

Notice of Meeting:

I hereby give notice that an ordinary meeting of Hamilton City Council will be held on:

Date: Tuesday 15 December 2015
Time: 1.30pm
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Council OPEN AGENDA

Membership

Chairperson	Her Worship the Mayor J Hardaker
Deputy Chairperson	Cr G Chesterman
Members	Cr M Forsyth
	Cr M Gallagher
	Cr K Green
	Cr A King
	Cr D Macpherson
	Cr G Mallett
	Cr A O'Leary
	Cr R Pascoe
	Cr L Tooman
	Cr E Wilson
	Cr P Yeung

Quorum: A majority of members (including vacancies)

Meeting Frequency: Monthly

Jude Pani
Democracy Manager

11 December 2015
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www.hamilton.govt.nz

Terms of Reference:

- To carry out leadership functions including advocacy and facilitation on behalf of the community.
- To exercise all non-delegatable and non-delegated functions and powers of the Council.
- To make those decisions which are required by legislation to be made by resolution of the local authority.
- To consider any matters referred to it from any of the Standing or Special Committees.
- To authorise all expenditure not delegated to staff or other Committees.
- To receive the Council Risk Register and legal issues reports.
- To receive reports from the Audit & Risk Committee.
- To develop and approve the draft Long Term Plan (LTP) (including any amendments or variations) and Annual Plans (including the Budget and Funding and Financial policies); ensure their effective communication to the community; hear submissions and approve the final plan.
- To approve the Hamilton Plan and to retain overview of it through setting direction on key strategic projects and receiving regular reports on its overall achievement
- Make decisions in respect of District Plan matters.
- The authority to agree to settle and submit draft consent orders to the Environment Court relating to an appeal on a Proposed District Plan, Plan Change, Plan Variation or Notice of Requirement to designate land or for a heritage order, or a resource consent application.
- The authority to reject a private plan change request.

Financial:

- To determine all financial matters not delegated.
- To receive reports of the exercise of financial delegated authority pursuant to the Public Bodies Contracts Act 1959.
- To approve Council's borrowing programme and treasury management strategy.
- To undertake the statutory audit processes and to consider and approve the external audit arrangements, to receive the Auditor's reports and to approve the audited annual report.

Procedural Matters:

- Delegation of all Committee powers.
- Adoption of Standing Orders.
- Confirmation of all Standing and Special Committee minutes.
- Approval of Special Orders.
- Employment of Chief Executive, setting of the Chief Executive's performance targets and review of the Chief Executive's Performance and Remuneration (in accordance with the Employment Agreement).
- Other Delegations.

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1 Apologies

2 Confirmation of Agenda

The Council to confirm the agenda.

3 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

4 Public Forum

As per Hamilton City Council's Standing Orders, a period of up to 30 minutes has been set aside for a public forum. Each speaker during the public forum section of this meeting may speak for three minutes or longer at the discretion of Her Worship the Mayor.

Please note that the public forum is to be confined to those items falling within the terms of the reference of this meeting.

Speakers will be put on a Public Forum speaking list on a first come first served basis in the Council Chamber prior to the start of the Meeting. A member of the Council Democracy Team will be available to co-ordinate this. As many speakers as possible will be heard within the allocated time.

If you have any questions regarding Public Forum please contact Democracy by telephoning 07 838 6825.

Committee: Council

Date: 15 December 2015

Report Name: Recommendations to Council -
Strategy and Policy Committee
Meeting - 8 December 2015

Author: Jude Pani

Status	<i>Open</i>
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The recommendations of the Strategy and Policy Committee meeting held on 8 December 2015 are presented. The 8 December 2015 Committee Agenda is available via the following link:

<http://www.hamilton.govt.nz/our-council/meetings-and-minutes/Pages/default.aspx>

1. Hamilton Arts Agenda Review

That the revised Hamilton Arts Agenda 2015 (as attached to the Committee report) be adopted, replacing the current version.

2. Recommendations from the Business and Investment Subcommittee

That:

- a) the draft Central City Transformation Plan (as circulated with the Committee report) be approved;
- b) the changes to parking in the Central City Transformation Plan be implemented after 1 July 2016 to take into account integration with the parking technology project;
- c) **Gateways Policy**
 - i. the draft Gateways Policy (as attached to the Committee Report) be approved; and
 - ii. no public engagement is undertaken for this policy; and
- d) **Streetscape Beautification and Verge Maintenance Policy**
 - i. the draft Streetscape Beautification and Verge Maintenance Policy (as attached to the Committee Report) be approved; and
 - ii. no public engagement is undertaken for this policy.
- e) the Street and Directional Signage Policy (as attached to the Committee report) be deleted.

3. Recommendations from the Community Forum Subcommittee – Social Wellbeing Strategy

That:

- a) Council remain committed to promoting social wellbeing;
- b) the current Social Wellbeing Strategy be replaced with a Social Wellbeing Indicator Report;

- c) Council, in principle, joins the Quality of Life survey in order to provide the evidence base for a Social Wellbeing Indicator Report and that the Chief Executive is authorised to execute the terms of participation in that survey following a Council briefing on this item.
- d) the Hamilton Residents survey continue to be used to provide evidence that will guide Council's actions related to specific social wellbeing issues and initiatives; and
- e) a Social Wellbeing Indicator Report is developed to present key features of the Quality of Life survey and presented at the Strategy and Policy Committee in May 2016.

4. Proposed Hamilton Alcohol Control Bylaw 2015 – Adoption Report

That:

- a) Council notes that an alcohol ban for Steele Park and the Hamilton East shopping precinct is to be considered by the Hamilton East Neighbourhood Plan Working Group during the development of the Hamilton East Neighborhood Plan;
- b) Council determine that the draft Hamilton Alcohol Control Bylaw 2015 does not give rise to implications under the New Zealand Bill of Rights 1990; and
- c) the draft Hamilton Alcohol Control Bylaw 2015 (as attached to the Committee report) be adopted and come into force on 20 January 2016.

5. Attachments

- 6. Attachment 1 - Supplementary Information - Alcohol Control Bylaw 2015

To:	Chief Executive		
From:	Acting GM – City Environments		
Subject:	Supplementary Information – Alcohol Control Bylaw		
Committee	Council		
Meeting Date:	15/12/2015	File Reference:	D-1998014

1.0 Background

- 1.1 This supplementary information was requested during the Strategy & Policy Committee meeting Tuesday 8 December 2015, Agenda Item 14 – Proposed Alcohol Control Bylaw 2015 – Adoption Report

2.0 Local Government Act Requirements for Alcohol Control Bylaws

- 2.1 As outlined in the 7 July 2015 Strategy and Policy Committee report, and in the Hearing Subcommittee Chair’s report, recent amendments to the Local Government Act (s 147A) now require additional procedural requirements by Council to be satisfied that:

- A high level of crime and disorder is caused or made worse by the consumption of alcohol in a particular public place
- The proposed/continued control is a reasonable restriction on people’s rights in light of that evidence.

- 2.2 S147A applies when making, replacing, amending, or continuing a bylaw in relation to consumption and possession of alcohol in a public place, and is an additional legislative requirement to the other bylaw making requirements covered by the Act (s 155 - 160).

3.0 Steele Park and the Hamilton East Shopping Precinct

- 3.1 Under the current and proposed bylaw all city parks (including Steele Park) are currently covered by the time restricted alcohol ban (10pm to 6am, 7 days a week) – see Schedule 1 of the proposed bylaw.

- 3.2 Staff have received no evidence of a high level of crime or disorder being caused by the consumption of alcohol at Steele Park or the Hamilton East shopping precinct. Specific feedback received by staff and discussed at the Hearing Subcommittee on 30 September 2015 included:

- From the NZ Police;
 - There are no pressing issues at Steele Park or the Hamilton East shopping precinct in relation to alcohol, and associated crime and disorder.
 - Steele Park and the Hamilton East shopping precinct is proactively patrolled (foot and patrol) by the NZ Police
 - The current alcohol ban limits on Steele Park is an appropriate tool, and an increase to these limits is not being requested by the NZ Police
 - Behavioural incidents have reduced in the area following the ban on psychoactive substances

- CitySafe have received complaints from one individual only in the past 12 months of alcohol related behaviour at Steele Park or the Hamilton East shopping precinct. When CitySafe attended these complaints they did not find behaviour as described by the complaint.
- Council's Parks and Open Spaces Unit have no concerns about alcohol related behaviour at Steele Park. Across the city, the consumption and possession of alcohol on parks causes few problems.

Note – Staff met with the NZ Police on 9 December 2015 and they have reinforced these observations.

4.0 Submission to the Proposed Alcohol Control Bylaw

- 4.1 One submitter (of 13) raised concerns at Steele Park and the Hamilton East shopping precinct.
- 4.2 The submission summary is outlined below:

Submission 013 *late submission*

Summary	Staff Response
<p>Submitter states that the alcohol ban area should be extended to include the Hamilton East shopping precinct including Steele Park.</p> <p>Submitter cites the following reasons;</p> <ul style="list-style-type: none"> - Groups of people gather in Steele Park for hours on end, often the whole day consuming alcohol (with unsupervised children and dogs) - The people of concern are not from the area and take up all the seating and family rest facility - Staff witness shouting, pushing, public urination and intimidation and the behaviour deteriorates as the level of intoxication increases. Staff also face direct 'hassling' by this group - Three schools are in close proximity to the park - Free meals offered in the park area further exacerbates the issue <p>Submitter states that a ban from Monday to Friday during work hours would increase the safety for both people who work in the area and the school age children.</p>	<p>Submitter comments noted.</p> <p>Dogs – Council's Dog Control Bylaw addresses the issue of unsupervised/unsafe dogs.</p> <p>Nuisance and offensive behaviour - Public Places including recreational parks are for the enjoyment of everyone – a bylaw cannot address the issues of who can access a park (whether they are from the area or not), what facilities people can use and for how long. If the behaviour of certain people are offensive, causes nuisance and other users are feeling intimidated, the issue should be reported.</p> <p>Alcohol use – the LGA now requires that any extension of an existing alcohol ban or a new ban to be evidence based. Currently there is no sufficient evidence to support extending the 24/7 central city wide ban to include Steele Park or the Hamilton East Shopping Precinct. Steele Park is already covered by the time restricted ban area. Staff are not aware of any issues in relation to alcohol abuse in the Hamilton East shopping precinct, therefore an introduction of a ban to this area would be unjustifiable.</p> <p>Note – staff are not aware of free meals being provided in Steele Park in the past 12 months.</p> <p>Staff Recommendation: no changes to the bylaw required.</p>

5.0 Procedural Recommendation

- 5.1 Staff agree with the recommendations made by the Hearings Subcommittee to the Strategy and Policy Committee on the basis that there is no sufficient evidence to extend the alcohol ban boundary area, as required by the Local Government Act.
- 5.2 Without sufficient evidence, any changes to the bylaw to accommodate an extension of the alcohol ban to Steele Park of the Hamilton East shopping precinct would be inconsistent with the requirements of the Local Government Act.
- 5.2 As such, staff do not recommend an extension of the alcohol ban to Steele Park and Hamilton East shopping precinct at this time.

Debra Stan-Barton
Acting General Manager

Committee: Council

Date: 15 December 2015

Report Name: Victoria on the River - VOTR

Author: Sean Murray

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Hamilton Plan, Hamilton City River Plan, Draft Central City Transformation Plan, Economic Development Agenda</i>
Financial status	<i>There is no budget provision for this work within the current 10 year plan. If approved the costs will be identified on the Risks and Opportunities Register and will be met by Council through debt funding. The work has an estimated maximum cost of \$6.75 million.</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- To seek approval to commence and fund required remediation works on Council owned riverbank land at 268-274 Victoria Street known as Victoria on the River (VOTR).

3. Executive Summary

- The VOTR land is unstable and unsafe for users on the land itself and users of the river walkway immediately below the land.
- Council has engaged AECOM consulting geotechnical engineers to confirm the scale and scope of the stability and contamination issues on the site. The AECOM report ([Attachment 1](#)) confirms the land is unstable and requires remediation.
- The VOTR presents a risk to both public safety and Council-owned land.
- Council must remediate the land to eliminate the risk. This work has been estimated at a maximum cost of \$4.15 million.
- Following Council resolutions on 27 November 2014 (public excluded report) and 27 August 2015 [linked here](#) (open report), alternative options for the site have been explored. Council has an opportunity to enhance the land as an attractive public open space giving practical effect to the aspirations clearly set out in the Hamilton City River Plan, Central City Transformation Plan and District Plan.
- The opportunity to enhance the remediated land has been estimated at a maximum cost of \$2.6 million.

10. Recommendations from Management

- a) That the report be received
- b) That Council approves immediate implementation of the remediation detailed in the body of this report at a maximum estimated cost of \$4,150,000 (plus GST if any) to be funded by debt.
- c) That Council approves immediate implementation of the enhancement detailed in the body of this report at a maximum estimated cost of \$2,600,000 (plus GST if any) to be funded by debt.
- d) That Council authorises staff to engage suitably qualified consultants to prepare plans, specifications and all documents necessary to publicly tender the works in accordance with Council policy.
- e) That staff report back to Council to obtain approval to award the contract for the works in accordance with Council policy.
- f) That Council authorizes the Chief Executive Officer to execute any instruments required to give effect to this resolution.

11. Attachments

12. Attachment 1 - VOTR Engineering and Contamination Assessment - AECOM Executive Summary (Full technical reports due 7 December 2015)
13. Attachment 2 - VOTR Remediation and Reinstatement Report - Blackthorn Limited
14. Attachment 3 - VOTR Enhancement Concept Plan - Edwards White Architects
15. Attachment 4 - VOTR Aerial photograph - AECOM extent of excavation
16. Attachment 5 - VOTR - Aerial photograph - HCC ownership and site boundary

17. Background

18. Council's purchase of this land in 2009 was predicated on the VOTR site as a strategically valuable development site for a high quality commercial building with the added opportunity for attractive public spaces and connectivity to Waikato River edge. [Attachment 5](#) is an aerial photograph showing the site location, lot numbers and the boundary of Council's ownership.
19. The land has remained undeveloped and has been confined to use as a car park in varying forms over a number of years. The site has a number of easements and legal obligations in favour of its immediate neighbours. Following years of effort by private developers a viable commercial opportunity for the land has not been found.
20. Following the Council resolution on 27 November 2014 (see paragraph 37) Council management (reporting to the Business and Investment Subcommittee) has been considering alternative uses for the land that can add value and amenity for the central city area, meet legal obligations and support the concepts being driven by the Hamilton City River and Central City Transformation plans.
21. This work has required Council as owner of the land to investigate previously tabled concerns over the stability of the land.
22. Further geotechnical investigations have confirmed that land is unstable and presents a public safety risk.
23. An investigation has found some contamination of the land above permissible thresholds which will require excavation and specialised disposal.

24. Management believe that Council is at a point where it must take action to (1) make the land safe and as a result of that work (2) complete the enhancement of the site as a public open space with linkage to the river.

25. Stage One: VOTR Land Stability and Public Safety (Remediation)

26. Current Status of Issue

27. Since the 27 August 2015 Council meeting management have acted to improve safety and mitigate risk on the site in the following ways:

- A cordon has been installed 15 metres back from the edge of the bank. No vehicles or heavy machinery is permitted within the cordon. Signage has been erected advising the public of the potential risk of slippage. Land movement monitoring equipment has been installed in order to track any potential land subsidence.
- AECOM New Zealand Limited have been engaged to undertake further and more extensive investigations to clarify and confirm the scope and scale of the geotechnical and contamination issues affecting the site. AECOM's Engineering and Contamination Summary is included as Attachment 1.
- Blackthorn Limited has been engaged to prepare an independent assessment of the development options available to inform Council's decision-making. Blackthorn's report is included as Attachment 2.
- Edwards White Architects have been engaged to prepare plans and sketches of an enhanced open public space for the VOTR site following remediation on the site. The plans have formed the basis of the cost estimates prepared by independent Quantity Surveyors and contained in the Blackthorn report. The Edwards White Enhancement Plans are included as Attachment 3.
- Meetings have been held with the neighbours and key stakeholders to keep them informed on issues and action taken related to the site, remediation options and to explore opportunities for future development of the site and their participation and involvement in these.

28. Site Investigation

29. AECOM's final report has been completed and confirms that the scale and scope of the problem is aligned to earlier estimations, that is:

- Lots 1, 6, 7 and 8 (area currently used exclusively as carparking) are affected in the following ways (shown on the aerial photograph appended as Attachment 4):
 - Unstable loose fill – requires excavation and removal - 150 truck and trailer loads
 - Some contamination requiring excavation and specialised disposal
 - Site unsafe from the boundary of northern boundary of Lot 1 to the southern boundary of Lot 8 and up to 15 metres back from the existing slope edge.
 - River path below site unsafe over the same length as the land immediately above it (comparable in scale to the Bryce Street walkway)
 - River at risk of contamination should the VOTR land subside
 - Stormwater network within the site is faulty, contributing to the problem.
- Lot 2 (area immediately adjoining Skycity Casino) is largely unaffected and does not need to be considered for remediation.

30. Conclusion

- Do nothing is not an option.
- Expert advice from AECOM (Attachment 1) is that the area must be remediated to mitigate further risk of erosion and ensure public safety. There is no choice but to remediate the land as a matter of urgency.
 - Remediation requires (1) excavation and disposal of unstable and contaminated soil (2) re-grading the slope to a stable angle and (3) protecting the slope surface from erosion and degradation.
 - Cost of remediation with contingency is \$2.365 - \$4.15 million as itemized in the table below:

Design and Consenting	\$ 225,000 – \$ 350,000
Earthworks	\$ 550,000 – \$ 750,000
Hard Engineering and Site Stabilisation	\$ 1,240,000 – \$ 2,500,000
Landscaping to Basic Car Park Standard	\$ 350,000 – \$ 550,000
Total Estimated Cost	\$ 2,365,000 – \$ 4,150,000

- The estimates above include contingency costs and allow for a range of variables which can only be quantified once the final designs and specifications for the work are approved and priced through the tender process. In effect the extent of work and cost will not be fully known until the excavation begins.
- When completed the excavation will leave a “scalped out” and reshaped exposed bank. The bank will require some form of vegetation to protect it from further erosion and degradation and will require fencing. There will be no physical connection to the river.

31. Recommendation

- Remediation at a cost of \$2.365 - \$4.15 million
- Recorded on the Risks and Opportunities Register, noting that whilst management will attempt to cover the costs it is unlikely
- Funded by debt
- Planning, consenting and tendering work to commence immediately. Physical work to commence as soon as practical thereafter.

32. Next Step

- It is not possible to reinstate the land to its current state once the remediation work is completed.
- What will be left is a reshaped and exposed sloping bank (extending across the total width of the main site from north to south, approximately 8 metres into the carpark from the top of the bank and down to the level of the lower river walkway as shown in plan on Attachment 4. The total estimated volume of excavated material is 3,100 m³). It would be impractical and cost prohibitive to refill and tar seal the site, and it would require extensive work on a retaining wall.
- The exposed bank slope left following remediation would need to be fenced off and secured at an estimated cost of \$30K. What would remain would be 65 car parks (out of the original 83 car parks on the site), noting the comment by AECOM at page 10 para 4.2 of

their report “minor slope creep deformation may continue and periodic maintenance of the car park surface (crack repairs, etc) could be required.”

- The exposed bank slope will be an extensive scar on the river bank – inconsistent with Council’s key planning documents (Central City Transformation Plan, River Plan and District Plan) and neighbours’ intentions and support for activated, public green space. There would be no connection to the river pathway.
- This would also not be aligned with the resolution from the Council in August for a new site master-plan.

33. Stage Two: Enhancement

34. Context

35. Since 27 November 2014, through the Business and Investment Subcommittee, the Council has been considering alternative uses for the VOTR site consistent with developing it as a public space with significant river attributes and access.

36. On 27 November 2014 Council received a public excluded report presenting options and recommendations for the use of the VOTR land. The Council resolved as follows:

Resolved: (Crs O’Leary/King)

The report be received;

That Council instructs management to;

Conduct further development and investigation and report back on a new plan to develop the site as a wholly developed public space with significant river attributes and access that will enable neighbouring easements and entitlements to be provided most notably the provision of off-street car parking and access.

37. The land stability issue and requirement for remediation and re-instatement were reported to Council on 27 August 2015 [linked here](#) (open report). The Council resolution asked staff to provide recommendations on the future use of the land as follows:

Resolved: (Crs Forsyth/O’Leary)

The report be received;

Management report back to Council at its November 2015 meeting with recommendations on the future use of the land that will include a new site master-plan inclusive of;

- i. Land safety remediation options.*
- ii. Integration with legal obligations that currently rest over the land.*
- iii. Works with neighbouring interests.*
- iv. Incorporates the key elements of public amenity originally envisaged by Council.*
- v. Integrates to the direction of travel for “The River Plan” and “Central City Transformation Plan” (in draft).*

38. In addition the encumbrances on the site required the Council to provide 24 car parks (to Riverbanks Limited).

39. Council’s vision for the site is set out in the CCTP, including the outcome for the site as a busy public green space providing direct access to the Waikato River. The CCTP states “Victoria on the River will become a public green space, connecting to the upper river walkway, with expansive views of the river. Some parking for adjacent buildings will be provided.” Feedback from the CCTP public engagement supported VOTR being developed as a public green space.

40. Following remediation, the exposed bank slope will not meet Council’s vision for the site.
41. Staff have been working with stakeholders and the Business and Investment Subcommittee on options for the site. Several stakeholder sessions have been held, including with neighbours bordering the site and Blackthorn Limited were engaged to prepare an independent assessment of development options (see [Attachment 2](#)).
42. Scenario Three in the Blackthorn Report envisages:
- Mixed use site incorporating hard and soft surfaces, landscaping, terracing, low impact car-parking, pedestrian areas, paths, lighting, seating, public art work and an activated perimeter with opportunity for cafe seating, and views across and along the river
 - Full accessibility for cyclists, wheelchairs, prams and pedestrians
 - Access to the river will be provided by upper connections to the upper level river promenade at both north and south boundaries of the site and a single fully accessible connection to the lower river walkway connecting at the northern end of the site
43. Neighbours support this vision and are interested in contributing to the outcome and working with Council to enhance their own buildings to integrate into the space.
44. [Attachment 3](#), designed by Edwards White, provides images of the Scenario 3 enhancement.
45. Costs of the enhancement with contingency is \$1.850 - \$2.6 million as itemised in the table below.

Landscaping to Attractive Urban Space	\$ 650,000 – \$ 1,100,000
Links to River Walks	\$ 1,200,000 – \$ 1,500,000
Total Estimated Cost	\$ 1,850,000 – \$ 2,600,000

46. The timeline for the work is included in the Funding and Budget section below.
47. Summary
- The land must be remediated - it is not possible to return the land to its current state once the remediation work is completed. It would be impractical and cost-prohibitive to refill and tar seal the site.
 - If the enhancement option is not pursued the remediated land will be left in an as it state with highly visible scaring from the works undertaken. Car parking barrier fencing will be required to close the area. What will be left is a reshaped sloping bank with limited functionality, usability and amenity.
 - Enhancement meets Council’s vision, neighbours’ interests, public interests for more green space, and river connection.
 - The bulk of the cost is remediation. The enhancement at \$1.85 - \$2.6 million includes savings made by doing the enhancement in conjunction with the remediation.
48. Recommendations
- Enhancement including river connection at a cost of \$1.85 - \$2.6 million.
 - Recorded on the Risks and Opportunities Register, noting that whilst management will attempt to cover the costs it is unlikely
 - Funded by debt
 - Planning, consenting and tendering work to commence immediately. Physical work to commence as soon as practical thereafter.

49. Funding and Budget

50. Blackthorn Limited (in consultation with AECOM and Jewkes Boyd Cost Management) has estimated the likely cost ranges for the remediation and enhancement work as:

Remediation (Essential and Immediate Work)	\$ 2,365,000 – \$ 4,150,000
Enhancement (including River Access Linkage)	\$ 1,850,000 – \$ 2,600,000
TOTAL REMEDIATION AND ENHANCEMENT COST	\$ 4,215,000 – \$ 6,750,000

51. The VOTR remediation and enhancement works are unfunded. There is no budget provision for this work within the current 10 year plan and if approved the costs will be recorded on the Risks and Opportunities Register and will be met by Council through debt funding. Management will look for opportunities to cover the costs but it is unlikely that significant enough, if any, savings will be found.

52. Before management can proceed with any further work on this project it needs (1) certainty of Council’s agreement to the concept plan and (2) that required budget provision will be forthcoming. The following breakdown of unbudgeted expenditure over two financial years requires approval.

- **2015/16 Financial Year**
 - Design and consenting \$225,000 - \$350,000
- **2016/17 Financial Year**
 - Physical works \$3,990,000 - \$6,400,000

53. Costs to date total \$247,000 (including consulting geotechnical engineers, architects, developers). The costs have been captured in a suspensory account and included for funding from the remediation and enhancement budgets.

54. The impact of this expenditure on debt level 2020 financial strategy measures has been calculated and will reduce Council’s balancing the books surplus by \$500K and available debt by \$8.5 million (opening position plus inflation adjustment)

55. AECOM has prepared a project timeline for remediation and enhancement to the site as tabulated below:

Phase	Duration	Start	Finish
Planning	53 Days	10 December 2015	10 March 2016
Detailed Design and Tendering	106 Days	29 February 2016	25 July 2016
Physical Works	150 Days	26 July 2016	20 February 2017

- There are a number of benefits and advantages of doing this work concurrently or immediately sequentially with remediation:
 - Cost savings from amalgamating all planning and consenting as a single project
 - Cost savings from tendering the physical works as a single project
 - Amenity benefits for adjoining neighbours by completing all work at the same time

56. Significance of Decision

57. As a result of public consultation through the Central City Transformation Plan and specific meetings with adjoining property owners Council has a clear view of the interests of the community. These views have been incorporated in the CCTP and this report. Council has adhered to its Significance and Engagement Policy and no further specific engagement is required. Financial impacts of this decision have been detailed above. Council can make a decision on this matter.

Signatory

Authoriser	Sean Murray, Executive Director, H3 and Events
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VOTR Site Assessment
Hamilton City Council
08-Dec-2015

Victoria on the River

Summary of Engineering and Contamination Assessments



AECOM

VOTR Site Assessment
Victoria on the River

Victoria on the River

Summary of Engineering and Contamination Assessments

Client: Hamilton City Council

Co No.: N/A

Prepared by

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08-Dec-2015

Job No.: 60432710

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Revision – 08-Dec-2015
Prepared for – Hamilton City Council – Co No.: N/A

AECOM

VOTR Site Assessment
Victoria on the River

Quality Information

Document Victoria on the River
 Ref 60432710
 Date 08-Dec-2015
 Prepared by Mike Trigger, Naomi Macorison
 Reviewed by Graham Blakeley, Emma Trembath

Revision History

Revision	Revision Date	Details	Authorised	
			Name/Position	Signature
1	8-Dec-2015	For information	Mike Trigger Project Manager	

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Executive Summary

AECOM New Zealand Limited has been engaged by Hamilton City Council to undertake further geotechnical assessment and contamination assessment of the Victoria on the River site.

Deep loose fill was encountered in recent investigations undertaken in the carpark back from the slope crest. The fill is weak, oversteep and marginally stable and evidence of potential slope movement is present in the form of surface cracking of the main carpark seal. The fill presence significantly alters previous understanding of the site condition and reduces confidence in site slope stability.

Additional investigations have been undertaken to refine geotechnical parameters and evaluate the extent of the fill. Using the data from the additional investigations the slope stability assessment has been refined.

The results of the stability assessment indicate that the extent of excavation back from the slope crest into the site to obtain a static factor of safety of 1.2 would vary from 0 to 8.5 metres, creating an overall slope angle from the carpark to the existing walking track of 31 degrees. Following the completion of slope excavation works the location of the setback line for a slope stability factor of safety of 1.5 would be approximately 3 metres from the crest of the newly created slope.

Several stabilisation options have been considered and the recommended approach is to re-grade the slope to a more stable angle and protect the surface from erosion. This approach will provide the most flexibility for future site development and reduce the immediate risk to the existing walkway from potential failure of the slope above.

The contamination assessment has identified that site soils exceed permissible levels for metals. Resource consent will be required under the National Environmental Standard for change of land use and also from the Waikato Regional Council, for discharge and earthworks in a high risk erosion zone.

Soil excavated from the site will need to be disposed of at a managed fill or landfill. Disposal fees will depend on the facility that can receive the spoil.

Sections of the existing stormwater network within the site are not functioning and need replacement as seepage/flow losses leading to surface scour or ground saturation are likely to be detrimental to the slope. New stormwater systems should not use methods that discharge to ground.

The existing walkway below the site is at risk of under slip and erosion and further geotechnical assessment is recommended for that area.

1.0 Introduction

AECOM New Zealand Limited (AECOM) was engaged by Hamilton City Council (HCC) to undertake geotechnical and environmental assessments of the Victoria on the River (VOTR) site in Hamilton's central business district. The site includes a suite of individual property titles that are perched above and extending across a very steep slope. The slope is approximately 26 m high and the Waikato River is located at the toe of the slope. An existing river walkway traverses the slope between and varies between 15 and 18 m below the site.

The majority of the site is currently used for car parking. Cracks have formed in the sealed carpark indicating that ground movement has occurred or is occurring. Several consultant reports have previously highlighted that the slope is marginally stable.

HCC are considering future development options for the site and require an understanding of the geotechnical issues that may affect the site and viability of the options under consideration.

In August 2015 AECOM undertook a preliminary stability assessment with a single drillhole undertaken near the area of identified instability. The drillhole identified 11m of uncontrolled sandy fill with fragments of glass and timber also recovered. The assessment provided options for stabilising the carpark, with re-grading the existing slope the recommended option. Since that report was prepared HCC has undertaken optioneering to redevelop the site as part of the recommended regrading works.

Two additional reports have since been prepared by AECOM:

- Victoria on the River Additional Geotechnical Assessment
- Victoria on the River Contaminated Land Investigation

The geotechnical assessment includes the results of additional drillhole investigations and a updated assessment of the slope stability. It outlines the minimum works required to improve the stability of the slope with the assumption that it remains carpark or an open public space.

The contaminated land assessment includes a desk study and tests on soil samples taken from the site to establish if the fill contains any contaminants that pose a potential risk to the environment or human health.

This report summarises the content of the two new assessment reports and combines the recommendations.

2.0 Site history

AECOM has reviewed geotechnical reports supplied by HCC and historic aerial photos in order to better understand the history of the site. The key elements established from the historic information review are:

- The earliest available information is from 1926 which shows building locations and the edge (crest) of the slope.
- The Waikato Times building was constructed in two stages, in the 1950s and 1960s. The first stage appears to have been constructed on deepened spread footings while the second stage was partially founded on deep concrete piles.
- The site appears to have been extended towards the river by placing fill over the slope prior to the construction of the Waikato Times building, as determined by comparison to the 1926 survey.
- Tension cracks were reported between the Waikato Times building and the top of the slope in 2005.
- The Waikato Times building was demolished in 2010 and the site graded to form a carpark.
- Although the site has been extensively investigated by cone penetration testing, the drillholes undertaken in previous investigations were located greater than 16 m back from the slope crest, so information on slope conditions was lacking.
- Previous geotechnical models for the site have assumed soils encountered in the drillholes extended relatively horizontally towards the river slope. We consider that this was a reasonable assumption in the absence of additional information.
- Reports prior to August 2015 have described the slope being covered by 1.5 to 2.0 m of loose, surficial fill.

- Stormwater infrastructure within the site had been partially surveyed by CCTV.

3.0 Site description

3.1 Car park and other areas above the slope

The majority of the site is generally flat with a very gentle grade sloping away from Victoria Street towards the river slope. There is a central bowl shaped depression in the carpark with the low point above a concrete retaining wall. A timber barrier prevents traffic and its loads within 5.5 m of the retaining wall.

There is a discontinuous crescent shaped crack in the sealed pavement surface which extends to approximately 7 m back from the retaining wall. The crack was observed to be open by 10 mm and 20 mm, and there is an associated vertical displacement of similar magnitude.

The slope crest within Lot 2 (plaza site) appears to be on a minor spur. There are no signs of instability currently affecting the disused plaza courtyard or the Lot 2 carpark.

3.2 Slope above existing walkway

The topographical survey information indicates that the slope above the river walkway has a general inclination of approximately 47 degrees. Where localised failures have occurred sections of slope are inclined steeper at up to 56 degrees.

The slope surface is primarily vegetated with a dense cover of morning glory vine. The slope below Lot 2 is predominantly vegetated with Acanthus species. Refuse litters the surface.

Some site-clearing works have occurred over the northern section of slope exposing loose sandy soils. A few flaxes have been planted along this clear section, though these are sparse. A gully erosion feature approximately 2 m wide is present within the cleared section.

An erosion feature approximately 5 m wide with a near vertical backscarp approximately 1.5 m high is present.

The only location water is observed seeping from the slope above the track was near the southern part of the site. There is drainage coil and a collection sump in the area of the seepage.

3.3 Slope below existing walkway

The walkway path is constructed with interlocking pavers. There is a section of the path where a slight vertical displacement in the pavers parallel to the slope is noticeable.

There are several timber pole retaining walls supporting various sections of the walkway. A small timber pole retaining wall is showing signs of overturning. In another location, the pole encasement below the wall foundations is exposed.

There are several slump features and erosion features below the walkway. One such feature has a soil debris fan present. It was not possible to survey or inspect these features fully.

There are a number of manholes near the toe of the slope. These appear to be valve chambers for a building cooling system. One of the manholes is suspended above damp, subsiding ground.

Surface drainage observed included strip drains, drainage coil and flexible flumes. All are in need of maintenance or replacement to reduce the ongoing erosion in the area.

4.0 Geotechnical assessment

4.1 Geotechnical investigations

4.1.1 August 2015

AECOM undertook a geotechnical investigation consisting of a cored drillhole near the slope crest. Loose sandy fill with traces of refuse was found in the drillhole to a depth of 11 m. Underlying the fill was very loose sensitive fine sand. Medium dense and dense sands were located from 18 metres below ground level and continued to the base of the 30 m deep drillhole.

Supplementary hand augerholes were undertaken in the northern part of the slope. In this location the fill does not appear to be as deep (approx. 1.5 m), however it should be noted that deep drilling may recover material that is fill which would mean that a revision of the interpretation of ground conditions in this area would be required.

4.1.2 October 2015

In October 2015 an additional four cored drillholes (DH02 to DH05) were undertaken to provide additional geotechnical information to refine the geological model of this site. Push tube samples were undertaken from selected layers and tested for geotechnical parameters in a laboratory. Additional standpipe piezometers were installed to monitor groundwater levels across the site. The locations of the drillholes are shown on Figure 1 on page 9.

In-situ strength testing undertaken as part of the supplementary investigations showed improved soil strengths were present through the upper soil layers. Fill depths were shallower than encountered in DH01 but still remain significant.

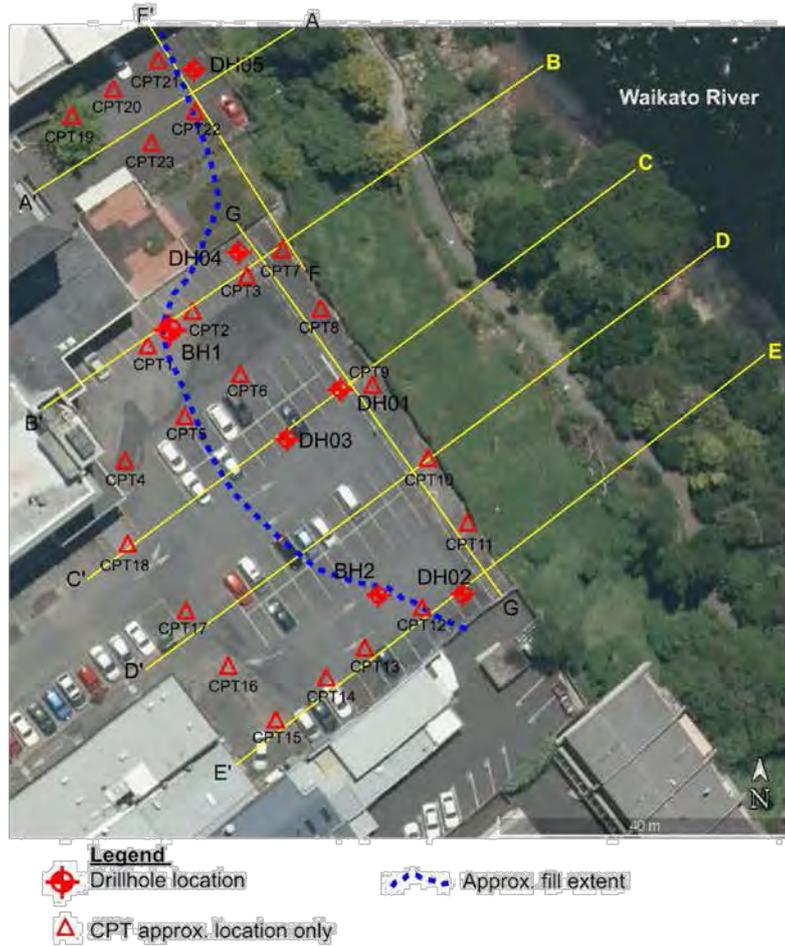
The depth of the fill identified in the drillhole investigations is summarised in Table 1.

Table 1: Summary of fill depths

Drillhole	AECOM					By Others	
	DH01	DH02	DH03	DH04	DH05	BH01	BH02
Depth of fill (m)	11	5.6	5.7	4.5	1.5	1.0	0.2

The information from the drillhole logs has been used to develop a series of geological sections through the site and derive an approximate location for the extent of the fill. The geological sections are presented in the full assessment report. The approximate extent of the fill is shown on Figure 1 below.

Figure 1 - Site Investigations



4.1.3 Laboratory Testing

Laboratory testing was undertaken on four undisturbed push tube samples from the drillholes. The tests were undertaken to establish the effective stress soil parameters and unit weight of the soils. The results from the lab testing were checked for sensibility against the results for similar materials at nearby sites.

On the basis of the lab testing results, higher strength parameters have been adopted for insitu soils in current analyses than those used in the preliminary assessment.

4.2 Stability analysis

The upper slope has stood satisfactorily for many years. However the slope is formed of uncompacted fill soils and is over-steep so is sensitive to the effects of additional loading though saturation, earthquake or surcharge, any of which could instigate a rapid failure without warning, and is thus a hazard to the walkway below.

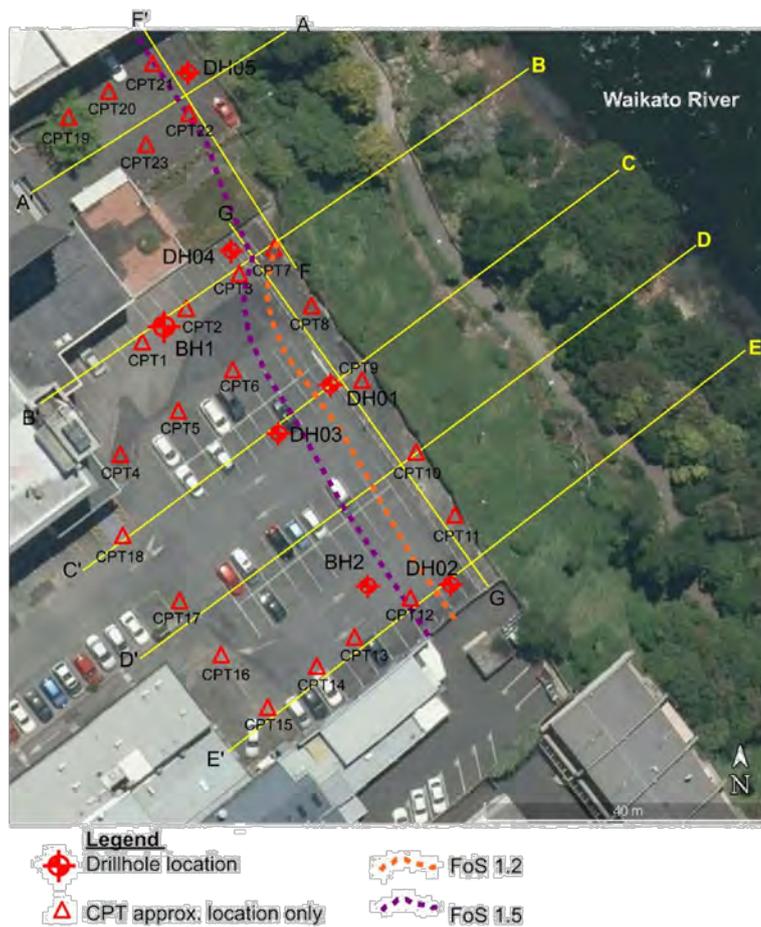
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Prepared for - Hamilton City Council - Co No.: N/A

An assessment of the stability of the slope above the walkway was undertaken using industry standard software. The revised assessment indicates that a setback from the existing crest of between 0 and 8.5 m is required from the river slope for the carpark to have a factor of safety (FoS) of 1.2.

A factor of safety of 1.5 is typically required for new development and buildings. The setback from the existing crest to achieve a FoS of 1.5 varies from 6.5 to 13 m across the site.

We consider that a slope stability factor of safety of 1.2 is adequate for an at-grade re-seal of the carpark, though minor slope creep deformation may continue and periodic maintenance of the carpark surface (crack repairs, etc.), could be required.

Figure 2 - Slope setbacks



4.3 Stabilisation options

Several options were evaluated as part of the preliminary assessment to improve the stability of the site. Options involve earthworks, palisade retaining walls, soil anchors and gravity retaining walls. We understand that following from that preliminary assessment earthworks is the preferred option.

To regrade the slope to achieve a FoS of 1.2 a slope with a maximum angle of 31 degrees should be created between the walkway to the carpark surface across the extent indicated by the FoS 1.2 line in Figure 2. AECOM

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recommends that the re-graded surface is finished with erosion protection and is densely planted to prevent shallow erosion.

The assessment also shows that following regrading works the position of the FoS 1.5 line moves towards the slope and would be located approximately 3 m back from the regraded slope.

It is envisaged that to achieve the recommended regrading, retaining walls will be needed along the southern boundary.

The assessment assumes that groundwater does not seep from the outer face of the slope. Groundwater presence will need to be checked during the construction and sub-horizontal drains may need to be installed during or following the bulk works if conditions are wet.

4.4 Proposed added value

AECOM understands that HCC is evaluating options for creating a public open space within the site. Development concept arrangements should treat the recommendations in this report as a minimum. We also understand that terracing the slope with retaining structures is being considered. It is likely that these will be founded within the fill that is not removed from the site. Flexible structures such as timber pole retaining walls and geogrid reinforced embankments are considered the most suitable. All retaining structures will need to comply with the building code and seismic stability will be a consideration.

Where impervious surfaces are created stormwater should be captured and conveyed to an appropriate discharge location. The use of on-site stormwater disposal methods that discharge to ground is not recommended.

4.5 Proposed upper walkway

The investigations indicate that the deep loose fill will not affect the proposed upper walkway as it passes below the Lot 2 Carpark. However the analysis shows that the potential for deep slip circles with a FoS of less than 1.5 is a design consideration that will need to be addressed during concept design. All retaining structures or piled walkways structures will need to comply with the building code and seismic stability will be a design consideration.

4.6 Existing walkway

As part of our assessment we noted that there were a number of features down slope of the existing walkway which need to be addressed to prevent walkway damage from under-slippage. There are also several drainage outlets associated with the lower walkway that require immediate attention, repair and ongoing monitoring to reduce erosion and risk.

5.0 Contamination assessment

AECOM has carried out a detailed site investigation (DSI) in accordance with the National Environmental Standard (NES). The DSI involved a desk study and testing of soils sampled from the site.

5.1 Desk study

HCC completed a contaminated sites search on 7 October 2015. The search stated that properties 278 and 286 Victoria Road have been listed on the hazardous activities and industries list (HAIL) due to the completion of historical printing activities.

The results of the historical information search suggest the site has historically been utilised for commercial / industrial land use activities for at least the last 72 years. The Waikato Times has occupied the site since the 1950's until 2010 and was used for commercial printing. The uses for other historical buildings that were located on-site are not known. The entire site has the potential to have been infilled in order to create building platforms.

Based on the past land use the following potential contaminants were identified that required investigation:

- Metals
- Solvents
- Acids and alkalines
- Hydrocarbons
- Semi volatile organic compounds
- Asbestos containing materials

5.2 Sampling

Samples were taken from the drillholes drilled as part of the additional geotechnical investigations (DH02 to DH05). Samples were taken from depths of up to 6.6 metres.

Three environmental hand augerholes were also undertaken to depths of 0.8 and 2.0 metres.

Care was taken during the sampling to prevent cross contamination and all samples were placed in chilled storage until transported to Hill Laboratories Limited for testing.

The presence of volatile organic compounds was screened for at the time of sampling using a photo ion detector.

5.3 Results

5.3.1 Acceptance criteria

The acceptance criteria for the investigation has been adopted in accordance with the hierarchy defined by Ministry for the Environment Contaminated Land Management Guidelines No.2. Acceptance criteria for a commercial / industrial landuse scenario have been adopted.

5.3.2 Summary of field observations

- Field observations noted no visual evidence of contamination i.e., no soil staining or hydrocarbon odours in soil bores DH03, DH04, DH05, EHA01, EHA02 and EHA03. Black gravels (asphalt like material) was observed in drillhole DH02 at a depth of 2.4 m.
- The maximum recorded concentration of volatile organic compounds measured during the field work was 7 parts per million (ppm) (drillhole DH02). This result is considered to be negligible and is indicative of background concentrations.
- There is a perched groundwater table between 8 and 10 metres below the ground surface and a deep groundwater table between 20 and 25 metres below the ground surface.

5.3.3 Summary of laboratory testing**Inorganic compounds (Metals)**

- A total of 14 soil samples were analysed for the suite of seven heavy metals including arsenic, cadmium, chromium, copper, lead, nickel, and zinc.
- Two exceedances were recorded for lead at 1.3m and 0.5m depth. Deeper samples collected and analysed did not exceed the acceptance criteria.
- Ten of the 14 soil samples analysed returned concentrations of one or more metals (arsenic, copper, lead, nickel and zinc) which exceeded the Waikato Regional Background Ranges.

Organic Compounds

- A total of five soil samples were analysed for total petroleum hydrocarbons. Levels detected in results were below the adopted acceptance criteria.
- Four soil samples were analysed for semi volatile organic compounds. The results were below the adopted acceptance criteria.

Asbestos containing materials

Asbestos containing materials were not detected in the three soil samples analysed as part of this investigation.

DH01

- No contamination samples were collected from DH01 in July 2015, however it can be reasonably assumed that the material encountered would be similar to the other four drillholes.

5.4 Resource consent requirements**5.4.1 Resource Management Act (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations (NES)**

AECOM considers that the land disturbance works would be a restricted discretionary activity under regulation 10 of the NES. A remedial action plan will be required to be developed in support of the resource consent application. A site validation report will also be required to be developed post land disturbance works.

5.4.2 Waikato Regional Plan

As contaminant concentrations exceed the applicable standards discretionary resource consent is required for discharge.

It is also noted that the site is in a high risk erosion zone and resource consent will also be needed for earthworks.

5.5 Cut activities and spoil classification

All soil removed from Site will need to be disposed to a licensed facility authorised to receive such materials i.e., a managed fill or landfill as the majority of soil analysed exceeded background ranges.

Decision with respect to final disposal locations will be based on the waste acceptance criteria of the nominated facility. Waste acceptance criteria for managed fill facilities in the Waikato region vary widely based on facility specific resource consents requirements. Disposal fees also vary considerably depending on the level of contamination. For example we understand that disposal to Hampton Downs ranges from \$40 to \$70 per Tonne.

It is recommended that a copy of the analytical results for the Site be provided to the landfill facilities in order to confirm acceptance of the materials and disposal fees.

Soil could potentially be stockpiled on-site and re-tested prior to off-site disposal; however stockpiles would need to be located so that they did not affect the slope or the foundations of adjacent buildings and specific geotechnical input would be needed due to the constrained nature of the site. In addition there would be delays between sampling and results becoming available. This is likely to make stockpiling a non-viable option.

5.6 Residual risk

The cut activities will act to remove contaminated soil materials from the site. This in turn will reduce the risk pathway to human health under a future recreational land use scenario. At the completion of land disturbance works it is recommended that soil validation samples be collected to confirm in-situ soil contaminant conditions in open areas of the site (vegetated, recreation zones).

6.0 Stormwater infrastructure

The stormwater network on the site is typical of one which has been modified through different stages of development. Since the former building was removed, a number of stormwater pipelines have been capped and abandoned. The remaining stormwater network has been resolved to a reasonable level of detail through CCTV inspection and dye testing.

The condition of the pipes remaining on the site ranges from very good to poor (exposed reinforcement and visible cracking). There are several isolated repairs where the pipeline material changes from concrete to short sections of PVC or polyethylene pipe.

Overall, the piped network on the upper flat car park section of the site is in a serviceable condition but redevelopment of the site will likely warrant new infrastructure to suit the desired layout.

The discharge pipe from CP5 to MH14 has a large hole about mid length. Given that the remaining three pipes connected to MH14 are capped, it is assumed that all discharge from CP5 and CP6 is to ground. This part of the system should be replaced and connected to a formal discharge.

Three stormwater pipelines exit the site:

- One through private property to the north, and
- Two discharging east to the Waikato River down a steep bank (from Manhole 11 and Manhole 13A).

The northern (private) pipeline has not been inspected past a material change from concrete to plastic which occurs inside the adjacent property. Up to the end of the CCTV inspection footage the pipeline was showing no sign of blockage.

Both of the eastern discharge pipelines are either blocked or collapsed on the steep embankment and could not be inspected all the way to the Waikato River. Dye testing was undertaken on both pipelines to confirm the outlet location at the Waikato River. Stormwater is potentially discharging into the steep embankment beside the site. This may be detrimental to the stability of the slope.

6.1 Remedial works for undeveloped site

If the site remains undeveloped, most of the existing stormwater system can remain because it is in a serviceable condition. However the following will be required:

- Replace the north eastern discharge pipeline
- Replace the south eastern discharge pipeline
- Replace catchpits and associated pipelines adjacent to 266 Victoria Street.

6.2 Considerations for site redevelopment

If the site is redeveloped in any form, a comprehensive upgrade of stormwater infrastructure is recommended. The following outlines the key considerations.

- Unless further information arises, redevelopment of the site should not utilise the northern pipeline because of its location in private property and unknown alignment thereafter. The pipeline should be capped at the boundary once new site drainage is installed.
- It is preferable that one or both of the existing outlets to the Waikato River is utilised. Notwithstanding this, an assessment of the best discharge regime should be undertaken in conjunction with the design of new infrastructure at the site (capacity and layout).
- Removal of disused infrastructure is recommended to avoid future confusion about the location and purpose of infrastructure.
- The capacity of new infrastructure shall take into account the capacity or presence of an overland flow path for large storm events.
- New stormwater infrastructure should not include discharges to ground such as soak holes or raingardens.

7.0 Remedial option rough order cost estimate

Option	Assumptions	Estimate	Exclusions
Re-grading slope to 31 degrees, erosion protection and planting.	<ul style="list-style-type: none"> - Insitu volume: 2300 m³ - Excavated volume: 3100m³ - Truck and trailer movements with 20 m³ per movement: 155 - Mass per truck & trailer: 29 T - Cartage to Hampton Downs: \$400 per truck and trailer - Disposal at Hampton Downs: \$40 to \$70 per Tonne - Bulk excavation \$45 m³ - Erosion protection \$20 m² - Planting: \$45 m² - 6% preliminaries and establishment - 20% margin - 10% contingency 	<p>\$635,000 (low) \$830,000 (high)</p>	<p>Excludes stormwater infrastructure replacement, allowance for further geotechnical testing, retaining wall design, slope drainage installation, reporting, design, consenting, tendering and contract administration. Excludes GST.</p>

8.0 Limitations

Recommendations and opinions contained in this report are based on site investigations, laboratory testing and observations. Inferences about ground conditions over the site are made on the basis of investigation results using geological principles and engineering judgement, however it is possible that ground conditions over the site may vary and therefore it is not possible to guarantee the continuity of the ground conditions away from test locations.

This report has been prepared for the particular project described in the brief to us, and no responsibility is accepted for the use of any part of this report in any other context or for any other purpose.

Information available at the time of writing was used for the preparation of this report. Any modification to the project will require a revision of this report.

Full limitations for the Contamination Land Assessment are contained in the AECOM report for the VOTR site dated 30 November 2011.

Victoria on the River (VOTR) Hamilton City Council

By Blackthorn Ltd

Executive Summary

Why has this paper been prepared?

This brief document has been prepared in order to offer Hamilton City Council a basis for choosing to advance one of two scenario options for the VOTR site.

Why does this matter need to be dealt with now?

There is an unacceptable site stability risk on the site as identified by AECOM. This has forced its priority for Hamilton City Council.

Attachments

1. AECOM geotechnical report extract
2. Edwards White rendered concept (most recent)
3. Jewkes:Boyd cost management advice
4. Satellite image

What is the recommendation?

Advance Scenario 3. Scenario 3 is the scenario with potentially the highest urban design/community value and the approach that has the highest accord with the Hamilton City Centre Transformation initiative(s) - VOTR.

What are the next steps?

As soon as the final geotechnical analysis is available, appoint AECOM and Edwards White Architects to co-ordinate and engineered design solution to a Resource Consent standard.

Appoint Jewkes:Boyd as the VOTR QS so that a more informed project cost plan can be created.

Meet with Waikato - Tainui to begin discussions regarding terms and conditions for undertaking works.

Background

Victoria on the River (VOTR) is presently an 'at grade' car park situated at 268 – 274 Victoria Street, Hamilton in the heart of the CCTP. It has frontage to the Waikato River bank with six adjoining neighbours.

VOTR has geotechnical issues and has been classified by AECOM as an unstable site that requires attendance (refer attached report). The report identifies poor fill material with a 'metals contamination' risk and sub strata water all combining to create a site stability risk. In layman's terms any remedy will require the fill to be removed from the site with an additional margin of excavation beyond the actual fill material.

Part of the site has been cordoned off. All neighbours have been consulted and informed about the site instability. Each neighbour has individually has observed, and is unhappy with, the degree of vagrants loitering around the car park (VOTR) at night and the crime risk associated with the same. They are equally unhappy with the state of the car park and its low level of upkeep/presentation.

A series of concept renderings have been prepared by Edwards White Architects for a progression of approaches to the transformation of VOTR from carpark to a public open urban space linking Victoria Street and the Waikato River (refer attached).

Geotechnical data analysis is ongoing

The preliminary geotechnical findings are in the attached AECOM report extract. That report and its findings have given rise to a more detailed site analysis involving core samples being drilled at strategic locations around the site for further analysis. The results of that further analysis are due nearer the end of November (date unspecified at this stage). We are advised by AECOM that any findings resulting from this further analysis will not alter the basic discovery. **The basic discovery requires the fill material to be excavated and removed from the site.** The findings from the ongoing geotechnical analysis will quantify the likely extent of excavation more accurately and will offer guidance for a practical gradient tolerances to the slope from VOTR to the river bank following excavation.

Adjoining Neighbours

The Casino

1-38/312 Victoria Street Body Corporate

286 Victoria Street

266 Victoria Street

262 Victoria Street

254 Victoria Street

246 Victoria Street

Easements in general

Hamilton City Council is obliged to provide 24 car parking spaces to 286 Victoria Street. We are advised that those spaces can be provided at any location on any of the land titles that comprise VOTR.

Note: It may be relevant to note that there are discussions with the owner of 286 Victoria Street regarding it acquiring part of the VOTR site (Lot 2) and HCC acquiring the obligation for it to provide 24 car parking spaces. It is important to note that there is no agreement, implied or express, on the same.

The other easements burdened on VOTR to the benefit of neighbours include access for emergency vehicles, service vehicles and deliveries.

What is required for works to commence on site?

Assumptions:

- Hamilton City Council intends to retain ownership of VOTR and not to add it to city parks and reserves.
- VOTR is presently a car park and will remain a car park in each of the scenarios. The variable will be the number of car parking spaces available.
- Any works carried out in order to stabilise the site are likely to involve land not currently owned by Hamilton City Council (Waikato River bank).

Conditions for undertaking works will need to be agreed with Waikato - Tainui

A Consent will be required from Heritage New Zealand for the earthworks.

A Consent will be required from Regional Council for earthworks with further supporting information for earthworks in a high erosion zone.

A Consent will be required by Hamilton City Council for the earthworks, including a discharge consent.

Required documents will include:

Plans/sections/elevations/schedule of finishes for the works

Engineering designs

Erosion and sediment control plan

Traffic management plan

Archaeology report

When could works commence on site?

This is a difficult question to answer. There are a number of variables that could affect timeframes obviously. The following discussion will outline a possibility rather than a promise and represents a best case scenario.

The earth works season closes on the 1st May 2016. That quite simply means that earthworks can only commence if those earthworks can be complete by that date. It seems possible.

Regional Council will not normally undertake an assessment of this nature without any 'conditions' between the applicant and Waikato – Tainui being prior agreed ('Conditions').

In the event that AECOM can complete the geotechnical advice during November it is conceivable that a conversation with Waikato – Tainui can commence prior to Christmas (with the required level of supporting documentation). At the same time it would be fair to assume that any agreement of 'Conditions' is likely to become available late in February 2016 with the ensuing holiday period pending (Hapu).

Under the circumstances there seems to be a case for Regional Council to commence its assessment prior to the formalisation of any 'conditions' and it is conceivable that an application to Regional Council could be prepared and lodged prior to Christmas. Perhaps the same could be said for Hamilton City Council.

The consultants required to attend to all the documents required for consent purposes have been identified. The contribution from each (briefs) are prepared and the PCG can be mobilised relatively quickly.

The critical path activities are as follows:

- Receive the final geotechnical/contamination advice (any day now)
- Prepare concept for engineering (AECOM) and design (Edwards White Architects)
- Conditions for undertaking works will need to be agreed with Waikato – Tainui
- Prepare archaeology report
- Prepare plans/sections/elevations/finishes/engineering solutions
- Heritage New Zealand Consent for the earthworks.
- Regional Council consent for earthworks in a high erosion zone.
- Hamilton City Council consent for the earthworks, including a discharge consent.

Note: Any earthworks will impact the river bank and outside the VOTR title(s). This fact may attract protracted negotiations/consent processes.

When could works be completed by?

The all-encompassing timeframe range for total works would see VOTR completed sometime between September 2016 and March 2017.

This range assumes that Council gives its approval to proceed on the 10th December 2015. The critical variable is obviously the consenting timeframe risk and its relationship to the seasonal earthworks time window. A smooth and fast track approach to 'consenting' could see earthworks commence during the current season which would enable a spring 2016 completion. If that window is missed then completion could be anticipated during February/March 2017.

Design work to date

The design concept rendering work to date has been prepared by Edwards White Architects. The engineering investigation work to date has been carried out by AECOM.

The architectural concept renderings are based on perspective photographs of the site and have preceded any conclusive geotechnical findings. Those rendering concepts are therefore not based on engineering designs or architectural plans/sections/elevations/specifications. Those renderings communicate a design approach only.

The design approach seeks to achieve an attractive public urban space with a visual and practical connection to the Waikato River.

Jewkes:Boyd quantity surveyor's report 14/09/2015 (attached)

You will notice that the quantity surveyor's is titled:

"Rough order of cost based on rapid master plan ".

The title seems an appropriate title in the absence of the geotechnical findings or any engineered design documents. We do have some concept renderings from Edwards White Architects which to some degree offer information regarding a design approach only.

In light of the above points all we can reasonably do is create a base set of assumptions, where key variables are constant, in order to identify the likely cost differential between the minimum acceptable scope of work and the scope of work required for VOTR to become an attractive public urban space consistent with the aims and objectives of the Hamilton Central City Transformation initiative.

The key cost centres can be described as follows (including the likely cost ranges for each cost category):

Design and Consenting	\$ 225,000	to \$ 350,000
Earthworks	\$ 550,000	to \$ 750,000
Hard engineering/site stabilisation	\$1,240,000	to \$2,500,000
Landscaping to basic car park standard	\$ 350,000	to \$ 550,000
Landscaping to 'attractive urban space'	\$ 650,000	to \$1,100,000
Link(s) to River walk(s)	\$1,200,000	to \$1,500,000

Note: the cost ranges above are based on the Jewkes:Boyd advice; the revised draft quantities and rates from AECOM, the geotechnical status update advice from AECOM and conversations with various members of the project group. They are indicative only.

SCENARIOS

Scenario 1 - Defer any action/expenditure in favour of other Central City Transformation priorities

The following is from AECOM:

"The geotechnical report (refer attached) infers that leaving the site as it is at present is not a recommended solution.

The very minimum acceptable scope of work for engineering purposes includes the excavation of the fill material and site stabilisation works.

The following extracts from the AECOM findings seem relevant:

- the first paragraph on page 15:

"the current arrangement has an assessed Factor of Safety of 1.2 which is more appropriate for temporary works (1.5 is normally required)."

- Section 9.3.1 regarding ongoing risk to walkway users:

"Failure is likely to be rapid if/when it goes"

- The report is silent on any other risks associated with a failure of Hamilton City Council to react with the discovery of the site instability."

Scenario 2 – REMEDIATION (Remove the unstable fill, stabilise the site and retain the car park on a diminished area)

Scope and cost range estimate

Design and Consenting	\$ 225,000	to \$ 350,000
Earthworks	\$ 550,000	to \$ 750,000
Hard engineering/site stabilisation	\$1,240,000	to \$2,500,000
Landscaping to basic car park standard	\$ 350,000	to \$ 550,000

Scenario 2 Comment

The cost range based on the above is \$2,365,000 to \$4,150,000. The large variable is the 'hard engineering/site stabilisation' works.

We are advised by AECOM that this is the minimum acceptable scope of works. The resulting scheme would be an at grade carpark along the same lines as the existing car park. It would have a diminished parking area by virtue of the excavation and it would be without any connection to the river walkways.

Scenario 3 – ENHANCEMENT (Design and specify scenario 2 in order to create an attractive public urban space)

Scope and cost range estimates

Landscaping to 'attractive urban space'	\$ 650,000	to \$1,100,000
Link(s) to River walk(s)	\$1,200,000	to \$1,500,000

Discussion

The cost range, based on the above is \$1,850,000 to \$2,600,000. There are two primary differences between scenario 2 and scenario 3:

1. The landscaping for an attractive urban space will be more expensive than an 'at grade' public car parking surface. The materials, soft landscaping, lighting etc. would be to a higher specification
2. Scenario 3 includes functional and landscaped links to the river walk ways.

The marginal cost estimate between Scenario 2 and Scenario 3 is somewhere between \$1,850,000 and \$2,600,000. The additional scope of work includes two separate pieces of work, namely:

1. Attractive urban landscaping surface finishes (soft and hard)
2. Link(s) to the upper and lower river walk(s)

Clearly the latter work could happen at a later date if required.

Also note that in this scenario the 24 car parking space easement burdened on the owner of VOTR to the benefit of the adjacent owner will be satisfied adjacent to the casino and will rely on access (and easement) adjacent to the casino.







VICTORIA ON THE RIVER

edwardswhitearchitects



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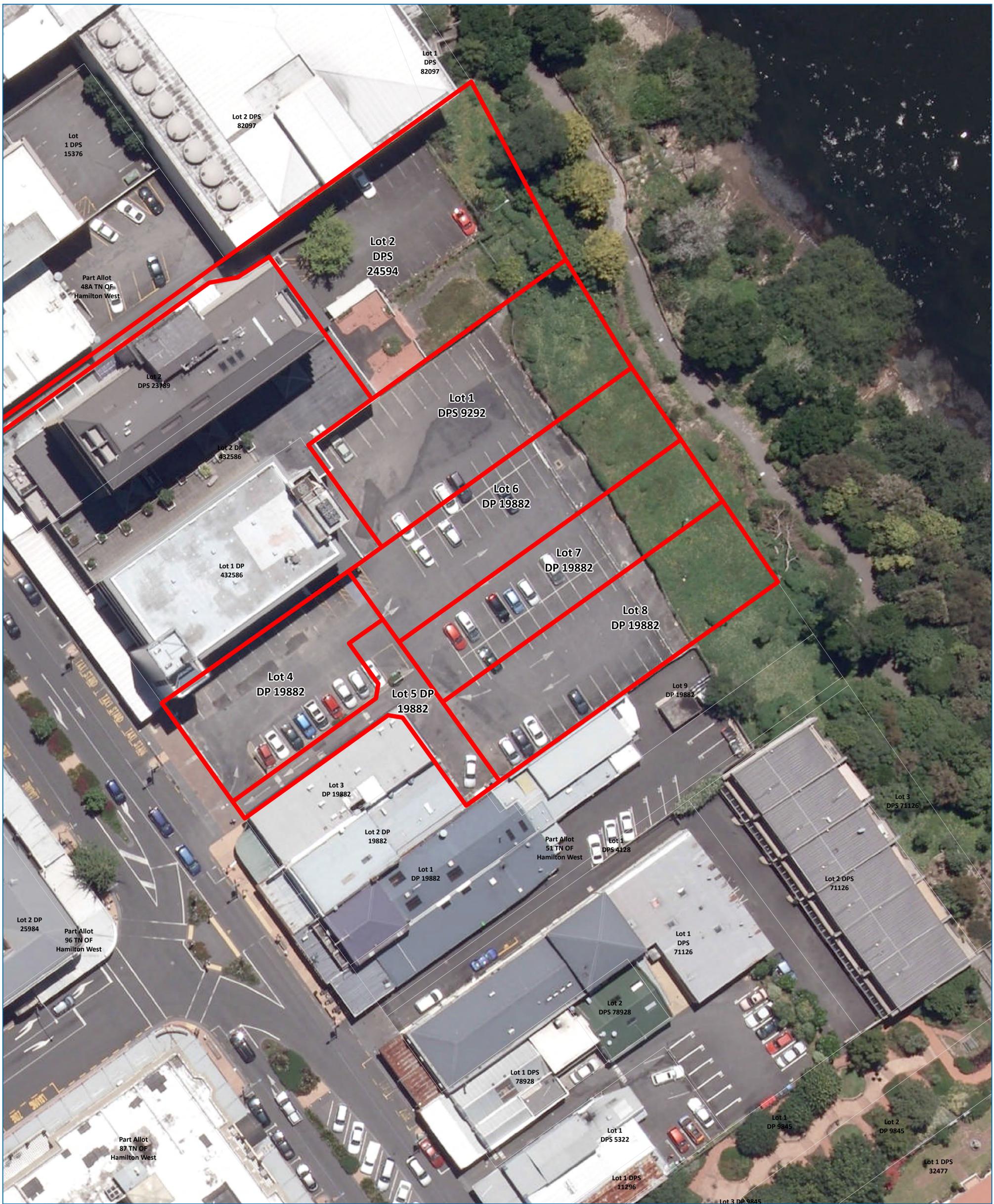






VOTR Aerial Photograph: AECOM- extent of excavation





KEY



GIS & CAD Services

VICTORIA ON THE RIVER

LOTS OVERVIEW



Trim No.
D-1700523

version

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Resolution to Exclude the Public

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. Ferrybank Development Plan) Good reason to withhold	Section 48(1)(a)
C2. Ruakura Private Development Agreement Principles) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987	
C3. Executive Recruitment Contract)	

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 enable Council to carry out negotiations	Section 7 (2) (i)
Item C2.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
Item C3.	to enable Council to carry out negotiations	Section 7 (2) (i)