

Minutes of a meeting of the City Development Committee — OPEN

Time and date:	9.30am, Tuesday, 28 October 2008.
Venue:	No. 1 Committee Room, 1 st Floor, Council Building, Garden Place, Hamilton.
Committee Members:	Councillors G M Saunders (Chairperson) G D Chesterman J D Gower R E Hennebry P M Mahood A R O'Leary M J Westphal
In Attendance:	Councillors Bell, Di Maio, Gregory and Macpherson. Chief Executive, Deputy Chief Executive, General Manager Works & Services, Property Manager, Strategy & Research Unit Manager, Strategy & Research Team Leader, Commercial Property Team Leader, Solid Waste Engineer and Policy Analyst.
Committee Advisor:	Ms F M Yates

SECTION A: DECISIONS MADE UNDER DELEGATED AUTHORITY FOR NOTING BY THE COUNCIL

1. Confirming the Agenda

The Committee to confirm the agenda.

Resolved: (Crs Gower/O'Leary)
That the agenda be confirmed.

2. 13/16/26. Chairperson's Report

The Committee to receive the above report.

Resolved: (Crs Saunders/Mahood)
That the report as circulated be received.

3. 13/16/26. Council Resolution Monitoring Report

The Committee to receive the above report.

Resolved: (Crs Westphal/Gower)
That the report as circulated be received.

4. 13/1. Draft Public Places Policy

The Committee to consider a report and recommendations from the General Manager Environmental Services.

Motion: (Crs Westphal/Saunders)
That:

- a) the report as circulated be received,
- b) the draft Public Places Policy (Appendix 1 in the report before the Committee) be adopted for the special consultative procedure under section 87(2)(a) of the Local Government Act 2002,
- c) the draft Public Places Policy be consulted on in conjunction with the proposed Public Places Bylaw (Appendix 2 in the report before the Committee), Statement of Proposal and Summary of Information (Appendix 3 in the report before the Committee),
- d) given that November-December are high volume trading months, the consultation period be extended to 2 months (Monday, 10 November to Tuesday, 20 January) to allow retailers and restaurant owners/operators sufficient time to understand the proposed bylaw and policy and make a response,
- e) subject to the special consultative procedure and subsequent adoption, the Public Places Bylaw 2008 and Public Places Policy come into force on 1 July 2009,
- f) Council consider the opportunities to align the conditions relating to outdoor dining areas in the Licensed Premises Policy with the Public Places Policy, following the conclusion of the six month trial. This may require a further extension of the trial period until the new Public Places Policy comes into force,
- g) the fees relating to or required by the Public Places Policy be reviewed as part of the LTCCP process,
- h) staff consult with the mobile shop vendor located in Civic Plaza area concerning the implications of the draft policy and report back, and
- i) Section 9: Conditions for Busking, Hawking and Charitable Donations of the Draft Public Places Policy - Point 9.1.1, I. be amended to read:
 - I. *No busker shall impede or inconvenience the flow of pedestrians and customers.*

5. 50/20. Tamahere Eventide Home Trust — Wastewater & Water Services

The Committee to consider a report and recommendations from the General Manager Works & Services.

Motion: (Crs Westphal/Gower)
That:

- a) the report as circulated be received,
- b) the request from The Tamahere Eventide Home Trust to increase the quantity of wastewater discharged to the City's collection and treatment system be declined at this time until the Future Proof Strategy has been completed, and
- c) the Tamahere Eventide Home Trust be advised that any decision to supply an increased quantity of water to its expanded development is one for Waikato District Council to make within the context of the "Water Supply Agreement between Hamilton City Council and Waikato District Council", and in particular the terms of the Agreement that specify maximum daily water supply.

The Motion was declared carried on the voices as the Committee's recommendation for adoption by the Council.

Official Information and Meetings Act 1987

Resolved: (Crs Gower/Mahood)

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 are as 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
1. Organic Waste) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987)	Section 48 (1) (a)

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 the relevant part of the proceedings of the meeting in public are as follows:

Item 1.	To prevent the disclosure or use of official information for improper gain or improper advantage and to enable Council to carry out commercial activities.	Section 7 (2) (j) Section 7 (2) (h)
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The above minutes of a meeting of the City Development Committee before the Council.

Resolved: (Crs Saunders/Hennebry)

That the decisions in Section A be noted and the recommendations in Section B be adopted.