
Council *Kaunihera* OPEN MINUTES

Minutes of a meeting of the Council held in via Audio Visual Link Thursday 30 April 2020 at 10.04am.

PRESENT

Chairperson	Mayor P Southgate
Deputy Chairperson	Deputy Mayor G Taylor
Members	Cr M Bunting
	Cr M Forsyth
	Cr M Gallagher
	Cr R Hamilton
	Cr D Macpherson
	Cr K Naidoo-Rauf
	Cr A O’Leary
	Cr R Pascoe
	Cr S Thomson
	Cr M van Oosten
	Cr E Wilson

In Attendance:	Richard Briggs - Chief Executive
	Lance Vervoort - General Manager Community
	David Bryant – General Manager Corporate
	Sean Hickey – General Manager Strategy and Communication
	Sean Murray – General Manager Venues Tourism and Major Events
	Eeva-Liisa Wright – General Manager Infrastructure Operations
	Chris Allen – General Manager Development
	Julie Clausen - Unit Manager Strategy and Corporate Planning
	Liam Blackwell - Online Specialist
	Jamie Sirl – Team Leader City Planning
	Debra Stan-Barton – Project Manager
	James Clarke - Director of the Mayor’s Office
	Dan Silverton – Communication and Engagement Advisor
	Natalie Palmer – Unit Manager Communications and Marketing

Governance Staff:	Becca Brooke - Governance Manager
	Amy Viggers – Governance Team Leader

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

2. Confirmation of Agenda - *Whakatau raarangi take*

Resolved: (Mayor Southgate/Deputy Mayor Taylor)

That the agenda is confirmed noting the following:

- a) Item 11 (Open Recommendations from Committees to the Council) recommendation from the Infrastructure Operation Committee was included in error. The matter is to be referred to the Annual Plan Council meeting;
- b) Item 11 (Open Recommendations from Committees to the Council) has been updated to include the recommendation from the Finance committee meeting of 28 April 2020; and
- c) Item C9 (Confirmation of the Extraordinary Council (CE Review Committee Matters) Public Excluded Minutes - 11 February 2020) and C10 (Recommendation from the Public Excluded CE Review Committee meeting of 9 April 2020) are to be taken at 2.00pm to accommodate external presenters' availability.

3. Declarations of Interest- *Tauaakii whaipanga*

Resolved: (Cr Wilson/Cr Naidoo-Rauf)

Deputy Mayor Taylor declared an interest in item C8 (Hamilton Gardens Cafe - Extension of Lease) He noted that he would not take part in the discussion or vote.

Cr Bunting declared an interest in item C8 (Hamilton Gardens Cafe - Extension of Lease). He noted that he was not conflicted and would take part in the discussion and debate.

During the Public Excluded session of the meeting Cr O'Leary declared an interest in item C8 (Hamilton Gardens Cafe - Extension of Lease). She noted that he was not conflicted and would take part in the discussion and debate.

4. Public Forum - *AAtea koorero*

Lauren McLean (Individual) provided a written submission to item 9 (Progress Report on the Climate Change Action Plan) that was circulated to Members prior to the meeting and is attached to the minutes as **appendix 1**.

Jo Wrigley (representing Go Eco) provided a written submission to item 9 (Progress Report on the Climate Change Action Plan) that was circulated to Members prior to the meeting and is attached to the minutes as **appendix 2**.

5. Confirmation of the Extraordinary Council Meeting Open Minutes - 11 February 2020

Resolved: (Cr Wilson/Cr Naidoo-Rauf)

That the Council confirm the Open Minutes of the Extraordinary Council Meeting held on 11 February 2020 as a true and correct record.

6. Confirmation of the Council Meeting Open Minutes - 19 March 2020

Resolved: (Cr Wilson/Deputy Mayor Taylor)

That the Council confirm the Open Minutes of the Council Meeting held on 19 March 2020 as a true and correct record.

7. Confirmation of the Extraordinary Council Meeting Open Minutes - 2 April 2020

Resolved: (Cr Bunting/Cr Wilson)

That the Council confirm the Open Minutes of the Extraordinary Council Meeting held on 2 April 2020 as a true and correct record.

8. Chair's Report

The report was taken as read.

Resolved: (Cr Wilson/Mayor Southgate)

That the Council:

- a) receives the report; and
- b) defers Council Minimum Wage Report to the 28 May 2020 Council meeting.

Cr Hamilton left the meeting (10.21am) during the discussion of the above item. He was not present when the matter was vote on.

9. Progress Report on the Climate Change Action Plan

The Unit Manager Strategy and Corporate Planning introduced the report and outline Councils emission targets. She responded to questions from Elected Members concerning Council's emission target, Councils current emissions, the switch to renewable sources, cost in relation to change, how targets may be achieved prior to 2030 and the advancement of the climate change accord.

Staff Action: *Staff undertook to provide Members with further information concerning 'Green star rating and how staff would consider 'Green Building Status' in the building/development of new Council facilities.*

Staff Action: *Staff undertook to provide Members with a visual guide that indicates how and when Council achieve the various Climate Action Plan targets.*

Staff Action: *Staff undertook to provide Members with further information concerning an organisational travel plan.*

Resolved: (Cr Wilson/Cr Thompson)

That the Council receives the report.

Cr Hamilton re-joined the meeting (10.35am) during the discussion of the about item. He was present when the matter was voted on.

The meeting adjourned 10.33am to 10.46am

10. Easement - WEL Networks Ltd

The General Manager Venues and Tourism introduced the report, noting that the decision was a procedural matter.

Resolved: (Cr Bunting/Deputy Mayor Taylor)

That the Council:

- a) approves an easement to WEL Networks Ltd over the areas indicated in Attachment 1 of this report, for transmitting and/or conveying electricity, telecommunications and computer media over Council-owned land (Lot 2 DP 386843) subject to:
 - i. WEL Networks Ltd being responsible for paying all costs associated with the easement;
 - ii. the Waikato Show Trust signing all documentation for registration of the easement;

- b) delegates authority to the Chief Executive to sign all documentation relating to the easement.

11. Open Recommendations from Committees to the Council

The report was taken as read.

Resolved: (Cr Pascoe/Cr O’Leary)

Hamilton Stormwater Bylaw Review - Determination and Consultation

That the Council:

- a) receives the report;
- b) approves Option 1 as outlined in this staff report and determine that a Stormwater Bylaw is the most appropriate mechanism for addressing issues relating to stormwater management in Hamilton;
- c) approves the preparation of a Statement of Proposal for a reviewed Bylaw subject to (b) above being approved by the Council; and
- d) notes that due to the Central Government Covid-19, Alert Level 4 restrictions in place, a public consultation process will be undertaken for a period of one month between July 2020 and December 2020.

Financial Strategy Monitoring Report

That the Council:

- a) approves capital movement of \$17.4M from the 2019/20 Financial Year to future years as identified in the 28 April 2020 Capital Portfolio Monitoring Report;
- b) approves the significant forecast adjustments as set out in paragraphs 19 to 25 of this report; and
- c) approves the revised forecast Financial Strategy position for Debt to Revenue, Net Debt and Balancing the Books as set out in paragraphs 26 to 33 of this report.

12. Resolution to Exclude the Public

Resolved: (Cr Forsyth/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 Meeting Public Excluded Minutes - 19 March 2020) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987	Section 48(1)(a)
C2. Confirmation of the)	

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- Extraordinary Council
Public Excluded Minutes -
2 April 2020
 - C3. Confirmation of the
Elected Member Briefing
Closed Notes - 2 April
2020
 - C4. Confirmation of the
Elected Member Briefing
Closed Notes - 7 April
2020
 - C5. Confirmation of the
Elected Member Briefing
Closed Notes - 14 April
2020
 - C6. RMA Independent
Hearing Commissioner
Panel
 - C7. Commissioner
Appointments - Plan
Change 6 and Plan
Change 7
 - C8. Hamilton Gardens Cafe -
Extension of Lease
 - C9. Confirmation of the CE
Review Committee Public
Excluded Minutes - 9 April
2020
 - C10. Recommendation from
the CE Review Committee
meeting of 9 April 2020

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 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	Section 7 (2) (j)

	advantage	
Item C6.	to protect the privacy of natural persons	Section 7 (2) (a)
	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
Item C7.	to protect the privacy of natural persons	Section 7 (2) (a)
Item C8.	to protect the privacy of natural persons	Section 7 (2) (a)
	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)
	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
Item C9.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C10.	to protect the privacy of natural persons	Section 7 (2) (a)
	to maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment	Section 7 (2) (f) (ii)

The meeting went in to a Public Excluded session at 11.53am.

During the public Excluded Session of the meeting the following was resolved:

C3. Confirmation of the Elected Member Briefing Closed Notes- 2 April 2020

Resolved: (Cr Wilson/Cr Hamilton)

That the Council:

- a) confirm the Closed Notes of the Elected Member Briefing held on 2 April 2020 as a true and correct record; and
- b) notes that these closed briefing notes will be released to the public via the open minutes as **appendix 3**.

C5. Confirmation of the Elected Member Briefing Closed Notes - 14 April 2020

Resolved: (Cr Wilson/Cr Naidoo-Rauf)

That the Council:

- a) confirm the Closed Notes of the Elected Member Briefing held on 14 April 2020 as a true and correct record; and
- b) notes that these closed briefing notes will be released to the public via the open minutes as **appendix 4**.

The meeting was declared closed at 3.55pm.

Minute Note 24/12/2020:

On 24/12/2020 the following resolutions were determined to be released to the public via these minutes and the quarterly update.

RMA Independent Hearing Commissioner Panel

Resolved:

That the Council:

- a) receives the report;
- b) terminates the current appointments to the Independent Hearings Commissioners' Panel and replaces those individuals with the following appointments for the following 6 months: Murray Kivell; Greg Hill; Bill Wasley; Dr Jim Cooke; David Hill; Alan Watson; Alan Withy; Robert Schofield; Richard Knott; Mark Ashby; Sheena Te Pania; Mark Farnsworth; Helen Atkins; Russell DeLuca; David Mead; Robert Scott; Richard Blakey; MeLean Absolum; David McMahon; Dr Ngaire Philips; Gerry Kessels; Brad Coombes; Judith Makinson; Dr Fleur Maseyk; and any Hamilton City Councillor or Maangai Maaori who is a Ministry for the Environment accredited RMA Commissioner;
- c) delegates authority to the new Independent Hearings Commissioners' Panel to hear and decide certain Resource Management Act (RMA) matters;
- d) amends the current Independent Hearings Commissioners' Panel Terms of Reference to include a new delegation as follows:
- e) To hear submissions and decide on Plan Changes and Reviews of the Operative Hamilton City District Plan under Schedule 1 to the Resource Management Act 1991 where Council resolves to not hear and decide on those matters;
- f) notes that the decision and information in relation to this matter be released at the appropriate time, to be determined by the Chief Executive; and
- g) requests staff report back as soon as possible to a future Council Meeting on the overall commissioner appointment process and how diversity of the panel can be increased

Commissioner Appointments - Plan Change 6 and Plan Change 7

Resolved:

That the Council:

- a) appoints independent commissioners Bill Wasley and James Whetu to hear, determine and make decisions on Plan Change 6 – Regulatory Efficiency and Effectiveness Programme (REEP);
- b) appoints independent commissioners David Hill, Shane Solomon and Alan Watson to hear, determine and make decisions on Plan Change 7 – Rotokauri North (Private Plan Change); and
- c) notes that the decision and information in relation to this matter be released at the appropriate time, to be determined by the Chief Executive.

Hamilton Gardens Cafe - Extension of Lease

Resolved:

That the Council:

- a) approves to extend the term of lease for six months from 14 December 2022 for Ministry of Style Limited with amended expiry to 13 June 2023;
- b) notes that all other conditions within the lease will remain the same; and
- c) notes that the decision and information in relation to this matter be released at the appropriate time, to be determined by the Chief Executive.

Appendix 1

Lauren McLean (Individual) written submission to item 9 (Progress Report on the Climate Change Action Plan).

Good morning Councillors

Firstly, my thanks to the council and particularly to Mayor Southgate for the excellent pieces of communication that have come out during this lockdown. It has been nice to be updated on things that are happening and learn what the council's thoughts have been on some key issues.

Covid-19 has shown us how fragile our society really is. It has also shown us the value of listening to science; and how acting early and decisively can prevent much more harm later. Scientists have been telling us for decades now that climate change and biodiversity loss are existential threats for human civilisation yet we are still largely living as though our planet has infinite resources.

This recovery is a chance to change that. I was impressed with the approach that the council took with its submission to the Government's recovery fund and I hope that attitude continues to prevail in all things as we move forward. Shovel-ready does not mean shovel-worthy; the world we need in the future has to be far more sustainable than our current one and projects should not be approved just because they are easy. Nor should we necessarily look to existing trends and infrastructure as a guide for how to move forward- for example, cycling is low-emissions, affordable and accessible but the current city pathways and routes don't allow safe cycling for the majority of people. If we changed that, the makeup of our transport would change- the cycling boom evidenced in the lockdown is proof of this. We are only wedded to the old ways of doing things because our systems have been designed around living this way.

2020 is on track to be the hottest year ever. The ice caps are still melting, huge parts of the world are still experiencing record droughts and we are in a pandemic that has most likely been caused by man intruding too much on nature. These things have not stopped because of Covid-19 and they will only become more pressing with every year that goes by. This is the world our children will inherit and good governance dictates that we should leave it in a healthy state. Please, centre our thinking around managing threats and opportunities well into the future, not just now. Council must address risk across the board, and ensure that our buildings, public spaces and transportation systems are operating in the interest of broader social priorities.

Appendix 2

Jo Wrigley (representing Go Eco) written submission to item 9 (Progress Report on the Climate Change Action Plan).



Ka ora te whenua; Ka ora te tangata.
Healthy Environments, Thriving Communities.

April 29, 2020.

To the Mayor, Councillors and Māngai Māori,

We submit in response to the progress report on the Climate Plan and in general support of the Student Environment Leaders statement and in acknowledgement of the opportunity and economic urgency as a result of Covid-19.

As per our previous submissions, we take this opportunity to reiterate that we believe the council holds a leadership role in honouring Te Tiriti and ensuring the inclusion of mana whenua in their role as kaitiaki. Alongside this Council have a duty to consult and collaborate with communities in regard to plans. We suggest that the Council works with Te Ha o Te Whenua to intentionally include mana whenua rangatahi in their communications and engagement for all of the wellbeing, today however we refer specifically to informing the Climate Plan.

We note the timeframe for completing community conversations and reporting back to the Council is June 30th. This timeframe will shorten significantly if it is conditional upon level 2 social conditions. We look forward to notification of community stakeholder hui that utilises technology as a means of ensuring there are no further delays.

As previously noted, climate action includes many economic opportunities for transitioning as a carbon zero city. The shovel ready project submissions highlighted this Council's willingness to capitalise on funding opportunities that support progressing low carbon transitions. The future burden of these decisions will sit with rangatahi and we explicitly request that rangatahi voices are included in future economic development for climate outcomes.

The economic impact of Covid19 also means (in our view) that the Hamilton City Council Climate Plan must include a workstream that supports new employment and training within the opportunity for economic development from Climate Action. We look forward to the establishment of a community forum to further explore these opportunities.

Ngā mihi nui ki a koutou,

Jo Wrigley
Go Eco.

188 Commerce St, Hamilton 3204
www.goeco.org.nz
Ph: 07 839 4452
hello@goeco.org.nz



Appendix 3

Elected Member Briefing Notes – 2 April 2020 – Closed

Time and date:	2.03pm, 2020
Venue:	Audio Visual Meeting via Zoom
In Attendance:	Mayor Southgate, Deputy Mayor Taylor, Councillors Bunting, Forsyth, Gallagher, Hamilton, Macpherson, Naidoo-Rauf, O’Leary, Pascoe, Thomson, van Oosten, Whetu, and Wilson.
Apology for Full Session:	Maanagi Hill, Thompson-Evans, and Te Ua.

Discussion

The briefing session covered the following topics in a closed session.

- Government Stimulus Package

There were a number of key points arising from the discussion:

1. **Government Stimulus Package**
(Presentation was provided)

The Executive Director Special Projects explained that the purpose of the presentation was to provide an overview of process being completed in order to secure government funding for local projects, as well as receive advice from Elected Members in regard to the Initiatives being put forward. The post-Covid19 focus of central government is to create jobs, encouragement of infrastructure construction as stimulus to build economy, and encourage the economic multiplier effect.

MP Jaime Strange signalled support towards the initiatives which are being put forwards for funding and outlined the expectations from Central Government concerning stimulus projects.

Members asked questions in relation to the following:

- Potential stimulus projects, including applications being made by other councils and the effect on Hamilton
- Expectations from Central Government concerning certain types of projects
- The application process, including criteria and timeframes
- Central Government commitment once initiatives are approved
- Risks to Council based on proposed stimulus projects
- Possibility of extending the local government debt capacity
- Inclusion of Future Waikato Plan and inclusion of external funding
- Constraints in relations to proposed stimulus projects
- Impact of already allocated funding to projects

Appendix 4

Elected Member Briefing Notes – 14 April 2020 – Closed

Time and date:	1.06pm 14 April 2020
Venue:	Zoom Audio-Visual Meeting
In Attendance:	Mayor Southgate, Deputy Mayor Taylor, Crs Bunting, Forsyth, Gallagher, Hamilton, Macpherson, Naidoo-Rauf, O’Leary, Pascoe, Thomson, van Oosten, and Wilson
Apology for Full Session:	Maangai Hill, Te Ua, Thompson-Evans and Whetu.

Discussion

The briefing session covered the following topics in a closed session.

- Financial Strategy and Rates discussion

There were a number of key points arising from the discussion:

1. Financial Strategy and Rates discussion (Presentation was provided)

The General Manager of Strategy and Communications explained that the purpose of the presentation was to inform Members of the latest financial position and potential post-Covid-19 scenarios, as well as seek direction on any rates scenarios to take forward for consultation in the Annual Plan.

Members asked questions in relation to the following:

- Ability to adjust funding allocated to projects within Annual Plan or Long-Term Plan
- Debt to Revenue ratio
- Amendments to variances and contracts
- Long term forecast, and modelling based on a gradual return to normal
- Recuperation of income reductions and development revenue
- Options of Central Government funding of projects
- Considerations of the impact of the slower growth and less revenue in the Long-Term Plan
- Impact of a slowing of population growth
- Drop in house prices and impact on rates revenue
- Annual Plan dates and ability to amend these dates
- Housing yield and affordability
- Options to create development which is affordable
- Employment opportunities and forecast for locals
- Options that would best aid local businesses

Staff Action: Staff undertook to establish if potential annual plan dates could be changed to enable more time for Member engagement.