
Council Kaunihera OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber and Audio Visual Link , Municipal Building, Garden Place, Hamilton on Thursday 14 December 2023 at 9.36am.

PRESENT

Chairperson	Mayor Paula Southgate
Heamana	
Deputy Chairperson	Deputy Mayor Angela O’Leary
Heamana Tuarua	
Members	Cr Maxine van Oosten Cr Moko Tauariki Cr Ewan Wilson Cr Mark Donovan (Via visual Audio-link) Cr Louise Hutt Cr Andrew Bydder Cr Geoff Taylor Cr Sarah Thomson Cr Emma Pike Cr Melaina Huaki Cr Anna Casey-Cox (Via visual Audio-link) Cr Kesh Naidoo-Rauf (Via visual Audio-link)

In Attendance	Lance Vervoort – Chief Executive David Bryant – General Manager Business Services Sean Murray – General Manager Venues, Tourism & Events Helen Paki – General Manager Customer & Community Blair Bowcott – General Manager Strategy, Growth & Planning Nicole Nooyen – Acting General Manager Partnerships, Communication & Maaori Dan Silvertown – Acting Head of Communication and Engagement Michelle Hawthorne – Governance & Assurance Manager James Clarke - Unit Manager - Strategy & Planning, Strategy Aimee Haycock - Parks Planner Stafford Hodgson – Project Manager – Growth Programmes Unit
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Governance Team:	Amy Viggers – Governance lead Nicholas Hawtin, Arnold Andrews and Keryn Phillips – Governance Advisors
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Tame Pokaia opened the meeting with a karakia.

1. Apologies – *Tono aroha*

Motion: (Cr Van Oosten/Deputy Mayor O’Leary)

That the apologies for partial attendance from Crs Huaki and Wilson and early departure from Cr Wilson and Cr Naidoo-Rauf be accepted.

2. Confirmation of Agenda – *Whakatau raarangi take*

Motion: (Mayor Southgate/Deputy Mayor O’Leary)

That the Council confirms the agenda, noting that the late verbal report item 15 ‘*audit Engagement Letter*’ is accepted. A late verbal update was sought due to the delay in the information from external parties.

3. Declarations of Interest – *Tauaakii whaipaaanga*

Cr Donovan, Cr Wilson, Cr Tauariki and Deputy Mayor O’Leary declared a conflict of interest to Item 10 (Independent Commissioners). They noted they would not take part in discussion or vote on the matter.

4. Public Forum – *AAtea koorero*

No members of the public spoke in the public forum

5. Confirmation of the Council Open Minutes - 31 October 2023

Resolved: (Cr Wilson/Cr Pike)

That the Council confirm the Open Minutes of the Council Meeting held on 31 October 2023 as a true and correct record.

6. Chair's Report

Mayor Southgate spoke to the report highlighting the year.

Resolved: (Mayor Southgate/Cr Wilson)

That the Council receives the report.

7. Ashurst Park Reclassification - Decision Report

The Parks Planner took the report as read. She responded to questions from Elected Members concerning what learnings staff had taken from the consultation process, design processes and central government funding.

Resolved: (Deputy Mayor O’Leary/Mayor Southgate)

That the Council:

- a) receives the report;
- b) declines the reclassification of the portion of Ashurst Avenue adjoining Ashurst Avenue;
- c) directs staff to progress Option 2A (Te Rapa Sportsdrome standalone) and approves the commencement of the legislative process to change the classification of that part of Ashurst Park; and
- d) that staff bring the draft detailed design to an Elected Member Briefing confirming within the current estimated budget the refit of the kitchen, allowing for appropriate indoor/outdoor space for Pukete Neighbourhood House to operate a 'social good' cafe.

Cr Wilson left the meeting from 9:56am and was not present for the vote of the above resolution.

8. 2024-54 Infrastructure Strategy – Direction

The Project Manager – Growth Programmes Unity took the report as read. He responded to questions from Elected Members regarding the asset management plan, planning processes, community assets, infrastructure assets and the prioritisation of unfunded projects.

Resolved: (Deputy Mayor O’Leary/Mayor Southgate)

That the Council:

- a) receives the report;
- b) approves the proposed approach to develop the Draft 2024-54 Infrastructure Strategy as set out in the staff report;
- c) requests that staff work in consultation with Mayor Southgate, Deputy Mayor O’Leary and Crs Hutt, van Oosten, Wilson and Tauriki on the Draft 2024-54 Infrastructure Strategy; and
- d) notes that the Draft 2024-54 Infrastructure Strategy will be reported to the 14 March 2024 Long-Term Plan Council meeting for approval as a supporting document for inclusion as part of the Long-Term Plan consultation.

9. Significance and Engagement Policy Review

The Governance & Assurance Manager and Acting Head of Communication and Engagement took the report as read. Staff responded to questions from Elected Members regarding how to increase clarity around the policy for the public, consideration of the migrant communities, how community interest is determined and community awareness.

Resolved: (Mayor Southgate/Deputy Mayor O’Leary)

That Council:

- a) receives the report;
- b) approves the draft Significance and Engagement Policy; and
- c) notes that consultation is not required, as Council has sufficient information concerning community interests and preferences to enable the purpose of the policy to be achieved.

Cr Taylor left the meeting at 10:25am and was not present during the vote of the above item.

Cr Taylor re-joined the meeting at 10:32am at the conclusion of the above item.

Cr Wilson re-joined the meeting at 10:32am at the conclusion of the above item.

10. Independent Hearings Commissioners' Panel - extension to contract

The City Planning Manager took the report as read.

Resolved: (Mayor Southgate/Cr Van Oosten)

That the Council:

- a) receives the report;
- b) approves an extension to the term of the current Independent Hearings Commissioners' Panel by 6 months to 29 October 2024 (**Option 1** of the staff report);
- c) notes that the request is to extend the date only – no other amendments will be made to the contract;
- d) notes that a full review of the Independent Hearings Commissioners' Panel will be undertaken in early 2024, which will result in a new contract to start on 29 October 2024; and
- e) notes that the decision and information in relation to this matter be released at the appropriate time, to be determined by the Chief Executive.

Cr Wilson, Cr Donovan, Cr Tauariki and Deputy Mayor left the meeting prior the discussion of the above item due to declared conflicts of interest.

The meeting adjourned at 10:34am until 11:06am.

Cr Wilson, Cr Donovan, Cr Tauariki and Deputy Mayor re-joined the meeting post the adjournment.

11. Future of Local Government - LGNZ Special General Meeting

The Governance & Assurance Manager and Deputy Mayor spoke to the report, highlighting the Local Government Special General meeting.

Motion: (Mayor Southgate/Deputy Mayor O'Leary)

That the Council receives the report.

12. 2024 East Ward By-Election - Order of Candidates names

The Governance & Assurance Manager spoke to the report highlighting the different voting options. She responded to questions from Elected Members regarding cost differences.

Resolved: (Mayor Southgate/Deputy Mayor O'Leary)

That the Council:

- a) receives the report; and
- b) approves the names of the Hamilton City Council Candidates for the 2024 East Ward By-Election to be arranged on the voting documents to be random order.

13. Recommendations from Open Committee Meetings

Strategic Risk and Assurance Committee meeting of 6 December 2023

Resolved: (Cr Wilson/Cr van Oosten)

That the Council:

- a) receives the Safety and Wellbeing Report – 1 August 2023 to 31 October 2023; and
- b) receives the Risk Management Report.

During the confirmation of the agenda Item 15 ‘*Audit Engagement Letter (Late verbal report)*’ was confirmed to be taken prior to Item 14 ‘*Resolution to Exclude the Public*’.

15. Audit Engagement Letter (Late verbal report)

The Unit Manager - Strategy & Planning spoke to the verbal report explaining that there was a delay in the arrival from the letter from the Office of the Auditor General and highlighted the requirement for the letter.

Resolved: (Cr Wilson/Cr van Oosten)

That the Council:

- a) receives the verbal report;
- b) delegates the Chief Executive and Mayor to approve and sign the engagement letter; and
- c) notes that the final letter will be reported back to Elected Members.

14. Resolution to Exclude the Public

Resolved: (Cr Wilson/Cr Hutt)

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 31 October 2023) Good reason to withhold information exists under Section 7 Local Government	Section 48(1)(a)
C2. Confirmation of the Elected Member Briefing Public Excluded Notes - 1 November 2023) Official Information and Meetings Act 1987	

C3. Confirmation of the
Elected Member Briefing
Public Excluded Notes - 15
November 2023

C4. PlanIT Software Testing
Contract Renewal

C5. IBIS Contract Renewal

C6. Rotokauri Stage 1 - Private
Developer Agreements

C7. Recommendations from
Public Excluded
Committee Meetings

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:

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| 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 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 C3. | 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 C4. | to enable Council to carry out commercial activities without disadvantage | Section 7 (2) (h) |
| Item C5. | to enable Council to carry out commercial activities without disadvantage
to enable Council to carry out negotiations | Section 7 (2) (h)
Section 7 (2) (i) |
| Item C6. | to enable Council to carry out commercial activities without disadvantage | Section 7 (2) (h) |
| Item C7. | to prevent the disclosure or use of official information for improper gain or improper advantage | Section 7 (2) (j) |

The meeting was moved into Public Excluded at 11:18am.

The meeting was declared closed at 12:41pm.