—
 - (a) that person has, at a meeting of the local authority following the election of that person, made an oral declaration in the form set out in subclause (3); and
 - (b) a written version of the declaration has been attested as provided under subclause (2).

Compare: 1974 No 66 s 114U

30 Power to appoint committees, subcommittees, other subordinate decision-making bodies, and joint committees

- (7) A committee, subcommittee, or other subordinate decision-making body is, unless the local authority resolves otherwise, deemed to be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the triennial general election of members next after the appointment of the committee, subcommittee, or other subordinate decision-making body.

32 Delegations

- (1) Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except—
 - (a) the power to make a rate; or
 - (b) the power to make a bylaw; or
 - (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
 - (d) the power to adopt a long-term plan, annual plan, or annual report; or
 - (e) the power to appoint a chief executive; or
 - (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local

governance statement; or

(g) Repealed.

(h) the power to adopt a remuneration and employment policy.

- (2) Nothing in this clause restricts the power of a local authority to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise by the local authority (after consultation with the committee or body or person) of any power or duty specified in subclause (1).
- (3) A committee or other subordinate decision-making body, community board, or member or officer of the local authority may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the local authority or by the committee or body or person that makes the [original] delegation.
- (4) A committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers, or duties are delegated may, without confirmation by the local authority or committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.
- (5) A local authority may delegate to any other local authority, organisation, or person the enforcement, inspection, licensing, and administration related to bylaws and other regulatory matters.
- (6) A territorial authority must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role.
- (7) To avoid doubt, no delegation relieves the local authority, member, or officer of the liability or legal responsibility to perform or ensure performance of any function or duty.
- (8) The delegation powers in this clause are in addition to any power of delegation a local authority has under any other enactment.

Local Electoral Act 2001

86 Declaration of result

The electoral officer conducting an election or poll must give public notice declaring the official result of the election or poll in the prescribed manner as soon as practicable after—

- (a) Repealed.
- (b) the validity of all special votes has been determined; and
- (c) all valid votes have been counted.

115 When members come into office

- (1) Candidates at a triennial general election who are declared to be elected come into office on the day after the day on which the official result of the election is declared by public notice under section 86.
- (2) Repealed.
- (3) A person appointed to fill an extraordinary vacancy comes into office at the time of his or her appointment.

116 When members leave office

- (1) Every member of a local authority or [local board or] community board, unless vacating office sooner, vacates office,—
 - (a) in a case where the member's office is the subject of an election, when the members elected at the next election come into office:
 - (b) in a case where provision is made by any enactment to fill a vacancy by appointment, when the member's successor comes into office.
- (2) Despite subsection (1)(a), if a member's office is the subject of an election, and neither the member nor any other person is elected at the election to that office, the member vacates office at the same time as any other member of the local authority who is not re-elected at the election.

Sale and Supply of Alcohol Act 2012

186 Territorial authorities to appoint district licensing committees

Each territorial authority must appoint 1 or more licensing committees as, in its opinion, are required to deal with licensing matters for its district.

200 Application of Local Government Official Information and Meetings Act 1987

- (1) Every licensing committee is a committee of its territorial authority.
- (2) The provisions of the Local Government Official Information and Meetings Act 1987, other than Part 7, apply to every licensing committee.
- (3) Subsection (2) overrides subsection (1).

Council Report

Item 10

Committee: Council

Date: 22 September 2022

Author: Tyler Gaukrodger

Authoriser: Amy Viggers

Position: Governance Advisor

Position: Governance

Report Name: Chair's Report

Report Status	<i>Open</i>
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Recommendation – *Tuutohu*

That the Council receives the report.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Chair's Report



Chair's Report

The last Council meeting of the triennium is always a time of reflection. Today we mark the end point of this *specific* Council and the contribution we have made to the ongoing well-being of our city and the people we represent.

When we look back over the past three years we can agree that we have achieved a great deal. However, we have not achieved this alone. We are part of a much wider community, and positive partnerships, and of course our talented and hard working staff have been alongside us. And of course the very nature of local government means we pick things up from a previous Council, apply our own priorities, make decisions and then pass that legacy on to the next Council.

There are, however, a number of very notable milestones achieved in this triennium which this Council has brought to fruition.

Early on this term we set five key priorities for our city which have guided our decision-making as we delivered Annual Plans and our Long-Term Plan. That work set the constructive tone we have enjoyed this triennium. I am immensely proud of those pieces of work, particularly the 2021-2031 Long Term Plan which, as a Council, we unanimously supported.

The Long Term Plan process saw a huge improvement in public engagement from our community. It is not easy, bringing different views around a table together and balancing those against community expectations. But throughout the term, this Council has made decisions based on shared priorities and shared values. We have not always agreed with each other but we have enabled as best we could all voices to be heard.

The legacy of this Council, for the first time in some years, will be a Council which has largely worked as a strong and united team, putting the well-being of our city first. All Elected Members should be proud of that. In my final report in this triennium, I would like to formally note my appreciation to every single one of my Councillor colleagues, including all Maangai.

On behalf of the city I also formally acknowledge our retiring Councillors Dave Macpherson, Rob Pascoe and Martin Gallagher, and thank them for the contribution over many years. Our city is better for your service and this Chamber will miss your wise counsel. I also acknowledge the contribution over the last two terms of Councillor Mark Bunting, who has decided not to stand at this Election.

I would particularly like to acknowledge once more our beloved colleague Councillor Margaret Forsyth, whom we lost last year. Our city is so much greater for all that she contributed, in so many ways, and we continue to think of her family. It is only fitting that there is a beautiful cherry grove Hinemoa Park in Margaret's honour.

I also acknowledge the incredible support this particular Council has had from those outside this organisation, from the business sector, the philanthropic sector, the public sector and community groups and organisations of all types.

I would also like to thank Council staff. As Mayor, I have been privileged to work with not one – but two – hard working chief executives during this term. I thank Lance Vervoort and his entire team, across every single part of this organisation. During this triennium, plagued by Covid-19, we have asked an extraordinary amount from Council staff – and they have delivered. Thank you.

Tragically, we suffered a further terrible loss when our highly respected City Planning Manager Luke O’Dwyer died suddenly last year. We acknowledge him in particular, and send once again our love and best wishes to his young family.

I end this formal report by recording my heartfelt thanks to staff in my office who over the past three challenging years, have supported not just me, but the entire elected wing of Council. Your support has been immense, and I thank you for being alongside me on this journey.

Te amorangi ki mua, te hapai o ki muri.

Chair’s Recommendation

That the Council receives the report.

Paula Southgate

Mayor Hamilton City

Resolution to Exclude the Public

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

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
C1. Confirmation of the Council Public Excluded Minutes - 14 September 2022	) Good reason to withhold) information exists under) Section 7 Local Government	Section 48(1)(a)
C2. Confirmation of the Strategic Growth Committee Public Excluded Minutes - 7 September 2022	) Official Information and) Meetings Act 1987)	
C3. Confirmation of the Strategic Risk and Assurance Committee Public Excluded Minutes - 13 September 2022		
C4. Confirmation of the Public Excluded Minutes of the Council (CE Review Committee Matters) meeting –14 September 2022		

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 prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C3.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C4.	to protect the privacy of natural persons to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (a) Section 7 (2) (j)