

Minutes of a meeting of the
City Development Committee — OPEN

- Time and date: 9.30am, Tuesday, 15 September 2009.
- Venue: No. 1 Committee Room, 1st Floor, Council Building, Garden Place, Hamilton.
- Committee Members: Councillors G M Saunders (Chairperson)
G D Chesterman
J R Gower
R E Hennebry
P M Mahood
A R O'Leary
M J Westphal
- In Attendance: Councillors Bell and Di Maio.
Chief Executive, Deputy Chief Executive, General Manager Communication & Marketing, General Manager Works & Services, Acting General Manager City Planning & Environmental Services, Building Control Manager, City Safe Unit Manager, Strategy & Research Unit Manager, Strategic Land Manager, Property Unit Manager, Property Portfolio Manager, Senior Development Engineer, City Strategy Team Leader, Technical Leader and Strategic Advisor.
- 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/Mahood)
That the agenda be confirmed.

2. **13/16/26. Chairperson's Report**
The Committee to receive the above report.

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

3. **13/16/26. Council Resolution Monitoring Report**
The Committee to receive the above report.

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

4. 13/16/22-1. Event Sponsorship Subcommittee

The Committee to receive the open minutes of meetings of the Event Sponsorship Subcommittee held on 30 July 2009 and 28 August 2009.

Resolved: (Crs Westphal/Mahood)
That the minutes as circulated be received.

5. 13/16/26. River Tourism Study

The Committee to consider a report and recommendations from the General Manager Communication & Marketing

Resolved: (Crs Gower/Chesterman)
That:

- a) the report as circulated be received,
- b) the City Development Committee accepts the proposal from Campbell Consulting to complete the River Tourism Study, and
- c) the \$10,000 required from Council for the study is funded from the Economic Development Promotion Fund.

6. 7/1. Public Art Funding Options and District Plan Incentives

The Committee to consider a report and recommendations from the Deputy Chief Executive.

Resolved: (Crs Chesterman/Mahood)
That:

- a) the report as circulated be received,
- b) Council's review of its District Plan considers options for enabling and incentivising public art, and
- c) options for a 'Percent for Art' scheme be investigated further prior to the 2012-22 LTCCP.

SECTION B: RECOMMENDATIONS OF THE COMMITTEE FOR ADOPTION BY THE COUNCIL

The following items (7 and 8) were taken out of order to accommodate the attendance of the submitters/petitioners.

7. 13/1 & 13/19. Submissions on the Proposed Dog Control Policy, Dog Control Bylaw 2009 and Amendment to the Parks, Domains and Reserves Bylaw 2007

The Committee to hear a submission and consider a report and recommendations from the General Manager City Planning & Environmental Services.

Mrs Stephanie Holmes was in attendance make a verbal submission. Supports the bylaw but believes it could contain more information such as advice on minimum standards for accommodation and care of dogs and an acceptable minimum age of a person exercising a dog in public. In the proposed policy, is disappointed to see the disappearance of: “to achieve a dog friendly city” in the objective and the removal of statements about creating dog swimming areas, creating fenced exercise areas, ‘Dog Day’ afternoon and ‘selected owner’ categories to encourage responsible dog ownership.

Recommended: (Crs Mahood/Chesterman)

That:

- a) the report as circulated be received,
- b) for the reasons outlined in the report before the Committee and the Submissions Analysis Report (Appendix 1) attached, that the Dog Control Bylaw 2004 be revoked and replaced with the Dog Control Bylaw 2009, and that the Parks, Domains and Reserves Bylaw 2007 be amended with the removal of clause 8.1,
- c) the Dog Control Policy 1997 be amended in accordance with the Dog Control Policy 2009,
- d) the amendment to the proposed Dog Control Bylaw 2009 (schedule 1) and Dog Control Policy 2009 (Schedule 1) be adopted; [NB: adding Claudelands Park to schedule 1 of both the Policy and the Bylaw],
- e) the Dog Control Policy 2009, the Dog Control Bylaw 2009, and the amended Parks, Reserves and Domains Bylaw 2007 be adopted,
- f) the Dog Control Policy 2009, the Dog Control Bylaw 2009, and the amended Parks, Domains and Reserves Bylaw 2007 shall come into force on 25 September 2009, and
- g) the submitters be thanked for their time and input.

8. 40/4/G11. Grandview Shopping Complex — Public Toilets

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

Ms Nicki Spring, Western Community Centre, was in attendance and addressed the Committee. Ms Spring's presentation included a short DVD of 11 members of the public of all ages requesting the provision of public toilets at the Grandview Shopping Complex.

Motion: (Crs Mahood/Gower)
That:

- a) the report as circulated be received,
- b) staff be asked to investigate all options and report to the Community & Environment Committee as soon as possible, and
- c) the provision of public toilets in shopping complexes/centres be included in the District Plan Review.

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

9. 13/16/26. Business Improvement District (BID) Update

The Committee to consider a report and recommendations from the General Manager Communication & Marketing.

Motion: (Crs Mahood/Chesterman)
That:

- a) the report as circulated be received, and
- b) the Business Improvement District (BID) report quarterly to the City Development Committee.

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

10. 290/C99. Stopping of Part of North City Road (previously Cate Road)

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

Recommended: (Crs Hennebry/Westphal)
That:

- a) the report as circulated be received,
- b) pursuant to the provisions of Section 116 of the Public Works Act 1981, Council approves the stopping of that part of Cate Road shown as Section 1, SO 408278, in the report before the Committee,
- c) pursuant to the provisions of Section 117(3) (b) of the Public Works Act 1981, Council certifies that it considers it equitable to amalgamate the stopped road with adjoining land owned by CDL Land New Zealand Limited in certificate of title 292157, and

- d) Council approves the disposal of Section 1, SO 408278, to CDL Land New Zealand Limited without payment but subject to all costs associated with road stopping, including survey and the passing of title, being met by CDL Land New Zealand Limited.

11. 290/S79. Sylvester Road Stopping

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

Recommended: (Crs Chesterman/Westphal)

That:

- a) the report as circulated be received,
- b) pursuant to the provisions of Section 342 of the Local Government Act 1974, Council stops those portions of Sylvester Road shown as G, H, J and K on McPherson Goodwin Plan Number 15012 attached in the report before the Committee subject to:
 - i. production of an approved Survey Office plan,
 - ii. the giving of public notice and on the basis that no objections are received, and
- c) the Chief Executive be authorized under the provisions of Section 345 of the Local Government Act 1974 to execute documentation to give effect to the disposal of G, H and K in accordance with Councils Land Disposal Policy as follows:
 - i. the disposal of G to the owner of Lot 1, DP S90340 by way of amalgamation with the land in Certificate of Title 71C/789,
 - ii. the disposal of H to the owner of Lot 2, DP S90340 by way of amalgamation with the land in CT 71C/789,
 - iii. the disposal of K to the owner of Lot 153, DP 406714 by way of amalgamation with the land in CT 423527, and
- d) the Chief Executive be authorized to execute documentation to give effect to the subsequent declaration of J as local purpose (accessway) reserve under the provisions of Section 14 of the Reserves Act 1977.

12. 50/11. Melville Bar & Grill — Wastewater, Stormwater & Water Supply Services

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

Recommended: (Crs Hennebry/Chesterman)

That:

- a) the report as circulated be received, and
- b) the request from Five Brothers Limited to utilise existing water supply, wastewater and stormwater drainage services for the purposes of operating a Bar & Grill business at the Melville Rugby Club site located at 127 Collins Road be declined at this stage.

13. Resolution to Exclude the Public

Section 48, Local Government 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. Event Sponsorship Subcommittee Minutes 30 July 2009 & 28 August 2009) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48 (1) (a)
2. Variation 15 — LDS v Hamilton City Council - Environmental Court Appeal)	
3. Domain Endowment Lease - Freeholding — 37 Sillary Street)	
4. Land Purchase Update - Ruakura Road)	

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 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 2	On the grounds that a right of appeal lies to any Court or Tribunal against the final decision of the Local Authority in this matter.	Section 7 (2) (a) (i)
Item 3	To enable Council to carry out negotiations	Section 7 (2) (i)
Item 4	To enable Council to carry out negotiations	Section 7 (2) (i)

Committee Minutes

The following minutes are attached:

Event Sponsorship Subcommittee 30 July 2009

Event Sponsorship Subcommittee28 August 2009

Minutes of a meeting of the

Event Sponsorship Subcommittee — OPEN

Time and date: 12.55pm, Thursday, 30 July 2009.

Venue: Council Chamber Meeting Room, 1st Floor, Council Building, Garden Place, Hamilton.

Committee Members: Cr K L H Gregory (Chairperson)
Cr A R O'Leary
Mr Phillip Burton
Mr Paul Goddard
Ms Jeanette Tyrrell

Committee Advisors: Mrs S D Collins

In Attendance: Sponsorship & Events Marketing Manager

SECTION A: DECISIONS MADE UNDER DELEGATED AUTHORITY FOR NOTING BY THE CITY DEVELOPMENT COMMITTEE

A. Appointment of Acting Chairperson

The Subcommittee to appoint a Chairperson.

Resolved: (Cr O'Leary/Mr Goddard)
That Councillor Gregory be appointed as Chairperson.

B. Confirmation of Agenda

The Subcommittee to confirm the agenda.

Resolved: (Cr O'Leary/Ms Tyrrell)
That the agenda be confirmed

C. Exclusion of the Public

Section 48, Local Government Official Information and Meetings Act 1987

Resolved: (Ms Tyrrell/Mr Goddard)

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda noting that Messrs Taylor, Hamill, Ingle and Ms Gage-Brown be permitted to be permitted to be in attendance at this meeting after the public has been excluded for item B (only) due to their knowledge of the Gallagher Great Race.

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.
A. Event Executive's November 2008 Report) Good reason to withhold information exists under Section 7 Local Government	Section 48 (1) (a)
B. Sponsorship Applications) Official Information and Meetings Act 1987.	

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 A.	To enable Council to carry out negotiations.	Section 7 (2) (h)
Item B.	To enable Council to carry out negotiations.	Section 7 (2) (h)

Minutes of a meeting of the

Event Sponsorship Subcommittee — OPEN

Time and date:	9.30am, Friday, 28 August 2009.
Venue:	Council Chamber, 1 st Floor, Council Building, Garden Place, Hamilton.
Committee Members:	Cr K L H Gregory (Chairperson) Mr Phillip Burton Mr Paul Goddard Ms Jeanette Tyrrell
Committee Advisors:	Mrs S D Collins
In Attendance:	Sponsorship & Events Marketing Manager
Apology:	Councillor O'Leary
Resolved:	(Messrs Burton/Goddard) That the apology be accepted.

SECTION A: DECISIONS MADE UNDER DELEGATED AUTHORITY FOR NOTING BY THE CITY DEVELOPMENT COMMITTEE

A. Confirmation of Agenda

The Subcommittee to confirm the agenda.

Resolved: (Cr Gregory/Ms Tyrrell)
That the agenda be confirmed

B. Exclusion of the Public

Section 48, Local Government Official Information and Meetings Act 1987

Resolved: (Mr Goddard/Cr Gregory)

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda noting that Mr Dale of the Parachute Event, Ms Bettle and Mr William of the Hamilton Gardens Festival, Ms Connell, Ms Morine and Mr Makgill of Balloons over Waikato, Mr Latham of the FUEL Festival and Ms Glaser and Mrs Leggatt of the Hamilton City Christmas Parade be permitted to be in attendance at this meeting after the public has been excluded for their particular item (only) due to their knowledge of the events taking place.

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.
A. Sponsorship Applications	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 A.	To enable Council to carry out negotiations.	Section 7 (2) (h)
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