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## **Council Kaunhera OPEN MINUTES**

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**Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton and via audio visual link on Thursday 6 August 2020 at 9.31am.**

### **PRESENT**

<b>Chairperson</b>	Mayor P Southgate
<b><i>Heamana</i></b>	
<b>Deputy Chairperson</b>	Deputy Mayor G Taylor
<b><i>Heamana Tuarua</i></b>	
<b>Members</b>	Cr M Bunting Cr M Forsyth – Audio/visual link Cr M Gallagher Cr R Hamilton – Audio/visual link Cr D Macpherson Cr K Naidoo-Rauf Cr A O’Leary Cr R Pascoe Cr S Thomson Cr M van Oosten Cr E Wilson – Audio/visual link

**In Attendance:** Richard Briggs - Chief Executive  
Sean Hickey – General Manager Strategy and Communications  
Eeva-Liisa Wright – General Manager Infrastructure Operations  
Jen Baird - General Manager City Growth  
Chris Allen – General Manager Development  
David Bryant – General Manager Corporate  
Blair Bowcott – Executive Director Special Projects  
Louise Lukin – Director of the CE’s Office  
Luke O’Dwyer - City Planning Manager  
Julie Clausen – Unit Manager Strategy and Corporate Planning  
Julie Ambury – Corporate Planning Manager  
James Clarke – Director of the Mayor’s Office  
Natalie Palmer - Unit Manager Communications and Marketing  
Dan Silvertown – Communication and Engagement Advisor  
Tony Denton – Infrastructure Planning Team Leader

**Governance Staff:** Becca Brooke – Governance Manager  
Amy Viggers – Governance Team Leader  
Carmen Fortin and Tyler Gaukrodger – Governance Advisor

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*The meeting was opened with a karakia from Tame Pokaia.*

**1. Apologies – *Tono aroha***

**Resolved:** (Mayor Southgate/Deputy Mayor Taylor)  
That the apologies for early departure from Cr Pascoe are accepted.

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

**Resolved:** (Mayor Southgate/Deputy Mayor Taylor)  
That the agenda is confirmed, noting that Item 9 (Electoral System Review – 2020) is to be taken between 10.00am and 12.00pm.

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

Cr Bunting declared an interest in item 9 (Electoral System Review – 2020), but noted that he was not conflicted, and would take part discussion and vote on the matter.

**4. Public Forum – *Aatea koorero***

**Daphne Bell** spoke to item 9 (Electoral System Review – 2020) in support of Hamilton City Council moving to Single Transferrable Vote (STV). She congratulated staff for the engagement that occurred with the community and outlined her reason for supporting a change to STV.

**Roger Stratford** spoke to item 9 (Electoral System Review – 2020) in support of Option 1 included in the staff report, which was continue with First Past the Post (FPP) which is the current status quo.

**Priya Kurian** (University of Waikato political scientist) spoke to item 9 (Electoral System Review – 2020) in support of moving to Single Transferrable Vote (STV). She that there were a number of benefits of STV. She responded to questions from Elected Members concerning wards vs at large and research on STV vs FPP, the engagement undertaken by staff and understanding of the systems in the community.

**Kelli Pike** spoke to item 9 (Electoral System Review – 2020) in support of a change to Single Transferrable Vote (STV), and noted that the change would likely increase participation and engagement with the Community.

**Robert Moore** spoke to item 9 (Electoral System Review – 2020) in support of a change to Single Transferrable Vote (STV). He responded to questions from Elected Members concerning the poll undertaken in 2013 on electoral systems and whether increased diversity could be achieved via STV.

**Geoff Kreegher** spoke to item 9 (Electoral System Review – 2020) and suggested that it would be better to consider a 'at large' system prior to making a decision on a voting system.

**Russell O Armitage** spoke to item 9 (Electoral System Review – 2020) in support of Single Transferrable Vote (STV).

Written submissions were received from the following members of public Priya Kurian, Paul A. Barlow, Kelli Pike, Daphne Bell and Michelle Howie. These submission were circulated to Elected Members prior to the meeting and are attached to the minutes of the meeting as **appendix 1,2,3,4 and 5**.

Item 9 (Electoral System Review – 2020) was taken following Item 4 (Public Forum) to accommodate External Presenters.

**9. Electoral System Review – 2020**

The Governance Manager outlined the purpose of the report, legislative requirements that Elected

Members must consider when making this decision. She introduced Dan Silverton, Communication and Engagement Advisor, Janine Haywood, Otago University Political Science professor, and Dale Ofsoske, Council's Electoral Officer. They responded to questions from Elected Members concerning a polls variations, advantages and disadvantages of both electoral systems, costs of running a STV election, representation review process, election results release times, community education.

**Staff action:** *Staff undertook to provide Elected Members with information concerning the most recent representation review, and the process to undertake a further review.*

**Motion:** (Cr O'Leary/Cr van Oosten)

That the Council:

- a) approves to change the electoral system to the **Single Transferable Voting (STV)** system for the 2022 and 2025 triennial elections; and
- b) notes that public notice will be given by 19 September 2020 of the decision, and the right of electors to demand a poll on the electoral system to be used by Hamilton for the next two triennial elections (2022 and 2025).

**Amendment:** (Deputy Mayor Taylor/Cr Bunting)

That the Council:

- a) approves to continue with the FFP electoral system and that a poll of electors will be undertaken as part of the 2022 triennial election to determine the electoral system to be used for the 2025 and 2028 triennial elections; and
- b) notes that public notice will be given by 19 September 2020 of the decision, and the right of electors to demand a poll on the electoral system to be used by Hamilton for the next two triennial elections (2022 and 2025).

**The Amendment was put.**

**Those for the Amendment:** Deputy Mayor Taylor, Councillors Pascoe, Bunting, Hamilton and Forsyth.

**Those against the Amendment:** Mayor Southgate, Councillors Gallagher, O'Leary, Macpherson, Naidoo-Rauf, van Oosten, Thomson and Wilson.

**The Amendment was declared LOST.**

**The motion was then put and declared CARRIED.**

**Resolved:** (Cr O'Leary/Cr van Oosten)

That the Council:

- a) approves to change the electoral system to the **Single Transferable Voting (STV)** system for the 2022 and 2025 triennial elections; and
- b) notes that public notice will be given by 19 September 2020 of the decision, and the right of electors to demand a poll on the electoral system to be used by Hamilton for the next two triennial elections (2022 and 2025).

**Cr Pascoe and Cr Forsyth Dissenting.**

**The meeting adjourned 11.27am to 11.45pm during the above item.**

**The meeting was adjourned 12.50pm to 2.00pm at the conclusion of the above item.**

*Cr Hamilton retired from the meeting during the above adjournment at the conclusion of the above item.*

*Mayor Southgate left the meeting during the above adjournment. Deputy Mayor Taylor assumed the role of Chair.*

**5. Confirmation of the Council Open Minutes of 25 June 2020**

**Resolved:** (Cr Bunting/Cr Wilson)

That the Council confirm the Open Minutes of the Council Meeting held on 25 June 2020 as a true and correct record.

**6. Confirmation of Elected Member Open Briefing Notes - 17 June 2020**

**Resolved:** (Deputy Mayor Taylor/Cr Wilson)

That the Council confirm the Open Notes of the Elected Member Briefing held on 17 June 2020 as a true and correct record.

*Item 8 (Update on the Long Term Plan and Community Engagement) was taken after item 6 (Confirmation of Elected Member Open Briefing Notes - 17 June 2020) to accommodate staff availability.*

**8. Update on the Long Term Plan and Community Engagement**

The Corporate Planning Manager provided Elected Members with an outline of the 2021-31 Long Term Plan and Community Engagement timeline. She responded to questions from Elected Members concerning the timeline for feedback on the state of activities, how and when the Draft 2021-31 Long Term Plan will be made accessible to the community during the engagement period, the inclusion of backup dates in case further meetings are required and the consultation plan.

**Resolved:** (Deputy Mayor Taylor/Mayor Southgate)

That the Council:

- a) receives the report; and
- b) notes that the content of this report satisfies the requirement to deliver a Long-Term Plan programme/timetable for adoption by the Council for the 2021-2031 period.

*Mayor Southgate re-joined the meeting (2.15pm) during the discussion of the above item. She was present when the matter was voted on. She resumed the role of Chair at the conclusion of the above item.*

**5. Chair's Report**

The Chair took the report as read. She responded to questions from Elected Members concerning the Founders Theatre site engagement process, options, and when the proposed further engagement would occur.

**Staff Action:** *Staff undertook to provide Members with an update on the potential options for development of the Founders Theatre site.*

**Resolved:** (Deputy Mayor Taylor/Mayor Southgate)

That the Council receives the report.

**10. 2020 LGNZ Remits for Consideration**

The report was taken as read.

**Resolved:** (Mayor Southgate/Deputy Mayor Taylor)

That the Council:

- a) receives the report;
- b) notes that the Council has indicated **support** for the following remits to be voted on at the 2020 Local Government NZ AGM and that the delegate will duly take into consideration additional information received on the day:
  1. Public transport support
  2. Housing affordability
  3. Returning GST on rates for councils to spend on infrastructure
  4. Natural hazards and climate change adaptation
  6. Local Government electoral cycle
  7. Water bottling
  8. Quorum when attending local authority meetings
  9. Use of macrons by local authorities
  10. Rates rebates for low income property owners
  11. Local Government's CO2 emissions
- c) notes that the Council has indicated to **not support** the following remit to be voted on at the 2020 Local Government NZ AGM, and that the delegate will duly take into consideration additional information received on the day:
  5. Annual regional balance of transfers'

**11. Open Recommendations from Committees to the Council**

The report was taken as read.

**Risk Management Policy Review**

**Resolved:** (Cr Pascoe/Mayor Southgate)

That the Council approves the amended Risk Management Policy (attachment 1 of the staff report).

**Waste Management and Minimisation Bylaw 2019 – Service Controls.**

**Resolved:** (Cr O'Leary/Cr Gallagher)

That the Council:

- a) approves the specification of the following controls for the matters in relation to the collection, transportation, or disposal of waste from any property in accordance with clause 4.1 and clause 5.15 of the Waste Management and Minimisation Bylaw 2019:
  - i. Clause 5.15.d - The maximum number of hours prior to or following the collection period that a container may be placed in a public place:

**Specified Bylaw Control:**

Other than as specified in conditions set by Council in any written approval or licence to collect waste from a public place as per the Waste Management and Minimisation Bylaw 2019, no container may;

- Be placed in a public place for collection more than 14 hours prior to the commencement of the collection period.
- Be left in a public place for more than 14 hours after the collection period ends.

- ii. Clause 5.15.e - The maximum weight of waste put in individual containers:

Specified Bylaw Control:

For Council provided services that the maximum weight allowed in approved containers is;

- 120 litre rubbish bin – 40 Kg of refuse
- 240 litre recycling bin – 40 Kg of dry recyclable material
- Glass crate – 20 Kg of glass bottles or jars
- Food scraps bin – 15 Kg of organic material

For non-standard approved containers;

- The General Manager Infrastructure Operations is delegated to approve the maximum weight that may be set for non-standard approved containers.

- b) notes that the specified bylaw controls will be made available to the public as a document on the Hamilton City Council website alongside the Waste Management and Minimisation Bylaw 2019; and
- c) notes that communication of the specified bylaw controls will be completed using a public notice as required by clause 4.1a of the Waste Management and Minimisation Bylaw 2019.

## 12. Ruakura Transport

The General Manager Development introduced the report, and outlined the scope of the project. Staff responded to questions concerning timing for the project, future proofing the design, cycleways, public transport opportunities that could be included in the design and congestion concerns. Staff advised that there would be a report to the Strategic Growth Committee that would address concerns raised by Elected Members.

**Resolved:** (Cr Bunting/Cr Thomson)

That the Council:

- a) receive the report;
- b) approves the macroscope of the Ruakura Road urban upgrade project as set out in this report;
- c) approves the Ruakura Road urban upgrade project business case for submission to Waka Kotahi NZTA to seek project financial assistance; and
- d) approves the macroscope of the Ruakura Spine Road connection between Silverdale Road and the Waikato Expressway Ruakura Interchange.

*Cr Pascoe retired from the meeting (3.42pm) during the discussion of the above item. He was not present when the matter was voted on.*

*Cr O'Leary left the meeting (3.41pm) during the discussion of the above item. She was not present when the matter was voted on.*

## 13. Resolution to Exclude the Public

**Resolved:** (Cr Bunting/Deputy Mayor Taylor)

**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 25 June 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 Elected Member Closed Briefing Notes - 18 June 2020		
C3. Ruakura Transport - Funding Agreement Ruakura Road West		
C4. 2020 LGNZ President and Vice President nominations - For consideration		

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 enable Council to carry out negotiations	Section 7 (2) (i)
Item C4.	to protect the privacy of natural persons to maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (a) Section 7 (2) (f) (ii) Section 7 (2) (j)

**The meeting went into a public excluded session at 3.55pm**

**The meeting was declared closed at 4.49pm.**

## Appendix 1 – Public Forum Written Submission

Tena koutou Mayor Southgate and Councillors of Hamilton City Council

My name is Priya Kurian and I am Professor of Political Science and Public Policy at the University of Waikato, Hamilton. As a political scientist with a specific interest in democratic politics and public engagement, I believe that there is overwhelming evidence to support switching Hamilton's electoral system for city council elections to the Single Transferable Vote (STV) system.

There are strong reasons to support this change from the current First Past the Post (FPP) system, as listed below:

1. **It is more democratic:** STV is a proportional representation system, unlike FPP. This means that results from STV are much closer to reflecting the will of a majority of the voters. This makes the process fairer and more legitimate than FPP. In the case of mayoral elections, STV ensures that a majority of voters elects the mayor, which is not automatically the case with FPP.
2. **Fewer votes are wasted:** Under the STV, fewer votes are "wasted". This is because seats are awarded proportionally rather than a "winner takes all" scenario as is the case with FPP.
3. **Better accountability and local representation:** Because of the above two factors, decision making under STV is reflective of much better local representation and accountability.

I offer a more detailed explanation of each of the systems, and what a switch to STV can achieve.

In **FPP**, a voter identifies a preferred candidate from a list of candidates by putting a tick against the candidate's name, and the candidate with the most votes will win the seat. This can result in a situation where a candidate who got, say, 35% of the votes will be declared the winner even though 65% of the voters opted for other candidates. In this sense, the votes of the 65% (i.e., the majority of voters) are wasted, as they are not taken into account in determining the winner.

In addition, under FPP, if you have a homogeneous bloc of voters who constitute 30-40% of the population, and who tend to vote alike, you will end up with successful candidates who closely resemble that bloc. In NZ this has meant that successful candidates tend to be male, pākeha, middle-aged, and wealthy.

In **STV**, each voter has a single vote and voters get to rank candidates (1, 2, 3, etc.) in the order of their preference. Candidates do not need to get a majority of votes to be elected. Instead, they need to get a certain 'quota' of votes. Because candidates do not need a majority, it is possible to have minority views represented.

That quota is calculated by dividing the total number of valid ballots by the total number of seats plus one. For example, if there were 200 ballots and 4 seats, then the quota is  $200 \div (4+1) = 40$ .

If a voter's top-ranked candidate does not get enough votes to be elected, the vote will keep moving down the list until it reaches a candidate who needs the vote to get elected.

STV is thus a system, which broadly speaking, reflects the preferences of the entire voting public.

It is obviously a little more complicated than FPP, but voters do not need to understand the nuts and bolts of the calculations in order to rank candidates according to their preference.

**Implications of STV for the constitution of the council:**

The STV voting system, much more than the FPP system, respects individual voter preferences. In a diverse society, with voters who have a range of political opinions, values and perspectives, the electoral outcomes of STV are likely to reflect that diversity. Of course, a critical issue is that people still need to turn out to vote – STV cannot automatically fix that, but no matter what the turnout, the resulting Council and Mayor will reflect the wishes of the majority of people who did vote.

It is also the case that where voters have greater confidence that an elected body is likely to be responsive to their concerns and needs, they are more likely to want to vote.

Given the clear advantages of STV, I urge you to support a switch to the STV system for Hamilton city.

Kind regards

Priya Kurian

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## **Appendix 2 – Public Forum Written Submission**

Our Prime Minister once said “yes, we need a strong democracy but you can be robust and you can be kind” – What STV does is offer both robustness to the democratic process and kindness to voters by using a proportional system that allows them to better create a council that truly represents their many and varied perspectives.

As an elected body, I understand the challenge this choice between STV and FPP means for you all – on one hand change is daunting, it can be upsetting, confusing and result in an unknown future that you may not like. It’s touted as new and confusing but ranking things is something humans have been doing forever and this allows more room for strategic campaigning and voting.

Plurality voting is seemingly easier to navigate in that respect, you don’t need to campaign to show how well you can work with each other, you just need to get more votes than the next person. And almost every elected member around the council table has told me over the past few years how that plurality voting got people elected to Council who not only clashed ideologically with them but made the city look bad, made people question how stupid Hamiltonians must be to have voted them in and gave them platforms for perspectives that many of you know were dangerous, stupid or wrong – and history is littered with names of those that have benefited from this system – Hitler, Trump and Henry for example.

STV changes the game enough to limit the chances of that happening again. It creates opportunity for discussion around working as a group for the betterment of the city, it has more proportional results meaning more of the city voters feel they are represented around the table. It’s not about saying you’re not doing your job, you don’t represent people – it’s about making sure you can say that with more confidence and a stronger mandate.

As an elected body, you can really lead by example here – you have institutions full of forward thinkers, creating new ways to look at the world, a world that is vastly different to what we expected even 6 months ago. Hamilton City has a chance to put it’s stamp on change, to lead the way into a future where everyone feels counted, where everyone feels like part of the team by making sure everyone has a say in the Council and those who have been privileged enough to represent the voters.

So when the vote comes up, be brave, be bold and be kind – show the voters you have vision for the future of the city and that they are very much a part of that vision – vote yes to STV.

Paul A. Barlow

**Appendix 3 – Public Forum Written Submission**

Mayor and councillors,

In several recent HCC elections successful mayoral candidates have received around a third of the votes with two thirds of the voters supporting other candidates.

Moving to a Single Transferable Voting system would mean no more minority mayors as the successful candidate would need over 50% of the votes - either from first preferences on the initial count or by a combination of 1<sup>st</sup> and 2<sup>nd</sup> preferences so as to reach the 50% quota.

Most mayors would welcome the support of more than half of the voters; and as a result, more voters are likely to feel connected to the elected mayor.

Daphne Bell

#### **Appendix 4 – Public Forum Written Submission**

Addressed to: mayor Paula and councillors.

I'm Kelli Pike, a community advocate, podcaster and employee of Go Eco Waikato. I'm also founder of **Politics in the Tron** - a community led *movement* for Hamiltonians to 'have a voice in shaping our city' through information sharing, encouraging participation and providing a hub for connection. As a non-partisan volunteer network, we might not agree on all civic issues, but we do agree that we need to improve participation and representation so that the decisions made are in the best interests of more of us. That's why I'm advocating for STV on behalf of Politics in the Tron.

In the conversations I've had over the last few years about politics and advocacy, I find overwhelmingly that people see local councils as being 'over there' or not something we are, or can be involved in. There is a huge disconnect. When we don't understand or relate to our elected council and the people don't look like us, we don't see it. This is incredibly disappointing to me. I want to live in a city where everyone's voice matters.

During your annual plan / covid recovery budget, attention was drawn to how narrow the demographic representation was in submissions received. I don't need to tell you who is and isn't currently involved in decision making in this city. It's important to remember that there are lots of ways we can address that, today the choice we can make towards improving representation and participation is to change the voting system.

I think a change to the STV voting system will result in election results that are more likely to reflect the preferences of a greater number of voters. As STV maximises the number of votes that help to elect candidates, there is also a higher probability of more voters being represented by someone they voted for.

Reports and academic research you have been given to make this decision is consistent in showing that the only benefits of FPP are simplicity and familiarity. They are not good enough reasons to remain with the status quo. Please give your constituents more credit to be able to 'cope with the change in voting system'. We already did it for the DHB, and we have seen an increase in other councils.

I hear some of you want to kick the can down the road and suggest a poll either at or before the next election. I implore you to not do that. Your communications team have already run a successful (by way of reach and engagement) education campaign to seek feedback. To quote the council report "In total, more than 4100 people visited the website. Through Facebook, Instagram, and LinkedIn, the campaign was seen by 173,615 people, and 7205 engaged (i.e. commented, liked, shared or clicked) with its social media posts. On social media, the 'FPP or STV' video was viewed 7018 times. I'd like to take this opportunity to thank the governance and comms team for that work. The information presented could only be called 'fair and objective' and they managed to make it all not too boring.

They've done their job. If residents don't like your decision to change to STV, they can call a poll. But, I think you'll find when people understand the pros, and how easy it is - FPP will be a thing of the past.

I've spent hundreds of hours in a voluntary capacity informing myself, and others to be aware of the issues, how to engage, stand and vote. The less we have to contend with at an election time the better. So in fact, if there is any self-serving aspect to this submission, it's because polling at the next election will make messaging more complicated :)

Listen to the overwhelming community feedback which says we are ready for this. I'd like us to crack 48% voter turnout in two years, think that people feeling like their vote matters, that it isn't wasted and the fact that they can vote for who they want to vote for, rather than strategically will go some way to do that.

Ngaa mihi nui - thank you for reading this far.  
Kelli Pike

## Appendix 5 – Public Forum Written Submission

Teena koutou, Councillors

I am writing with a few brief views on the topic of electoral systems and your upcoming decision to consider options for our city.

Firstly I would like to thank all those involved in the excellent information campaign around the differences between FPP and STV. The range of communications used was very engaging and easy to understand, I feel. It was heartening to see good levels of engagement on social media and I hope there were a lot of responses to your citizen poll.

Noting that the decision to change from the current system to STV rests in your hands and will be decided by your votes, here follows my own thoughts on the decision you face.

I support the adoption of the STV voting system for Hamilton.

I would be very interested to see what representatives for the city are elected under this system. The way that votes are counted and their value continues to be allocated to candidates in ranked order under STV, rather than 'lost' when enough ticks get someone over the line through FPP feels more aligned to the principle of *representation*, to me.

In these times, we need to turn our gaze to models and systems that offer hope for future generations to come. A diverse and representative city council is a must-have for me. I do not have confidence that retaining the FPP system will elect the decision-makers and strategists that our city needs right now and into the future.

Change takes a while to stick and election cycles take time to embed, for new candidates to emerge and bravely stand for election. My sons are 7 and 9 years old. A move to STV would mean that three triennia from now, they might be looking at an elected council that reflects this city's fabulous diversity of voices and wisdom.

Thank you for considering my views on an important decision in 2020 that will have ramifications for our city's children, when they too are of voting (and campaigning) age.

Ngaa mihi,  
Michelle Howie

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