

Notice of Meeting:

I hereby give notice that an ordinary meeting of Finance Committee will be held on:

Date: Thursday 18 February 2016
Time: 1:30pm
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Finance Committee OPEN AGENDA

Membership

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

Quorum: A majority of members (including vacancies)

Meeting Frequency: Six weekly

Ian Loiterton
Committee Advisor

12 February 2016
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Terms of Reference:

- To monitor the Council's financial and non-financial performance against the Long Term Plan and Annual Plan.
- To monitor the delivery of key projects.
- To approve and monitor contracts.
- To approve acquisition or sale or lease of properties owned by the Council, or owned by the Municipal Endowment Fund and the Domain Endowment Fund with reference to the strategy developed by the Business and Investment Sub-committee, for any endowment properties.
- To consider and approve deferred capital expenditure.
- To approve changes to projects resulting from staff recommendations within the Key Projects monitoring report.
- To consider and approve business cases referred by the Senior Leadership Team.

Power to act:

- Write off outstanding accounts greater than \$10,000 (in accordance with the Debtor Management Policy).
- To approve all contractual and other arrangements for supply and services and revenue generating contracts where the term of the contract (including renewal periods) and the total value of the contract is within limits set and delegated by Council.
- To approve contracts and other arrangements where the amount of work involved in a decision not to go to public tender exceeds \$100,000 (GST excluded) or in accordance with Council's Procurement Policy.
- To approve all other matters in accordance with the terms of reference of this committee.

Sub-committees:

This Committee will be supported in its work by the:

- Events Sponsorship Sub-committee.
- External Funding Sub-committee.
- Council Controlled Organisations (CCO) Sub-committee.

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1 Apologies

2 Confirmation of Agenda

The Committee 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 the Chair.

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 6772.

Committee: Finance Committee

Date: 18 February 2016

Report Name: Finance Committee Meeting -
Open Minutes - 19 November
2015

Author: Ian Loiterton

Status	<i>Open</i>
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Recommendation

That the Committee confirm and adopt as a true and correct record the Open Minutes of the Finance Committee Meeting held on 19 November 2015.

1. Attachments

- Attachment 1 - Finance Committee Meeting - Open Minutes - 19 November 2015

Finance Committee 19 NOVEMBER 2015 - OPEN



Finance Committee

OPEN MINUTES

Minutes of a meeting of the Finance Committee held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 19 November 2015 at 1.30pm.

PRESENT

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

In Attendance:	Richard Briggs – Chief Executive
	Paul Conder – Acting General Manager Corporate
	Blair Bowcott – Executive Director – Special Projects
	Chris Allen – General Manager City Infrastructure
	Sean Murray – General Manager Events and Economic Development
	Debra Stan-Barton – Acting General Manager City Growth
	Stephen Halliwell – Accounting Manager
	Scott Copeland – Procurement Manager
	Helen Paki – Group Business Manager
	Maria Barrie – Nursery Manager
	Nathanael Savage – Infrastructure Planner

Committee Advisor	Mary Birch – Democracy Team Leader
	Ian Loiterton – Committee Advisor

1. Apologies

Resolved: (Crs Mallett/Gallagher)

That apologies from Councillors McPherson and Wilson (lateness) be received and accepted.

Page 1 of 7

Finance Committee 19 NOVEMBER 2015 - OPEN

2. Confirmation of Agenda

Resolved: (Crs Mallett/Gallagher)

The Committee to confirm the agenda.

3. Declarations of Interest

No members of the Committee declared a Conflict of Interest.

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.

No members of the public requested the opportunity to speak.

5. Finance Committee Meeting - Open Minutes - 22 October 2015

Resolved: (Crs Chesterman/Yeung)

That the Committee confirm and adopt as a true and correct record the Open Minutes of the Finance Committee Meeting held on 22 October 2015.

6. Finance Committee Action List - Open - 19 November 2015

The Acting General Manager (GM) Corporate noted that a financial report on Claudelands Arena had been emailed to Elected Members previously and that a full report would be made to the Finance Committee in February 2016, then quarterly thereafter.

The status of Action List Item 62 was discussed; namely, whether Surf Life Saving had missed any grant funding opportunities. It was stated that Council, as part of its annual planning process, had previously decided not to fund Surf Life Saving and instead referred it to Waikato Regional Council (WRC) as part of a more appropriate regional funding approach, subject to WRC annual planning processes.

Action: Staff to report on the impact to Surf Life Saving as a result of not receiving Council funding while having to await the outcome of WRC processes.

Resolved: (Crs Pascoe/Mallett)

That the report be received.

Councillor Wilson joined the Meeting (1.37pm) during the above item, and was present when the matter was voted on.

Finance Committee 19 NOVEMBER 2015 - OPEN

7. Recommended dates for reports to be presented to Finance Committee

The Acting GM Corporate noted that the 9 December 2015 meeting of the Finance Committee had been cancelled. As a result, Business Cases that would have been considered at that meeting would instead be submitted to a meeting of Council on 10 December 2015.

Resolved: (Crs Forsyth/Mallett)

That the Report be received.

8. Six Monthly Reports from the Chairs of the Subcommittees to the Finance Committee

Councillor Forsyth took the Chair's Six Monthly Report for the External Funding Subcommittee as read and highlighted:

- **2014/15:** Over \$6,000,000 in funding had been attracted during 2014/15, which was a great result.
- **Hamilton Gardens:** The Hamilton Gardens Development Project had attracted \$5,590,000 of its overall target of \$7,030,000.

Resolved: (Crs Forsyth/Mallett)

That the report from the Chairperson of the External Funding Subcommittee be received.

Councillor Mallett took the Chair's Six Monthly Report for the Council Controlled Organisations Subcommittee as read and noted that the Annual Report for Vibrant Hamilton Trust had not been considered at the 21 October 2015 meeting of the Subcommittee as reported on page 30 of the Agenda.

Resolved: (Crs Mallett/Yeung)

That the report from the Chairperson of the Council Controlled Organisations Subcommittee be received, noting that the Annual Report for Vibrant Hamilton Trust had not been considered at the 21 October 2015 meeting of the Subcommittee as reported on page 30 of the Agenda.

Councillor Chesterman took the Chair's Six Monthly Report for the Events Funding Subcommittee as read and highlighted:

- **Annual plan:** Whether Council needed to review the budget for the funding scheme as part of annual plan processes for 2016/17.
- **Transparency of funding allocations:** While there were contracts with confidentiality clauses in place for successful grant applicants, Council may wish to consider if this was appropriate in the future given the small number of funding recipients.

Resolved: (Crs Mallett/Yeung)

That the report from the Chairperson of the Events Funding Subcommittee be received.

9. 10-Year Plan Monitoring Report - YTD October

The Acting GM Corporate took the report as read and noted that:

- **Correction:** There was an error in the last sentence of page 47 of the Agenda, in relation to the Planning and Development Group of Activities. The sentence should have read "Due to District Plan Legal costs being **more** than expected YTD" and was the only expenditure variance greater than \$100,000. The Group of Activities was otherwise on budget.
- **New format:** A new format of including previously reported figures immediately after current results had been implemented in the report. Previous figures were those enclosed in brackets i.e. ().

The Acting GM Corporate, with input from the GM City Infrastructure and GM Events and Economic Development, highlighted that:

- **Year to date:** Results were ahead of the Balancing the Books budget by \$12.1 million at year to date, with a debt position of \$43 million below the year-end target.
- **Development contributions:** Development contributions had been strong at the beginning of the year; this increased the likelihood of shortfalls later in the financial year or in years following.
- **Land Information Memorandums (LIMS):** LIM activity had decreased over the past two months and were returning to more normal levels.
- **Parking revenue:** A reduction in parking revenue as compared to the previous financial year was due to the sale of the Knox Street Carpark.
- **Accounting surplus:** Two key variables explained an accounting surplus; namely, vested assets had exceeded the expected level for 2015/16 and the unrealised loss on interest rate swaps had decreased.
- **Capital Expenditure:** Capital expenditure was \$4.9 million below what was expected. This was largely due to delays to Peacock Stage 1 and the upgrade of Council's two treatment plants.
- **Claudelands Arena:** Claudelands Arena was down on revenue but cost savings, plus future bookings, meant there was confidence the 2015/16 budget would be achieved.

Action: Acting GM Corporate to investigate advance payment of Development Contributions as a future liability and report back to the Committee in February 2016.

Resolved: (Crs Pascoe/Wilson)

That the report be received.

10. Key Projects Monitoring Report - October 2015

Resolved: (Crs Pascoe/Wilson)

That the report be received.

11. IS Programme of Work - Quarterly Update

Resolved: (Crs Pascoe/Wilson)

That the report be received.

12. Municipal Nursery Business Plan

The Group Business Manager and Nursery Manager took the report as read and highlighted that:

- **Efficiencies:** a number of efficiencies had been implemented, including installation of more reticulation to reduce hand watering.
- **Nursery focus:** the focus of the nursery was growing eco sourced native plants and to increase the percentage of its production that was based on forward orders so as to ensure greater budget certainty.
- **Commercial arrangements:** the nursery filled a niche market, including sales to local councils, and as such did not compete with local businesses. Benchmarking of the nursery's prices would be undertaken as part of the business case process to ensure Council was getting value for money.
- **Growth potential:** the nursery's current footprint would allow for growth if needed. Current production levels were around 120,000 plants whereas capacity was approximately 170,000 plants.

Resolved: (Crs Forsyth/Yeung)

That:

- a) the report be received; and
- b) capital funding of \$45,000 to fund glasshouse replacement and the nursery is managed through the organisational Risks and Opportunities in the 2016/17 year.

13. Rotokauri Far Western Wastewater Interceptor Extension Business Case

The GM City Infrastructure took the report as read and highlighted that:

- **Waste water network benefits:** completion of the Rotokauri Far Western Wastewater Interceptor Extension would allow the shutdown of the Moreland Avenue pipeline to work on a bottle neck in the network. Work on the Moreland Avenue pipeline was planned to occur in the second half of the Ten Year Plan.
- **Real-estate development:** completion of the Rotokauri Far Western Wastewater Interceptor Extension would help unlock approximately 3,000 housing sites earmarked for development.
- **Land access:** Land access was a major issue, but many landowners were developers who were in favour of the pipeline extension. Engagement with landowners included Integrated Catchment Management Plan processes.
- **Next stage in project:** if the business case was approved by the Committee, the next steps in the project would be to engage a consultant to develop a more precise design of the pipeline alignment and to hold more concrete discussions with landowners.

Resolved: (Crs Forsyth/Mallett)

That:

- a) the report be received; and
- b) the Rotokauri Far Western Wastewater Interceptor Extension project business case is approved.

The Meeting adjourned (3.01 – 3.15pm) for afternoon tea.

14. Rubbish and Recycling Contract and Working Group

The GM City Infrastructure took the report as read and highlighted that the Committee at its last meeting on 22 October 2015 had given 'in principal' approval for the contract extension and formation of a waste working group. The GM City Infrastructure then responded to questions.

Resolved: (Crs Gallagher/Chesterman)

That:

- a) the report be received;
- b) the Chief Executive be delegated authority to extend each of the following contracts with Waste Management Ltd by up to 24 Months:
 - i. Contract 0201- Kerbside Collection and Disposal
 - ii. Contract 0202- Kerbside Recycling collection and disposal
 - iii. Contract 0203- Refuse Transfer Station Operations and Lease
- c) the Terms of Reference and timeframes for the Waste Working Group attached to this report be approved, with the removal of the last sentence under the heading "Membership" and changing the number of Elected Members from two to "up to four"; and
- d) Council appoint Councillors Forsyth, Gallagher, King and Macpherson (subject to his acceptance) to the Waste Working Group.

15. Procurement Reporting Format

The Acting GM Corporate and Procurement Manager took the report as read and highlighted:

- **Proposed website page:** the proposal was to develop a procurement specific webpage on Council's website that would include information on procurement expenditure and a tender portal.
- **Report to Finance Committee:** reports to the Finance Committee would include information on any major tenders that had been awarded and details of any upcoming tender processes, with a link to the above mentioned webpage.
- **Planning:** the proposed webpage had been investigated for some time and was not just in response to the resolution of the Finance Committee meeting on 22 October 2015.

Resolved: (Crs Pascoe/Wilson)

That:

- a) the report be received; and
- b) the revised Procurement reporting structure is endorsed by the Committee.

Minute note: given this was the last meeting of the year, Councillor O'Leary congratulated Councillors Pascoe and Mallett for their performance in the respective roles of Chair and Deputy Chair of the Committee.

Finance Committee 19 NOVEMBER 2015 - OPEN

16. Resolution to Exclude the Public

Resolved: (CrS Pascoe/Tooman)

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. Finance Committee Meeting – Public Excluded Minutes – 22 October 2015) Good reason to withhold information exists under	Section 48(1)(a)
C2. Finance Committee Action List – Public Excluded – 19 November 2015) Section 7 Local Government Official Information and Meetings Act 1987	
C3. Report on overdue debtors as at 31 October 2015 & Bad Debts Writeoffs 2015/16)	
C4. Southern Links Roding Designation Property Purchase – 46 Weston Lea Drive		
C5. Variation to Contract 14416 – Development Contributions Policy Support		

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 protect the privacy of natural persons to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (a) Section 7 (2) (j)
Item C2.	To protect the privacy of natural persons to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (a) Section 7 (2) (j)
Item C3.	To protect the privacy of natural persons	Section 7 (2) (a)
Item C4.	To protect the privacy of natural persons to enable Council to carry out negotiations	Section 7 (2) (a) Section 7 (2) (i)
Item C5.	To enable Council to carry out negotiations	Section 7 (2) (i)

The meeting moved into Public Excluded Session from 3.40pm until 4.23pm.

The meeting was declared closed at 4.23pm.

Committee: Finance Committee

Date: 18 February 2016

Report Name: Finance Committee - Open
Action List - 18 February 2016

Author: Ian Loiterton

Status	<i>Open</i>
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Recommendation

That the report be received.

1. Attachments

- Attachment 1 - Finance Committee - Open Action List - 18 February 2016

Action List - 2015/16

OPEN

Ref.	GM Responsible	Action	DUE DATE for reporting back	Status (relative to due by date)	Notes
2	GM City Growth	<p>Waiwhakareke Smart Subdivision – Retention or Disposal Options: Commissioners released their decision to apply a residential zoning to the Smart Subdivision site on 18 February 2015.</p> <p>The network infrastructure upgrades needed to facilitate the development of the Smart Subdivision are being considered within Council's draft LTP. Consequential development options will be reported back to Council in December 2015</p>		In progress	Elected Members notified of commissioners decision in February 2015. Consequential development options will be reported back to the Finance Committee at it's meeting on 18 February 2016.
29	GM Community	Swimming Facilities Report: The Aquatic Facilities unfunded proposal options report was presented and considered during the 10 Year Plan process. Council has requested further work on the options that is to be discussed during the Annual Plan process.		In progress	To be completed and presented to Council during the AP process
39	GM City Infrastructure	Business Case for New Structure to Extract Water from the Waikato River: Upon completion of the project a Completion Report will be provided to the Finance Committee.	Nov-15	Overdue	This project has experienced a number of issues due to Waikato River water levels, scheduling of plant shutdowns, building consent issues and design complications. Whilst each issue is not significant, combined they have led to the project being delivered approximately 6 months behind schedule. The anticipated completion date is now April 2016. A completion report to the finance committee is now expected to be delivered in May/June 2016.
59	GM Community	10-Year Plan Monitoring Report: Report on Water World and gym business areas (inclusive of KPIs, with the four Water World departments disaggregated) to be provided to the next Finance Committee Meeting on 22 October 2015, by the GM Community.	08-Dec-15	Overdue	Due to changing trends further analysis is being undertaken in conjunction with PWC. An updated report will be available for the April Finance Committee meeting
61	GM Community	Multi-Year Grant Follow Up Report: GM Community to report back to the Finance Committee on the Community Facilities Review and how this related to Age Concern's current premises; namely, the Celebrating Age Centre.	08-Dec-15	Completed	Community Facilities Report made to the 8 December 2015 meeting of the Strategy and Policy Committee by the Community Development and Leisure Manager
64	GM Corporate	Action List: Democracy to develop a universal numbering system within action lists for ease of reference.	18-Feb-16	In progress	In progress - new action list format included in 18 February 2016 meeting agenda which includes standardised reference numbers. Please note that additional information to that in the agenda is captured in the spreadsheet for administration purposes
76	GM City Infrastructure	Hamilton Ring Road Quarterly Project Update: GM City Infrastructure to report design options for the future pedestrian overpass adjacent to Hamilton Gardens to the Strategy and Policy Committee at a date to be advised.		In progress	Added to agenda for S&P on 23rd February 2016, on Councillor Briefing agenda for 16th February 2016.

Updated: 11/02/16 14:18

Ref.	GM Responsible	Action	DUE DATE for reporting back	Status (relative to due by date)	Notes
79	GM Corporate	10-Year Plan Monitoring Report: Acting GM Corporate to investigate advance payment of Development Contributions as a future liability and report back to the Committee in February 2016.	18-Feb-16	Completed	As emailed to Elected Members on 2 December 2015, the revenue that would have to repaid in event that Council does not proceed with future work planned in the 10 year plan is \$3.3m broken down as shown in the table below. A total of \$40m has been collected against current WIP or future capital programme items. Rototuna Reserves -1,069 SW - Chartwell -45 SW - Hamilton East -76 SW - Mangaheka -11 SW - Ohote -8 SW - Peacocke -6 SW - St Andrews -126 SW - Te Awa o Katapaki -1,386 SW - Temple View -9 T - Peacocke 1 -269 T - Peacocke 2 -13 WW - Peacocke 1 -258 T= Transport, SW = Storm Water, WW= Wastewater
80	GM Community	Surf Life Saving: Staff to report on the impact to Surf Life Saving as a result of not receiving Council funding while having to await the outcome of WRC processes.	18-Feb-16	In progress	Surf Life Saving initiated additional fundraising activity that resulted in a number of supporters coming forward that covered their shortfall. It is understood that Waikato Regional Council will consult as part of the Annual Plan on options for the new Regional Services Fund.

Committee: Finance Committee

Date: 18 February 2016

Report Name: Recommended dates for reports to be presented to Finance Committee

Author: Jessica Ashworth

Recommendation

That the Report be received.

1. Attachments

- Attachment 1 - Timing of reports to Finance Committee

3. Purpose of the report

- This report provides detail of the regular reports that will be presented to this committee as well as estimated timing. Any new reports requested can be added to the attached list.

Signatory

Authoriser	David Bryant, General Manager Corporate
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Reports to Finance Committee	Frequency/Timing 2016						Comments
	February	April	May	July	August	Post-Election	
Standard Monitoring Reports							
Minutes & Action Lists	x	x	x	x	x	x	Both open and PX
List of standard monitoring reports	x	x	x	x	x	x	
Key Projects Status Report	Q2 15/16 (Dec15)	Q3 15/16 (Mar16)	Apr-16	May-16	YE 15/16 (Jun16)	Q1 16/17 (Sep16)	Includes IS programme of work update

Quarterly/Six Monthly Reports (Internal)							
10-Year Plan Monitoring Report - Quarterly	Q2 15/16 (Dec15)	Q3 15/16 (Mar16)			YE 15/16 (Jun16)	Q1 16/17 (Sep16)	Includes R&O, Proc & other qtly content
10 Year Plan Monitoring Report - Summary			Apr-16	May-16		Oct-16	Excludes R&O and other quarterly content
Weathertight Buildings Update (Six monthly) - financial summary		Q3 15/16 (Mar16)				Q1 16/17 (Sep16)	Audit & Risk consider risk elements
Claudlands (quarterly update)	Q2 15/16 (Dec15)	Q3 15/16 (Mar16)			YE 15/16 (Jun16)	Q1 16/17 (Sep16)	Inlcudes financial, non-financial and forward bookings

Confidential Reports							
Overdue Debtors/Bad Debt Writeoffs	x	x	x	x	x	x	
Development Contributions Remissions (aligned with Q-reporting)	x	x			x	x	

OFFLINE							
Claudlands summary financials							Analysis in Group of Activities reports
Procurement information							to 'probity' portion of HCC website

Post election meetings are likely in October and November

Intentionally left blank

Committee: Finance Committee

Date: 18 February 2016

Report Name: 10-Year Plan Monitoring
Report - YTD December 2015

Author: Stephen Halliwell

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>2015-25 10 Year Plan 2015-16 Annual Plan</i>
Financial status	<i>Not Applicable</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Council's 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 provide Council with an update for the six months ended 31 December 2015 on Council's performance in delivering the 2015-16 Annual Plan (as documented in the 2015-25 10-year Plan).

Numbers in Brackets [xx] in Commentary

Where a number is followed by a number in brackets, the number in brackets is the comparative result from the 31 October 2015, the last reported financial results to the Finance Committee. For example: The financial performance in paragraph 5 for December is \$24.6m and the bracketed figure represents the October position [\$17.3].

The financial results contained in this report have been taken into account in preparing the 2016/17 Annual Plan information.

3. Executive Summary

- Council is on target for delivering the 2015-16 Annual Plan, the first year of the 2015-25 10-Year Plan. No material variances are identified that would result in Council not meeting the financial strategy limits.
- Council's financial performance is a Year to date surplus of \$24.6m [\$17.3m] which is \$20.2m [\$15.5m] better than budget.
- As reported previously the majority of the surplus is due to vested assets and development contributions, both of which are growth related. This level of activity was not predicted in the budget.
- Building consents lodged are up 19% [17%] on previous years by volume and 31% [19%] by value. LIMs are up 32% [51%] on previous years by volume and 36% [57%] by value. These are indicators of the exceptional growth activity.

8. The group of activities expenditure show favourable variances to budget. A breakdown of the major contributors to this variance is shown in the table in paragraph 19.
9. The capital expenditure statement is reporting a favourable variance to budget. Management has identified 14 projects that are unlikely to be completed this financial year due to third party constraints. These projects have an estimated value of \$12.3m and will require deferral into the 2016-17 financial year. The remainder of the programme is expected to be completed by June 2016 within budget.

10. Recommendations from Management

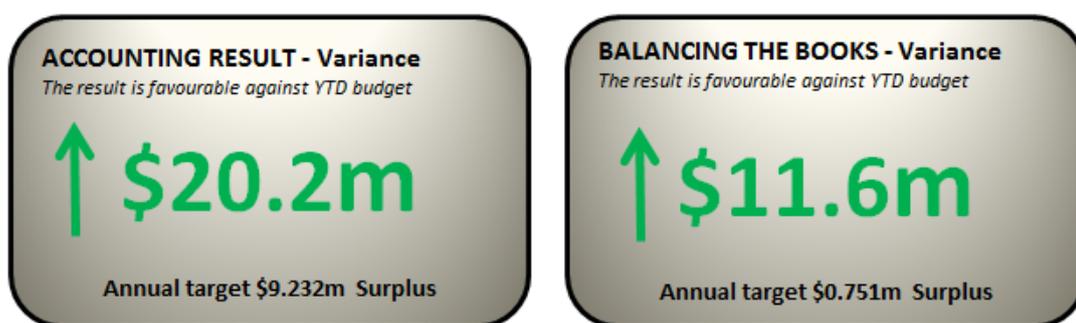
That:

- a) The report be received; and
- b) The Chief Executive is delegated to approve the extension of Contract 13087 Committed Bank Facility by two years to a maturity date of 10 December 2019.

11. Attachments

12. Attachment 1 - Financial Statements
13. Attachment 2 - Group of Activities
14. Attachment 3 - Capital Expenditure
15. Attachment 4 - Growth Information
16. Attachment 5 - Risks and Opportunities
17. Attachment 6 - Treasury Report
18. Attachment 7 - Top 10 Contracts Award
19. Attachment 8 - Service Performance Report
20. The structure of this report includes the following sections:
 - a) Summary of operational results
 - b) Summary of capital expenditure
 - c) Summary of risks and opportunities
 - d) Summary of debt and treasury management
 - e) Summary of procurement Top 10 contracts
 - f) Summary of service performance measures
21. Attachments to this report provide more detailed analysis and explanation of the results.

22. Summary of Operational Results



23. The accounting result for the six months ended 31 December is a surplus of \$24.6m [\$17.3m], which is \$20.2m [\$15.5m] favourable against the target YTD surplus. The annual surplus is budgeted at \$9.2m.
24. The balancing the books result is more conservative than the accounting result as it excludes non-cash items such as gains or losses from the valuation of financial instruments, vested assets and capital subsidies on the Ring Road. For the six months ended 31 December the balancing the books result is a surplus of \$11.7m [\$11.8m], which is \$11.6m [\$12.1m] favourable against the target year end surplus of \$0.8m.
25. The *Financial Statements* (attachment 1) show the accounting result, balancing the books reconciliation and the balance sheet. Variances greater than \$250k by class of revenue and expenditure are explained in this attachment.
26. *Group of Activities Financial Reports* (attachment 2) explain variances greater than \$100k.

27. The major contributors to the favourable variance to budget are:

		December 2015 variance	October 2015 variance
Vested assets*	Due to higher levels of subdivisional development than the budget estimated. Vested assets will result in an increase in depreciation costs in future periods and additional maintenance costs in future years.	\$10.9m	\$11.5m
Development contributions	Payments from developers under the development contributions policy to contribute funding to growth related capital projects.	\$5.9m	\$5.6m
Planning and Development Revenue	Revenue continues to increase due to higher than expected building consents and LIMs. The rate of increase declined during October. Additional costs are being incurred on these consents in this and other activities.	\$1.4m	\$0.9m
Rates (including metered water)	Additional revenue from penalties along with the level of remissions being lower than was budgeted.	\$1.1m	\$0.6m
Group of Activities Personnel Costs	The personnel cost variance is currently being reviewed by General Manager Corporate.	\$1.7m	\$1.1m
Group of Activities Finance Costs	Finance costs (interest charges) are favourable and this is a direct reflection on the lower level of overall debt Council has. This is being forecast to be \$1.0m favourable by the 30 June 2016.	\$0.5m	\$0.2m
Group of Activities Depreciation	Depreciation is favourable, Council has a revaluation of its 3 water assets this year, it is effective from 1 July 2015 so once this is completed the variance is expected to become unfavourable.	\$0.8m	\$0.5m
Group of Activities Other Expenditure	Across all other activities expenditure is behind budget as activity builds up. Explanations of variances are explained in the <i>Group of Activities Financial Report</i> .	\$0.6m	\$1.1m
Less loss on swaps*	This loss is a non-cash adjustment to the balance sheet resulting from an adverse unrealised variance between Council's interest rate swaps and the floating interest rate.	(\$2.0)m	(\$6.5)m
Other		(\$0.7)m	\$0.5m
Total variance		\$20.2m	\$15.5m

- Eliminated from the balancing the books measure

28. Summary of Capital Expenditure



29. The capital expenditure programme is comprised of the 2015/16 Annual Plan budgeted programme of \$65.6m and deferred projects from 2014/15 of \$18.1m. This gives a total programme of \$83.7m.
30. The *Capital Expenditure Report* (attachment 3) provides a list of all projects, variances to budget and the projects status.
31. For the six months ended 31 December 2015, the amount of capital expenditure is \$22.1m [\$13.4m]. This is \$10.5m [\$4.9m] behind the year to date budget and represents 26.4% [6.0%] of the total capital expenditure programme.
32. The 2015-16 capital expenditure programme comprises 128 projects/programmes. 112 are on track from a timing and budget perspective while 16 are indicated to potentially have timing or budget issues (attachment 3).
33. Of the 16 projects identified as having timing or budget issues 14 have been identified as potential timing (deferral) and 2 identified as potential budget. These are marked as orange in the status column on the *Capital Expenditure Report*, the accompanying notes to this report provides further detail.
34. The deferred projects are all due to third party constraints and have an estimated value of \$12.3m. This has the effect of reducing the year end forecast for overall debt.

35. Summary of Risks and Opportunities

36. The *Risks and Opportunities Schedule* (attachment 5) is used to forecast the 30 June 2016 year-end results for Council. It records budget adjustments greater than \$100,000 or that have the potential to impact on the year end forecast.
37. The shaded items are the new items added since the October report to the Finance Committee.
38. As at 31 December 2015 the year end accounting result is forecast to be a surplus of \$23.0m, this would be a \$13.8m improvement over the Annual Plan target of \$9.2m. The major drivers continue to be the additional revenue from vested assets, development contributions and favourable interest costs. The balancing the books year end forecast is a surplus of \$8.6m, this would be an improvement of \$7.9m over the Annual Plan target of \$800k.

39. As at 31 December 2015 the year end capital expenditure is forecast to increase by \$5.3m. The major drivers are:
- \$3.0m for the Western Rail Trail cycleway project, this project is fully funded from the Urban Cycleway Fund.
 - \$1.5m for design and earthworks on the Victoria on the River site (Council approved December 2015)
 - \$350k for the purchase of a new development contributions modelling tool.

40. Summary of Debt and Treasury Management



41. Total Overall Debt

42. Total Overall Debt is currently \$353.4m [\$363.7m], which is \$53.4m [\$43.1m] less than the year end budget target of \$406.8m.
43. The favourable position is the difference between the actual for December 2015 and the year end target.
44. A forecast assessment of overall debt predicts that by the 30 June 2016 the variance is projected to be \$57.0m less than the amount from the 10 Year Plan. This is made up of two categories permanent at \$33.0m and timing at \$24m. The following table details the forecast position:

Overall Debt Position	
LTP Closing balance as at 30 June 2016	\$407m
Less Permanent	
Favourable opening position from 30 June 2015	\$14m
Proceeds from asset sales	\$4m
Favourable operating position	\$15m
	\$374m
Less Timing	
Proposed Deferrals	\$15m
Accruals	\$9m
	\$24m
Forecast closing balance as at 30 June 2016	\$350m

45. The permanent reduction in debt has been included in the 2016-17 Annual Plan work programme.

46. Treasury Management

47. The Council is compliant with the Borrowing Management Policy measures. Refer attachment 6 for the *Treasury Report*.

48. Contract 13087 – Extension of Committed Bank Funds

49. We seek approval to extend the duration of Contract 13087 for provision of a \$60m Committed Bank Facility by two years to a maturity date of 10 December 2019.

50. Approval of Council is sought because the extension is beyond the two single year rights of renewal included in the Council resolution when the original contract was awarded. The extended maturity would see no change to any of the other terms and conditions of the contract.

51. Summary of Procurement Top 10 Contracts

52. Council at the 19th November Finance Committee meeting resolved that the Procurement Report would no longer be a separate report but rather incorporated within this report *“The 10-year Monitoring Report will contain a section on Procurement that looks at the 10 highest value contracts or PSP instructions awarded over the last quarter as well as any major procurement processes scheduled for commencement in the next quarter”*.

53. *The 10 Highest Value Contracts Report* (attachment 7) contains the 10 highest value contracts and professional services panel instructions awarded over the last quarter – 1 October 2015 to 31 December 2015.

54. The other information that was previously contained in the Procurement Report will be published on Councils web page (as per the 19 November 2015 procurement report). This is expected to be completed in February 2016.

55. Summary of Service Performance Measures

56. The 2015-25 10-Year Plan contains 65 performance measures across Council’s 13 service groups. These are the service performance measures that will be reported in Council’s Annual Report.

57. Performance results are collected on a quarterly basis.

58. This *Service Performance Measures Report* (attachment 8) includes a high level graph of the results and an exceptions report that provides more detail of the measures that are reported as needing corrective action or not on track to meet this year’s target.

59. For a full list of the performance measures, please see the 2015-25 10 Year Plan, <http://www.hamilton.co.nz/10yearplan>

Signatory

Authoriser	David Bryant, General Manager Corporate
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STATEMENT OF COMPREHENSIVE REVENUE AND EXPENSE FOR THE SIX MONTHS ENDED 31 DECEMBER 2015

	Notes	Year to Date			Annual Budget	Prior YTD Dec 2014
		Actual	Budget	Variance favourable/		
		\$000	\$000	\$000	\$000	\$000
Revenue						
Rates excluding water rates	1	68,990	68,283	707	138,472	66,090
Water rates	2	4,293	3,869	424	7,772	3,482
Revenue from activities	3	22,481	21,508	973	41,744	22,375
Subsidies and grants	4	4,370	5,125	(755)	9,257	4,394
Development and financial contributions	5	10,235	4,372	5,863	9,500	7,762
Other revenue	6	18,390	6,747	11,643	13,381	13,636
Total revenue		128,759	109,904	18,855	220,126	117,739
Expenses						
Personnel costs	7	31,474	33,144	1,670	66,546	32,881
Depreciation and amortisation	8	28,324	29,134	810	58,269	28,366
Finance costs	9	10,809	11,324	515	22,647	11,827
Other expenses		31,336	31,934	598	63,432	30,947
Total expenses		101,943	105,536	3,593	210,894	104,021
Operating surplus/(deficit)		26,816	4,368	22,448	9,232	13,718
Gains		27	0	27	0	0
Losses	10	(2,242)	0	(2,242)	0	(9,009)
Surplus/(deficit)		24,601	4,368	20,233	9,232	4,709

BALANCING THE BOOKS MEASURE FOR THE SIX MONTHS ENDED 31 DECEMBER 2015

Surplus/(deficit)		24,601	4,368	20,233	9,232	4,709
Adjustments for balancing the books measure						
Gains		27	0	27	0	0
Losses		(2,242)	0	(2,242)	0	(9,009)
Vested assets		15,111	4,241	10,870	8,481	11,441
Ring Road subsidy		3	0	3	-	525
Total adjustments		12,899	4,241	8,658	8,481	2,957
Balancing the books surplus/(deficit)		11,702	127	11,575	751	1,752

Notes to the Statement of comprehensive revenue and expense

Note 1: Rates excluding water rates

The major drivers of the \$707k favourable [\$709k] variance are:

- Increase in penalties income \$285k [\$235k]. As part of the rates review it was identified that we needed to change the timing of the rates arrears penalty. This changed the date from 1 September to the date set by legislation being 7 July.
- Decrease in the rates remissions expense - Council of \$216k [\$216k]. As part of the rates review, rates remissions budgets were increased. The actual remissions when the rates were struck were lower than expected for council and rural commercial properties.
- Decrease in the rates remissions expense – Hardship of \$138k [\$138k]. Mainly a timing difference.

Note 2: Water Rates

The favourable variance of \$424k [\$196k], this is due to timing of the billing cycles. Council has 40 billing areas which are invoiced every 6 months and high volume users who are invoiced monthly. The annual budget is expected to be achieved.

Note 3: Revenue from activities

The favourable variance of \$973k [\$1.4m] is due to the higher Land Information Memorandums and Building Consents being processed in Planning and Development. Additional expenditure is expected to be incurred over the coming months as a result.

Note 4: Subsidies and Grants

The variance of \$755k is unfavourable [\$498k] due to both the operating and capital programmes being behind the budgeted position. Note that the revenue from subsidy is directly related to amount of expenditure.

Note 5: Development & financial contributions

The favourable variance of \$5.9m [\$5.1m] is due to higher than expected receipts - see attachment 4.

Note 6: Other revenue

The favourable variance of \$11.6m [\$11.9m], this is due to higher than expected vested assets - see attachment 4.

Note 7: Personnel costs

\$1.7m favourable [\$1.4m]. Predominantly across three groups: Corporate \$360k, City Growth \$491k and City Infrastructure \$637k. Explanations of these variances are contained in the Group of Activities Financial Reports. See attachment 2.

Note 8: Depreciation and amortisation

The variance is \$810k favourable [\$649K]. Part of this is due to the revaluation that is currently underway, the other contributing factor relates to assets lives that were extended after the last revaluation, (longer lives reduces the depreciation value). NOTE: The valuation of the 3 water assets is expected to result in an overall unfavourable variance of \$2.8m for depreciation.

Note 9: Finance Costs

The variance of \$515k favourable [\$413k] is due to lower borrowings as a result of the lower starting debt position, the capital programme being behind schedule and the operating result being in a favourable position.

Note 10: Losses

The unfavourable variance of \$2.2m [\$6.0m], this is due to \$2.0m of unrealised losses on the revaluation of interest rate swaps.

STATEMENT OF FINANCIAL POSITION AS AT 31 DECEMBER 2015

	Notes	Council		
		Actual	Annual Budget	Actual Dec 2014
		\$000	\$000	\$000
Assets				
Current assets				
Cash and cash equivalents	1	3,759	45,000	50,492
Receivables	2	8,388	17,101	8,169
Prepayments		2,017	1,663	1,663
Inventory		18	237	237
Other financial assets	1	54,010	0	439
Non-current assets held for sale		0	0	0
Total current assets		68,192	64,001	61,000
Non-current assets				
Property, plant and equipment	3	3,244,587	3,294,067	3,197,678
Intangible assets		18,409	19,184	13,878
Investment property		24,139	24,308	41,203
Investment in associates		7,430	7,430	7,430
Other financial assets	1	8,569	8,280	8,641
Investment in subsidiaries		10,150	10,150	10,150
Total non-current assets		3,313,284	3,363,419	3,278,980
Total assets		3,381,476	3,427,420	3,339,980
Liabilities				
Current liabilities				
Employee entitlements		5,503	5,013	5,013
Payables	4	16,428	13,621	13,968
Borrowings	5	93,251	79,048	72,333
Derivative financial instruments	6	210	0	22
Provisions		1,727	1,724	1,724
Total current liabilities		117,119	99,406	93,060
Non-current liabilities				
Employee entitlements		881	886	886
Borrowings	5	285,977	336,036	341,494
Derivative financial instruments	6	27,903	0	20,994
Provisions		8,478	8,085	8,085
Total non-current liabilities		323,239	345,007	371,459
Total liabilities		440,358	444,413	464,519
Net assets		2,941,118	2,983,007	2,875,461
Equity				
Accumulated funds		1,635,117	1,609,284	1,630,374
Other reserves	7	1,306,001	1,373,723	1,245,087
Total equity attributable to Hamilton City Council		2,941,118	2,983,007	2,875,461
Total equity		2,941,118	2,983,007	2,875,461

Notes to the Statement of financial position

Note 1: Cash and financial assets

		Actual	Annual budget	Prior YTD
		\$000	\$000	\$000
Cash and short-term deposits		3,759	45,000	50,492
Other financial assets - current	Term deposits	54,000	0	420
	Loan investments	10	0	19
		54,010	0	439
Other financial assets - non-current	Term deposits	3,600	3,303	3,440
	Shares	4,870	4,977	4,977
	Loan investments	99	0	224
		8,569	8,280	8,641
Total cash and financial assets		66,328	53,280	59,553

The financial statements separate term deposits with maturities of greater than three months and less than one year from those with maturities of less than three months at acquisition. The above table shows that total cash and financial assets at 31 December 2015 is above the annual budget of \$53.3m.

Note 2: Rates and debtors receivables

		Actual			Prior YTD		
		\$000	\$000	\$000	\$000	\$000	\$000
Rates		Rates	Arrears	Total	Rates	Arrears	Total
Balance as at 1 July		(1,885)	3,829	1,944	(1,710)	3,323	1,612
Instalments to date		80,866	0	80,866	76,986	0	76,986
Penalties, adjustments & postponed		673	0	673	572	0	572
Remissions and govt rebates instalments 1-2		(1,511)	0	(1,511)	(996)	0	(996)
Rates receipts		(78,524)	(3,193)	(81,717)	(75,611)	(2,695)	(78,306)
		(380)	635	255	(761)	628	(133)
Remissions and govt rebates instalments 3-4		(1,479)	0	(1,479)	(996)	0	(996)
Balance as at 31 December		(1,859)	635	(1,223)	(1,757)	628	(1,129)
Water by meter	2a			1,176			670
Sundry debtors							
Debtors				3,173			2,922
Rentals				325			212
NZTA				0			622
Rates rebates Internal Affairs				102			98
H3 debtors				499			445
				4,099			4,299
Parking	2b			4,079			5,931
Debtor accruals				3,508			3,855
Provision for doubtful debts	2c			(3,250)			(5,456)
Total rates and debtors receivables				8,388			8,169

Commentary

Rates and debtors have increased due to:

- 2a. Water by meter revenue review undertaken found meter reading and invoicing issues in 2014/15.
- 2b. Parking debt of \$2.0m was written off at 30 June 2015.
- 2c. Provision for doubtful debts reduced by \$2.0m at 30 June 2015 due to parking debtors write off.

		Notes	Actual \$000	Prior YTD \$000
Debtors aging				
Rates				
			as at 1 July	as at 1 July
	2d	2012/13	0	2012/13 32
		2013/14	74	2013/14 3,291
		2014/15	0	0
		Penalties	292	0
		1st qtr	374	0
		2nd qtr	574	0
		3rd qtr	850	0
		4th qtr	1,665	0
			<u>3,828</u>	<u>3,323</u>
Sundry debtors				
			as at 31 Dec	as at 31 Dec
		Current	1,235	Current 2,147
		0-30 days	756	0-30 days 1,081
		30-60 days	215	30-60 days 390
		60-90 days	134	60-90 days 83
	2e	>90 days	1,758	>90 days 598
			<u>4,099</u>	<u>4,299</u>

Commentary

2d. As at 31 December 2015 the 2013/14 arrears were \$38k of which \$19k relates to a rates postponed arrangement.

2e. >90 days includes MOE \$1.3m for their contribution for Rototuna Road.

The invoice was paid by MOE into Tompkins Wake Trust account, which is a condition of our contract with MOE.

The revenue is treated as Income in advance until the funds are released to Hamilton City Council by Tompkins Wake on receipt of invoices for completed work.

Note 3: Fixed assets work in progress

Asset categories	Balance 1 July 2015 \$000	New WIP Jul-Dec \$000	WIP capitalised Jul-Dec \$000	Balance 31 Dec 2015 \$000
Restricted Land	941	0	(734)	207
Parks & Gardens Land	2,514	337	(2,898)	(47)
Land under Roads	1,540	0	(1,451)	89
Operational Buildings	7,314	870	(755)	7,429
Parks & Gardens Improvements	5,455	740	(429)	5,766
Refuse	1,841	24	0	1,865
Wastewater	11,251	2,637	(1)	13,887
Stormwater	4,034	836	0	4,870
Transportation	19,717	8,835	(2,123)	26,429
Water Supply	10,894	2,679	(690)	12,883
Wastewater Treatment Plant	2,210	997	0	3,207
Water Treatment Station	2,793	1,714	0	4,507
Operational Plant & Equipment	4,001	1,220	(1,080)	4,141
Intangible Assets	2,850	473	(61)	3,262
Other	618	747	(858)	507
	<u>77,973</u>	<u>22,109</u>	<u>(11,080)</u>	<u>89,002</u>
Fixed Assets Vested	12,856	15,111	(3,366)	24,601
Total Fixed assets work in progress	90,829	37,220	(14,446)	113,603

Work in progress is a part of Council Property, plant and equipment non-current assets. Costs are recorded as work in progress until an asset becomes operational.

Note 4: Payables

	Actual	Annual budget	Prior YTD
	\$000	\$000	\$000
Payables	16,428	13,621	13,968
Total payables	16,428	13,621	13,968

Payables includes rates income in advance of \$107k as rates income has been invoiced for two quarterly instalments whereas six months (July-December) rates income has been recognised in the Statement of comprehensive revenue and expense.

Note 5: Borrowings

	Actual	Annual budget	Prior YTD
	\$000	\$000	\$000
Borrowings (current)	93,251	79,048	72,333
Borrowings (non-current)	285,977	336,036	341,494
Total external debt	379,228	415,084	413,827

The calculation for Net External Debt and Total Overall Debt is shown in the Treasury Report (attachment 6). Total Overall Debt is the Financial Strategy benchmark.

Note 6: Derivative financial instruments

	Actual	Annual budget	Prior YTD
	\$000	\$000	\$000
Interest rate swaps - held for trading (current)	210	0	22
Interest rate swaps - held for trading (non-current)	17,903	0	20,994
Total derivative financial instrument liabilities	18,113	0	21,016

The revaluation of interest rate swaps held by Council show an unrealised mark-to-market revaluation loss for 2016 of \$2.0m (2015 loss \$9.0m) as shown in the Statement of comprehensive revenue and expense. This revaluation loss has increased the derivative financial instrument liability and occurs because floating interest rates were lower than the fixed rates of the swaps.

Note 7: Restricted and Council created reserves

	Balance 1 July 2015	Transfers into fund	Transfers out of fund	Balance 30 Nov 2015
	\$000	\$000	\$000	\$000
Total restricted reserves	30,492	89	0	30,581
Total Council created reserves	10,325	669	(55)	10,939
Total restricted and Council created reserves	40,817	758	(55)	41,520

Transfers into the reserves greater than \$100k include interest, Hamilton Gardens targeted rate, reserves contributions and waste minimisation levies.

STATEMENT OF CASH FLOWS FOR THE SIX MONTHS ENDED 31 DECEMBER 2015

	Council		
	Actual \$000	Annual Budget \$000	Actual Dec 2014 \$000
Cash flows from operating activities			
Cash was provided from:			
Rates revenue	77,977	146,244	72,985
Fees, rents and charges	21,772	42,056	20,534
Subsidies and grants	6,108	9,257	5,428
Other capital contributions	12,489	11,213	9,889
Interest received	880	2,000	924
Dividends received	120	143	132
Sundry revenue	463	1,044	2,431
	119,809	211,957	112,323
Cash was applied to:			
Payments to employees	33,497	66,546	33,146
Payments for suppliers	42,978	61,845	39,208
Interest paid	10,642	22,647	12,164
Net GST paid	(3,441)	1,900	1,507
	83,676	152,938	86,025
Net cash flow from operating activities	36,133	59,019	26,298
Cash flows from investing activities			
Cash was provided from:			
Proceeds from reduction in other financial assets	42	0	0
Proceeds from sale of shares	0	0	0
Proceeds from sale of investment property	0	0	980
Proceeds from sale of property, plant and equipment	47	139	7,408
	89	139	8,388
Cash was applied to:			
Acquisition of other financial assets (term deposits)	49,000	0	0
Purchase of investment property	0	0	0
Purchase of intangible assets	473	0	634
Purchase of property, plant and equipment	22,109	65,646	31,437
	71,582	65,646	32,071
Net cash flow from investing activities	(71,493)	(65,507)	(23,683)
Cash flows from financing activities			
Cash was provided from:			
Loans raised	38	32,913	15,000
Finance leases raised	20	0	126
	58	32,913	15,126
Cash was applied to:			
Loan repayments	18,000	26,000	10,000
Finance lease repayments	230	425	216
	18,230	26,425	10,216
Net cash flow from financing activities	(18,172)	6,488	4,910
Net increase/(decrease) in cash held	(53,532)	0	7,525
Opening cash and cash equivalents balance	57,291	45,000	42,967
Closing cash and cash equivalents balance	3,759	45,000	50,492

ARTS AND CULTURE
Theatres | Libraries | Museum | Arts | Active Communities
for the six months ended 31 December 2015

Prior YTD Actual 2014/15 \$000	Year to Date		Variance Favourable/ (Unfavourable) \$000	Annual Budget \$000
	Actual \$000	Budget \$000		
Revenue				
(1) Rates excluding Water rates	(2)	(1)	(1)	(1)
0 Water rates	0	0	0	0
979 Revenue from activities	977	898	78	1,679
252 Subsidies and grants	5	21	(16)	38
0 Development & financial contributions	0	0	0	0
13 Other revenue	11	10	1	20
1,244 Total revenue	990	928	62	1,736
Expenses				
3,379 Personnel costs	3,173	3,328	155	6,609
709 Depreciation and amortisation	1,292	1,306	14	2,611
149 Finance costs	100	101	1	203
4,881 Other expenses	3,815	3,760	(55)	7,676
9,118 Total expenses	8,380	8,494	115	17,099
(7,874) Operating surplus/(deficit)	(7,389)	(7,566)	177	(15,363)
0 Gains	0	0	0	0
0 Losses	0	0	0	0
(7,874) Surplus/(deficit)	(7,389)	(7,566)	177	(15,363)

Variance explanation: variances exceeding \$100k are explained in this section.

Personnel costs - \$155k favourable [\$100k]. As previously reported this variance is predominantly due to vacant positions in the Library and Museum. Some Museum vacancies are expected to be filled however some are on hold pending the Strategic Plan review. An under spend is expected for the year end with the favourable salaries variance being considered to offset unbudgeted expenses such as legal fees related to the Zoo review.

RECREATION

Pools | Indoor Recreation | Zoo

for the six months ended 31 December 2015

Prior YTD Actual 2014/15 \$000	Year to Date		Variance Favourable/ (Unfavourable) \$000	Annual Budget \$000
	Actual \$000	Budget \$000		
Revenue				
0 Rates excluding Water rates	0	0	0	0
0 Water rates	0	0	0	0
2,021 Revenue from activities	2,108	2,111	(3)	4,429
213 Subsidies and grants	196	178	18	276
0 Development & financial contributions	0	0	0	0
15 Other revenue	14	14	(0)	28
2,249 Total revenue	2,318	2,303	14	4,733
Expenses				
2,399 Personnel costs	2,440	2,431	(9)	4,896
378 Depreciation and amortisation	704	815	112	1,631
166 Finance costs	144	146	2	292
2,882 Other expenses	2,345	2,231	(114)	4,407
5,825 Total expenses	5,632	5,623	(9)	11,225
(3,576) Operating surplus/(deficit)	(3,315)	(3,320)	5	(6,493)
0 Gains	0	0	0	0
0 Losses	0	0	0	0
(3,576) Surplus/(deficit)	(3,315)	(3,320)	5	(6,493)

Variance explanation: variances exceeding \$100k are explained in this section.

Depreciation and amortisation costs - \$112k favourable [\$74k]. This variance is due to the useful lives of the building assets (including indoor pools) at Waterworld and Gallagher Pools being reassessed and extended as part of the latest revaluation carried out during the 2015 financial year, resulting in the reduction of the depreciation expense. This favourable variance will continue to increase through to year end. The revaluation was completed after budgets were set.

Other expenses - \$114k unfavourable [\$47k]. This variance is due to increased costs incurred during December. Variances include trade waste charges involved with emptying the Hyrdoslide to allow liner replacement, shop stock purchases that will be recovered from users later in the year, and timing variances for chemicals and electricity. All efforts are being made to reduce costs where possible.

PLANNING AND DEVELOPMENT
City Planning | Planning Guidance & Compliance | Building Control
for the six months ended 31 December 2015

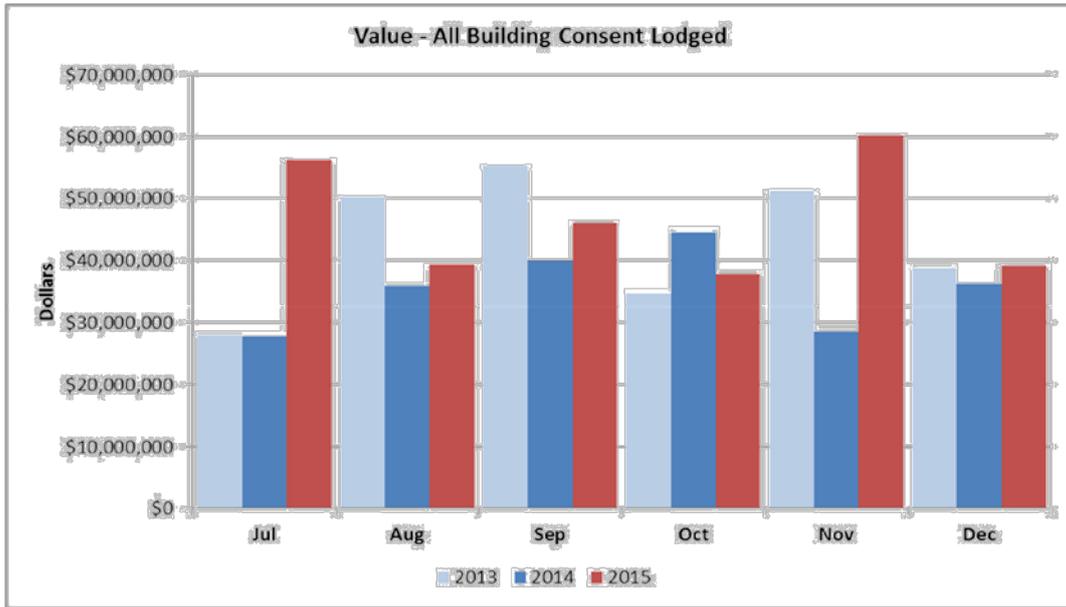
Prior YTD Actual 2014/15 \$000	Year to Date		Variance Favourable/ (Unfavourable) \$000	Annual Budget \$000
	Actual \$000	Budget \$000		
Revenue				
0 Rates excluding Water rates	0	0	0	0
0 Water rates	0	0	0	0
3,921 Revenue from activities	5,171	3,818	1,353	7,410
0 Subsidies and grants	0	0	0	0
0 Development & financial contributions	0	0	0	0
0 Other revenue	0	0	0	0
3,921 Total revenue	5,171	3,818	1,353	7,410
Expenses				
2,771 Personnel costs	2,828	3,167	340	6,326
0 Depreciation and amortisation	0	0	(0)	0
0 Finance costs	0	0	0	0
2,503 Other expenses	2,899	2,503	(396)	5,066
5,274 Total expenses	5,727	5,670	(57)	11,393
(1,353) Operating surplus/(deficit)	(556)	(1,852)	1,296	(3,983)
0 Gains	0	0	0	0
0 Losses	0	0	0	0
(1,353) Surplus/(deficit)	(556)	(1,852)	1,296	(3,983)

Variance explanation: variances exceeding \$100k are explained in this section.

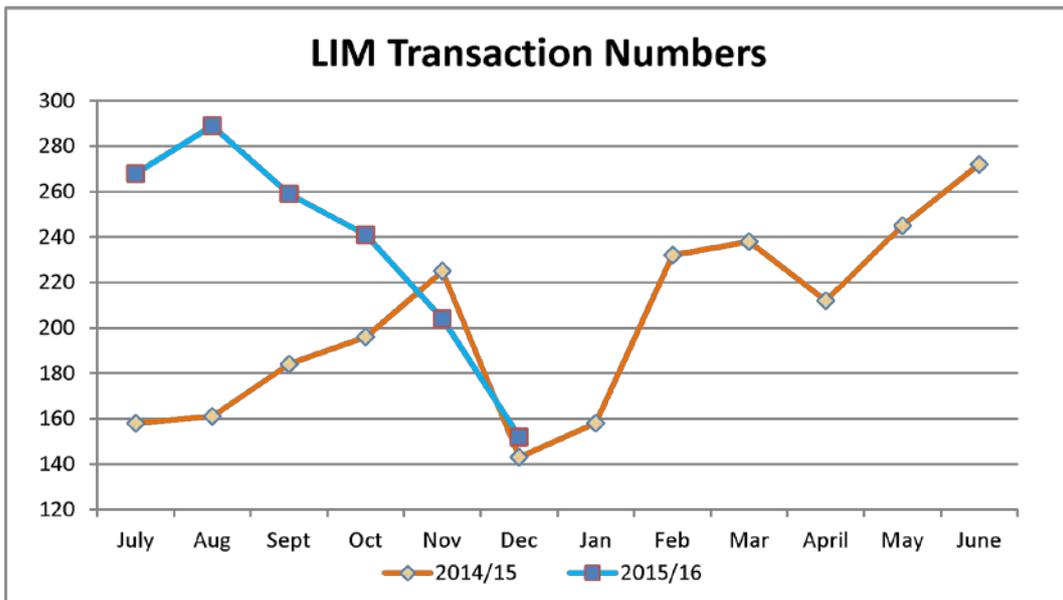
Revenue from activities - \$1.4m favourable [\$888k]. This variance includes \$74k income in advance from Future Proof funding providers. As reported in previous months this variance is also due to an increased number of building (\$1.1m) and resource consents being lodged. The following page shows the number and value of building consents lodged. This favourable variance is expected to continue because of the increasing level of demand.

Personnel costs - \$340k favourable [\$244k], this variance is due to the number of vacancies in the first six months of the financial year as well as staff who were on maternity leave returning as part time employees. It is expected to track on or over budget by the end of the year. There is an off-set variance in "Other expenses" related to an increase in contractors to provide cover for the vacant positions.

Other expenses - \$396k unfavourable [\$128k] are due to the cost of contractors to cover for vacancies and to assist with the increased number of consents. This unfavourable variance is expected to continue because of the increased level of activity.



Job Description	Building Type	Value
Bupa St Andrews 62 New Apartments & 40 room Care Home	Retirement Village	\$16,500,000
Wendell B Mendenhall Building - New Entry & Office/Theatre Alterations	Library	\$10,000,000
New Mitre 10 Building Garden Retail Cafe Retail & Yard	Retail Outlet	\$5,000,000
New Build Bulk Retail Commercial Development	Retail Outlet	\$4,500,000
MA - Envelope and Facade Alterations	School Facility	\$4,200,000
Phase 1 - 11x New Detached & Semi-Detached Dwellings (40-48)	Dwelling	\$3,844,850



ECONOMIC DEVELOPMENT

Economic Initiatives | Strategic Property Investment | Claudelands | Stadiums
for the six months ended 31 December 2015

Prior YTD Actual 2014/15 \$000	Year to Date		Variance Favourable/ (Unfavourable) \$000	Annual Budget \$000
	Actual \$000	Budget \$000		
Revenue				
(144) Rates excluding Water rates	(115)	(149)	34	(300)
0 Water rates	0	0	0	0
4,766 Revenue from activities	4,038	4,237	(199)	8,559
50 Subsidies and grants	26	0	26	0
0 Development & financial contributions	0	0	0	0
328 Other revenue	271	262	9	524
5,000 Total revenue	4,219	4,350	(130)	8,783
Expenses				
1,784 Personnel costs	1,392	1,788	396	3,587
1,293 Depreciation and amortisation	2,501	2,964	463	5,928
3,658 Finance costs	2,537	2,567	31	5,134
8,522 Other expenses	5,923	5,784	(139)	11,619
15,256 Total expenses	12,353	13,103	750	26,269
(10,256) Operating surplus/(deficit)	(8,134)	(8,753)	619	(17,486)
0 Gains	0	0	0	0
0 Losses	0	0	0	0
(10,256) Surplus/(deficit)	(8,134)	(8,753)	619	(17,486)

Variance explanation: variances exceeding \$100k are explained in this section.

Revenue from activities - \$199k unfavourable [\$175k]. This is driven by a shortfall in rental income for the Beggs Wiseman Building (property now sold) and Claudelands Event Centre. The Claudelands shortfall is offset by a reduction in expenditure taking the net shortfall against budget for Claudelands to \$60k for the December year to date.

Personnel costs - \$396k favourable [\$260k]. As reported last month this variance is predominantly due to vacancies in the following areas - Strategic Property Investment, Economic Growth Admin (recruitment for vacant staff underway) and Claudelands Events Centre (reduced casual staff hires and short term non-replacement for maternity leave). The majority of positions are expected to be filled by the end of March 2016.

Depreciation and amortisation - \$463k favourable [\$307k]. As was reported previously, this variance is due to the useful lives of the building assets being reassessed and extended as part of the latest revaluation carried out during the 2015 financial year, resulting in the reduction of the depreciation expense. This favourable variance will continue to increase through to year end. The revaluation was completed after budgets were set.

SAFETY

Animal Control | Environmental Health and Public Safety

for the six months ended 31 December 2015

Prior YTD Actual 2014/15 \$000	Year to Date		Variance Favourable/ (Unfavourable) \$000	Annual Budget \$000
	Actual \$000	Budget \$000		
Revenue				
0 Rates excluding Water rates	0	0	0	0
0 Water rates	0	0	0	0
1,615 Revenue from activities	1,749	1,672	77	2,136
61 Subsidies and grants	9	0	9	0
0 Development & financial contributions	0	0	0	0
2 Other revenue	1	2	0	3
1,678 Total revenue	1,760	1,674	87	2,139
Expenses				
1,037 Personnel costs	1,112	1,047	(66)	2,081
26 Depreciation and amortisation	48	42	(6)	84
20 Finance costs	12	12	0	25
1,466 Other expenses	1,442	1,433	(9)	2,850
2,548 Total expenses	2,614	2,533	(80)	5,040
(871) Operating surplus/(deficit)	(853)	(860)	7	(2,901)
0 Gains	0	0	0	0
0 Losses	0	0	0	0
(871) Surplus/(deficit)	(853)	(860)	7	(2,901)

Variance explanation: variances exceeding \$100k are explained in this section.

This activity has no significant variances to report.

COMMUNITY SUPPORT

Community Development | Emergency Management | Housing

for the six months ended 31 December 2015

Prior YTD Actual 2014/15 \$000	Year to Date		Variance Favourable/ (Unfavourable) \$000	Annual Budget \$000
	Actual \$000	Budget \$000		
Revenue				
(0) Rates excluding Water rates	(42)	(86)	44	(173)
0 Water rates	0	0	0	0
1,067 Revenue from activities	1,095	1,142	(47)	2,289
15 Subsidies and grants	0	0	0	0
0 Development & financial contributions	0	0	0	0
1 Other revenue	1	0	0	1
1,083 Total revenue	1,054	1,056	(2)	2,117
Expenses				
743 Personnel costs	676	763	87	1,526
6 Depreciation and amortisation	435	572	138	1,145
13 Finance costs	6	6	0	12
2,041 Other expenses	1,754	1,601	(152)	3,663
2,803 Total expenses	2,871	2,943	72	6,345
(1,720) Operating surplus/(deficit)	(1,817)	(1,887)	70	(4,228)
0 Gains	0	0	0	0
0 Losses	0	0	0	0
(1,720) Surplus/(deficit)	(1,817)	(1,887)	70	(4,228)

Variance explanation: variances exceeding \$100k are explained in this section.

Depreciation and amortisation costs - \$138k favourable [\$44k]. This variance is due to the Pensioner Housing sale. They are no longer being depreciated.

Other expenses - \$152k unfavourable [\$15k favourable]. Maintenance work in Housing Services is tracking \$83k ahead of budget. The remainder is due to the timing of Community Grant payments. Both items are expected to be on target at year end.

DEMOCRACY SERVICES

Governance and Public Affairs | Partnership with Maaori

for the six months ended 31 December 2015

Prior YTD Actual 2014/15 \$000	Year to Date		Variance Favourable/ (Unfavourable) \$000	Annual Budget \$000
	Actual \$000	Budget \$000		
Revenue				
0 Rates excluding Water rates	0	0	0	0
0 Water rates	0	0	0	0
10 Revenue from activities	14	8	6	17
0 Subsidies and grants	0	0	0	0
0 Development & financial contributions	0	0	0	0
0 Other revenue	0	0	0	0
10 Total revenue	14	8	6	17
Expenses				
268 Personnel costs	245	283	37	565
0 Depreciation and amortisation	0	0	0	0
0 Finance costs	0	0	0	0
2,256 Other expenses	2,286	2,119	(167)	4,251
2,525 Total expenses	2,531	2,402	(129)	4,817
(2,515) Operating surplus/(deficit)	(2,517)	(2,394)	(123)	(4,800)
0 Gains	0	0	0	0
0 Losses	0	0	0	0
(2,515) Surplus/(deficit)	(2,517)	(2,394)	(123)	(4,800)

Variance explanation: variances exceeding \$100k are explained in this section.

Other Expenses are \$167k unfavourable [\$53k favourable] due to higher overheads costs in December, these are timing and will correct in January 2016.

PARKS AND GREEN SPACES

Hamilton Gardens | Community Parks | Sports Parks | Cemeteries and Crematorium

for the six months ended 31 December 2015

Prior YTD Actual 2014/15 \$000	Year to Date		Variance Favourable/ (Unfavourable) \$000	Annual Budget \$000
	Actual \$000	Budget \$000		
Revenue				
0 Rates excluding Water rates	0	0	0	0
0 Water rates	0	0	0	0
1,459 Revenue from activities	1,326	1,063	263	2,207
5 Subsidies and grants	5	7	(1)	7
2 Development & financial contributions	2	0	2	0
161 Other revenue	994	866	128	1,715
1,628 Total revenue	2,326	1,935	391	3,928
Expenses				
1,030 Personnel costs	1,109	1,046	(63)	2,092
1,013 Depreciation and amortisation	1,722	1,637	(84)	3,275
812 Finance costs	769	778	10	1,557
7,448 Other expenses	6,737	6,922	185	13,878
10,303 Total expenses	10,336	10,384	48	20,802
(8,675) Operating surplus/(deficit)	(8,010)	(8,449)	439	(16,874)
0 Gains	0	0	0	0
0 Losses	(85)	0	(85)	0
(8,675) Surplus/(deficit)	(8,096)	(8,449)	353	(16,874)

Variance explanation: variances exceeding \$100k are explained in this section.

Revenue from activities - \$263k favourable [\$168k]. As reported last month Cemetery revenue is \$126k ahead of target due to increased number of cremations and cemetery plot sales. Sports Parks revenue tracks ahead of budget and is expected to be on budget at year end. Other variances include Hamilton Gardens shop revenue favourable (partially offset by stock purchases included in expenditure) and a contribution towards the Plant for Gullies programme received from the Waikato River Authority.

Other Revenue - \$128k favourable [\$10k]. This includes a \$100k contribution from the Vibrant Hamilton Trust towards the construction of the Dominion Park Playground.

Other expenses - \$185k favourable [\$367k]. This variance is a continuation of previously reported trends where various maintenance contract works have yet to fully commence. The expectation is all work will be completed by the end of year.

RUBBISH AND RECYCLING

Refuse Collection | Waste Minimisation | Landfill Site Management
for the six months ended 31 December 2015

Prior YTD Actual 2014/15 \$000	Year to Date		Variance Favourable/ (Unfavourable) \$000	Annual Budget \$000
	Actual \$000	Budget \$000		
Revenue				
0 Rates excluding Water rates	0	0	0	0
0 Water rates	0	0	0	0
140 Revenue from activities	163	169	(6)	339
236 Subsidies and grants	260	205	55	410
0 Development & financial contributions	0	0	0	0
7 Other revenue	6	6	0	13
384 Total revenue	430	381	49	762
Expenses				
1 Personnel costs	1	0	(1)	0
120 Depreciation and amortisation	167	154	(13)	308
78 Finance costs	63	64	1	129
2,889 Other expenses	3,254	3,471	216	6,952
3,088 Total expenses	3,485	3,689	204	7,389
(2,704) Operating surplus/(deficit)	(3,056)	(3,308)	253	(6,627)
0 Gains	0	0	0	0
0 Losses	0	0	0	0
(2,704) Surplus/(deficit)	(3,056)	(3,308)	253	(6,627)

Variance explanation: variances exceeding \$100k are explained in this section.

Other expenses - \$216k [\$159k] favourable. Predominantly due to the timing of waste minimisation works still to be done (\$148k). Also, remaining work on the development of the business plan for the new rubbish and recycling contract (\$85k).

STORMWATER
Stormwater Network | Catchment Management
for the six months ended 31 December 2015

Prior YTD Actual 2014/15 \$000	Year to Date		Variance Favourable/ (Unfavourable) \$000	Annual Budget \$000
	Actual \$000	Budget \$000		
Revenue				
0 Rates excluding Water rates	0	0	0	0
0 Water rates	0	0	0	0
154 Revenue from activities	109	120	(12)	241
0 Subsidies and grants	0	0	0	0
0 Development & financial contributions	0	0	0	0
69 Other revenue	69	41	28	82
223 Total revenue	178	161	17	323
Expenses				
38 Personnel costs	0	0	(0)	0
2,787 Depreciation and amortisation	2,814	2,873	59	5,745
208 Finance costs	228	231	3	461
1,144 Other expenses	1,365	1,330	(35)	2,442
4,176 Total expenses	4,406	4,433	27	8,648
(3,953) Operating surplus/(deficit)	(4,228)	(4,272)	43	(8,325)
0 Gains	0	0	0	0
0 Losses	0	0	0	0
(3,953) Surplus/(deficit)	(4,228)	(4,272)	43	(8,325)

Variance explanation: variances exceeding \$100k are explained in this section.

This activity has no significant variances to report.

TRANSPORTATION

Transport Network | Parking Management

for the six months ended 31 December 2015

Prior YTD	Year to Date		Variance Favourable/ (Unfavourable)	Annual Budget
	Actual 2014/15	Budget		
\$000	\$000	\$000	\$000	\$000
Revenue				
(94) Rates excluding Water rates	(67)	(78)	11	(156)
0 Water rates	0	0	0	0
3,281 Revenue from activities	2,939	3,036	(97)	6,064
3,561 Subsidies and grants	3,871	4,715	(844)	8,527
0 Development & financial contributions	0	0	0	0
786 Other revenue	1,038	854	184	1,711
7,534 Total revenue	7,780	8,527	(747)	16,145
Expenses				
408 Personnel costs	378	450	71	899
8,690 Depreciation and amortisation	9,098	8,983	(115)	17,966
3,625 Finance costs	3,987	4,036	48	8,071
9,234 Other expenses	9,129	9,812	683	18,833
21,958 Total expenses	22,593	23,281	687	45,769
(14,424) Operating surplus/(deficit)	(14,813)	(14,754)	(59)	(29,624)
0 Gains	0	0	0	0
0 Losses	(141)	0	(141)	0
(14,424) Surplus/(deficit)	(14,955)	(14,754)	(200)	(29,624)

Variance explanation: variances exceeding \$100k are explained in this section.

Subsidies and grants - \$844k [\$24k] unfavourable. Both the operating and capital programmes are behind schedule. The subsidy from NZTA has a direct relationship to expenditure because it is only received after expenditure occurs.

Other revenue - \$184k [\$110k] favourable. This variance is due to capital contributions from Ministry of Education for private works done as part of the Rototuna School Collector Road.

Depreciation and amortisation - \$115k [\$46k] unfavourable. Year to date capitalisation of transport assets is higher than expected, this has generated additional depreciation expense.

Other expenses - \$683k [\$190k] favourable. The main contributors are:

- Time cost charges and support unit allocation costs within Transportation Network (\$275k favourable). This is being driven in large part by vacancies.
- Insurance (\$123k favourable) due to changes in the allocation method used by finance.
- Consultants (\$343k favourable) due to the rescheduling of studies commencing later than originally planned.

SEWERAGE

Sewerage Collection | Sewerage Treatment and Disposal

for the six months ended 31 December 2015

Prior YTD Actual 2015/15 \$000	Year to Date		Variance Favourable/ (Unfavourable) \$000	Annual Budget \$000
	Actual \$000	Budget \$000		
Revenue				
0 Rates excluding Water rates	0	0	0	0
0 Water rates	0	0	0	0
1,956 Revenue from activities	1,809	2,146	(337)	4,256
0 Subsidies and grants	0	0	0	0
0 Development & financial contributions	0	0	0	0
279 Other revenue	386	194	192	388
2,235 Total revenue	2,195	2,340	(144)	4,644
Expenses				
653 Personnel costs	531	627	96	1,256
3,865 Depreciation and amortisation	4,083	4,046	(37)	8,092
2,067 Finance costs	1,705	1,726	21	3,452
4,982 Other expenses	4,925	5,595	669	11,243
11,568 Total expenses	11,244	11,993	749	24,043
(9,333) Operating surplus/(deficit)	(9,049)	(9,654)	605	(19,399)
0 Gains	0	0	0	0
0 Losses	0	0	0	0
(9,333) Surplus/(deficit)	(9,049)	(9,654)	605	(19,399)

Variance explanation: variances exceeding \$100k are explained in this section.

Revenue from activities - \$337k [\$8k] unfavourable due to an overaccrual of Tradewaste fees in 14/15 financial year. The annual budget is expected to be achieved.

Other revenue - \$192k [\$101k] favourable due to capital contributions received for paid connections being \$88k favourable and other capital contributions for capital work performed on behalf of a private entity being \$108k favourable. This additional revenue offsets additional capital expenditure.

Other expenses - \$669k [\$311k] favourable, with the major variances being:

- Chemicals \$210k [\$80k] favourable - timing issue with chemical orders. Expect budget to be fully utilised by 30 June 2016.

- Planned Wastewater Treatment Plant maintenance \$208k [\$208k] favourable - some large expenditure items (e.g. pump refurbishment \$225k) have been rescheduled to occur later in the year and will be completed by 30 June 2016. \$100k favourable result expected in this area at 30 June 2016.

- Disposal of Biosolids \$266k favourable - due to lower Biosolids production from stable process operation and the timing of disposal contract payments. An increase in Biosolids volumes is expected over the summer period.

WATER SUPPLY

Water Treatment and Storage | Water Distribution

for the six months ended 31 December 2015

Prior YTD Actual 2014/15 \$000	Year to Date		Variance Favourable/ (Unfavourable) \$000	Annual Budget \$000
	Actual \$000	Budget \$000		
Revenue				
0 Rates excluding Water rates	0	0	0	0
3,482 Water rates	4,294	3,869	425	7,772
111 Revenue from activities	82	58	24	157
0 Subsidies and grants	0	0	0	0
0 Development & financial contributions	0	0	0	0
327 Other revenue	368	158	211	315
3,920 Total revenue	4,744	4,084	660	8,244
Expenses				
48 Personnel costs	(1)	0	1	0
3,436 Depreciation and amortisation	3,524	3,776	252	7,553
1,550 Finance costs	1,599	1,619	20	3,237
3,961 Other expenses	3,882	4,414	532	8,777
8,994 Total expenses	9,005	9,809	805	19,568
(5,074) Operating surplus/(deficit)	(4,261)	(5,725)	1,464	(11,324)
0 Gains	0	0	0	0
0 Losses	0	0	0	0
(5,074) Surplus/(deficit)	(4,261)	(5,725)	1,464	(11,324)

Variance explanation: variances exceeding \$100k are explained in this section.	
Water rates - \$425k [\$2k] favourable. This is due to timing of the billing cycles (Council has 40 billing areas which are invoiced every 6 months and high volume users who are invoiced monthly). The annual budget is expected to be achieved.	
Other revenue - \$211k [\$131k] favourable. Capital contributions received for paid connections are higher than budgeted. This additional revenue offsets additional capital expenditure.	
Depreciation and amortisation - \$252k [\$174k] favourable. The correct depreciation has not been charged because the upcoming water asset revaluation is preventing the updating of asset data in the Fixed Assets Register. Completion of the revaluation (scheduled for February) is expected to result in an unfavourable result.	
Other expenses - \$532k [\$396k] favourable, with the major variances being:	
- Planned Water Treatment Plant maintenance \$167k [\$171k] favourable - some large expenditure items (e.g. pump refurbishment \$135k) have been rescheduled to occur later in the year and will be completed by 30 June 2016.	
- Operational planning and works \$94k [\$110k] favourable - underway but behind programme due to staff changes. Recruitment is well advanced and we expect this work to be delivered by 30 June 2016.	
- Service delivery contract \$161k [125k] favourable - The maintenance program is underway but behind budget. An increased program has been initiated in January and will be completed by 30 June 2016.	

OVERHEADS & SUPPORT UNITS

for the six months ended 31 December 2015

Prior YTD Actual 2014/15 \$000	Year to Date		Variance Favourable/ (Unfavourable) \$000	Annual Budget \$000
	Actual \$000	Budget \$000		
Revenue				
(91) Rates excluding Water rates	(48)	0	(48)	0
0 Water rates	0	0	0	0
892 Revenue from activities	902	1,030	(128)	1,964
0 Subsidies and grants	(2)	0	(2)	0
0 Development & financial contributions	0	0	0	0
76 Other revenue	0	0	0	0
877 Total revenue	853	1,030	(177)	1,964
Expenses				
18,327 Personnel costs	17,590	18,215	625	36,707
6,043 Depreciation and amortisation	1,937	1,965	29	3,931
31 Finance costs	36	38	2	75
(23,525) Other expenses	(18,683)	(19,303)	(620)	(38,749)
877 Total expenses	880	915	35	1,964
0 Operating surplus/(deficit)	(27)	115	(142)	(0)
0 Gains	27	0	27	0
0 Losses	0	0	0	0
0 Surplus/(deficit)	(0)	115	(115)	(0)

Variance explanation: variances exceeding \$100k are explained in this section.

Revenue from activities -\$128k unfavourable [\$94k]. The December recovers from the Infrastructure Alliance will be invoiced in January.

Personnel costs - \$625k favourable [\$411k]. This variance is predominately due to vacancies in the support units within the City Infrastructure Group, which includes new positions that were approved during the 10-Year Plan. These positions are currently being recruited.

Other expenses - \$620k unfavourable [\$412k]. The variance has a direct relationship to the favourable personnel cost variance. The support units within City Infrastructure recover their actual costs through internal time cost charging, due to the lower staff costs the level of charging (internal revenue) is lower resulting in this unfavourable variance. Note Internal revenue is part of other expenses.

Items not allocated directly to Activities

Rates | Development Contributions | Vested Assets

for the six months ended 31 December 2015

Prior YTD Actual 2014/15 \$000	Year to Date		Variance Favourable/ (Unfavourable) \$000	Annual Budget \$000
	Actual \$000	Budget \$000		
Revenue				
66,420	69,264	68,597	667	139,102
0	0	0	0	0
3	0	0	0	0
0	0	0	0	0
7,760	10,234	4,372	5,862	9,500
11,572	15,231	4,341	10,890	8,581
85,754	94,728	77,309	17,419	157,183
Expenses				
(5)	0	0	0	0
0	0	0	0	0
(550)	(377)	0	377	0
263	263	263	(0)	525
(292)	(114)	263	377	525
86,046	94,843	77,047	17,796	156,658
0	0	0	0	0
(9,009)	(2,016)	0	(2,016)	0
77,037	92,826	77,047	15,780	156,658

Variance explanation: variances exceeding \$100k are explained in this section.

Rates - \$667k favourable [\$567k]. This variance has three reasons the cost of rates remissions for Council properties is favourable, as the actual remissions were lower when the rates were struck than the budget had expected. The cost for hardship remissions are favourable but this largely timing. Revenue from rates penalties is higher because as part of the rates review it was identified that we needed to change the timing of the rates arrears penalty. This changed the date from 1 September to the date set by legislation being the 7th of July.

Development & financial contributions - \$5,862k favourable [\$5,563k]. This variance is as previously explained in the Growth Report (attachment 4).

Other revenue - \$10,890k favourable [\$11,527k]. This variance is due to a higher value of vested assets than budgeted.

Losses - \$2,016k unfavourable [\$6,502k]. This variance is due to interest rate swaps, as reported previously (attachment 1).

CAPITAL EXPENDITURE for the six months ended 31 December 2015

PROJECT TYPE KEY	
R	Renewal
LOS	Level of Service
G	Growth
	Project within HCC control
	Project dependent on third parties

STATUS KEY	
	Project on track and on budget
	Project potentially not on track or potentially over budget
	Project not on track or over budget

	Type	YTD			Annual Budget			Status	Notes
		Actual	Budget	Variance	Approved 2015/16	Approved Deferred	Total		
		\$000	\$000	\$000	\$000	\$000	\$000		
ARTS AND CULTURE									
Libraries									
CE10005 - Library collection purchases	R	515	542	27	1,048	0	1,048		
CE10006 - Library asset renewal	R	76	92	16	164	0	164		
CE10007 - Library building asset renewal programme	R	7	9	2	9	0	9		
Total libraries		598	643	45	1,221	0	1,221		
Museum									
CE10008 - Museum asset renewal	R	89	98	9	139	0	139		
CE10010 - Public art support fund	R	13	15	2	30	0	30		
CE10011 - Museum activity building renewals	R	44	161	117	390	0	390		
Total Museum		146	275	128	559	0	559		
Hamilton City Theatres									
CE10012 - Founders Theatre plant and equipment	R	0	49	49	97	0	97		
CE10013 - Technical services equipment renewals	R	37	105	68	210	0	210		
CE10014 - Founders Theatre building renewals	R	0	0	-	152	0	152		
CE10159 - Founders Theatre stage house renewal	R	56	50	(6)	100	0	100		
Total Hamilton City Theatres		93	204	111	559	0	559		
TOTAL ARTS AND CULTURE		838	1,121	283	2,339	0	2,339		
COMMUNITY SERVICES									
Housing Services									
CE10025 - Pensioner housing renewals	R	21	30	9	200	0	200		
Total Housing Services		21	30	9	200	0	200		
TOTAL COMMUNITY SERVICES		21	30	9	200	0	200		
ECONOMIC DEVELOPMENT									
Claudelds and Stadia									
CE10041 - Claudelds plant and equipment	R	12	130	118	260	0	260		
CE10042 - Seddon Park plant and equipment	R	2	54	52	107	0	107		
CE10043 - Waikato Stadium plant and equipment	R	4	376	371	751	0	751		1
CE10044 - Turf services plant and equipment	R	0	13	13	25	0	25		
CE10045 - Claudelds property (outdoors) renewals	R	0	75	75	150	0	150		
CE10046 - Seddon Park property (outdoors) renewals	R	0	18	18	35	0	35		
CE10047 - Waikato Stadium property (outdoors) renewals	R	50	125	75	249	0	249		
CE10048 - Stadia building renewals	R	57	333	276	333	0	333		2
CE10049 - Claudelds building renewals	R	56	32	(24)	61	0	61		
CE15050 - Claudelds capital improvement programme	LOS	0	45	45	90	0	90		
Total Claudelds and Stadia		180	1,198	1,018	2,061	0	2,061		
Strategic Property									
CE10052 - Strategic property renewals	R	52	0	(52)	262	0	262		
CE10053 - Tenancy inducement renewals	R	0	177	177	354	0	354		
Total Strategic Property		52	177	125	616	0	616		
TOTAL ECONOMIC DEVELOPMENT		232	1,375	1,143	2,677	0	2,677		

	Type	YTD			Annual Budget			Status	Notes
		Actual	Budget	Variance	Approved 2015/16	Approved Deferred	Total		
		\$000	\$000	\$000	\$000	\$000	\$000		
PARKS AND GREEN SPACES									
Cemeteries and Crematorium									
CE10021 - Building renewals cemeteries	R	0	0	-	12	0	12		
CE10023 - Hamilton Park east and west cemeteries renewals	R	0	60	60	60	0	60		
CE15024 - Hamilton Park cemetery, burial and ash lawn extension	G	32	32	(0)	32	0	32		
Total Cemeteries and Crematorium		32	92	60	104	0	104		
Hamilton Gardens									
CE10026 - Hamilton Gardens renewals	R	0	17	17	45	0	45		
CE10028 - Hamilton Gardens building renewals	R	44	38	(6)	165	0	165		
CE15027 - Proposed development programme	G	1,277	877	(400)	1,828	0	1,828		3
Total Hamilton Gardens		1,321	932	(390)	2,038	0	2,038		
Parks									
CE10029 - Toilet and changing room renewals	R	0	186	186	284	0	284		
CE10030 - Building renewals parks and open spaces	R	90	79	(11)	233	0	233		
CE10032 - Parks and open spaces assets and playgrounds renewals	R	122	316	194	969	0	969		
CE15033 - Land purchase future reserves	G	334	100	(234)	830	130	960		
CE15034 - Destination playground public toilets	LOS	0	0	-	500	0	500		
CE15035 - Rototuna Park development	G	104	68	(36)	350	58	408		
CE15036 - Playground development programme	LOS	0	0	-	100	0	100		
Total Parks		650	748	98	3,266	188	3,454		
Sports Parks									
CE10031 - Sports area renewals	R	70	107	37	287	0	287		
Total Sports Parks		70	107	37	287	0	287		
TOTAL PARKS AND GREEN SPACES		2,074	1,879	(195)	5,695	188	5,883		
RECREATION									
Aquatic Facilities									
CE10001 - Aquatic facilities building renewals	R	0	35	35	79	0	79		
CE10002 - Waterworld hydroslide renewal	R	70	130	60	150	0	150		
CE10003 - Waterworld operational asset renewals	R	14	0	(14)	0	0	0		
CE10004 - Gallagher Aquatic Centre operational asset renewal	R	12	142	130	250	0	250		
Total Aquatic Facilities		96	307	212	479	0	479		
Hamilton Zoo									
CE10015 - Zoo animal enclosure renewals	R	282	255	(27)	108	195	303		
CE10016 - Zoo building renewals	R	55	93	37	108	0	108		
CE10017 - Property renewals	R	1	14	13	14	0	14		
CE10019 - Zoo quarantine replacement	R	0	0	-	80	0	80		
CE10020 - Zoo animal replacement	R	39	28	(11)	40	0	40		
Total Hamilton Zoo		377	390	13	350	195	545		
TOTAL RECREATION		472	697	225	829	195	1,024		
SAFETY									
CE10037 - CCTV renewals	R	0	20	20	40	0	40		
CE10038 - Animal education and control building - security fencing	R	36	70	34	70	0	70		
TOTAL SAFETY		36	90	54	110	0	110		
RUBBISH AND RECYCLING									
CE10054 - Replacement of closed landfill assets	R	16	50	34	100	0	100		
CE10056 - Replacement of RTS & HOC assets	R	0	0	-	7	0	7		
CE15055 - Closed landfill management	LOS	8	100	92	200	0	200		
TOTAL RUBBISH AND RECYCLING		25	150	125	307	0	307		
STORMWATER									
CE10058 - Replacement of stormwater assets	R	351	271	(80)	707	0	707		
CE15059 - Rototuna stormwater infrastructure	G	2	163	161	574	0	574		4
CE15062 - Peacocke stormwater infrastructure stage 1	G	14	13	(1)	558	444	1,002		5
CE15064 - Stormwater pipe upgrade - growth	G	28	40	12	125	0	125		
CE15066 - Existing network improvements in new areas	G	0	8	8	100	0	100		
CE15068 - Stormwater customer connections to the network	G	34	25	(9)	50	0	0		
CE15162 - Integrated catchment management plan	G	406	1,050	643	350	1,172	1,522		6
TOTAL STORMWATER		837	1,570	733	2,464	1,616	4,030		

	Type	YTD			Annual Budget			Status	Notes
		Actual	Budget	Variance	Approved 2015/16	Approved Deferred	Total		
		\$000	\$000	\$000	\$000	\$000	\$000		
TRANSPORT									
Parking Management									
CE10069 - Resurfacing off street carparks	R	4	0	(4)	23		23		
CE10070 - Replacement of parking enforcement equipment	R	30	200	170	360		360		
CE10071 - Parking building renewal	R	4	0	(4)	256		256		
Total Parking Management		38	200	162	639	0	639		
Transportation Network									
CE10072 - Replacement of footpath	R	939	1,071	132	2,141	0	2,141		
CE10073 - Replacement of street furniture	R	0	0	-	60	0	60		
CE10074 - Replacement of drainage (kerb and channel)	R	589	615	25	1,229	0	1,229		
CE10075 - Replacement of road base	R	177	937	760	937	0	937		7
CE10076 - Road resurfacing	R	2,225	2,340	115	3,970	0	3,970		
CE10077 - Replacement of bridges and culverts	R	10	0	(10)	100	0	100		
CE10078 - Replacement of retaining walls and structures	R	7	0	(7)	45	0	45		
CE10079 - Replacement of environmental controls	R	0	0	-	10	0	10		
CE10080 - Replacement of lighting	R	50	210	160	280	0	280		
CE10081 - Replacement of traffic equipment	R	352	200	(152)	400	0	400		
CE10082 - Replacement of street signs	R	0	35	35	70	0	70		
CE10098 - Building and property renewals	R	0	0	-	30	0	30		
CE15085 - Minor improvements to transport network	LOS	77	170	93	638	0	638		
CE15086 - Bus stop infrastructure	LOS	21	4	(17)	113	0	113		
CE15087 - Network upgrades to allow new development	G	107	15	(92)	175	0	175		
CE15088 - Roading upgrades and development in Peacocke stage 1	G	46	83	37	975	0	975		8
CE15089 - Roading upgrades and development in Peacocke stage 2	G	698	795	97	2,025	0	2,025		9
CE15090 - Roading upgrades and development in Rotokauri stage 1	G	151	380	229	777	223	1,000		10
CE15092 - Roading upgrades and development in Rototuna	G	2,514	2,079	(435)	2,392	1,573	3,965		11
CE15094 - Traffic signal improvements	LOS	154	100	(54)	300	0	300		
CE15095 - Integrated transport initiatives	LOS	432	263	(169)	900	0	900		
PIF12005 Hamilton Ring Road Completion	LOS	224	930	706	0	10,550	10,550		12
Total Transportation Network		8,774	10,226	1,452	17,567	12,345	29,912		
TOTAL TRANSPORT		8,812	10,426	1,614	18,206	12,345	30,551		
SEWERAGE									
CE10100 - Replacement of wastewater pump stations	R	544	430	(114)	1,013	0	1,013		
CE10101 - Replacement of wastewater assets	R	1,707	1,625	(82)	3,915	0	3,915		
CE15103 - Increase capacity of wastewater pump stations	LOS	72	423	351	423	0	423		13
CE15104 - Wastewater pip upgrade - growth	G	18	45	27	300	0	300		
CE15105 - Increase capacity of wastewater network - Rototuna	G	104	256	152	1,400	91	1,491		14
CE15106 - Wastewater network upgrades to allow development	G	1	9	8	80	0	80		
CE15107 - Increase capacity of network in Rotokauri stage 1	G	4	41	37	52	0	52		
CE15109 - Increase capacity of network in Peacocke stage 1	G	0	390	390	1,722	420	2,142		15
CE15111 - Increase capacity of network throughout the city	G	11	123	112	350	0	350		
CE15114 - Increase capacity of network (bulk storage)	G	33	170	137	400	0	400		
CE15161 - Wastewater master plan	G	26	95	69	150	0	150		
CE10115 - Replacement of wastewater treatment plant assets	R	561	1,321	760	2,224	0	2,224		16
CE15116 - Upgrade wastewater treatment plant systems	LOS	31	33	1	150	0	150		
CE15117 - Upgrade wastewater treatment plant (Pukete 3)	G	130	355	225	950	0	950		17
CE15120 - Wastewater treatment plant compliance	LOS	287	319	32	500	0	500		
CE15121 - Wastewater customer connections to the network	G	118	25	(93)	50	0	50		
TOTAL SEWERAGE		3,649	5,658	2,009	13,679	511	14,190		

	Type	YTD			Annual Budget			Status	Notes
		Actual	Budget	Variance	Approved 2015/16	Approved Deferred	Total		
		\$000	\$000	\$000	\$000	\$000	\$000		
WATER SUPPLY									
CE10123 - Replacement of watermains	R	1,474	1,560	86	3,128	0	3,128		
CE10124 - Replacement of water meters, valves and hydrants	R	202	210	8	338	0	338		
CE15126 - Upgrade or build new watermains in Rototuna	G	0	378	378	773	0	773		18
CE15127 - Water pipe upgrade - growth	G	30	52	22	300	0	300		
CE15128 - Upgrade/build new watermains in Rotokauri stage 1	G	34	41	7	505	0	505		
CE15130 - Upgrade/build new watermains in Peacocke stage 1	G	0	7	7	75	0	75		
CE15132 - Water network upgrades to allow new development	G	2	9	7	80	0	80		
CE15133 - Water demand management - network water loss	LOS	26	170	144	399	0	399		
CE15136 - Water demand management - Dinsdale reservoir zone	LOS	0	25	25	25	0	25		
CE10138 - Replacement of treatment plant and reservoir assets	R	351	1,036	685	1,341	0	1,341		19
CE15139 - Water treatment plant compliance - minor upgrades	LOS	222	1,135	913	1,591	0	1,591		20
CE15140 - Rototuna reservoir and associated bulk mains	G	858	1,840	982	6,447	1,154	7,601		21
CE15144 - Upgrade water treatment plant	G	152	298	146	500	0	500		
CE10145 - Tools of trade renewals	R		25	25	50	0	50		
CE15146 - Water customer connections	G	108	25	(83)	50	0	50		
CE15148 - Upgrade or build new watermains in Ruakura	G	8	72	63	513	0	513		22
CE15159 - Water master plan	G	12	70	58	150	0	150		
CE15166 - Fluoride free water source	LOS	0	34	34	60	0	60		
PIF12027 - New software for growth planning	LOS	0	0	-	0	86	86		
PIF12031 - New structure to extract water from the Waikato River	LOS	764	1,210	446	0	1,643	1,643		
Chlorine scrubber	LOS	236	321	85	0	321	321		
TOTAL WATER SUPPLY		4,481	8,516	4,035	16,325	3,204	19,529		
CORPORATE SERVICES									
Corporate Buildings									
CE10151 - Renewals program	R	177	113	(63)	182	0	182		
Total Corporate Buildings		177	113	(63)	182	0	182		
Information Services									
CE10152 - Network and infrastructure	R	0	190	190	380	0	380		
CE10153 - Core business applications	R	117	128	11	420	0	420		
CE10154 - Minor applications	R	0	0	-	10	0	10		
CE15155 - Mobility and eservices	LOS	169	119	(50)	214	0	214		
CE10156 - Lease funding of equipment	R	7	135	128	270	0	270		
CE15157 - Authority replacement	LOS	40	155	115	500	0	500		
Total Information Services		332	726	394	1,794	0	1,794		
Performance									
CE10158 - Replacement of fleet vehicles	R	125	260	135	839	0	839		
Total Performance		125	260	135	839	0	839		
TOTAL CORPORATE SERVICES		633	1,099	466	2,815	0	2,815		
TOTAL COUNCIL		22,109	32,611	10,502	65,646	18,060	83,656		

Summary of Projects

Project on track and on budget

Project potentially not on track or potentially over budget

Project not on track or over budget

Total Projects

112

16

0

128

Capital Expenditure Variance Explanations: Variances greater than \$250k

1. Waikato Stadium Plant and Equipment

These works are now underway and on target to be completed by year end.

2. Stadia Building Renewals

This variance relates to timing as a significant contract for the replacement of FMG Stadium Waikato's PA system has now been let. Work commenced prior to Christmas and will be completed before the start of the Super Rugby season/year end.

3. Hamilton Gardens Development

Hamilton Gardens Development work is well advanced and likely to exceed the 15/16 budget. This project however spans three years and is on track to be completed within the overall three year budget.

4. Rototuna Stormwater

This is third party dependent and part of these works will not occur this financial year requiring a deferral.

5. Peacockes Stormwater Stage 1

This is third party dependent and the possibility exists that these works will not occur this financial year. Reallocate \$360k to ICMP program for Mangatukutuku catchment in Peacockes.

6. Integrated catchment management plans

Current forecast Integrated Catchment Management Plans (ICMP) programme of works under review with budget expected to be spent this year.

7. Replacement of Road Base

Work planned for November will now occur later. The programme will be completed this financial year.

8. Roothing Upgrades in Peacockes Stage 1

This is third party dependent and the possibility exists that these works will not occur this financial year.

9. Roothing Upgrades in Peacockes Stage 2

This is third party dependent and the possibility exists that these works will not occur this financial year.

10. Roothing Upgrades in Rotokauri

Investigations underway for Ruffell/Onion intersection upgrade and will require deferral \$520k to complete construction in 16/17.

11. Roothing Upgrades in Rototuna

There are third party dependent timing and third party agreements that will require deferral of \$1.0m to match development timing.

12. Hamilton Ring Road completion

Contractual commitments and construction program will require deferral of \$3M to 16/17 year.

13. Increase capacity in wastewater pump stations

This is predominantly driven by the timing of the renewals plan, with works being committed and on track to be completed by the end of the year.

14. Increase capacity of wastewater network in Rototuna

This is third party dependent and will require deferral of \$951k for North City and River Road improvements to 16/17 year.

15. Increase capacity of network in Peacockes Stage 1

This is third party dependent and will require deferral \$789k.

16. Replacement of wastewater treatment plant assets

This is predominantly driven by the timing of the renewals plan, with works being committed and on track to be completed by the end of the year.

17. Upgrade wastewater treatment plant (Pukete 3)

Programme will require deferral of \$150k to 16/17 year.

18. Upgrade or build new water mains in Rototuna

This is third party dependent and will require a deferral of \$444k to 16/17 year.

19. Replacement of treatment plant and reservoir assets

Water treatment plant renewals including minor capex of \$572k have been reprioritised to the Wastewater Treatment Plant. This is reported on the Risk and Opportunities Schedule.

20. Water Treatment Plant compliance minor upgrades

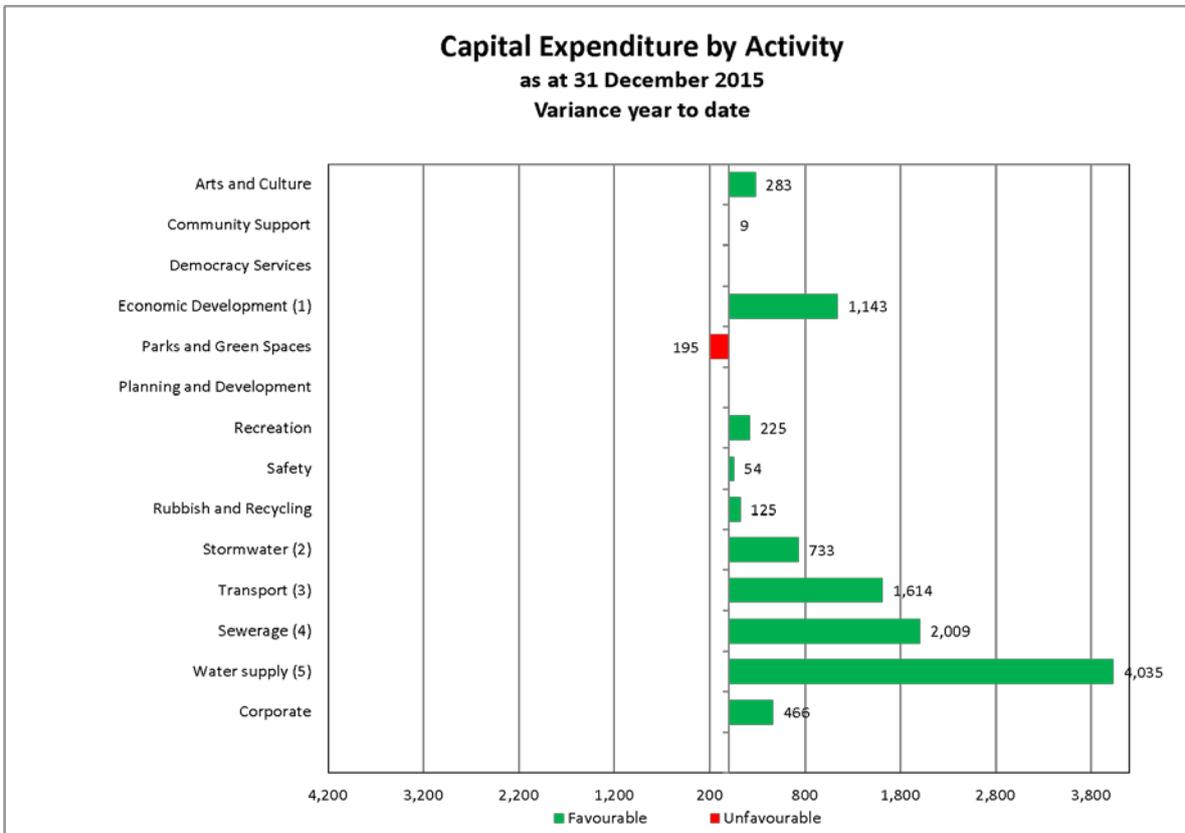
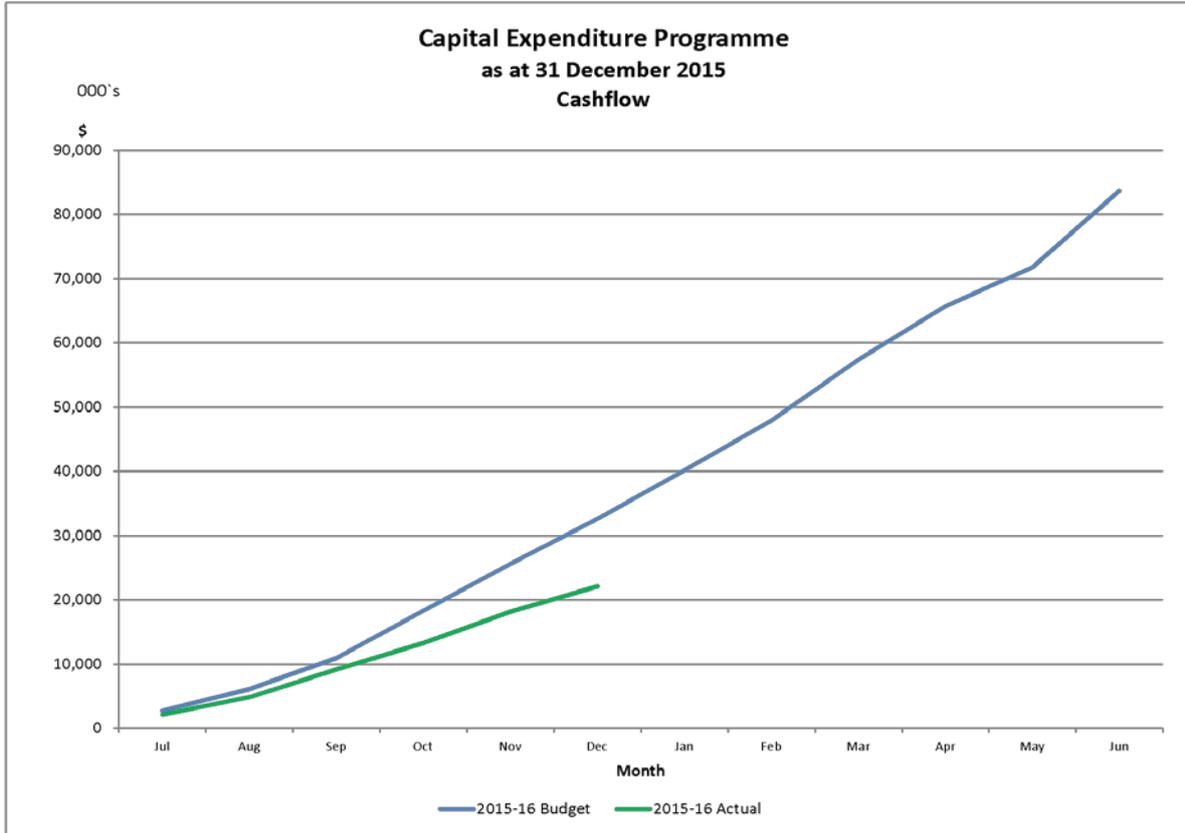
Water treatment plant renewals including minor capex of \$572k have been reprioritised to the Wastewater Treatment Plant. This is reported on the Risk and Opportunities Schedule.

22. Rototuna Reservoir

This project while on time and on budget for 15/16 may exceed its total project budget. As reported to the Finance Committee 22nd October 2015, agenda item 15.

23. Upgrade or build new water mains in Ruakura

This is third party dependent and will require a deferral of \$383k to 16/17 year.

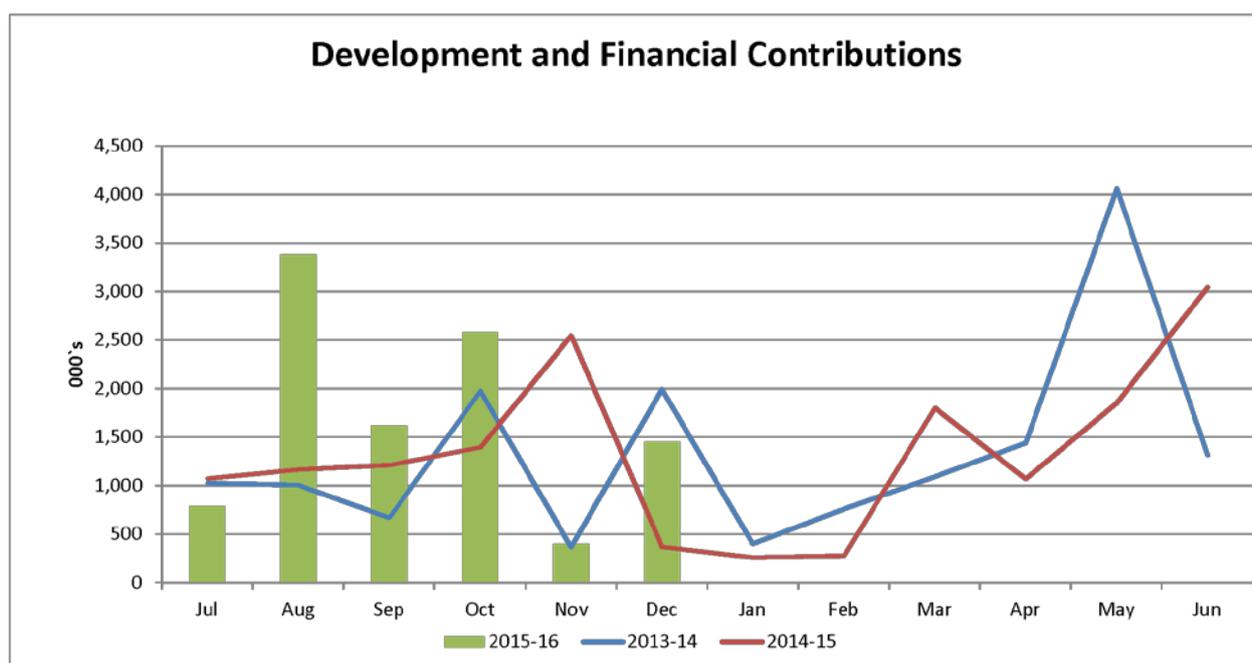


GROWTH RELATED ITEMS for the six months ended 31 December 2015

DEVELOPMENT AND FINANCIAL CONTRIBUTIONS

Trend data for development contributions for the 2013-14, 2014-15 and the current year. This demonstrates the volatile nature of this revenue. In 2014-15 monthly revenue varied from \$0.3m to \$3.0m. Council has budgeted \$9.5m in the current year and this is currently ahead of budget by \$5.9m. The new growth unit is currently developing a DC Growth and Demand forecast model to assist in better predictability of development contribution revenue.

(000's)	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
2013-14	1,025	1,006	668	1,977	367	1,992	401	760	1,091	1,440	4,060	1,316	16,103
2014-15	1,072	1,165	1,211	1,397	2,547	370	259	277	1,801	1,071	1,854	3,045	16,069
2015-16	789	3,383	1,623	2,583	402	1,455							10,235



VESTED ASSETS

Revenue recognised from the transfer (vesting) of sub divisional assets to Council is \$15.1m (\$14.3m) which results in \$10.9m (\$11.3m) favourable year to date. The annual budget for vested assets of \$8.5m is already exceeded. These additional assets will result in additional depreciation expense in the current year followed by on-going maintenance and operational costs in future years.

Top 5 by value year to date

Month	Location	Value
August	Industrial Subdivision Rotokauri	5,523
September	Residential Subdivision Rototuna	1,339
October	Residential Subdivision Peacockes	1,251
July	Residential Subdivision Rototuna	1,192
August	Residential Subdivision Rototuna	1,143
		10,449

**Risks and Opportunities Schedule - Finance Committee
for the year ended 30 June 2016
Summary**

	Operating Impact		Balance Sheet Impact	
	Accounting Surplus	Balancing the books	Capital Programme	Borrowing impact
CORPORATE				
Pensioner Housing Renewals - reduced renewal programme reflecting essential health and safety works following the decision to sell Pensioner Housing portfolios. All costs are reserve funded and any savings remain in a cash backed reserve.			180	
Pensioner Housing Sale - corporate overhead charges will have to be redistributed across other activities. 15/16 impact from 7th of March 2016 is \$75k with later years as shown.	(75)	(75)		
Energy Efficiency - is an initiative undertaken to provide energy savings. The budget is included in operating and reclassification is required as work is of a capital nature. The impact in later years reduces as the work is part funded by savings in energy budgets.	100	100	(100)	
Caro Wing relocation and subletting - costs associated with the relocation of staff from the Caro Street Wing. Relocation costs are estimated as \$260k with a potential revenue offset estimated to be \$62k 15/16 and \$142k thereafter noting there is a risk the premises may take longer to let with a consequential impact on income.	62	62	(260)	(260)
River Plan - Budget for the River while approved during the Long term plan was to be funded by savings identified from the Support Service Review	(250)	(250)		
CORPORATE TOTAL	(163)	(163)	(180)	(260)
ED SPECIAL PROJECTS				
Shared Water Business Case - contribution to Water CCO business case project (50% share). Invoices related to 2014/15 were missed in the accruals process despite purchase orders being raised.	(150)	(150)		
Shared Water Business Case - contribution to Stage 2 of the Water CCO business case project (50% share), along with Waikato and Waipa Councils. Council approved this contribution at the meeting of 29 October 2015. The total cost is estimated to be \$350k.	(175)	(175)		
ED SPECIAL PROJECTS TOTAL	(325)	(325)	0	0
COMMUNITY				
Amenity Parks - contributions received to be applied towards construction of the Dominion Park Destination Playground.	100	100	(100)	(100)
Rototuna Town Centre - required to complete additional design work to integrate Stage 1 plans and respond to increased complexity – roading and parking detail, additional specific traffic design and a rationale for cost sharing between parties involved. The revised scope includes additional project management fees due to extended time required to manage the various complexities.	(90)	(90)		
Community Facilities - grant funding approval to Age Concern.	(30)	(30)		
Pensioner Housing Sale - reduced ground maintenance charge impact of sale of Pensioner Housing Stock. 15/16 impact from 7th of March 2016 is that City Park income will decrease by \$44k with later years as shown.	(44)	(44)		
One Victoria Trust Grant - was unable to be paid due to a condition in the agreement that states that payment can only be made upon completion of Earth-quake proofing work at the Meteor Theatre. Work will be undertaken in 15/16 at which time payment will be made and disclosed on the 15/16 risk and opportunities list.	(75)	(75)		
Museum Acquisitions - Gifting of Collection to Museum valued at \$1.9m with the condition that Council invests \$50k per annum in new Art. \$1.9m will need to be included in Vested Asset income.	(50)	(50)		
Zoo Tiger Service Area - construction of Tiger service area fencing.			(120)	(120)
Library - epoxy repair of Central Library concrete flooring and relocation of library stock. Epoxy and building work is expected to cost \$165 with a further \$20k requirement for offsite storage and document retrieval.	(185)	(185)		
COMMUNITY TOTAL	(374)	(374)	(220)	(220)
STRATEGY & COMMUNICATION				
STRATEGY AND COMMUNICATION TOTAL	0	0	0	0
CITY INFRASTRUCTURE				
VOTR carpark revenue - reduced capacity due to ground conditions.	(135)	(135)		
Hamilton Organic Recycling Centre Wall - unbudgeted works required to ensure drop off wall structure is safe for public use (offset by \$120k opportunity in City Growth)			(120)	(120)
Water treatment plant renewals and minor capex - \$572k funding reprioritised from water treatment plant renewals and minor capex to wastewater treatment plant renewals and minor capex.			572	572
Wastewater treatment plant renewals and minor capex - \$572k funding reprioritised from water treatment plant renewals and minor capex to wastewater treatment plant renewals and minor capex.			(572)	(572)
Western Rail Trail - \$3.0m external funding from Urban Cycleways Fund (capital expenditure will be over budget by \$3.0m but will be offset by capital contributions of \$3.0m)	3,000	3,000	(3,000)	

Risks and Opportunities Schedule - Finance Committee
for the year ended 30 June 2016
Summary

	Operating Impact		Balance Sheet Impact	
	Accounting Surplus	Balancing the books	Capital Programme	Borrowing impact
CITY INFRASTRUCTURE TOTAL	2,865	2,865	(3,120)	(120)
CITY GROWTH				
Victoria On The River (VOTR) - Phase 1 planning.	(140)	(140)		
VOTR Site - Year 1 costs approved 15 December 2015 for design and consents.			(350)	(350)
VOTR Site - Year 1 costs approved 15 December 2015 for earthworks			(1,150)	(1,150)
LIM's and Building Consents -	495	495		
Online Building Consenting Roadmap - Phase 2 - implement an online consenting solution for the Building Unit.	(495)	(495)		
Hamilton Organic Recycling Centre - Funding for drop off wall works to ensure structure is safe for public use.			120	120
Economic Growth - Budget required to scope and purchase a DC modelling tool.			(350)	(350)
CITY GROWTH TOTAL	(140)	(140)	(1,730)	(1,730)
H3 & EVENTS				
Legal Costs - Recovery of legal costs associated with defending the Waikato Show Trust. Could be up to 75% of total incurred by Council.	100	100		
Clarence St Theatre - Council resolved in July 2015 to gift the Theatre to a Trust. This removes the net direct cost budget.	120	120		
Clarence St Theatre - As part of the resolution to gift the Theatre to a trust Council approved a one-off \$75k grant.	(75)	(75)		
H3 & EVENTS TOTAL	145	145	0	0
COUNCIL WIDE				
ACC Levies - based on the budget and the actual from previous year there will be a favourable position.	180	180		
Rates - Additional rates revenue. This has occurred due to the timing of the Council resolution and the actual striking of the rates.	100	100		
Rates Penalties - based on the previous years actuals.	200	200		
Rates Remissions - Remissions relating Council properties and other qualifying properties (this excludes the hardship remissions) have been processed for the year. Final cost was favourable to budget.	200	200		
COUNCIL WIDE TOTAL	680	680	0	0
Net Business Impact before Debt Servicing, Development Contributions, Unrealised Gains/Losses and Non Cash Items	2,548	2,688	(5,250)	(2,330)
DEBT SERVICING AND DEVELOPMENT CONTRIBUTIONS, UNREALISED GAINS/LOSSES, NON CASH ITEMS				
Net interest cost - Year end forecast using the actual opening debt position for 15-16 and current interest rates.	1,000	1,000		
Development Levies and Financial Contributions - based on the year to date results. These are not forecast amounts.	6,976	6,976		
Vested Assets - based on the year to date results. These are not forecast amounts.	13,352			
Depreciation - Based on the preliminary results from the 3 waters revaluation.	(2,800)	(2,800)		
Pensioner Housing Sale - Loss on sale associated with sale of Pensioner Housing Stock.	(7,300)			
DEBT SERVICING AND DEVELOPMENT CONTRIBUTIONS, UNREALISED GAINS/LOSSES, NON CASH ITEMS	11,228	5,176	0	0
Net Business Impact after Debt Servicing, Development Contributions, Unrealised Gains/Losses and Non Cash Items	13,776	7,864	(5,250)	(2,330)
IMPACT ON ANNUAL TARGET				
2015/16 Approved Target	9,232	751		
Net Impact of Risks and Opportunities	13,776	7,864		
2016/16 Revised Target	23,008	8,615		

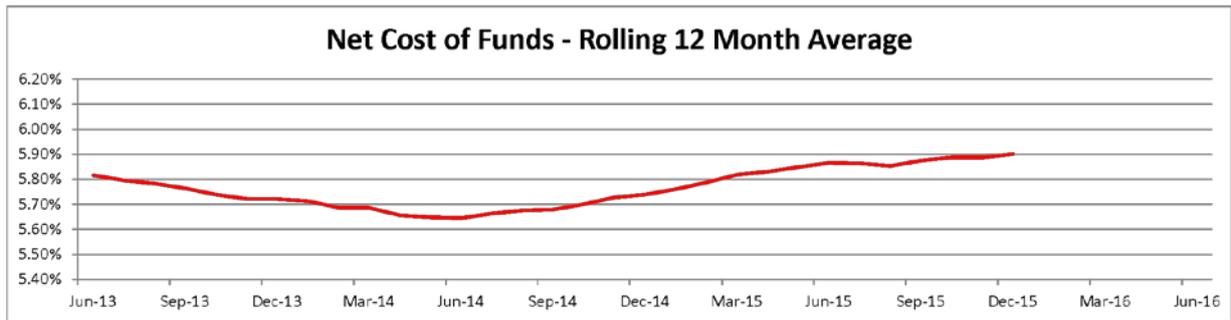
TREASURY REPORT
for the six months ended 31 December 2015

Policy Compliance

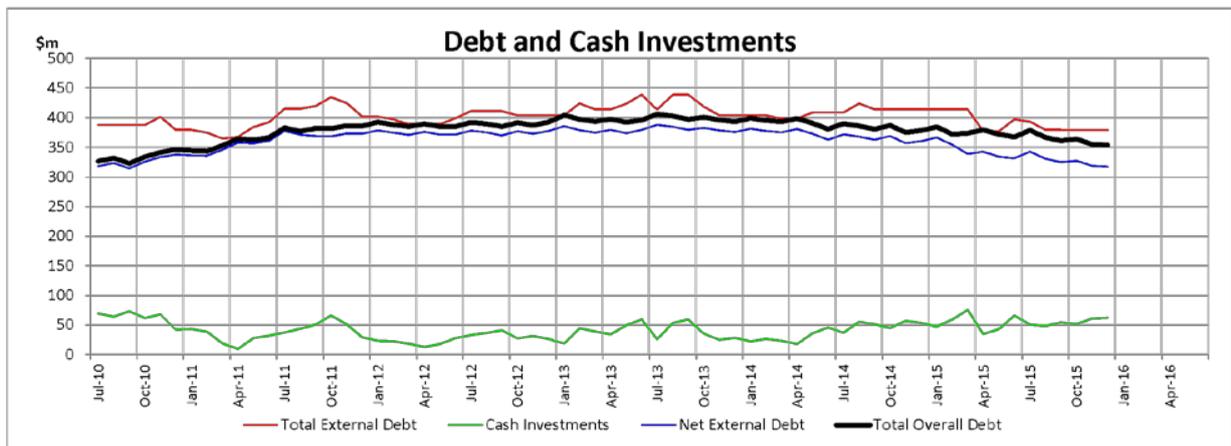
	Policy	Result @ 31-Dec-15	Policy Compliance
Fixed debt parameters	fixed	50% - 95%	92% <input checked="" type="checkbox"/>
Fixed rate maturity	all years	within annual parameters	achieved for all years <input checked="" type="checkbox"/>
Funding maturity	0 - 3 years	15% - 60%	56% <input checked="" type="checkbox"/>
	3 - 5 years	15% - 60%	24% <input checked="" type="checkbox"/>
	5 years plus	10% - 40%	20% <input checked="" type="checkbox"/>
Liquidity ratio	minimum	110%	121% <input checked="" type="checkbox"/>
Counterparty credit risk	maximum	\$75m per bank	achieved <input checked="" type="checkbox"/>

Comments on policy breaches
There are no breaches of policy.

Finance Costs (\$'000's)	Result @ 31-Dec-15	Budget @ 31-Dec-15	Variance Fav. / (Unfav.)	Annual Budget
Interest and financing costs paid (net of interest paid to reserves)	10,809	11,324	515	22,647
less Interest received	(1,033)	(1,000)	33	(2,000)
Net finance costs	9,776	10,324	548	20,647
Weighted average net cost of funds (12 month rolling average)	5.90%	5.90%	0.00%	5.90%



Debt and Cash Investments (\$'000's)	Result @ 31-Dec-15	Budget @ 30-Jun-16	Variance Fav. / (Unfav.)
External debt	379,228	415,084	35,856
less Cash investments	(62,177)	(45,000)	17,177
Net external debt	317,051	370,084	53,033
add Cash-backed reserves	36,308	36,713	405
Total overall debt	353,359	406,797	53,438

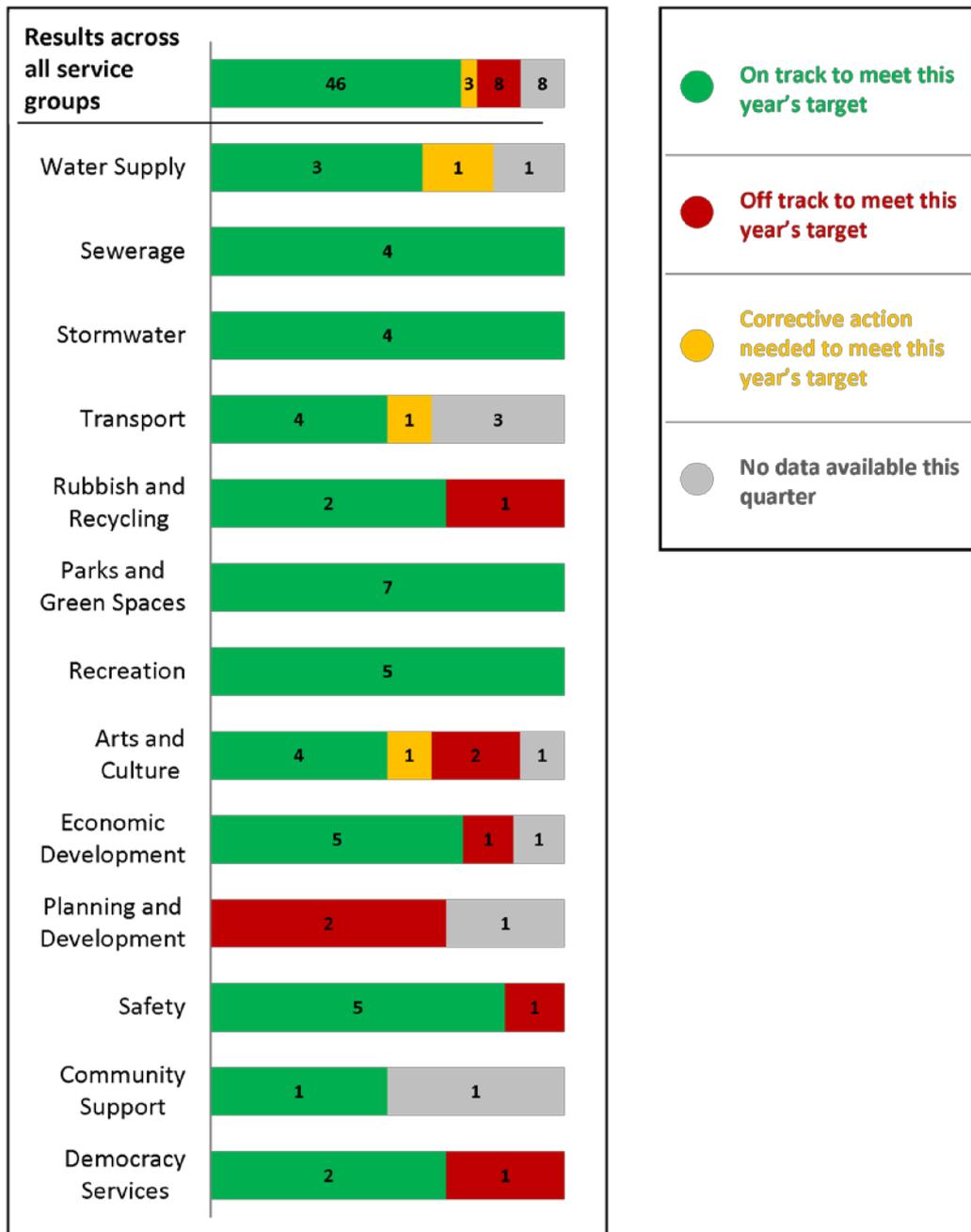


Top 10 Contracts and PSP's Awarded Between 1 October 2015 and 31 December 2015 By Contract Value

Contract No.	Contract Description / Name	NZTA	Public or Private	RFX Method	Supplier Selection Method	Contract Delivery Model	Approved By	Approved Date	Contractor	Current Approved Contract Sum	Approved Contract Start Date	Approved Contract End Date	
1	CON 14106	Rototuna Reservoir Bulk Watermains	Not Funded	Public	RFT	Price Quality	NZS 3910 Traditional	Finance Committee	22/10/15	West Construction Ltd	\$ 8,500,000.00	20/11/15	30/06/17
2	PSP 15289	ESRI ELA Renewal 2016 - 2018	Not Funded	Private	PSP Appointment	PSP Appointment	Instruction for Service	Paul Conder - Acting General Manager - Corporate	16/12/15	Eagle Technology Group Limited	\$ 309,000.00	1/01/16	31/12/18
3	PSP 15078	Pukete 3 Wastewater Treatment Plant Upgrade Nitrogen Compliance Option Study	Not Funded	Private	PSP Appointment	PSP Appointment	Instruction for Service	Chris Allen - General Manager - City Infrastructure	19/10/15	MWH New Zealand Ltd	\$ 253,711.00	23/10/15	27/05/16
4	CON 15227	Mansfield Garden Stage 1	Not Funded	Public	RFT	Price Quality	Minor Work	Lance Vervoort - General Manager - Community	3/12/15	John Carter Constructors Ltd	\$ 249,423.49	18/01/16	1/04/16
5	CON 15002	Clarifier Levelling	Not Funded	Public	RFQ	Price Quality	Minor Work	Chris Allen - General Manager - City Infrastructure	25/09/15	Service Engineers Ltd	\$ 240,000.00	16/11/15	30/06/16
6	PSP 15165	Minor Improvements for 2015/16	Funded	Private	PSP Appointment	PSP Appointment	Instruction for Service	Chris Allen - General Manager - City Infrastructure	28/10/15	AECOM	\$ 193,380.00	2/11/15	30/06/16
7	PSP 15168	Infrastructure Planning Assistance Secondment	Not Funded	Private	PSP Appointment	PSP Appointment	Instruction for Service	Chris Allen - General Manager - City Infrastructure	12/10/15	Beca Ltd	\$ 190,000.00	1/10/15	31/07/16
8	PSP 15294	Water Master Plan Version 2	Not Funded	Private	PSP Appointment	PSP Appointment	Instruction for Service	Chris Allen - General Manager - City Infrastructure	17/12/15	Mott MacDonald New Zealand Limited (AWT Water Limited)	\$ 150,000.00	11/01/16	31/12/16
9	CON 14445	Waterworld Outdoor Splash Pad Flooring	Not Funded	Public	RFQ	Price Quality	Minor Work	Deanne McManus-Emery - Acting General Manager - Community	21/09/15	Natare Ltd	\$ 140,000.00	1/10/15	6/11/15
10	PSP 15167	Professional Services for City Development	Not Funded	Private	PSP Appointment	PSP Appointment	Instruction for Service	Tony Denton - Unit Manager - City Development	5/10/15	Gray Matter Ltd	\$ 100,000.00	1/07/15	31/07/16

Service Performance Reporting for the 3 months ended 31 December 2015

There are 65 Performance Measures contained in the 2015-25 10-Year Plan. The results below show that, overall, 71% (46) are on track to meet target by June 2016, 5% (3) need corrective action, 12% (8) are off track and 12% (8) have no data available yet, i.e. measured once per year. The Service Performance Exceptions Report provides details of the measures that are off track or need corrective action.



2015-25 10-Year Plan

Service Performance Exceptions Report - 2015/16

M = Government mandatory performance measure

					QUARTER 2 - Year to Date			
#	LEVEL OF SERVICE STATEMENT	MEASURE	TARGET	COUNCIL GROUP	COUNCIL UNIT	Result	Status	Comments
ACTIVITY GROUP: WATER SUPPLY								
1	A timely response if there is a problem with the water supply.	The median response times for the following when the Council attends a call-out in response to a fault or unplanned interruption to its water reticulation system:						
		c) Attendance for non-urgent call-outs: From the time that the Council receives notification to the time that service personnel reach the site.	No more than 5 days	City Infrastructure	City Waters	5.9 days	Corrective action needed	Data monitoring has been increased and actions implemented to ensure the measure is met before the end of the year. Quarter 2 did meet the target of no more than 5 days with a result of 4.77 days. The year to date result is still off track due to the quarter 1 result of 6.2 days.
ACTIVITY GROUP: TRANSPORT								
2	A timely response to requests for service.	The percentage of customer service requests relating to roads and footpaths responded to within five working days.	95%	City Infrastructure	City Transportation	92.5%	Corrective action needed	There will be a focus on the customer response times by completing regular proactive management and reviews. Data monitoring has been increased and actions implemented. There were 1,497 requests out of 1,616 responded to within 5 days (Totals per quarter – Quarter 1; 743/813, Quarter 2; 754/803).

#	LEVEL OF SERVICE STATEMENT	MEASURE	TARGET	COUNCIL GROUP	COUNCIL UNIT	Result	Status	Comments
ACTIVITY GROUP: RUBBISH AND RECYCLING								
3	The Council will promote and encourage recycling and reuse.	The percentage of waste recovered for recycling through the kerbside collection.	At least 30%	City Infrastructure	City Waters	28.3%	Off track	Further significant improvements in the percentage of waste recovered for recycling are not anticipated to be observed until proposed improvements are implemented. These include the long term waste education, communication, marketing and engagement strategy, soon to be finalised, and any future changes to expand the level of service of the kerbside recycling collection. Quarter 2 did meet the target with a result of 31%. The year to date result is still off track due to the quarter 1 result of 27.4%

#	LEVEL OF SERVICE STATEMENT	MEASURE	TARGET	COUNCIL GROUP	COUNCIL UNIT	Result	Status	Comments
ACTIVITY GROUP: ARTS AND CULTURE								
4	A modern and relevant library service.	The number of physical and online visits to the libraries each year.	1% increase each year	Community	Hamilton City Libraries	5.4% decrease	Off track	Decreasing visitor numbers has been a national trend. Public Libraries New Zealand is undertaking research to gain a better understanding of this change and we are interested in using this data once it is available. Online visits are steadier than physical visits and the use of e-collections is significantly increasing. Libraries are purchasing more e-collections to sustain this online interest. Libraries are also continuing to provide a range of programmes in line with the Libraries' Strategic Plan to encourage physical visitors.
5	A modern and relevant library service.	Use of the library collections, both print and electronic.	1% increase each year	Community	Hamilton City Libraries	5.9% decrease	Off track	The decline in Hamilton's issues is less than the national average of 8.01%. E-collections, when compared to the same period last year, have increased 129.8%. Although online visits have declined (only 1%), they have not declined as much as physical visits. There is a plan in place to continue increasing the proportion of e-collections with an aim to increase expenditure to 30% of our total collections budget by 2020.

#	LEVEL OF SERVICE STATEMENT	MEASURE	TARGET	COUNCIL GROUP	COUNCIL UNIT	Result	Status	Comments
ACTIVITY GROUP: ARTS AND CULTURE								
6	Waikato Museum shares and celebrates our region's history, creativity and diversity.	The number of children and students visiting the museum for education each year.	At least 8,000	Community	Waikato Museum	2,883	Corrective action needed	The year to date figure is 11.3% below target of 3,250. Schools are booking in advance for our blockbuster exhibition, Da Vinci Mechanics, which will significantly increase visitors in quarter 3 and we expect to get back on track for by the end of the year.
ACTIVITY GROUP: ECONOMIC DEVELOPMENT								
7	Our venues will be well used.	The number of people attending events at the stadiums each year.	At least 200,000	H3 and Events	H3	34,527	Off track	As there were no semi-final or final rugby matches in Quarter 1 or Quarter 2 and no planned All Blacks matches for the financial year, attendance at the end of the year is expected to be below target at 170,000.
ACTIVITY GROUP: PLANNING AND DEVELOPMENT								
8	Planning and building consents will be processed on time.	The percentage of non-notified resource consent applications processed within statutory timeframes.	100%	City Growth	Planning Guidance	99.8%	Off track	100% of non-notified resource consent applications were processed within timeframes in quarter 2 but the year to date status is off track because 2 consents were processed out of time in quarter 1.
9	Planning and building consents will be processed on time.	The percentage of building consents processed within statutory timeframes.	100%	City Growth	Building Control	98%	Off track	Timeframes were affected due to resourcing challenges and a steady increase in building consent applications. 24 out of 940 building consents were processed outside of the timeframe.

#	LEVEL OF SERVICE STATEMENT	MEASURE	TARGET	COUNCIL GROUP	COUNCIL UNIT	Result	Status	Comments
ACTIVITY GROUP: SAFETY								
10	Premises selling food will be regularly monitored.	The percentage of high risk premises selling food inspected at least once each year for compliance with the current food safety requirements (excluding those premises subject to the new Food Act 2014 regime).	100%	City Growth	City Safe	99%	Off track	293 of 294 high risk food businesses have been inspected at least once in the past 12-months. The one remaining premises is scheduled for inspection during January 2016.
ACTIVITY GROUP: DEMOCRACY SERVICES								
11	Timely and open access to public information.	The percentage of official information requests responded to within 20 working days.	100%	Corporate	Democracy	99%	Off track	131 Official Information requests have been received this year. 130 were responded to within 20 working days.

Committee: Finance Committee

Date: 18 February 2016

Report Name: Claudelands Event Centre
Reporting - Quater 2

Author: Jennie Lavis

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Hamilton Plan, 2015-2025 10-Year Plan, Economic Development Agenda, Central City Transformation Plan</i>
Financial status	<i>There is budget allocated</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 present the Claudelands Event Centre Performance report for Quarter 2 (1 July to 31 December 2015).

3. Executive Summary

- The report is a quarterly summary of financial and non-financial performance of Claudelands Event Centre as requested by the Finance Committee at it's meeting on 19 November 2015.
- Future reports will be provided to the Finance Committee in April 2016 (Q3) and August 2016 (Q4).

6. Recommendation from Management

That the report be received.

7. Attachments

- Attachment 1 - Claudelands Quarterly Report - 31 December 2015 - Q2

Signatory

Authoriser	Sean Murray, Executive Director H3 and Events
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CLAUDELANDS

Venue Quarterly Report

Quarter 2

For 1 July – 31 December 2015

Prepared February 2016



Claudlands | Emergency Services | Community Services | Technical Services | Training Services
Business Support Services | Finance & Administration | Information Systems | Marketing & Communications | Human Resources | Procurement | Legal Services





1. Summary Comment

- 1.1 Since 1 July 2011, 770,000 people have visited Claudelands, primarily for exhibitions, and as at 31 December 2015, Claudelands is on track to welcome its one millionth visitor in September/October 2016.
- 1.2 Overall business performance for Claudelands is on track with last year but down on the budgeted expectations of a 12 per cent lift in revenue for the current year. Adjustments to operating costs for the year are assisting in off-setting the budgeted revenue shortfall. The year end position is forecast to be favourable to budget.
- 1.3 Planned capital expenditure is on track for the year, with some expenditure rescheduled due to a mix of staff resource availability and working around client bookings that impact upon the capital works schedule.

1.4 Activity Snapshot 1 July – 31 Dec 2015

Event Type	Hire Days	Attendance
Conference	52	5,329
Meeting	73.25	3,524
Exhibition	76.25	53,250
Function	34.50	6,099
Sport	12.25	9,052
Performance	1.75	1,000
Total	250	78,254

2. Year to Date: Profit and Loss Summary

2.1 For the period 1 July 2015 – 31 December 2015

CLAUDELANDS EVENTS CENTRE for the six months ended 31 December 2015						
Prior YTD	Year to Date		Variance Favourable/ (Unfavourable)	Annual Budget	Annual Forecast	
Actual 2014/15	Actual	Budget				
\$000	\$000	\$000	\$000	\$000	\$000	\$000
Revenue						
1,905	Total Revenue	1,880	2,099	(219)	3,954	3,614
Expenses						
611	Personnel Costs	544	645	101	1,299	1,087
458	Depreciation & Amortisation	1,574	2,025	452	4,051	3,147
2,331	Finance Costs	1,561	1,580	19	3,160	3,122
3,482	Other Expenses	2,374	2,432	57	4,839	4,765
6,881	Total Expenses	6,052	6,682	629	13,349	12,121
(4,976)	Surplus/(Deficit)	(4,173)	(4,583)	410	(9,395)	(8,507)



2.2 Notes to Variance

Revenue

A budgeted revenue increase of 12.3 per cent over the 2014-15 year is ambitious and unlikely to be met. The 2014-15 year delivered a strong result bolstered by strong high impact shows such as Disney on Ice. The actual result for 2015-16 will match the previous year sales as a result of a strong conferencing market. The operating flexibility in operating costs has enabled our revenue shortfall to be mostly offset.

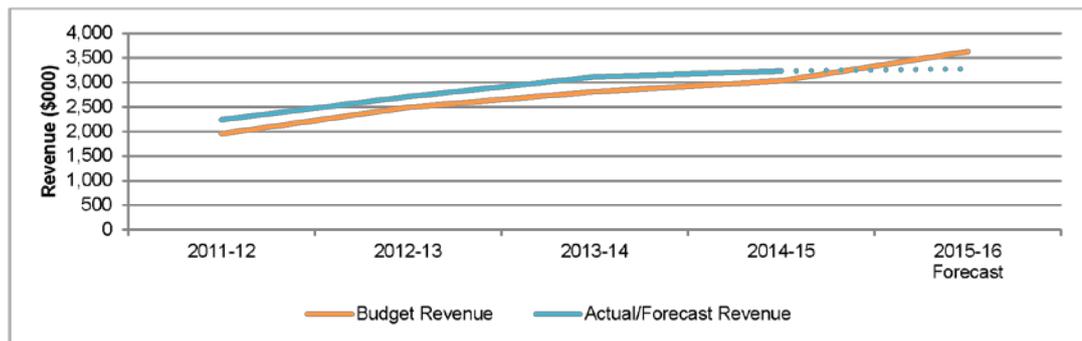
Personnel

All currently vacant positions are expected to be filled by March 2016.

Depreciation and Amortisation

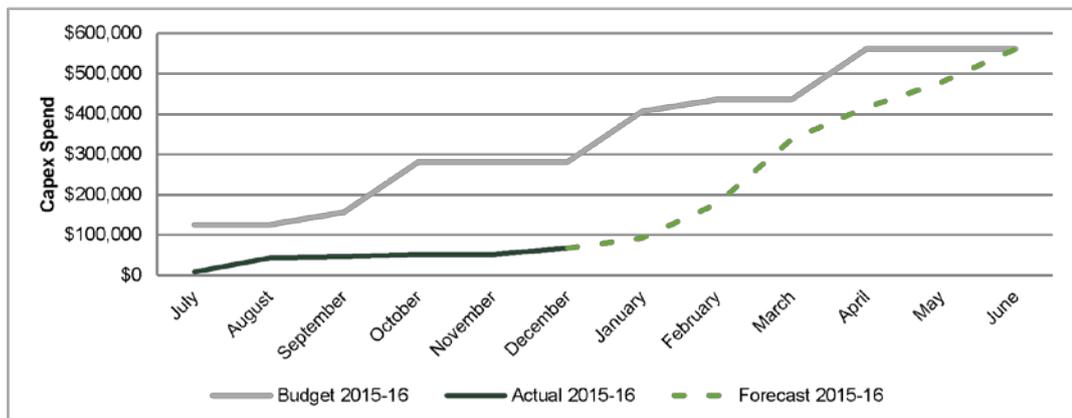
The variance is due to the useful life of the asset being reassessed and extended as a part of the latest revaluation carried out during the 2015 financial year, resulting in the deduction of the depreciation expense. This favourable variance will continue to increase through to year end. The revaluation was completed after budgets were set.

2.3 Actual/Forecast Revenue to budget for Claudelands, as at 31 December 2015



3. CAPEX

3.1 CAPEX forecast to budget 2015-16 FY, as at 31 December 2015



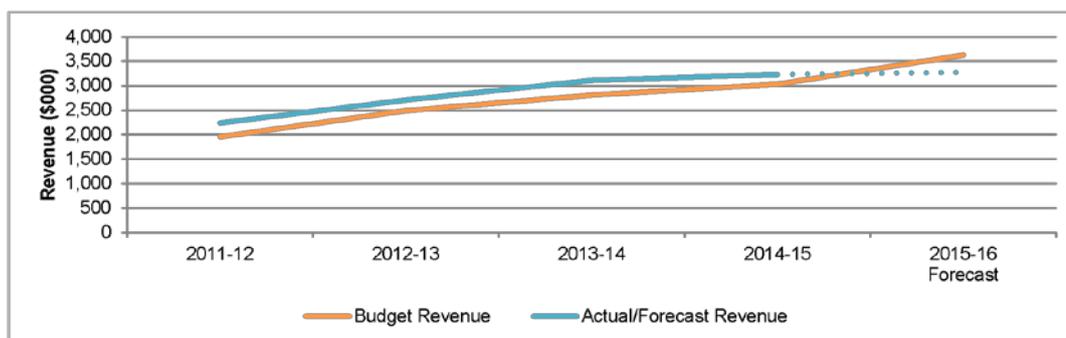


- 3.2 Budgeted capital expenditure programmed to be fully expended by year end. Delays have been the result of conflicting workload priorities for staff and working around some customer bookings.

Performance Measure	FY Budget \$000	Spend to Date \$000
Plant and equipment replacement <i>(Gate signage, arena and conference area data network installation)</i>	\$260	\$12
Property renewals <i>(Holman stand and Heaphy toilet refurbishment. Oval lighting and drainage covers)</i>	\$150	\$nil
Building renewals <i>(General repairs and maintenance, roof repairs and outside toilets)</i>	\$61	\$56
Capital improvement programme <i>(Exhibition Halls power and CCTV upgrades)</i>	\$90	\$nil

4. Forward Outlook

- 4.1 For the rest of the year (July to December) and into 2017, Claudelands is being well booked for national conference and meeting activity. At this stage October/November are the current peak operating months and in November there are three major (500-1,000 plus attendees) conferences operating back to back.
- 4.2 Exhibition activity remains challenging with The Waikato Home and Garden Show remaining our major exhibition event of the year. Exhibitions across NZ are reducing in size and frequency and our region reflects this trend.
- 4.3 The entertainment/performance market segments still remains our most challenging market. Based on feedback, show promoters fully recognise that Claudelands as an outstanding venue with an outstanding reputation for first class delivery in the market. However the primary challenge is that of promoters assessment of the size of the Hamilton/Waikato audience as it relates to bigger competing show destinations across New Zealand and Australia.
- 4.4 The Claudelands Events Centre now benefits from a firmly established positive reputation in the New Zealand market (based on client feedback) and penetration into the Australia market is beginning to see some positive results. 2017 is an exciting year for Claudelands with bookings already coming in.
- 4.5 **Actual/Forecast Revenue to budget for Claudelands, as at 31 December 2015**



Committee: Finance Committee

Date: 18 February 2016

Report Name: Key Projects Monitoring
Report - December 2015

Author: Cerice DeLacy

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>2015-2025 10-Year Plan</i>
Financial status	<i>There is budget allocated on a per project basis, as per attachment 1</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Council's Significance Policy, a decision in accordance with the recommendations is/is not considered to have a high degree of significance</i>

1. Purpose of the Report

2. Provide an overview of the key projects underway at Hamilton City Council for the December 2015 period.

3. Executive Summary

4. The December 2015 key projects summary is provided as Attachment 1.
5. The Rotoruna Reservoir Bulk Watermains development project remains in an amber status as at December 2015 and is currently under review.
6. The Financial System IT Implementation project is now successfully completed and closed.
7. The full key projects report is available on the Councillors' FTP site request (via Mary Birch).

8. Recommendation from Management

That the report be received

9. Attachments

10. Attachment 1 - Key Projects summary report for December 2015.

11. Key Issues

12. Two projects are showing an amber status:
- **Rototuna Reservoir Bulk Watermains development:** the project is currently showing an amber status as at December 2015 and is currently under review. This was due to recent revised cost estimates for the reservoir construction indicating that contract works will likely not be completed within existing approved budget allocation.
 - **Financial System IT Implementation:** previously signaled time delays drove this amber status. This project is now successfully completed and closed.

13. Financial and Resourcing Implications

14. Rototuna Reservoir Bulk Watermains development - recent revised estimates for the reservoir construction have indicated that contract works are unlikely to be completed with existing approved budget allocation. Revised cost estimates signal a \$4.5M under allocation exists. Updated information and more detail regarding this project and its budget requirements was presented to Finance Committee on 22 October 2015.
15. The reservoir bulkmain pipe installation contract has been awarded by the Finance Committee and the contract for the reservoir construction is currently out to tender with a report going to the Finance Committee February 2016 regarding contract award.

16. Risk

17. Project risks are identified on a project specific basis and are actively managed and monitored by the assigned project manager in conjunction with the relevant project governance group/GM project sponsor.
18. Any change to risk profile or risk rating is included in the key projects summary report for each project.

Signatory

Authoriser	David Bryant, General Manager Corporate
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Key Projects Status Summary Report - December 2015 (full report available via Mary Birch)

Total Number of Projects	Count	Project Status	Risks
Project Status – On Track	5		Increased = ↑
Project Status – Needs to be Monitored	2		Unchanged = →
Project Status – Needs urgent management attention	0		Decreased = ↓

Project/ Programme Name	Project Sponsor	Project Manager	Start date	Expected completion date	Total project budget	Total project cost TD	YTD spend 2015/16	Project Status	Project Exception Report	Risks
Rototuna Reservoir and Bulk Watermains Development	Tony Denton	Chris Barton	01-Mar-15	30-Jun-18	\$ 19,489,000	\$ 1,561,301	\$ 858,301		The project is currently showing an amber status as recent revised estimates for the reservoir construction indicate that contract works will likely not be completed within existing approved budget allocations - forecast \$4.5M under allocation as at December 2015 and currently under review.	→
Financial System IT Implementation	Paul Condor	Susan Souren	1-Oct-13	30-Nov-15	\$ 2,312,740	\$ 2,301,817	No spend		This project is now successfully completed and closed. A project closure report will be circulated to SLT February 2016. All risks and issues have been closed as no longer relevant.	N/A
Hamilton Ring Road Upgrade and Extension	Chris Allen	Chris Barton	1-Jul-03	31-Dec-16	\$ 84,270,900	\$ 73,945,641	\$ 224,299			→
District Plan Review – Phase VIII	Debra Stan-Barton	Luke O’Dwyer	01-Jan-10	31-Dec-16	\$ 6,168,163	\$ 5,995,950	\$ 504,606			→
Hamilton Gardens Development	Lance Vervoort	Helen Paki	02-Jun-14	31-Dec-18	\$ 7,374,380	\$ 1,755,176	\$ 1,227,176			→
Rototuna Town Centre – New Agreement Phase	Lance Vervoort	Helen Paki	02-Apr-13	30-Apr-16	\$ 3,262,800	\$ 3,225,376	\$ 1,899,387			→
Southern Links – Designation as part of the Peacocke Structure Plan	Chris Allen	Tony Denton	01-Jul-09	31-Dec-16	\$ 3,577,000	\$ 3,355,255	\$ 35,070			→

D-2047797

Committee: Finance Committee

Date: 18 February 2016

Report Name: Victoria on the River (VOTR) -
Stage One Works

Author: Nicolas Wells

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 budget allocated. Amount \$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 delegate authority to the Chief Executive Officer to approve and award the contract for VOTR Stage One (Bulk Earthworks) to commence remediation and enhancement of the site.

3. Executive Summary

- On 15 December 2015 Council resolved to commence and fund required remediation and enhancement works on Council-owned riverbank land at 268-274 Victoria Street known as Victoria on the River (VOTR).
- The VOTR land is unstable and unsafe for users of the land itself and users of the river walkway immediately below the land. The VOTR site presents a risk to both public safety and Council-owned land.
- Council must remediate the land to eliminate the risk and has approved a budget of \$4.15 million for this work. The remediated land will be enhanced and developed as a public space with significant river attributes and access. Council has approved a budget of \$2.6 million for this work.
- In order to commence remediation of the site as quickly as possible it is intended to complete the remediation work in two stages. The first stage will be commenced as soon as possible and completed before 31 May 2016.

8. Staff are preparing to publicly tender the VOTR Stage One (Bulk Earthworks) component of the remediation work. This entails:
 - Excavation of loose and contaminated material
 - Removal and disposal of excavated material to an approved site
 - Ground forming necessary for the enhancement works
 - Stormwater works
 - Works required to protect or repair the carpark surface so that it can be used in the intervening period until Stage Two commences
 - Works required to protect the exposed excavated surface during the winter
9. Delegating authority to the Chief Executive Officer to approve and award this contract is required to enable the works to be commenced and completed in a very tight timeframe before winter.

10. Recommendations from Management

That:

- a) The report be received; and
- b) The Committee delegates authority to the Chief Executive Officer to approve and award the contract for the Victoria on the River (VOTR) – Stage One (Bulk Earthworks) for an amount not to exceed \$1,650,000 (plus GST if any).

11. Attachments

12. There are no attachments for this report.

13. Key Issues

14. Background
15. The background to this matter is fully detailed in the staff report to Council on 15 December 2015 linked [here](#).
16. On 15 December 2015 Council resolved:
 - 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 authorizes 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.*
- g) *That the Chief Executive undertake a safety audit that, as much as reasonably practical, ensures all necessary measures have been taken to ensure the public safety issues raised in the reports have been addressed.*
- h) *That a pre-tender briefing is held to ensure all potential tenderers understand Council's tendering terms and conditions.*

17. Implementation issues

- 18. In accordance with the resolution above staff have engaged AECOM New Zealand Limited to prepare plans, specifications and all documents necessary to complete the VOTR development – and where necessary to engage other professional services.
- 19. The VOTR Stage One (Bulk Earthworks) contract will be publicly tendered in full accordance with Council's procurement policy and the Council's resolution above.
- 20. The VOTR Stage One (Bulk Earthworks) needs to be completed as soon as possible before the winter.
- 21. The current timetable for completion of the bulk earthworks stage before winter does not allow sufficient programmed time to obtain Council approval to award the earthworks contract as envisaged by the resolution above (e).
- 22. As a result the works will be undertaken in two stages. Stage Two is expected to commence in October 2016. Additional earthworks to complete shaping for the enhancement phase will be undertaken during this second stage.
- 23. A communications plan will be developed as part of the overall planning process for the development of the VOTR site.

24. Financial and Resourcing Implications

- 25. Council has approved a budget of \$6.75 million for the remediation and enhancement of the VOTR site including \$4.15 million for the remediation work required to develop the site.
- 26. The VOTR Stage One (Bulk Earthworks) contract forms a part of the remediation work.
- 27. The estimated cost of the VOTR Stage One (Bulk Earthworks) is \$1.2 million.
- 28. The estimated contract cost falls within the Chief Executive's financial delegation.
- 29. Professional fees of \$144K for the VOTR Stage One (Bulk Earthworks) have been approved under the Chief Executive's delegation.
- 30. Approval is sought to increase the level of delegation by an additional 10% to ensure that the work can proceed before winter if the approved price tendered exceeds the estimate and current delegation.
- 31. Finance Unit staff will review the financial details prior to award of the contract.

32. Risk

- 33. If authority to approve and award the contract for the VOTR Stage One (Bulk Earthworks) is not delegated to the Chief Executive there will not be sufficient time to complete the works before winter if there is a need to seek a separate Council approval.

- 34. The work will be delayed until the spring construction season in October 2016 which will result in a slower start to the project commencing and set back the completion date correspondingly.

Signatory

Authoriser	Sean Murray, Executive Director H3 and Events
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Committee: Finance Committee

Date: 18 February 2016

Report Name: Western Rail Trail Physical Works Contract

Author: Jason Harrison

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Hamilton Biking Plan 2015 - 2045</i>
Financial status	<i>There is budget allocated Total Project Budget is \$4m (Council's contribution is \$490,000)</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

- The purpose of this report is to seek approval for the financial delegation to the CEO to award the physical works Contract 15364: Western Rail Trail Bike Path - Civil Works, up to a maximum of \$2,000,000 plus GST.

3. Executive Summary

- The Western Rail Trail is the first project to be delivered under the newly adopted Hamilton Biking Plan 2015 – 2045. A plan showing the route for the rail trail is included as Attachment 1 to the report.
- The Request for Tender for the physical work is due out to the market in mid February, with award planned for mid March 2016. This will then accommodate a tight timetable for the work to be completed this financial year.
- The value of Contract 15364: Western Rail Trail Bike Path - Civil Works is expected to exceed the CEO financial delegation of \$1,500,000 and as the next Finance Committee meeting is not programmed until late April, approval is now being sought for specific delegation to be given for the award of this contract to the CEO.

7. Recommendations from Management

That:

- The report be received; and
- Financial delegation be given to the CEO for the award of the physical works Contract 15364: Western Rail Trail Bike Path - Civil Works up to a maximum of \$2,000,000 excluding GST.

8. Attachments

9. Attachment 1 - Western Rail Trail route map

10. Background

11. Council adopted the Biking Plan at its meeting of 27 August 2015 noting that previously Strategy and Policy Committee had allocated \$3.8million of the 10-Year Integrated Transport Initiative fund to biking and that staff would continue to maximize external funding opportunities to supplement the funds set aside by Council.
12. The Western Rail Trail project is a 2.7km off-road shared path (catering for walking and biking) that will connect the southwestern suburbs of Hamilton with the central city, Hamilton Girls' High School and Wintec City Campus, utilizing the rail corridor. Key components of the project are:
 - Approximately 2.7km of 3 metre wide concrete shared path
 - Appropriate fencing between both rail and drainage facilities as required
 - Some minor bridging structures over drainage channels
 - A signalised bike/pedestrian crossing facility at Killarney Road that co-ordinates with the railway level crossing
 - A signalised bike/pedestrian crossing facility at Lake Road (NB: previously an underpass option had been considered however stakeholder feedback identified an at grade solution with Lake Road as the preferred option; also further analysis of the underpass option identified it was uneconomical, i.e. significant cost)
 - Signalised bike/pedestrian crossing facility at Seddon Road
 - A shared path link to the traffic signals currently being installed at Kahikatea and Gallagher intersection.
13. This project will link into existing biking networks in both the central city and southwestern Hamilton.
14. The physical works component of this project is being packaged into two contracts. This is to ensure the work packages appeal to a wide cross-section of the market. The two contract packages are:
 - Contract 15364: Western Rail Trail Bike Path - Civil Works (estimated value: \$2,000,000)
 - Contract 15363: Western Rail Trail Bike Path - Structural Works (estimated value: \$800,000)
 It is intended that both contracts will be let as separate contracts.
15. The Request for Tender for this work is due out to the market in mid February, with award planned for mid March 2016. This will then accommodate a tight timetable for the work to be completed this financial year.
16. As the value of Contract 15364, is expected to exceed the CEO financial delegation of \$1,500,000 and the next Finance Committee meeting is not programmed until late April, approval is being sought for specific delegation to be given for the award of this contract to the CEO.

17. Consultation

18. Consultation has been undertaken with adjacent residents, the various Advocate Groups (including Cycle Action Waikato, CCS Disability Action and the Blind Foundation) and other interested parties such as NZ Transport Agency, and Kiwi Rail.
19. A public Open Day was held Wednesday 21 October 2015 to present the proposed rail trail alignment and access points.
20. A second Open Day is planned for Wednesday 17 February 2016 to present the final rail trail alignment and access points which take into account feedback Council has received.

21. Financial and Resourcing Implications

22. The confirmed project budget and estimated expenditure is set out in the table below:

Item	Confirmed Budget	Estimated Expenditure	Comments
Council Funding	\$490,000		Via the Integrated Transport Budget
NZ Transport Agency (NZTA)	\$510,000		Via the National Land Transport Fund
Urban Cycleway Fund (UCF)	\$3,000,000		Specific Government Cycling Fund
Contract 15364: Bike Path – Civil Works		\$2,000,000	Contract is being publicly tendered
Contract 15363: Bike Path - Structural Works		\$800,000	Contract is being publicly tendered
Physical Works - Signals and Lighting		\$500,000	This package of work is being delivered by Council's Infrastructure Alliance
PSP Engagements and contingency		\$600,000	Design, consents, contract documents and project supervision
Council Timecost		\$100,000	HCC staff time
Total	\$4,000,000	\$4,000,000	

23. The Council share of \$490,000 has been set aside as an allocation against the 2015//16 Integrated Transport Initiative fund in accordance with the allocations approved by Strategy and Policy on 7 July 2015.

24. Risk

25. There is a risk that if this delegation is not approved the physical work will not be completed this financial year.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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LEGEND:

TRAIL DESIGN FEATURES

-  Western Rail Trail
-  Boardwalk
-  Culvert crossing small streams
-  Steel post and wire mesh fence (1.5 m high)
-  Beautification Area
-  Trail lighting
-  CCTV Camera

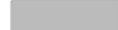
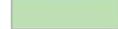


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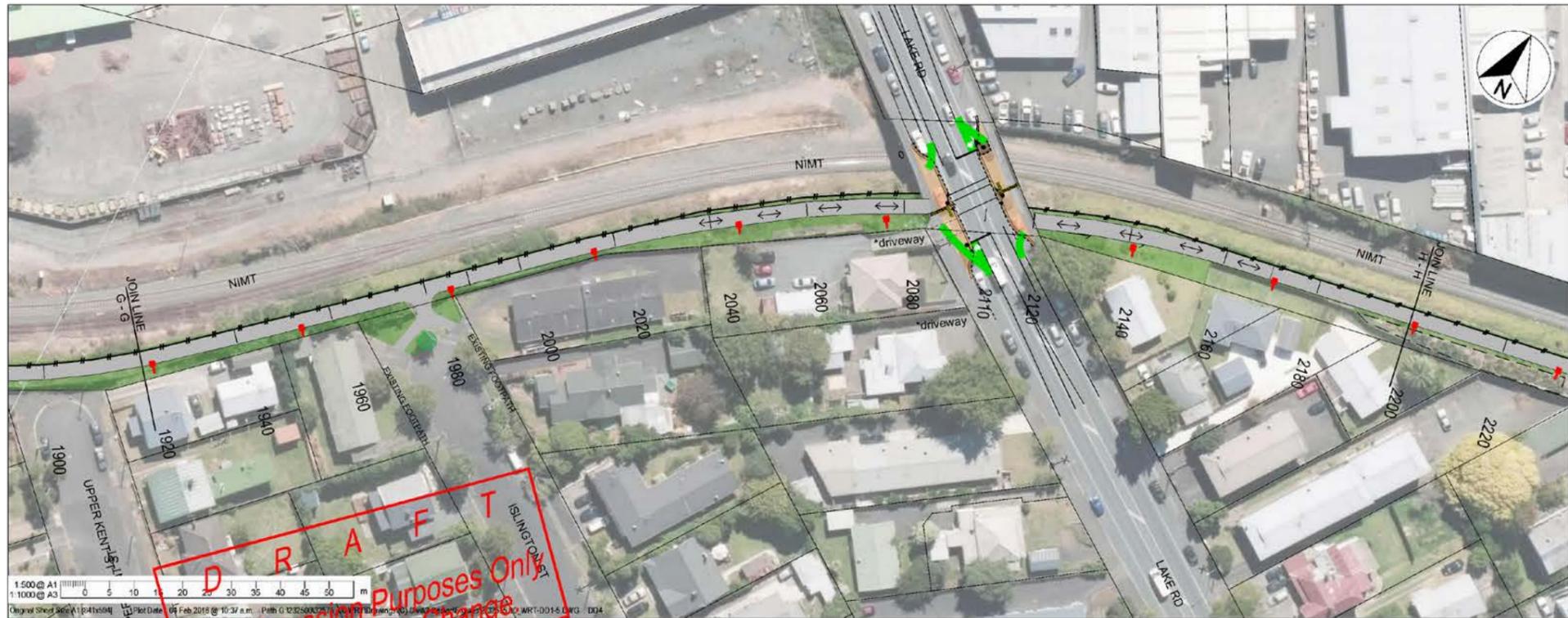
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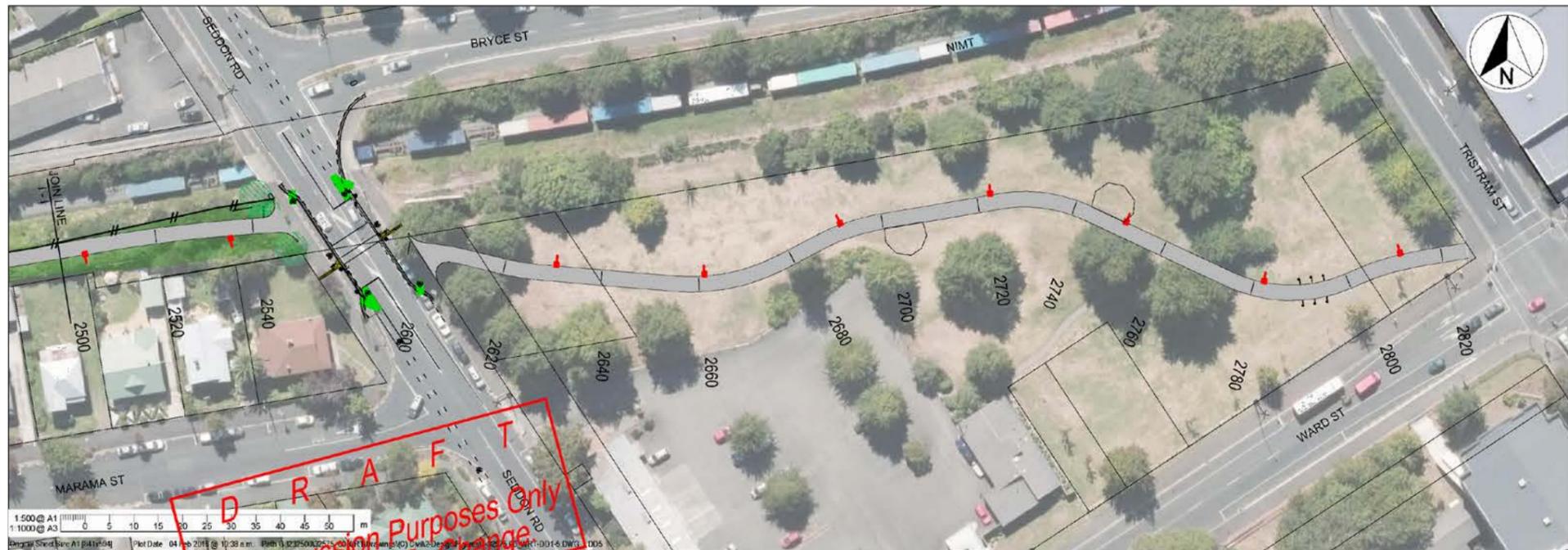
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HCC WESTERN RAIL TRAIL - KAHIKATEA DRIVE TO NORRIS WARD PARK DESIGN OVERVIEW

LEGEND:

TRAIL DESIGN FEATURES

-  Western Rail Trail
-  Boardwalk
-  Culvert crossing small streams
-  Steel post and wire mesh fence (1.5 m high)
-  Beautification Area
-  Trail lighting
-  CCTV Camera



2015 AERIAL IMAGERY SUPPLIED BY HAMILTON CITY COUNCIL AND IS USED UNDER HCC DIGITAL DATA USE LICENCE AGREEMENT

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 4/2/16 10:38

Committee: Finance Committee

Date: 18 February 2016

Report Name: Asset Analysis - Waiwhakareke
Land - Retention or Disposal
Options

Author: Nicolas Wells

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>The Waiwhakareke Land is subject to the provisions of the District Plan.</i>
Financial status	<i>There is not budget allocated. Any costs from the sale process will be met from the proceeds of sale. If sale is not completed costs will need to be funded through corresponding savings tracked in the Risks and Opportunities process.</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 recommend sale of undeveloped surplus land (the “Waiwhakareke Land” – shown hatched in green on Attachment 1) adjacent to Horseshoe Lake and the Waiwhakareke Natural Heritage Park (shown bordered in red on Attachment 1).

3. Executive Summary

- On 29 May 2014 Council resolved to revoke its resolution of 26 September 2013 declaring the Waiwhakareke Land to be reserve and included within the Waiwhakareke Natural Heritage Park, and determined to:
 - Retain the Waiwhakareke land freehold;
 - Continue to manage the land *status quo* (grazed under licence);
 - Defer a decision on sale or retention of the land until the costs and timing of network infrastructure upgrades required to allow its development are known;
 - Work with potential partners to review the business plan, enhance funding generation and collaboration agreements between the parties; and
 - Return the matter back to the RMA commissioners to reconsider the zoning of the land to allow residential development.

5. The business plan review has been initiated with project partners University of Waikato, Wintec and Tui 2000 – all of whom have Memoranda of Understanding with Council regulating the partnership arrangements for development of the Waiwhakareke Natural Heritage Park, noting that this does not include the Waiwhakareke Land proposed for sale.
6. The review has highlighted several gaps in the project’s strategic documents, these are being progressed. Additionally, interdependencies with projects such as the draft Zoo Master Plan determine much of the project’s capital development programme. Once finalised, the revised strategic documents and Zoo Master Plan will provide a clear basis to the business plan.
7. Notwithstanding, updated costings for the planting aspects and funding avenues are being progressed by the partners and monies have been secured for these aspects until 2017.
8. The land has been zoned “Special Natural Zone – Lake Waiwhakareke Landscape Character Area” in the District Plan. This zoning permits residential development consistent with similar areas in the Rotokauri Structure Plan.
9. Residential development of the Waiwhakareke Land will require a comprehensive resource consent to ensure that development has as little impact on the amenity and ecology of the Lake Waiwhakareke Natural Heritage Park as possible.
10. Consultant’s Boffa Miskell consider that the Waiwhakareke Land is already highly modified and does not have sufficient ecological or landscape value to warrant its inherent protection within the adjacent Waiwhakareke Natural Heritage Park. They also advise proximity of the land to the Park does not in itself provide justification to preclude built development if appropriate measures are put in place to mitigate any potential adverse effects.
11. Any Resource Consent required by the Waikato Regional Plan or Hamilton Proposed District Plan will consider the effects of any proposed development. The consenting process will ensure that these effects are managed in such a way as to ensure they have no more than a minor impact on the surrounding environment. The confirmed zoning requires an Integrated Catchment Management Plan (ICMP) to be developed before any work can occur. The ICMP is programmed to be completed by October 2016. This does not preclude sale of the land.
12. In addition Council could in its role as landowner choose to impose more stringent mitigation controls by way of encumbrance on the title. It is not proposed to add any further conditions on the sale of the property. Potentially any conditions imposed by Council as landowner (above and beyond those imposed by the District Plan) would have the effect of reducing the value of the land if sold.
13. The land has an estimated current market value of \$3.1 million (plus GST if any).
14. Three options have been explored by staff:
 - Sell the Waiwhakareke Land on the open market through a contestable public process intended to maximise the sale price.
 - Retain and continue to manage the Waiwhakareke Land *status quo* (grazed under licence) pending a future decision on its use.
 - Retain and declare the land to be reserved and include the land as part of the Waiwhakareke Natural Heritage Park.

15. Recommendations from Management (*Recommendation to Council*)

16. That:

- a) The report be received;
- b) Council sells the Waiwhakareke Land described in the Schedule;
- c) The net proceeds from the sale of the Waiwhakareke Land be used to repay debt; and
- d) Council authorizes the Chief Executive Officer to:
 - (1) conclude the sale of the land within 10% of the estimated current market value;
 - (2) execute an Agreement for Sale and Purchase; and
 - (3) any other instruments that are required to give effect to this resolution.

SCHEDULE

An estate in fee simple comprising all that land contained in Certificate of Title 499858 South Auckland Land Registry legally described as Lot 2 Deposited Plan 425316 comprising 5.1385 hectares more or less and physically located between Baverstock and Rotokauri Roads overlooking Lake Waiwhakareke.

17. Attachments

18. Attachment 1 - Waiwhakareke Land - Aerial Photograph
19. Attachment 2 - Certificate of Title and Subdivision Plan

20. Key Issues

21. Background
22. Council has considered the use of the Waiwhakareke Land over a period of 25 years. The decisions and documents are summarised in Table 1 below:

Table 1 – Waiwhakareke Land Council Decisions

DATE	DECISION
9 May 1990	(a) Retain land immediately bordering Horseshoe Lake pending further investigation (b) Sell other land subject to retaining the right for future acquisition of reserve land for public use
12 September 1990	(a) Retain ownership of the Horseshoe Lake properties in order to preserve Council's interest in the recreation value of the land (b) The precise area required for recreation to be considered as part of the Urban Growth Strategy Study (UGSS) (c) The matter to be reviewed on completion of the UGSS
9 April 2003	Council state its intention to devote its land holding in Horseshoe Lake, less an area to be subdivided off for residential development in the South East corner, for development as a Natural Heritage Park and the Strategic Planning Committee be requested to amend the Proposed District Plan accordingly

DATE	DECISION
6 January 2005	Council is actively involved in the development of a residential subdivision on its land adjacent to the Waiwhakareke Natural Heritage Park
1 March 2005	With a view to maximising return staff further report back to the City Development Committee on Council's involvement in the development of the area and/or later resale of the Horseshoe Lake block noting the environmental sensitivity of the Horseshoe Lake area
6 July 2005	Council enter into discussions with no less than three potential joint venture partners to determine the best possible development of the land and report back
6 July 2006	<ul style="list-style-type: none"> (a) Council support the development of a SMART subdivision based on the comparative costs of the SMART subdivision and added value of the SMART option; (b) Council confirm its preferred option to address issues of built form and initiatives to achieve greater control over the form and sustainability of the development as outlined in Option 3 of the report before the committee noting that the built form contracts will be structured to recover all Council costs (including the land at \$3.65 million and holding costs) and that the detailed built form design will be reported back to the City Development Committee for approval prior to staff finalising the contract; (c) Council approve staff to apply for a land use consent for a Comprehensive Residential Development; (d) Council provide approval for geo-technical work including surveying to commence in order to ready the site for development in January 2007; (e) Council delegate to the Contracts Sub-Committee the approval of the subdivision works contract and the "built form" contracts subject to any variance in the project returns being within the delegated authority of the Contracts Sub-Committee.
1 November 2006	(a) The SMART subdivision development at Rotokauri be deferred until the Rotokauri Structure Plan is finalised, noting this is likely to defer the development until the 2008/09 construction season.
26 September 2007	(a) Approval be given to enter into negotiations with McConnell Properties Limited to prepare a development agreement which will be reported back to Council for approval.
18 February 2008	<ul style="list-style-type: none"> (a) Council seek expressions of interest with other developers to "test" the terms and conditions of the MPL draft development agreement and, (b) A working party consisting of interested Councillors and staff be established to review expressions of interest and proposed agreements.
18 May 2011	Adoption of Waiwhakareke Natural Heritage Park Management Plan and that staff report back to Council concerning the Smart Subdivision proposal at the Baverstock/Rotokauri Road Corner of the Waiwhakareke Natural Heritage Park.
22 November 2011	(a) Staff report back to the Strategy and Policy Committee concerning the Smart Subdivision in February 2012, noting that the Waiwhakareke Advisory Group wish to be included in any discussions relating to the Waiwhakareke Natural Heritage Park.

DATE	DECISION
24 September 2013	(a) Council declares the Smart Subdivision Land (Lot 2 DP 425316) to be reserved and included within the Waiwhakareke Natural Heritage Park (Lot 1 DP 425316)
27 February 2014	That staff report back to Council by May 2014 to allow time for engagement with key stakeholders who have indicated an interest in productive financial alternatives to the proposed sale of land.
29 May 2014	<p>(a) Council revokes the following Council resolution of 26 September 2013: <i>That Council declares the Smart Subdivision land (lot 2 DP 425316) to be reserve and included within the Waiwhakareke Natural Heritage Park (lot 1 DP 425316),</i></p> <p>(b) Council retains the Smart Subdivision land (lot 2 DP 425316) freehold, continues to manage the land status quo and defers a decision on the disposal or inclusion of the land in Waiwhakareke Natural Heritage Park until the costs and timing of required network infrastructure upgrades, that would allow development of the land to occur, are known,</p> <p>(c) Council works with current and other potential partners in the review of the business plan, to enhance funding generation and to enhance collaboration agreements between the parties, and</p> <p>(d) Council returns the matter back to the RMA commissioners to reconsider the zoning change as the last Council did not approve this change at the time the proposed District Plan was publicly notified and that this Council by passing this amendment also would not have approved this zoning change.</p>

23. The Waiwhakareke Land was originally purchased in 1975 for recreation and open space. Since April 2003 the land has been intended for residential development.
24. For some years Council investigated the possibility of a “SMART” subdivision intended to model a range of amenity, environmental and design features, however for a variety of reasons the concept has not progressed. Many of the innovative features of the SMART concept have subsequently become widely accepted, and have now been incorporated in the District Plan requirements for the land. The amenity, environmental and design features of the original SMART subdivision have been captured and enhanced by the Commissioners in the confirmed zoning.
25. An information pack with background information has been circulated to elected members before the meeting.

26. Network Infrastructure

27. Wastewater Management

28. The Far Western Waste Water Interceptor and associated local trunk network will need to be installed to service development of the Waiwhakareke Land. Developing the land will require third parties installing a new trunk network from the interceptor to Rotokauri Road, and new trunk mains installed along Rotokauri Road to the edge of the land to service the property. There is existing infrastructure in reasonable proximity but it is incapable of servicing the land as part of the existing full gravity network.

29. Funding of \$7.6M for the Far Western Waste Water Interceptor has been approved and included in the 10 Year Plan. The Far Western Waste Water Interceptor is proposed to be in place in 3 years' time. The local trunk network is reliant on delivery by third parties and their timeframes would dictate the development of this block of land.
30. The timetable for completion of the Far Western Waste Water Interceptor is shown in Table 2 below:

Table 2 – Far Western Waste Water Interceptor Timetable

Item	10 YP Financial Year	Completion Date
Finalised Design and Tender	Year 1 2015/2016	30 June 2016
Construction	Year 2 2016/2017	30 June 2018
Commissioning	Year 3 2017/2018	30 June 2018

31. Stormwater Management
32. Residential development of the Waiwhakareke Land will require the developer to provide stormwater management solutions of sufficient capacity and treatment before discharge near the outfall of Horseshoe Lake.
33. Council is currently developing the Integrated Catchment Management Plan for Rotokauri which will impose development provisions intended to protect the amenity and ecology of the adjoining Lake Waiwhakareke Natural Heritage Park.
34. The ICMP will be developed through a public consultation process and will need to be completed before any development of the Waiwhakareke land can occur. The Rotokauri ICMP is programmed to be completed by October 2016. The lack of a completed ICMP does not impede the sale of the land.
35. Structured interventions for construction management of stormwater will be necessary to mitigate effects on the receiving environment.
36. The current 2015-2025 10 Year Plan has funding provisions of \$28.5M for infrastructure to assist residential development in the Rotokauri Growth Cell commencing in year seven (2021/2022 FY) and subsequent years. However this does not preclude developers from implementing their own infrastructure solutions, and if they can mitigate their effects they can develop.
37. Potable Water
38. There are sufficient existing trunk networks nearby that provide direct connection to the capacity and Levels of Service required for development of the land.
39. Roading
40. Transport will require consideration of intersections and their form on existing roads. These will likely be standard T intersections and have the necessary turn bays and visibility provisions. Previous concepts have shown a local road linking through the site joining Rotokauri and Baverstock Roads. A slow street solution would be preferred to avoid rat running traffic.

41. District Plan

42. Council's resolution of 29 May 2014 requested that information relating to inconsistencies between an earlier resolution of Council and the zoning of the Waiwhakareke Land as notified in the Proposed District Plan in 2012 be provided to independent commissioners. This same resolution revoked the previous Council resolution to declare a reserve status over the subject site.
43. The Commissioners deferred their decisions on submissions on this topic in order to fully consider the matter at hearings on 6 November 2014 and 10 December 2014 which provided the opportunity for Council staff, and submitters, to provide evidence for consideration.
44. The Council Officer's s42A report took into account the matters raised by submitters and the evidence provided by experts commissioned by Council. The expert evidence covered landscape architecture, freshwater ecology and stormwater and sediment control.
45. As a result of hearings, and taking into account evidence presented by Council and submitters, the Commissioners released their decisions for the zoning of the land on 18 February 2015. The decisions determined that:
 - The land is to be zoned "Special Natural Zone – Lake Waiwhakareke Landscape Character Area". This residential zoning is consistent with similar areas in the Rotokauri Structure Plan.
 - A comprehensive resource consent is required for any development. This allows Council to see how the whole site is to be developed and will ensure that any development has as little impact on the amenity and ecology of the Lake Waiwhakareke Natural Heritage Park as possible. While comprehensive consent is required, development is able to occur in stages.
 - A range of information is required for any consent application, as part of any resource consent application for a Comprehensive Development Plan on this site, an Integrated Catchment Management Plan (ICMP) is required. Council is currently preparing a full ICMP for Rotokauri which will include the subject site, with its programmed completion by October 2016.
 - Any other information required for resource consent as stipulated in the District Plan.
46. No appeals were received on the decisions of Commissioners for this area. Any consenting application will be considered by Council's Planning Guidance Unit.

47. Parks and Open Spaces

48. The development of the Waiwhakareke Land and the potential impacts on the adjacent Waiwhakareke Natural Heritage Park can be summarised as follows:
 - The proximity of the Waiwhakareke Land to the Park does not in itself provide justification to preclude built development, and that the highly modified nature of the land does not retain sufficient ecological or landscape value to warrant its inherent protection within the Park.
 - Notwithstanding the above, the more ecologically sensitive areas of the Park include the catchment head-waters, which in part captures the Waiwhakareke Land.

- Urban development could be accommodated on the land provided it incorporates sustainable land development and low-impact design principles, particularly in the retention and on-site treatment of stormwater, and encourages the connectivity of native plantings within the stormwater system with the Lake Waiwhakareke riparian buffer planting.
- Appropriate boundary treatment be undertaken such that it provides a graduated transition from the restored natural environment of the park to the built environment.

49. Council's Parks and Open Spaces staff consider that development of the Waiwhakareke Land can occur provided sufficient controls are in place to ensure development responds to the sensitivities of the site.

50. It is Parks and Open Spaces opinion that the current "Special Natural Zone – Lake Waiwhakareke Landscape Character Area" responds appropriately to the issues and sensitivities outlined above and provides a framework for a development to occur which will complement the park. Moreover, such an approach is consistent with the design principles that underpinned the project when it was conceptualised in 2008. These being:

- Character and Ecology – landscape and planting to visually integrate the heritage park and subdivision and create neighbourhood character to provide a source of 'identity' for residents.
- Density and Layout – compact with medium to higher density housing grouped in clusters, mixed density and types of housing, north/north east facing sections.
- Access and Connectivity – a pedestrian dominated area with walkway/cycle ways. Cul de sac instead of through roads. Recreational links beyond the development.
- Stormwater – focus on the preservation of Lake Waiwhakareke and the surrounding wetland area. Use of permeable surfaces, green corridors and swales to encourage groundwater recharge and reduce contamination to the lake. Minimal soil disturbance during construction.

51. It is noted that in 2008 the above principles were endorsed by the Waiwhakareke Advisory Group.

52. Valuation

53. When Council last considered a potential sale on 29 May 2014 the land had an estimated market value between \$600,000 and \$1.45 million (plus GST if any).

54. The land has a current estimated market value of \$3.1 million (plus GST if any). The valuation allows for the delay in provision of infrastructure required to permit residential development on the land.

55. It is proposed that the land be sold and marketed publicly to maximise the price. Net sale proceeds (sale price less costs of sale such as advertising, commissions and legal fees) will be used to pay debt.

56. Market Commentary

57. The Waiwhakareke Land is very attractive given the outlook and northerly contour however it is impacted by the deferral till development is practical and the higher than usual development cost as a consequence of the stormwater requirements.

58. The estimated market value reflects a current level of high demand for sections that has seen prices escalate. If market demand eases section prices will soften and this would have an immediate effect in reducing the value of the land.
59. The impact on Council's Financial Key Performance Indicators of selling the Waiwhakareke Land at the estimated current market value of \$3.1M is summarised in Table 3 below:

Table 3

Financial KPI	\$3.1M Price
Total Overall Debt (at 30 June 2025)	\$5.5M REDUCTION
Debt to Revenue (at 30 June 2025)	2.0% REDUCTION
Balancing the Books (2016 to 2025)	Average \$241K FAVOURABLE

60. Options

61. Option 1 – Sell the Land

62. This option would involve Council selling the land on the open market through a public competitive process.
63. Sale of the land to an experienced private sector property developer would provide the professional skills and expertise required to successfully complete the development of the land.
64. Financial and Resourcing Implications
65. The estimated market value of the land is \$3.1 million subject to the vagaries of a land sale process.
66. Once the land is sold the net sale proceeds can be utilised to repay debt.
67. Once the land is fully developed for residential housing Council will receive an estimated \$98,947 - \$119,878 in rates (based on an average of \$1,902 per lot x 52 – 63 lots) and an estimated \$1.73M - \$2.10M in development contributions (based on an estimated \$33,421 per lot x 52 – 63 lots).
68. Similarly once the land is developed for residential housing Council will receive an estimated.
69. Risk
70. Once sold Council would have little control over what happens with the land apart from exercising its regulatory role and through any encumbrances it may apply to the title of the land.
71. Current partners in the development of the Park may be unhappy with such a decision. They may feel the partnership relationship with Council has been damaged and be less inclined to contribute to the development of the Park in the future.

72. Option 2 – Retain the Land Status Quo

73. This option would see Council retain the land freehold and defer a decision on its future use.
74. Council could wait until the Far Western Waste Water Interceptor and trunk network is installed and assess market conditions then prevailing to determine the favourability of selling the land.

75. Financial and Resourcing Implications

76. There would be minimal holding costs associated with managing the land in the intervening period.

77. The land would not be sold resulting in an estimated opportunity cost of \$3.1 million – noting that the land will continue to appreciate in value over time.

78. There is a potential loss of estimated annual rates income of \$98,947 - \$119,878 and development contributions of \$1.73M - \$2.10M that would have been generated if the area was developed for residential housing.

79. Risk

80. There is little risk associated with holding the land other than the opportunity costs summarised above.

81. Option 3 – Retain the Land and include in the Park

82. This option involves declaring the Waiwhakareke Land to be reserve and including it within the Waiwhakareke Natural Heritage Park.

83. Financial and Resourcing Implications

84. The estimated cost of developing the land in conjunction with the park is \$160,000 - \$180,000 for plants (average \$4 per plant x 40-45,000). With existing funding levels the site would be planted by approximately 2020 – sooner if external funding is secured.

85. Once planted the site would be added to the maintenance programme for the Waiwhakareke Natural Heritage Park. This would add an estimated annual maintenance cost of \$3,170 (allocated *pro rata* based on the per hectare cost of maintaining the 61.2672 hectare Waiwhakareke Natural Heritage Park).

86. The land would not be sold resulting in an estimated opportunity cost of \$3.1 million.

87. There is a potential loss of estimated annual rates income of \$98,947 - \$119,878 and development contributions of \$1.73M - \$2.10M that would have been generated if the area was developed for residential housing.

88. The land can continue to be leased for grazing until it is incorporated into the park. However as the park is progressively planted the land available for grazing is reduced. In approximately three years the point will be reached where it may be un-economical to lease the remaining undeveloped land for grazing. Grazing of the site would however continue with the aid of stock from the Taitua Arboritum.

89. Risk

90. There is a potential risk of criticism from some sections of the community over a decision that eliminates the potential for realising up to \$3.1M which could be utilised to pay down debt.

91. Discussion

92. Advice received shows that the Waiwhakareke Land does not have sufficient ecological or landscape value to warrant its inherent protection within the Park. The proximity of the land to the Park does not in itself provide justification to preclude built development if appropriate measures are put in place to mitigate any potential adverse effects.

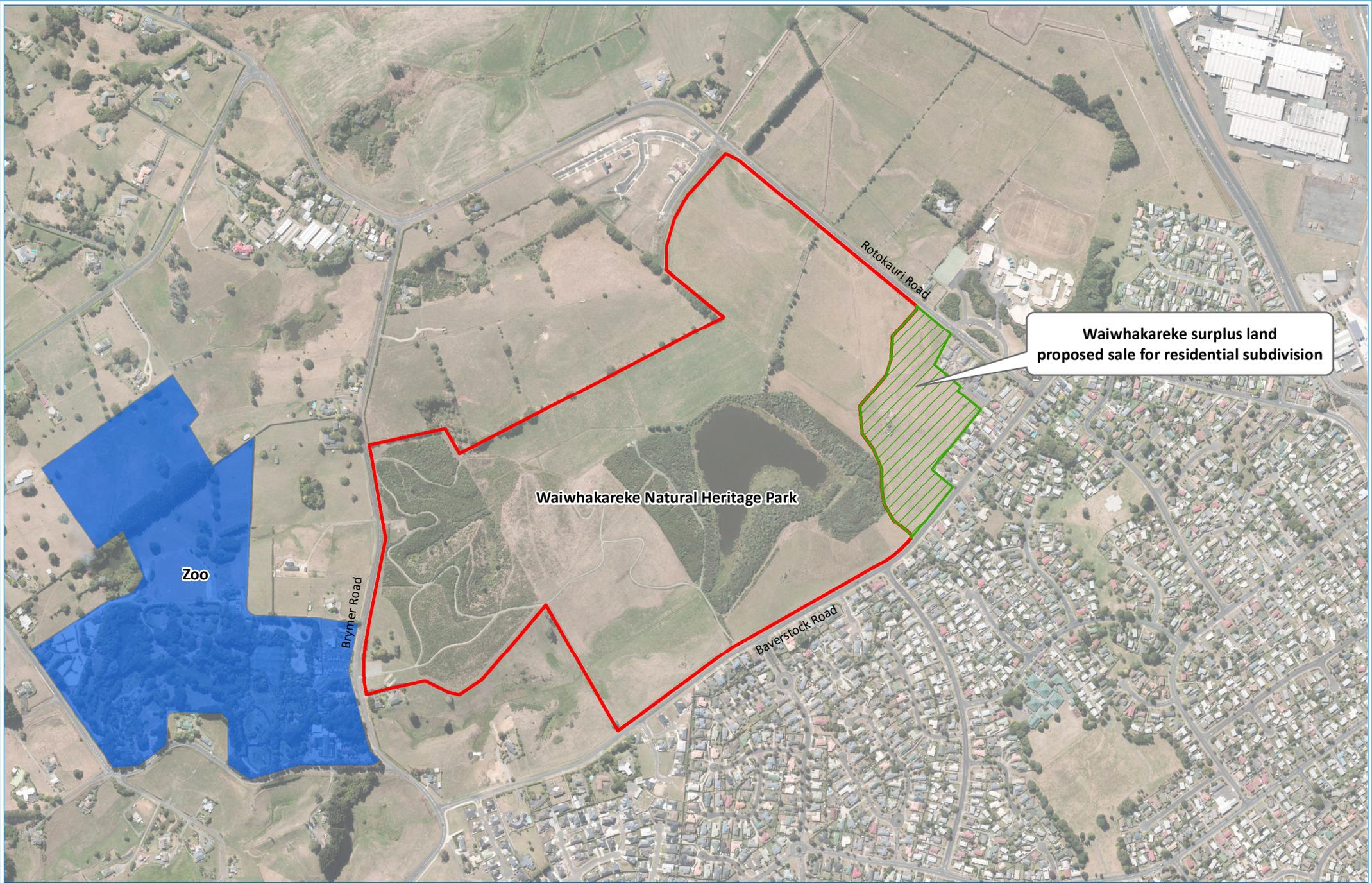
93. So while the land would be a useful addition to the Park, its inclusion is not critical to the future development and sustainability of the Park. Ultimately there will be other more significant development on the western and northern boundaries of the Park. Any potential adverse effects of these likely future developments bordering the Park will be subject to controls available via the planning and associated resource consent processes of HCC and WRC.
94. The issue relating to the partnership approach to the development of Waiwhakareke also needs to be considered and what effect the sale of the land might have on the relationship HCC has with current partners.

95. Consultation

96. The Waiwhakareke Advisory Group (WAG) has been asked to supply their comments regarding sale of the land. WAG has advised as follows:
97. *“WAG’s position remains that it would prefer that the land be added to the Waiwhakareke Natural Heritage Park, for reasons set out in submissions to hearings before Commissioners determining appeals to Hamilton’s Proposed District Plan on 6 November and 10 December 2014.”*
98. *“The new District Plan includes provisions to manage the interface between development and Waiwhakareke Natural Heritage Park, the landscape, and to ensure water quality and ecological values of Lake Waiwharareke are not adversely affected. Crucially, this requires a Comprehensive Development Plan for the development area that must give effect to an adopted Integrated Catchment Management Plan. Thus the District Plan’s provisions may well be sufficient to protect Waiwhakareke Natural Heritage Park and the lake within it, but until an Integrated Catchment Management Plan is adopted (through a process of consultation and peer review) Waiwhakareke Advisory Group is in no position to offer an opinion. We look forward to continued involvement in the development of the Integrated Catchment Management Plan.”*
99. *“WAG’s historic acceptance of the development of this land was based upon the proposal for a joint Council/Private development designed to showcase the style of development appropriate for the Rotokauri environment. Even with the controls imposed by the Commissioners through the new District Plan, WAG does not support sale of the land because the actual development would then be subject to the vagaries of the planning process rather than being under Council’s direct control. The original conditions of WAG’s approval no longer apply.”*

Signatory

Authoriser	Sean Murray, Executive Director H3 and Events
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Waiwhakareke surplus land
proposed sale for residential subdivision

Waiwhakareke Natural Heritage Park

Zoo

Brymer Road

Rotokauri Road

Baverstock Road





**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy

Identifier 499858
Land Registration District South Auckland
Date Issued 24 December 2009

Prior References

117981 SA352/121

Estate Fee Simple
Area 5.1385 hectares more or less
Legal Description Lot 2 Deposited Plan 425316
Proprietors
Hamilton City Council

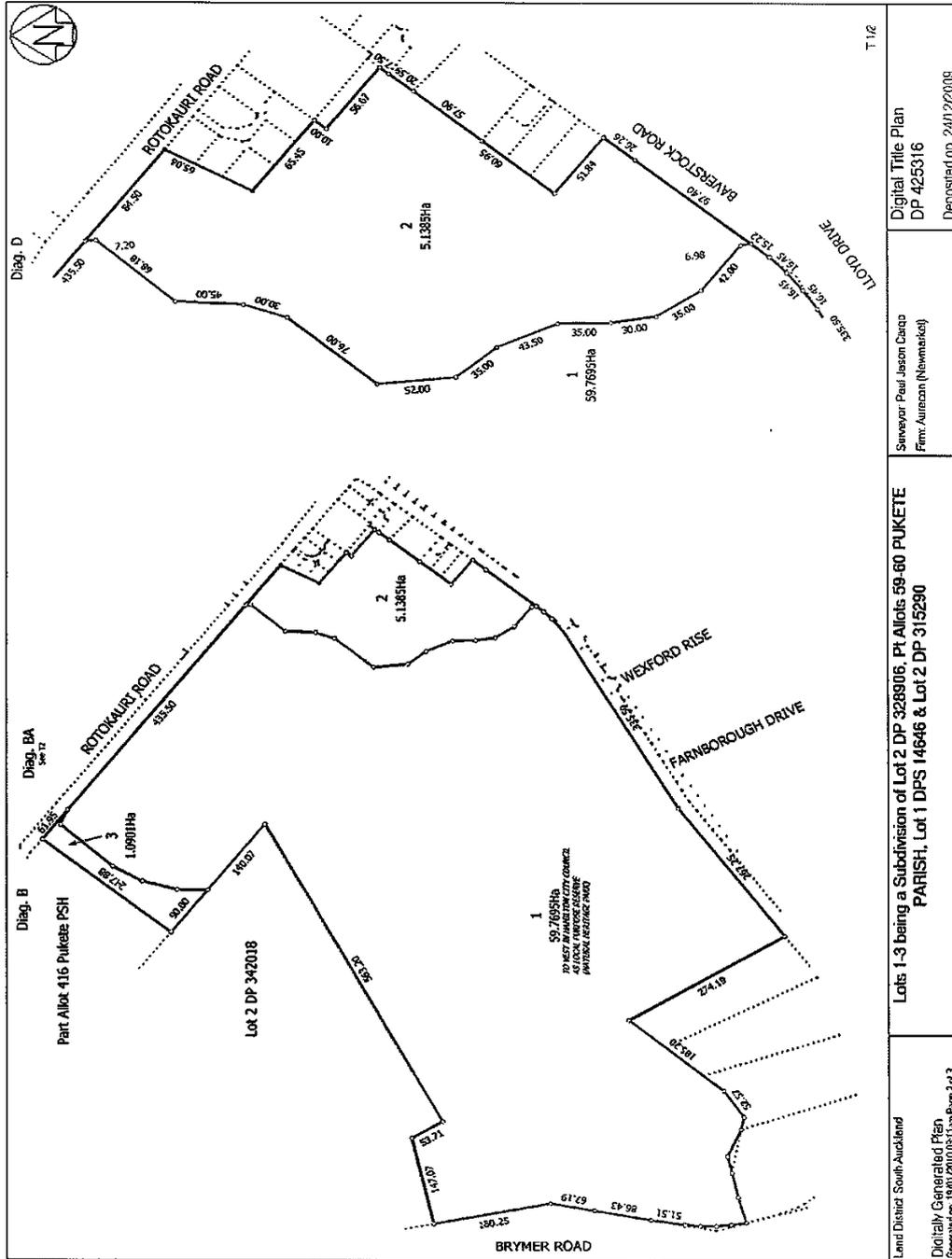
Interests

Transaction Id 32098934
Client Reference tharris001

Search Copy Dated 27/10/11 10:06 am, Page 1 of 3
Register Only

Identifier

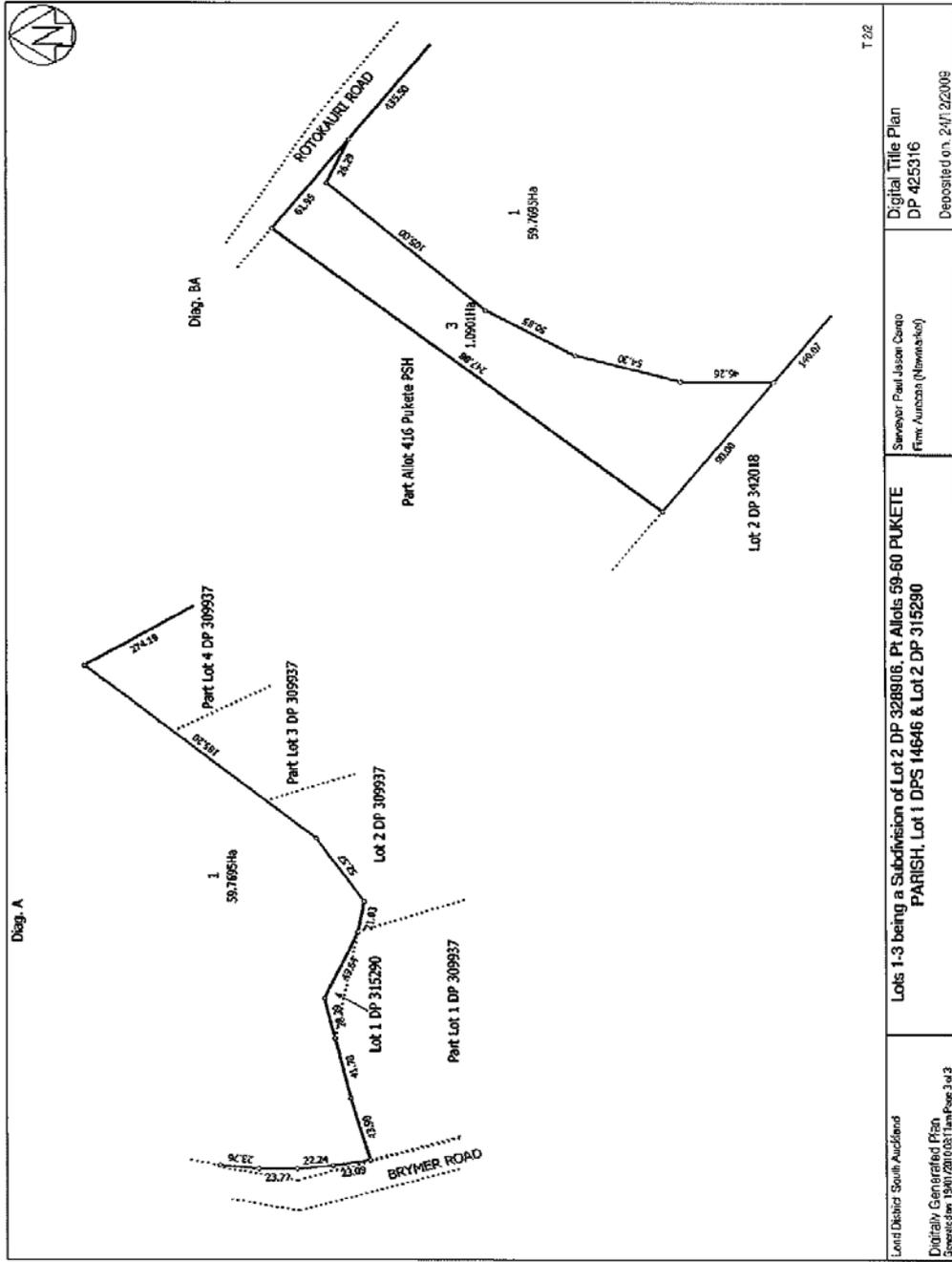
499858



Land District South Auckland	Surveyor Paul Jason Camp Firm Aurecon (Newmarket)	Digital Title Plan DP 425316	T.12
Digitally Generated Plan Generated on 19/01/2010 11:00:11 from Page 2 of 3	Lots 1-3 being a Subdivision of Lot 2 DP 328906, Pt Allots 59-60 PUKETE PARISH, Lot 1 DPS 14646 & Lot 2 DP 315290		Deposited on: 24/12/2009

Transaction Id 32098934
Client Reference tharris001

Search Copy Dated 27/10/11 10:06 am, Page 2 of 3
Register Only



Transaction Id 32098934
 Client Reference tharris001

Search Copy Dated 27/10/11 10:06 am, Page 3 of 3
 Register Only

Committee: Finance Committee

Date: 18 February 2016

Report Name: Contract 15202 - Rototuna Reservoir Award

Author: Christopher Barton

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Hamilton Plan:</i> <ul style="list-style-type: none"> • <i>Providing Outstanding Infrastructure</i> • <i>The Third City Economy in New Zealand</i>
Financial status	<i>There is budget allocated as indicated in the report</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

2. The purpose of this report is to seek approval to award Contract 15202 Rototuna Reservoir Build for the construction of the new Rototuna Reservoir.

3. Executive Summary

4. The Rototuna Reservoir project is required to facilitate ongoing City growth and provide resilience to water supply in north-east Hamilton.
5. The project is delivered through three separate contracts being the site preload installation (complete), the bulk watermain installation (underway) and this contract to construct the reservoir.
6. Contract 15202 is a Measure and Value contract to complete construction of the new Rototuna water reservoir.
7. Following evaluation of submitted tenders in accordance with the process outlined in Request for Tender documentation, the recommendation is to award the contract to Hawkins Group Ltd.
8. In October 2015 when Finance Committee approved the awarding of the second contract to install the bulk watermains, staff advised that the financial outcome for this project would be dependant on the market price for the main civil contract to construct the reservoir and that the cost of the final contract could exceed the available budget by \$4.5M.
9. This tender award delivers a good market price for the work and means that an additional \$2.5M will be required to complete the project and it is recommended that this be included in the 2016/17 Annual Plan.

10. Recommendations from Management

That:

- a) The report be received;
- b) Contract 15202 for Rototuna Reservoir Build is awarded to Hawkins Group Ltd. in the contract sum of \$10,459,261.68 excluding GST;
- c) The Approved Contract Sum for Contract 15202 is set at \$11,800,000 excluding GST comprising the tender amount of \$10,459,261.68 plus a contingency allowance of \$1,340,738.32; and
- d) The budget for project CE151140 Rototuna Reservoir and Associated Bulkmain be increased by \$2,500,000 and included in the 2016/17 Annual Plan.

11. Attachments

12. There are no attachments for this report.

13. Key Issues

14. Purpose and Structure of Contract

15. The purpose of the Contract is to complete the construction of the Rototuna Reservoir, part of the overall reservoir project which includes 3.5km of bulk watermain installation. The Business Case for the project was approved by Council in February 2015.
16. The primary work to be carried out under the contract includes construction of a new 24 Megalitre water reservoir at 303 Kay Road in Rototuna, which once connected to the city bulk water reticulation network will provide storage, network resilience and improved water supply capability city-wide and in particular to North-East Hamilton.
17. The reservoir incorporates twin 12,000m³ tanks and a pumping station within the footprint of the land designated in Waikato District Council.
18. Bulk watermain installation has commenced and is programmed to be undertaken over two summer construction seasons. Works on both the bulk watermain installation and reservoir construction are anticipated to be complete in mid 2017.

19. Evaluation Process

20. Following a public request for tender process, eight tenders were received prior to the advertised closing time of 2:30pm on 29 January 2016.
21. The tenders were evaluated using the 'Price-Quality Method' for physical works as detailed in the Request for Tender documentation.
22. This method involves first evaluating the tenderers non-priced attributes to assess their demonstrated skill and ability to complete the works on time, to budget and to the required quality standards prior to opening the price envelopes. Non-price attribute scores are then converted into a dollar value – the Supplier Quality Premium (SQP).

23. The non-price attributes had an overall 25% weighting and price had 75% weighting. The attributes used in this evaluation were:
- Price (75%)
 - Methodology & Resources (8%)
 - Relevant Experience & Track Record (10%)
 - Local Impact (5%)
 - Relevant Skill (2%)
 - Financial Viability (Pass/Fail)
24. Following non-price evaluation, SQP values ranged up to \$527,777.78. The tender evaluation team assessed that the tenderer with the highest SQP (Hawkins Group Ltd.) demonstrated a greater ability to meet the identified contract requirements including:
- A very good understanding of the reservoir structure and identified site specific requirements;
 - Provision of a detailed a construction sequence required to produce a quality product within the required timeline;
 - Significant previous experience in delivering projects of this type, value and technical level on-time and on-budget;
 - Identification of personnel resources having experience in this type and size of work being assigned to this project.
25. Due to the criticality of this asset and the significant risk to Council of any delays or quality issues with delivery of the contract works, the identified maximum SQP value (approximately 5% of the total contract sum) was deemed an appropriate premium.
26. For evaluation, the SQP values are deducted off the tender price for each tenderer. The tenderer with the lowest evaluation price is the preferred tenderer.
27. The table below summarises the tender evaluation:

Tenderer	Tender Price	Supplier Quality Premium (SQP)	Evaluation Price
Hawkins Group Ltd.	\$10,459,261.68	\$527,777.78	\$9,931,483.90
HEB Construction Ltd.	\$9,975,038.29	\$0.00	\$9,975,038.29
Downer NZ	\$10,368,559.36	\$263,888.89	\$10,104,670.47
Spartan Construction	\$10,666,141.00	\$80,555.56	\$10,585,585.44
Brian Perry Civil / Fletchers	\$10,898,205.00	\$344,444.44	\$10,644,760.56
Fulton Hogan	\$12,401,995.54	\$383,333.33	\$12,018,662.21
Concrete Structures NZ Ltd. (conforming)	Failed non-price attribute evaluation.		
Concrete Structures NZ Ltd. (alternative)	Failed non-price attribute evaluation.		

28. Preferred Tenderer and Contract Sum
29. The preferred tender is the submission from Hawkins Group Ltd. which following evaluation had the lowest evaluation price.
30. Hawkins are a well established and capable company who have a demonstrated track record with similar projects.
31. The Approved Contract Sum sought is \$11,800,000.00, excluding GST, comprising \$10,459,261.68, the tendered amount, and \$1,340,738.32 for contingency as deemed necessary.

32. Financial and Resourcing Implications

33. Financial allocations (including escalation) for Rototuna Reservoir bulkmain installation works are funded in the 2015-25 10 Year Plan under CE15140 - Rototuna Reservoir and Associated Bulkmain:

Year	2014/15	2015/16	2016/17	2017/18	Total Cost
Approved Budget (Includes approved deferrals from 14/15)	\$703,000	\$7,601,000	\$11,132,000	\$53,000	\$19,489,000

34. The Rototuna Reservoir project includes three primary work contracts, contract 1-preloading of the reservoir site, contract 2-bulkmain installation and contract 3-reservoir construction. Cost estimates for these work components were allocated within the approved project business case which was approved by Council in February 2015.
35. Approval of the business case was required in February 2015 in order to let the first contract to preload the site. It was critical to get this work underway as time is required for the preload to do its work and consolidate the ground to the point where it can take the load/weight of the planned reservoir.
36. The business case indicated that all of the final design and estimate reviews had not been completed at the time of submission due to the need to get the first contract underway. A risk was identified in the business case that these reviews were in progress to reflect the changes required to meet the new objectives emerging from the strategic water master planning work and that project costs may increase.
37. The design review also included an operational review to look at best practice in how to manage the reservoir to meet the changing and dynamic growth needs of the city. These reviews added to the scope and potential cost of the project.
38. The scope has increased (since business case approval) to include:
- Increased pumping capability to reduce peak demand pressures on the Water Treatment Plant
 - Increased civil and mechanical works to accommodate increased pumping capability
 - Increased pipe specifications within and below reservoir to reduce future maintenance costs
 - Provision for emergency power generation
39. As previously forecast and reported to Committee in October 2015 as part of the Contract 14106 for the bulk watermain installation, estimates of work including the reservoir construction contract indicated that the total project cost could exceed the available budget by up to \$4.5M dependant on the market price for the main civil contract to construct the reservoir.

40. The public request for tender process has provided an attractive market price to Council, however forecasts still indicate costs in excess of the existing budgetary allocations by up to \$2.5m as follows:

Phase of works	Budgets	Forecast Cost	Comment
Contract 1 - COMPLETED Preload Installation (Contract 14264)	\$600,000	\$1,030,000	<u>Forecast Basis – Actual Cost</u> Works complete.
Contract 2 - Underway Bulkmain Installation (Contract 14106)	\$8,149,000	\$8,500,000 (includes \$787,145 contingency)	<u>Forecast Basis – Tendered Price</u> As per report to October 2015 Finance Committee
Contract 3 - This Report Reservoir Construction (Contract 15202)	\$10,400,000	\$11,800,000 (includes \$1,340,738 contingency)	<u>Forecast Basis – Tendered Price</u> As per this report
Other Project Costs Design, consents, project management, construction supervision, quality assurance, electrical supply.	\$340,000	\$659,000 (includes \$50,000 contingency)	Includes additional \$269,000 to consider measures to mitigate Rototuna area water supply level of service issues in 2017/18.
Total	\$19,489,000	\$21,989,000	\$2,500,000

41. The forecast additional cost is anticipated primarily in the 2016/17 financial year. It is recommended that an additional \$2.5m is added to the 2016/17 Annual Plan.

42. Risk

43. The completion of the reservoir to a high standard is a critical project for the City. The project was delayed by three years in the 2012-22 10-Year Plan and it is not possible to delay it any further without significant risk to our ability to supply water.
44. Water supply and storage capacity in the Rototuna area is currently limited in the interim until the new reservoir is commissioned, and residential water supply to some areas of Rototuna during high demand and usage periods over the summer period may be limited or restricted, which could result in Hamilton City customers not receiving water via the reticulation network.
45. As the project involves extensive excavation and earthworks, there is potential for time delays and additional cost in regard to the identification of any unsuitable in-situ material.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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Committee: Finance Committee

Date: 18 February 2016

Report Name: Legal Services Contract

Author: Scott Copeland

Report Status	<i>Open</i>
Financial status	<i>Contract amount approximately \$1.58 million per annum There is a separate budget category for legal services, in addition a number of projects and other workstreams have budget for legal advice.</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

- The purpose of this report is to inform the Committee around the process for contracting of legal services and to seek the guidance of the Committee on the type of contract arrangement that they wish to have for legal services.

3. Executive Summary

- Hamilton City Council has an existing contract with Tompkins Wake Lawyers to provide legal services to Council. The contract is due to expire 30 June 2016.
- The project of renewing the legal services contract has just commenced and guidance of the Committee is sought on the Council's preference for the type of contract delivery model they would like to see used by Council for legal services prior to starting the public tender process.
- There are a range of potential contract delivery models for legal services including:
 - Having an exclusive provider of legal services;
 - Having a main provider of legal services with the option of using a limited number of alternative providers; or
 - Having a panel of legal services providers.
- The management recommendation is to engage an exclusive provider of legal services.

8. Recommendations from Management

That:

- a) The report be received;
- b) Council looks to appoint an exclusive provider of legal services; and
- c) Council looks to undertake a public Request for Proposal process to appoint the exclusive supplier.

9. Attachments

10. Attachment 1 - Legal Services Strengths and Weaknesses

11. Background

12. Contract 06054 is an Agreement to Provide Legal Services to Council. The scope of the contract is to provide legal services to Council. Services are provided by Tompkins Wake Lawyers.
13. The contract is currently an exclusive arrangement with a high threshold for using alternative suppliers. During the course of the Tompkins Wake Lawyers contract Council has used Simpson Grierson for rating advice and Heaney and Co for watertight building claims.
14. The last renewal of this Agreement was approved by the Finance and Monitoring Committee on 29 November 2012 and extended the Agreement until 30 June 2016. The resolution noted that the contract would go out to public tender prior to the expiry of the renewal term.
15. Planning has begun at looking to publically tender the legal services arrangements for Council.
16. Due to the strategic importance of the legal services arrangement to Council guidance is sought by the Committee on their preference around the proposed contract delivery model for legal services prior to engaging in the public tender process.

17. Potential Contract Delivery Models

18. There are a range of potential contract delivery models for legal services including:
 - Having an exclusive provider of legal services;
 - Having a main provider of legal services with the option of using a limited number of alternative providers; or
 - Having a panel of legal services providers.

Full details of the potential contract delivery models and their strengths and weaknesses are contained in Attachment One: Legal Services Delivery Models Strengths and Weaknesses.

19. All of the above contract delivery models are seen as valid options for the provision of legal services to Council and it comes down to the preference that Council has for the type of relationship it wants with its legal services provider or providers.
20. The management recommendation is to engage an exclusive provider of legal services. This is due to the current contract delivery model enabling a legal provider to have in-depth knowledge of Council and its environment, the value added services that can be obtained from the model and the need to ensure consistent and quality legal advice for Council.
21. The recent Support Services Review, as reported to Council 10 December 2015, identified a potential savings through better contract management of the legal services category.

22. As part of the Chief Executive's restructure, responsibility for Council's legal services was shifted to the Democracy Unit, which has a number of qualified lawyers on staff. This provides an opportunity to leverage this expertise to better manage the contract by putting in place improved processes around contract oversight of legal services. This in turn should deliver better value for money from the legal services spend.

23. Other Considered Options

24. An All of Government contract for external legal services has been put in place by the Ministry of Business, Innovation and Employment. This appointed a panel of 38 law firms to provide legal services to Central Government. All of Government contracts in a number of categories have provided benefits to Council however in this circumstance when reviewing the firms available within the panel it has a very much Wellington and central government focus, rather than local government, and is not considered appropriate for legal advice to Council.
25. Local Authority Shared Services (LASS) is looking to undertake a process to appoint a panel of legal services providers for use by participating LASS Councils. If Council wishes to look at panel arrangement for the delivery of legal services then there is an option to join this process however this would not be possible with the proposed contract delivery model.
26. There is also an option to move to the in house delivery of legal services. With the in-house delivery of legal services it can be difficult to get the same calibre of staff you get from the private sector. The volume and breadth of work undertaken by Council can mean it is impossible for one person (or a small team of people) to do everything so there is still the need for external providers to undertake work.

27. Risk

28. This category of service is complex and any change comes with associated risks and costs. Any change of provider resulting from the process would need to be managed over a period of time due to the number of existing legal files open.

Signatory

Authoriser	Richard Briggs, Chief Executive
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Contract Delivery Model	Description	Strengths	Weaknesses
Having an exclusive supplier of legal services.	This is the current contract delivery model for legal services through Tompkins Wake Lawyers where Council has an exclusive supplier of legal services with extremely high thresholds for using alternative law firms. Using this contract delivery model would not necessarily mean Tompkins Wake Lawyers would be the contracted party following a public tender process.	<ul style="list-style-type: none"> One legal services provider has the completed history of legal advice provided to Council making it easier to ensure work is not duplicated or in conflict with existing advice. There is a number of valued added services that are undertaken by Tompkins Wake under the current contract delivery model including free attendance at executive and strategy meetings for early understanding of Council requirements and potential issues, free training seminars for staff to attend and free telephone attendance for staff to pick up the phone for brief advice on legal issues. Under the other contract delivery models you may not get the full range of these value added services. The value of the business is significant and the firms' key staff are available on call at short notice. The current legal services arrangement allows for an hourly rate discount. In addition there is a rebate paid on legal services spend. Under the other contract delivery models you may not get the same levels of discount or rebate. 	<ul style="list-style-type: none"> Some of the legal services required by Council may be able to be undertaken by lower cost or better value for money than the exclusive provider. It is difficult to get competitive tension in the quantity of hours charged on any assignment. It can make it harder to allocate work to avoid potential conflicts of interest. Potential for Council to have a key person risk if there is a reliance on particular partners in the firm. Lack of flexibility or choice for specific projects. Potential for complacency in service delivery from the exclusive provider.
Having a main provider of legal services with a limited number of alternative suppliers.	Under this contract delivery model for legal services Council would have a main adviser for legal services that the majority of its legal advice would go through. There would be a limited number of other providers that Council could use for either specialised or lower risk services.	<ul style="list-style-type: none"> Gives a balance between a panel arrangement and an exclusive arrangement where your main provider still undertakes the vast majority of your strategically significant work. You can use alternative legal services providers where they provide better service or value for money than the main provider. Allows you to use a bespoke law firm or barrister for specific or complex pieces of advice. Can utilise smaller firms to do more basic legal process at affordable prices. It is easier to maintain competitive tension with your main provider than if it is an exclusive arrangement. Allows for alternative providers to be used if there is a conflict of interest. 	<ul style="list-style-type: none"> You may not get the same levels of discount, rebates or all of added value you get from an exclusive arrangement. You have to ensure your alternative suppliers get a level of work to maintain interest. Extra level of complexity in managing this type of arrangement.
Having a panel of legal services providers.	Under this contract delivery model Council would appoint a panel of legal services providers and choose the most appropriate legal services provider for any given legal instruction. This contract delivery model is used extensively through Government and Local Government in New Zealand for delivering professional services.	<ul style="list-style-type: none"> You can choose the most appropriate legal services provider to undertake any legal instruction making for a more efficient service. Having a range of legal services providers reduces the risk of key staff leaving an exclusive or main provider and that firm no longer being able to provide the same quality of service. It is easier to maintain competitive tension than in an exclusive arrangement. It is easier to manage potential conflicts of interest. Better options to manage relationship issues than under other contract delivery models. 	<ul style="list-style-type: none"> You may not get the same levels of discount, rebates or all added value you get from an exclusive arrangement. You may not get the same level of responsiveness you get from key staff in the other contract delivery models. No firm has an in-depth understanding of all of Councils legal issues.

Committee: Finance Committee

Date: 18 February 2016

Report Name: Southern Links Investigation -
Designation Phases Project
Completion Report

Author: Nathanael Savage

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Waikato Regional Land Transport Plan, Access Hamilton Strategy, Hamilton Urban Growth Strategy, Hamilton Economic Development Agenda, Hamilton Plan, Hamilton Proposed District Plan (including the Southern Links designation), 2015-25 10 Year Plan, 2015-45 30 Year Infrastructure Strategy</i>
Financial status	<i>There is budget allocated Amount \$3,577,000</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 provide a completion report for the phases of the Southern Links Investigation Project completed between 2009 and 2016 securing a designation for Councils part of the future Southern Links transport network.

3. Executive Summary

- This has been a very successful project involving a multi agency approach to securing planning designations and resource consents for 31 km of strategic transport corridors across three local council jurisdictions.
- Council has now secured its designation for Southern Links in Peacocke and resource consents have also been granted for the necessary bridge structures across the Waikato River and Mangakotukutuku Stream which allows the project to be formally closed.
- Final costs for the scoping, scheme assessment and notice of requirement phases (collectively referred to as the designation phases) are within the approved funding delegations and budgets.
- The project objectives have either been met as a consequence of securing the designation or will be achieved as a result of completing the final design and construction of the Southern Links network in accordance with the confirmed designation documentation and conditions.

8. The next phase of the project (Southern Links Investigation- Pre-construction and Land Procurement) has been initiated in accordance with the Business Case approved by Finance Committee on 22 October 2015.

9. Recommendations from Management

That:

- a) The report be received; and
- b) No further key project reporting is required.

10. Attachments

11. Attachment 1 - Southern Links Designation Plan
12. Attachment 2 - Southern Links Designation Conditions
13. Attachment 3 - Garden and Mangakotukutuku Bridge Resource Consent Conditions
14. Attachment 4 - Southern Links Investigation Project Objectives

15. Key Issues

16. Background
17. This future transport network involves three significant bridges, 18km of state highway (straddling Waipa District, Hamilton City and Waikato District) and 13km of urban arterial roads located within the Peacocke area of Hamilton City. Once completed, it will link State Highway 1 from Kahikatea Drive in Hamilton to Tamahere and the Waikato Expressway in the south, and State Highway 3 from Hamilton Airport to central and east Hamilton (refer Attachment 1).
18. This has been a joint project between Hamilton City Council and the NZ Transport Agency (as requiring authorities) and subject to a Multi-party Funding Agreement approved by Council in August 2010.
19. Notices of requirement (NOR) for designations and resource consents were lodged by the requiring authorities with the relevant regulatory authorities on 13 August 2013. In total 87 submissions were received across these applications covering a range of environmental and property related matters.
20. The NOR's and resource consents were heard by a panel of independent commissioners over eight days between 21 July and 1 September 2014.
21. A decision confirming Hamilton City Council's designation with conditions and a 20 year lapse period was notified on 31 October 2014. One appeal (Tsai et al) was received which was subsequently settled by agreement and approved by Consent Order from the Environment Court on 23 September 2015. The final designation conditions are contained in Attachment 2.
22. The City Planning Unit has indicated that the designation will be included within the District Plan as part of the next set of updates at the end of February 2016. This is an administrative process as the designation is beyond challenge.
23. The inclusion within the District Plan will start the clock for Council (as requiring authority) to satisfy a range of designation conditions with specified time periods (i.e. certification of management plans for pre-construction consultation and communication, and ecology management and monitoring).

24. The NZ Transport Agency has two appeals to resolve in order to complete the designation process for its part of Southern Links in the Waikato and Waipa Districts. Council (as requiring authority) is a party to the appeal in the Waipa District because of the potential to undermine the project objectives. Settlement has been agreed to by the parties and documentation is currently with the Environment Court for approval.
25. The resource consents (bridges) were also granted with conditions and a 20 year lapse period. No appeals were lodged to these consents. The final resource consent conditions are contained in Attachment 3.
26. Project Completion
27. A detailed project completion report has been prepared to close off this phase (available upon request). That report provides a high level summary of the project, considers whether the project objectives have been met, identified and realised risks and opportunities, and financial performance.
28. In summary, the project objectives have either been met as a consequence of securing the designation (e.g. route protection), or will be achieved as a result of completing the final design and construction of the Southern Links network in accordance with the confirmed designation documentation and conditions (e.g. improved connectivity). A more detailed assessment of project objectives is contained in Attachment 4.
29. The next phase (Pre-construction and land procurement) of the Southern Links project is now underway as described in the Business Case approved by the Finance Committee on 22 October 2015.

30. Financial and Resourcing Implications

31. The project completion report details the full financial aspects of this project since 2009/10 when the project first started.
32. In summary, the final costs for the designation phase of the Southern Links Investigation project are within the funding previously approved by Council.
33. The Total Project Budget was \$3,577,000 and the project was completed in 2014/15 for \$3,355,000. These costs are gross costs and include an NZTA subsidy of approximately 55%. The gross costs do not include the NZTA costs for the designation of the state highways which is solely the agencies responsibility.
34. The project costs also do not include the cost of two properties purchased during the period of designation as a result of the impending impact on those properties.
35. Project costs of \$35,070 in 2015/16 will be allocated to the next phase of the project which is funded and underway – Pre construction and Land Procurement.

36. Risk

37. The Southern Links project risk register will be updated and any applicable and remaining risks will be carried over to the next phase of the project as per the approved Business Case.

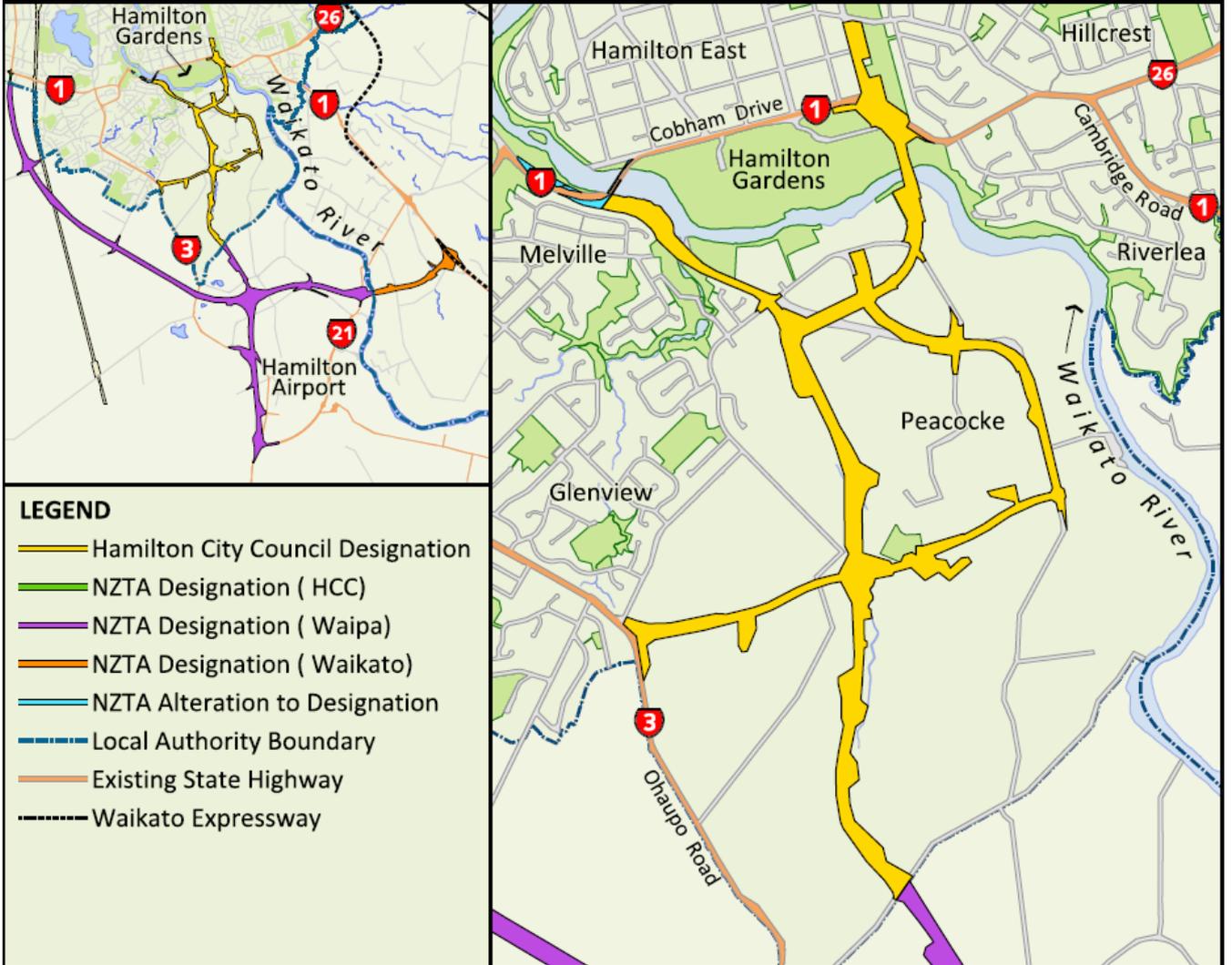
Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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Southern Links Designation Plan

Item 16

Attachment 1



Hamilton City Council

Conditions to apply to Notice of Requirement in Hamilton City (HCC 168A)

Definitions	
The Project	Means that part of the Southern Links network project subject to Hamilton City Council's Notice of Requirement (Designation 111) to be constructed and operated within the Peacocke Structure Plan Area and environs
Local road	Means a road that is not a State highway or private road
Directly affected parties	Means owners and occupiers of properties within the designation boundary
Affected in proximity parties	Means owners and occupiers of properties up to 200m beyond the designation boundary
HCC	Hamilton City Council
Construction Works	Means when the contractor is established on site and starting earthworks. Construction works do not include Enabling Works as defined in these conditions.
Enabling Works	Shall include the following and similar activities : demolition and removal of buildings and structures and existing vehicle entrances, construction of site entrances and minor access tracking, fencing, tree felling and removal and other necessary vegetation clearance (of trees and/or vegetation that are not required to be retained by the ecological management conditions of this designation or any resource consent), relocation of underground and overhead services, geotechnical investigations, surveying, archaeological investigations, and establishment of erosion and sediment controls.
NoR	Notice of Requirement
PCCP	Pre-construction Communication and Consultation Plan
PAMEP	Property Acquisition and Management Engagement Practice
CMP	Construction Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CTMP	Construction Traffic Management Plan
CCCP	Construction Communication and Consultation Plan
CLMP	Concept Landscape Management Plan
LMP	Landscape Management Plan
EMMP	Ecological Management and Monitoring Plan
HASMP	Heritage and Archaeological Site Management Plan
TNMP	Transport Network Management Plan
DMP	Dust Management Plan

CSMP	Contaminated Soil Management Plan
HSMP	Hazardous Substances Management Plan
TWEAR	Means the Southern Links Taangata Whenua Effects Assessment Report, January 2014, prepared by the Taangata Whenua Working Group representatives from: Ngaati Wairere, Ngaati Mahanga, Ngaati Koroki Kahukura, Ngaati Haua, Waikato Tainui.

GENERAL CONDITIONS

1.0 General Conditions

1.1 Except as modified by the Conditions below and subject to final design, the Project works shall be undertaken generally in accordance with the information provided by the Requiring Authority in its Notice of Requirement (NoR), its evidence and supporting documentation, including:

- a) *Southern Links: Notice of Requirement* by the NZ Transport Agency and Hamilton City Council dated 09 August 2013;
- b) *Southern Links: Assessment of Environmental Effects and Supporting Information* (including technical appendices), prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and others, dated 05 August 2013;
- c) *Southern Links – Scheme Assessment Report Drawings 1000-8000 series*, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and Opus;
- d) The Requiring Authorities' response dated 18 December 2013 to the Territorial Authorities' s92 request for further information;
- e) *Hamilton Southern Links Concept Drainage Design*, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 22 June 2012 and any subsequent changes;
- f) *Southern Links Preliminary Design Philosophy Statement*, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Ltd, dated 19 June 2014;
- g) *Southern Links Peacocks North/South Layout Plan and Long Section*, prepared by AECOM New Zealand Ltd and Opus, drawing number 60164546-C-20-3102 Revision C, updated 02/07/14; and
- h) *Southern Links Cobham Drive Layout Plan and Long Section*, prepared by AECOM New Zealand Ltd and Opus, drawing number 60164546-C-20-4101 Revision C, updated 02/07/14.

- 1.2 Where there is any inconsistency between the NoR documentation and the designation conditions, the designation conditions shall prevail.
- 1.3 Pursuant to Section 184A(2)(c) of the RMA, the designation shall not lapse for a period of twenty (20) years after it is included in the Operative and Proposed Hamilton City District Plans.
- 1.4 Any reference in these Conditions to legislation or a Standard includes any later legislation or standard that amends or replaces it.

2.0 Management Plans General

- 2.1 All works shall be carried out in accordance with the applicable Management Plan(s) and other plans required by these Conditions.
- 2.2 The following Management Plans must be submitted to the Territorial Authority Chief Executive or nominee for certification that they are consistent with the conditions of the designation:
 - a) Pre-Construction Communication and Consultation Plan;
 - b) Construction Management Plan;
 - c) Construction Noise and Vibration Management Plan;
 - d) Construction Traffic Management Plan;
 - e) Construction Communication and Consultation Plan;
 - f) Concept Landscape Management Plan;
 - g) Landscape Management Plan;
 - h) Heritage and Archaeological Site Management Plan;
 - i) Dust Management Plan;
 - j) Contaminated Soil Management Plan;
 - k) Hazardous Substances Management Plan;
 - l) Transport Network Management Plan;
 - m) Environmental Monitoring and Management Plan; and
 - n) Conservation Plan.

- 2.3 Within twenty (20) working days of receipt of any Management Plan for certification as required under Condition 2.2, the Territorial Authority shall notify the Requiring Authority as to whether the Management Plan is certified or whether inconsistencies with the relevant designation condition(s) have been identified and what matters are required to be addressed.
- 2.4 Construction Works shall not commence until the Requiring Authority has received the Territorial Authority Chief Executive or nominee's written certification for the relevant Management Plans.
- 2.5 Unless inconsistencies are identified that require addressing, any changes proposed to a certified Management Plan shall be confirmed in writing by the Requiring Authority and certified in writing by the Territorial Authority's Chief Executive or nominee within ten (10) working days of receipt of written confirmation, prior to implementation of those changes. Any changes to Management Plans shall remain consistent with the overall intent of the relevant Management Plan.
- 2.6 In the event of any dispute, disagreement or inaction arising in respect of the certification of Management Plans or certification of changes to Management Plans, that matter shall be referred in the first instance to the Territorial Authority Chief Executive to determine a process for resolution.
- a) If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified person, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.
- b) The independent appropriately qualified person shall be appointed within ten (10) working days of the Requiring Authority or Territorial Authority giving notice of their intention to seek determination. The appointed person shall, as soon as possible, issue his or her decision on the matter. In making the decision, he or she shall be entitled to seek further information and hear from the parties as seen fit.
- 2.7 At all times during construction, the Requiring Authority shall ensure that a copy of the latest certified version of the Management Plans identified in Condition 2.2 is kept on site and all key personnel are made aware of each Plan's contents.
- 2.8 A copy of the latest certified version of each Management Plan identified in Condition 2.2 shall be available on the HCC's website at all times until effective completion of the Project.
- 2.9 The Property Acquisition and Management Engagement Practice shall be provided to the Territorial Authority Chief Executive or nominee for information only.

- 2.10 The Management Plans are not required to include all details for every stage of work at the time the plan is submitted for certification to the Territorial Authority Chief Executive or nominee. If further details are to be provided for later stages of work, the Management Plan shall specify which stages require further certification at a later date. Management Plans for later stages of work shall be submitted to the Territorial Authority Chief Executive or nominee for certification prior to construction commencing in the relevant stage, and conditions 2.3 and 2.4 apply accordingly.
- 2.11 Where conditions require consultation with third parties in the development of Management Plans, these plans shall demonstrate how the views of that party (or parties) have been incorporated, and, where they have not, the reasons why.

PRE-CONSTRUCTION CONDITIONS

3.0 Communication, Consultation and Property Liaison

- 3.1 Within three (3) months of inclusion of the designation in the district plan, the Requiring Authority shall appoint a Communication, Consultation and Property Liaison Manager to implement the Pre-construction Communication and Consultation Plan (PCCP) (Condition 3.4 to 3.8) and Construction Communication and Consultation Plan (Condition 8.2 to 8.7). The Communication, Consultation and Property Liaison Manager (subject to Condition 8.1) shall be the main and readily accessible point of contact for the community, stakeholders, directly affected parties, and affected in proximity parties for the duration of the Project.
- 3.2 The Communication, Consultation and Property Liaison Manager's contact details shall be listed in the PCCP and on the HCC website.
- 3.3 The Communication, Consultation and Property Liaison Manager shall maintain a record of all contact received and any actions arising. These records shall be considered in the same manner as if they were a minute produced from a Community Liaison Group meeting.

Pre-Construction Communication and Consultation Plan

- 3.4 The PCCP shall be submitted to the Territorial Authority Chief Executive or nominee, within six (6) months of the Designation being confirmed, for certification. The PCCP shall be prepared by a suitable qualified and experienced person.
- 3.5 Implementation of the PCCP shall commence within nine (9) months from the inclusion of the designation in the district plan, until the commencement of the Construction Works.
- 3.6 The objective of the PCCP is to set out a framework to:
- a) Inform the community of Project progress and likely commencement of construction works and any proposed staging of works;
 - b) Provide general updates on property acquisition and management, while respecting the privacy and confidentiality of individual landowner negotiations; and
 - c) Determine how to engage with affected parties for identifying and implementing potential site specific mitigation measures.

- 3.7 The PCCP shall set out how the Requiring Authority will:
- a) Inform the community of Project progress and likely commencement of Construction Works and programme;
 - b) Engage with the community with an aim to fostering good relationships, and provide opportunities for learning about the Project; and
 - c) Provide general updates on the property acquisition process.

3.8 In addition to the matters set out in Condition 3.7 the PCCP shall also include:

- a) A communications framework that details the Requiring Authority's communication strategies, the accountabilities and timeframes for responding to inquiries and complaints, frequency of communications and consultation, the range of communication and consultation methods to be used (particularly with regards to communicating and consulting with tangata whenua (refer to Conditions 3.15 to 3.17) the Community Liaison Group (refer to Conditions 3.9 to 3.14), and the Landscape Management Plan (refer to Condition 14), and any other relevant communication matters;
- b) Details of the Communication, Consultation and Property Liaison Manager for the pre-construction period (Conditions 3.1 and 3.2) including their contact details (phone, email and postal address);
- c) Identification of directly affected or affected in proximity parties and stakeholders who will be consulted and communicated with; and
- d) Measures to receive, record and respond (if necessary) to feedback.

Community Liaison Group

- 3.9 Within twelve (12) months of inclusion of the designation in the district plan, the Requiring Authority shall, after consultation with the Territorial Authority, establish a Community Liaison Group for the Peacocke Structure Plan area.
- 3.10 The membership of the Community Liaison Group shall include representative(s) of the Requiring Authority and be open to all Directly Affected and/or Affected in Proximity parties in the Peacocke Structure Plan Area.
- 3.11 The purpose of the Group shall be to:
- a) Provide a means for receiving regular updates on Project progress including updates on the programme and staging;
 - b) Enable opportunities for individual and/or community concerns and issues to be reported to and responded to by the Requiring Authority, including access requirements that need to be addressed as part of the Construction Traffic Management Plan (Condition 12.5(a));
 - c) Enable the Requiring Authority to be informed of any existing or proposed ecological enhancement or restoration on private property to inform the development of any Concept Landscape Management Plan, Landscape Management Plan and/or Environmental Management and Monitoring Plan; and
 - d) Provide an opportunity for the Requiring Authority to receive requests from individual landowners to establish planting, including on private property, in advance of construction which may enable the early establishment of screening and landscaping to assist in addressing adverse effects on amenity.

- 3.12 The Requiring Authority shall invite the Group to meet at least annually until the commencement of construction and then at least once every three (3) months once Construction Works have commenced until six (6) months after completion of the Construction Works, or as otherwise agreed. Should a majority of Group members decline or not respond to an invitation to meet, the Requiring Authority is not required to hold that meeting.
- 3.13 Once the Construction Works have commenced the Requiring Authority will provide an update to the Group on Project progression at least every three (3) months (or as otherwise agreed).
- 3.14 The Requiring Authority shall provide a venue for meetings of the Community Liaison Group, invite all Group members to the meeting, and take and disseminate meeting minutes.

Consultation with Waikato - Tainui

- 3.15 When required to consult with Tangata Whenua by the Conditions of this designation the Requiring Authority shall, through its Chief Executive or nominee, contact the Waikato Tainui Environment Manager, or successor, to convene a Tangata Whenua Working Group ("TWWG"). Waikato Tainui shall be invited to appoint a nominated representative to administer the liaison/coordination of this group/representatives to ensure:
- a) Each hapu is represented by the recognised/appointed person or persons;
 - b) Administration of liaison/coordination occurs in a timely manner; and
 - c) Any actions/direction or information from the TWWG representatives has a common voice for Iwi on all liaison/coordination matters.
- 3.16 The TWWG shall comprise at least one representative from each of the following:
- a) Ngati Hauaa;
 - b) Ngati Koroki Kahukura;
 - c) Ngati Wairere;
 - d) Ngati Maahanga; and
 - e) The Requiring Authority.

- 3.17 The Requiring Authority shall invite the TWWG to meet at least annually until the commencement of Construction Works to provide a means for receiving regular updates on project progress, including updates on programme and staging and to discuss the consideration of mitigation measure set out in the TWEAR dated January 2014.

Consultation with network utility operators

- 3.18 During the design phase of the Project, the Requiring Authority shall give reasonable notice and make all reasonable endeavours to:
- a) Liaise with all relevant network utility operators in relation to any part of the works within the designation where their infrastructure may be affected; and
 - b) Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure within the designated area is not adversely affected.

Property acquisition and management engagement practice

- 3.19 With six (6) months of the inclusion of the designation in the district plan, the Requiring Authority shall provide to the Territorial Authority Chief Executive or nominee and directly affected landowners access to a document outlining the Requiring Authority's property acquisition and management engagement practice (PAMEP). The objective of the PAMEP is to provide clarity for directly affected landowners on how they can engage with the Requiring Authority on matters regarding property acquisition and management. The PAMEP shall, as a minimum:
- a) Include contact details (phone, email and postal address) for the Communication, Consultation and Property Liaison Manager (Condition 3.2).
 - b) Identify timeframes within which the Requiring Authority will respond to enquiries.
 - c) Describe the process which the Requiring Authority will follow for responding to specific:
 - i. Requests from landowners to purchase properties, including under s185 RMA, and for compassionate or hardship grounds;
 - ii. Requests from landowners to use land that is within the designation footprint but is not yet acquired by the Requiring Authority; and
 - iii. Complaints regarding the maintenance of properties acquired by the Requiring Authority.
- 3.20 The Requiring Authority shall acquire the land identified as Lot 5 DPS 10393 at least six (6) months before construction works commence on that part of the Project within the required land identified in drawing number 60164546-C-20-6503 (refer to Southern Links - Scheme Assessment Report Drawings 6000 series, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and Opus).
- 3.21 The amount of land the Requiring Authority is to acquire under condition 3.20 may be amended by mutual agreement between the Requiring Authority and the owner of the land.

- 3.22 The Requiring Authority shall acquire the land identified in Annexure 2 at least six (6) months before construction works commence on that part of the Project within the required land identified in drawing number 60164546-C-20-3506, 60164546-C-20-3507 and 60164546-C-20-3508 (refer to Southern Links - Scheme Assessment Report Drawings 3000 series, prepared for the NZ Transport Agency and Hamilton City Council by AECOM New Zealand Limited and Opus).
- 3.23 The amount of land the Requiring Authority is to acquire under condition 3.22 may be amended by mutual agreement between the Requiring Authority and the owner of the land.
- 3.24 Indicative Collector Road (Neighbourhood Area 4 – Figure 2.3, Appendix 2, Proposed Hamilton District Plan).

Unless the need for the collector road between the land legally described as Pt Lot 1 and Pt Lot 2 DP 35271, and Lot 1 DPS 12991, has been determined as unnecessary by either a plan change or resource consent (master plan) the requiring authority shall ensure that the design of the arterial determines the location (crossing point) and grade separated formation (underpass or elevated) of the collector road, having regard to, but not being limited to:

- Urban design;
- Cost and feasibility (both in respect of the arterial road and collector road);
- Property access;
- Amenity;
- Network effects;
- Developability of the adjoining land areas legally described as Pt Lot 1 and Pt Lot 2 DP 35271, and Lot 1 DPS 12991;
- Other relevant criteria related to the master planning process described in the Peacocks Structure Plan provisions of the Hamilton City Proposed District Plan (or subsequent revisions).

No outline plan shall be submitted without inclusion of a record of consultation with the owners of land legally described as Pt Lot 1 and Pt Lot 2 DP 35271, and Lot 1 DPS 12991 regarding the options considered as part of the assessment set out above.

Advice Note:

As at the time of confirmation of this condition the land legally described as:

- Pt Lot 1 and Pt Lot 2 DP 35271 was owned by Alan Tsai, Joyce Li, Shih An Tseng and Hsueh Chu Chao; and
- Lot 1 DPS 12991 was owned by Adare Company Limited.

4.0 Te Awa Cycleway

- 4.1 The Requiring Authority shall ensure that the design of the final network in the vicinity of the Waikato River recognises and provides for the ongoing operation of the Te Awa pedestrian/cycleway.

5.0 Protected Trees

- 5.1 The Requiring Authority shall undertake best endeavours at the time of detailed design to retain the existence and health of the protected trees listed as T36.1 (English Oak), T36.3 (Pin Oak) and T36.4 (Pine) in the Hamilton City Proposed District Plan (Decisions Version - 2014).

6.0 Concept Landscape Management Plan

- 6.1 Prior to lodgement of any outline plans of works, the Requiring Authority shall submit a Concept Landscape Management Plan (CLMP) to the Territorial Authority Chief Executive or nominee for certification. The CLMP shall be prepared by a suitably qualified and experienced person and shall be developed after consultation with NZ Transport Agency and the Southern Links Tangata Whenua Working Group (TWWG).
- 6.2 The objective of the CLMP is to provide the overview of the landscape and urban approach, which will subsequently be developed into the detailed LMP as the Project design progresses. The CLMP shall include:
- a) A vision statement;
 - b) An outline of the landscape and urban design themes to be adopted for the entire length of the Project, including for overbridges, underbridges and noise barriers.
 - c) An outline of the landscape design elements, including hard and soft landscape materials, planting types, sizes and spaces.
 - d) Concept landscape plans showing the design scheme; and
 - e) Planting management and maintenance requirements.
- 6.3 The CLMP shall be in general accordance with the indicative landscape mitigation measures and urban design proposals outlined in the report titled Southern Links Network Urban Design and Landscape Framework, prepared by Opus, dated 05 August 2013.
- 6.4 The CLMP shall have regard to the natural character policies of the Waikato Regional Policy Statement.

7.0 Archaeological Investigation

- 7.1 Prior to the commencement of detailed design, sufficient site-specific archaeological investigation, as set out in the recommendations in the Southern Links Designation Corridor Notice of Requirement Archaeological Assessment, prepared by Opus, dated 02 December 2013 in relation to the Requiring Authority's Designation, must be undertaken to determine the full extent of each archaeological site affected in part or whole by the designation footprint and to locate any intact archaeological features or deposits in order to take into account avoidance of archaeological remains during the development of detailed design plans. (Note: This may require permission from landowners adjacent to the designation and an authority from Heritage New Zealand for any in-ground investigation work).

CONSTRUCTION CONDITIONS

8.0 Construction Communication and Consultation

Contact Person

- 8.1 The Requiring Authority shall make a contact person available 24 hours, seven days a week for the duration of construction for public enquiries about the Construction Works.

Construction Communication and Consultation Plan

- 8.2 The Requiring Authority shall submit to the Territorial Authority Chief Executive or nominee a Construction Communication and Consultation Plan (CCCP) prepared by a suitably qualified and experienced person, which shall be implemented and complied with for the duration of the construction of the Project.
- 8.3 The CCCP shall be submitted to the Territorial Authority Chief Executive or nominee, no later than forty (40) working days prior to the commencement of any stage of Construction Works for certification.
- 8.4 The objective of the Construction Communication and Consultation Plan is to set out a framework to ensure appropriate communication and consultation is undertaken with the relevant community, stakeholders, directly affected parties, and affected parties in proximity during the construction of the Project.
- 8.5 The CCCP shall set out how the Requiring Authority will:
- a) Inform the community of construction progress and future construction activities and constraints that could affect them;
 - b) Receive and respond to feedback on construction related matters; and
 - c) Provide information on key project milestones.
- 8.6 The CCCP shall, as a minimum, include:
- a) A communications framework that details the Requiring Authority's communication strategies, the accountabilities and timeframes for responding to inquiries and complaints, frequency of communications and consultation, the range of communication and consultation methods to be used (including any modern and relevant communication methods, newsletters or similar, advertising), and any other relevant communication matters;
 - b) The Communication, Consultation and Property Liaison Manager for the Project (required by Condition 3.2) including their contact details (phone, email and postal address);
 - c) How the community, stakeholders, directly affected, and affected in proximity parties will be notified of the commencement of construction activities and works, the expected duration of the activities and works, and who to contact for any queries, concerns and complaints;
 - d) Methods for communicating in advance any temporary traffic management measures, and permanent changes to road networks and layouts to the community, stakeholders, directly affected, and affected in proximity parties;
 - e) Methods for communicating in advance proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding communities, and methods to record and deal with any concerns raised about such hours; and
 - f) Methods for communicating and consulting in advance of construction works with emergency services (Police, Fire, Ambulance) on the location, timing and duration of Construction Works.

- 8.7 The CCCP shall have regard to, and where appropriate implement, any relevant actions identified in the minutes arising from the Community Liaison Group meetings (Conditions 3.3 and 3.14).

Advice Note: *Because parts of the Project may be constructed ahead of other parts the Pre-Construction and Communication and Consultation Plan (required by Conditions 3.4 to 3.8) will continue to be implemented in conjunction with the Communication and Consultation Plan required under this Condition.*

9.0 Construction Management Plan

- 9.1 No later than forty (40) working days prior to the commencement of any stage of Construction Works, the Requiring Authority shall submit for certification a Construction Management Plan (CMP) to the Territorial Authority Chief Executive or nominee. The CMP shall be prepared by a suitably qualified and experienced person. The objective of the CMP is to avoid, remedy or mitigate any adverse effects of construction, through methods identified in the CMP. For the avoidance of doubt, the Requiring Authority may prepare a CMP in relation to each individual stage of its programme of works, provided that in each case it shall submit a CMP for certification in accordance with this Condition prior to any Construction Works commencing on a particular stage.
- 9.2 The CMP shall have regard to and where appropriate implement any relevant actions identified in the minutes arising from Community Liaison Group meetings (Conditions 3.3 and 3.14).
- 9.3 The CMP(s) shall include specific details relating to the construction and management of all works associated with the Project, including the following:
- a) Details of the site or Project manager, including their contact details (phone, facsimile (if any), postal address, email address);
 - b) Details of the contact person required by Condition 8.1 including name, phone number, email and postal address;
 - c) The location of large notice boards that clearly identify the name, phone number and address for service of the site or Project manager and the contact person required by Conditions 3.1 and 8.1;
 - d) Training requirements for employees, sub-contractors and visitors on construction procedures, environmental management and monitoring;
 - e) An outline construction programme of the works indicating, in particular, construction hours, likely time periods for partial or complete road closures, and anticipated traffic diversion effects;
 - f) Environmental incident and emergency management procedures;
 - g) Measures to be adopted to maintain the land affected by the works in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities;
 - h) Location of workers' offices, conveniences (e.g. portaloos) and vehicle parking;
 - i) Procedures for controlling sediment runoff, dust and the removal of soil, debris and demolition and construction materials from public roads or places, including wheel wash for construction vehicles. Dust mitigation measures should include use of water sprays to control dust nuisance on dry or windy days;
 - j) Methods for earthworks management for earthworks adjacent to buildings and structures, including temporary and permanent stabilisation measures and monitoring of ground movement;
 - k) Procedures for ensuring that residents in the immediate vicinity of construction areas are given prior notice of the commencement of Construction Works and are informed about the expected duration of the works;
 - l) Procedures to be followed to ensure that iwi representatives are notified of the proposed commencement of Construction Works and of the discovery of any koiwi or other artefacts;
 - m) Procedures to be followed in the event that any historic artefacts are disturbed, being in accordance with any Authority obtained under the Heritage New Zealand Pouhere Taonga Act 2014;

- n) Means of ensuring the safety of the general public; and
- o) Procedures for receiving and responding to complaints.

10.0 Complaints Management

10.1 Upon receiving a complaint during construction, the Requiring Authority shall instigate a process to address concerns or complaints received about adverse effects. This shall:

- a) Identify the nature of the complaint, and the location, date and time of the alleged incident / event(s);
- b) Acknowledge receipt of the complaint within 24 hours of receipt; and
- c) Respond to the complaint in accordance with any relevant Management Plan, which may include monitoring of the activity by a suitably qualified and experienced person and implementation of mitigation measures.

10.2 A record of all complaints received shall be kept by the Requiring Authority. This record shall include:

- a) The name and address of the person(s) who raised the complaint (unless they elect not to provide this) and details of the complaint;
- b) Where practicable, weather conditions at the time of the concern or complaint, including wind direction and cloud cover if the complaint relates to noise or air quality;
- c) Known construction activities at the time and in the vicinity of the concern or complaint;
- d) Any other activities in the area unrelated to the Project construction that may have contributed to the complaint such as non-Project construction, fires, traffic accidents or unusually dusty conditions generally; and
- e) Remedial actions undertaken (if any) and the outcome of these, including monitoring of the activity.

10.3 This record shall be maintained on site, be available for inspection upon request, and shall be provided every three (3) months (or as otherwise agreed) to the Territorial Authority Chief Executive or nominee.

10.4 Where a complaint remains unresolved or a dispute arises, that matter shall be referred in the first instance to the Territorial Authority Chief Executive to determine a process for resolution.

- a) If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified person, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.
- b) The independent appropriately qualified person shall be appointed within ten (10) working days of the Requiring Authority or Territorial Authority giving notice of their intention to seek expert determination. That person shall, as soon as possible (and in any event no later than ten (10) working days of receiving the record of the complaint), issue his or her decision on the matter. In making the decision, he or she shall be entitled to seek further information and hear from the parties as seen fit.

11.0 Construction Noise and Vibration

Construction Noise and Vibration Management Plan

11.1 No later than forty (40) working days prior to the commencement of any stage of Construction Works, the Requiring Authority shall submit a Construction Noise and Vibration Management Plan (CNVMP) to the Territorial Authority's Chief Executive Officer or nominee for certification. The CNVMP shall be prepared by a suitably qualified and experienced expert.

The objective of the CNVMP is to provide a framework for the development and implementation of identified Best Practicable Options to avoid, remedy or mitigate the adverse effects of noise and vibration during construction and to

minimise the frequency, duration and degree of exceedance of the noise and vibration standards set out in Conditions 11.3 and 11.4.

- 11.2 The CNVMP shall be prepared in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (NZTA, 2013), and include the procedures, methods and measures for the control of noise and vibration associated with all relevant Project Construction Works.
- 11.3 Construction noise must be measured and assessed in accordance with NZS 6803:1999 'Acoustics Construction Noise' (NZS 6803:1999). The construction noise limits for the purposes of the CNVMP that are to be complied with, as far as practicable, are as given in Table A below:

Day	Time	L _{Aeq(15min)}	L _{AFmax}
Occupied PPFs (as defined in NZS 6806.2010)			
Weekdays	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	70 dB	85 dB
	2000h – 0630h	45 dB	75 dB
Saturday	0630h – 0730h	60 dB	75 dB
	0730h – 1800h	75 dB	90 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Sundays and public holidays	0630h – 0730h	45 dB	75 dB
	0730h – 1800h	55 dB	85 dB
	1800h – 2000h	45 dB	75 dB
	2000h – 0630h	45 dB	75 dB
Commercial and industrial receivers			
All	0730h – 1800h	75 dB	
	1800h – 0730h	80 dB	

Table A: Construction Noise Criteria

- 11.4 The CNVMP must describe the measures adopted to seek to meet the Category A vibration criteria set out in Table B below, where practicable. If measured or predicted vibration levels exceed the Category A criteria, then a suitably qualified and experienced person shall be engaged to assess and manage construction vibration to comply with the Category A criteria. If the Category A criteria cannot be practicably achieved, the Category B criteria in Table B below shall be applied. If measured or predicted construction vibration levels exceed the Category B criteria, then construction activity shall only proceed if vibration effects on those buildings at risk of exceeding the Category B criteria are assessed, monitored and mitigated by suitably qualified persons. The criteria are to be applied to either predicted ground vibrations, or measured in accordance with ISO 4866: 2010 and AS 2187-2: 2006.

Receiver	Details	Category A	Category B	Location
Occupied dwellings	Monday to Friday 6:30 am to 8:00 pm	1.0 mm/s ppv	5.0 mm/s ppv	Inside the building
	All hours Sunday and Monday to Saturday 8:00 pm to 6:30 am	0.3 mm/s ppv	1.0 mm/s ppv	
Other occupied buildings	At all times	2.0 mm/s ppv	10.0 mm/s ppv	
All buildings	Transient vibration	5.0 mm/s ppv	BS 5228.2 Table B2 values	Building foundation
	Continuous vibration		50% of BS 5228.2 Table B2 values	

Receiver	Details	Category A	Category B	Location
Underground services	Transient vibration	20.0 mm/s ppv	30.0 mm/s ppv	On pipework
	Continuous vibration	10.0 mm/s ppv	15.0 mm/s ppv	

Table B: Construction Vibration Criteria

- 11.5 In addition to those matters detailed in the State Highway Construction and Maintenance Noise and Vibration Guide, the CNVMP shall address the following aspects with regard to managing the adverse effects of construction noise and vibration:
- a) Identification of affected dwellings and other sensitive locations where vibration criteria apply, which shall include all houses located within 50 metres of general road construction activities, and 100 metres of piling, where those activities are undertaken on peat;
 - b) Predicted noise levels set out as minimum compliance distances for key activities and items of plant and identification of any dwellings or other sensitive locations where works will be required within those minimum compliance distances;
 - c) Mitigation options, including alternative strategies where full compliance with the noise criteria in Table A above and/or the vibration criteria in Table B above cannot practicably be achieved;
 - d) Requirements for building condition surveys of critical dwellings, prior to and after completion of construction works and during the works if required (including all buildings measured or predicted to exceed the Category B vibration criteria contained in Table B above) and processes for repair of any damage caused by the works.
- 11.6 Where noise or vibration predictions made in accordance with the CNVMP show that levels from a particular activity or at a specific location might exceed the limits set out in Condition 11.3 and/or 11.4, or where measurements show that compliance is not being achieved, the Requiring Authority shall prepare Schedules to the CNVMP. These Schedules shall:
- a) be prepared in accordance with the State Highway Construction Noise and Vibration Guide and include the relevant details specified in the Guide, including activity specific and/or location specific noise and vibration predictions and mitigation;
 - b) include noise limits for the activity and an overview of mitigation options that have been considered, identifying which of those options are practicable; and
 - c) be provided to the Territorial Authority Chief Executive or nominee at least five (5) working days in advance of the relevant works being carried out and implemented, for certification.
- 11.7 In the event that either:
- a) the Territorial Authority certifies the Schedule, or
 - b) fails to advise the Requiring Authority of any concerns it has with the Schedule,
- within the five (5) working days period following receipt, then the activities covered by the Schedule may be carried out.
- 11.8 If the Territorial Authority advises the Requiring Authority of a concern it has with the Schedule, then no activity related to that concern shall be carried out until the matter has been addressed by the Requiring Authority to the satisfaction of the Territorial Authority.

12.0 Construction Traffic Management Plan

- 12.1 A Construction Traffic Management Plan (CTMP), shall be prepared by a suitably qualified and experienced person in accordance with the NZTA Code of Practice for Temporary Traffic Management and after consultation with the

Territorial Authority Chief Executive or nominee. The CTMP shall be submitted to the Territorial Authority Chief Executive or nominee, for certification that the plan satisfies this condition no later than forty (40) working days prior to the commencement of any stage during Construction Works. Construction of any relevant stage of the Project shall not commence until the Requiring Authority has received the Chief Executive's or nominee's written certification of the CTMP for that stage of works.

- 12.2 The objective of the CTMP is to provide a framework to be adopted by the Requiring Authority to ensure that the adverse traffic and access related effects of the construction of the Project will be avoided, remedied or mitigated.
- 12.3 When requesting certification of a CTMP, the Requiring Authority shall provide the certifying Territorial Authority with a letter from each other Territorial Authority whose roads are affected by the Project's construction traffic confirming that the Requiring Authority has adequately consulted with that Territorial Authority in relation to Condition 12.5(i) and any effects on that Territorial Authority's road network and included adequate measures to manage such effects.
- 12.4 The CTMP shall have regard to and where appropriate implement any relevant actions identified in the minutes arising from Community Liaison Group meetings (Conditions 3.3 and 3.14).
- 12.5 The CTMP shall describe the measures that will be undertaken to avoid, remedy or mitigate the local and network wide construction traffic effects of construction of the Project. In particular (but not limited to), the CTMP shall describe:
- a) Measures to maintain vehicle access to roads and property to defined and approved levels of service. The CTMP shall identify notification thresholds and processes for communicating with affected parties and shall consider whether there are specific user needs that require specific responses.
 - b) Measures to maintain access for emergency vehicles, and methods to ensure that emergency service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - c) The manner in which service providers are regularly informed of the timing and sequencing of works, road closures and alternative routes.
 - d) The timing and sequencing of any road closures that will be required and the nature and duration of any traffic management measures that will result, including any temporary restrictions, detours or diversions;
 - e) Measures to ensure safe interaction between Project-related construction traffic and local road traffic where any temporary or existing local roads cross the Southern Links corridor.
 - f) Measures to ensure safe access to the Project site.
 - g) Measures to monitor the performance against agreed levels of service of all access points to the Project site, and all key state highway and arterial local road intersections used by Project-related construction traffic, and the procedures to be followed where intervention is deemed necessary in order to maintain acceptable and reasonable operating conditions on local roads and on the State Highway network.
 - h) Measures to ensure that any staging of Construction Works will adequately avoid, remedy or mitigate traffic-related adverse effects.
 - i) Measures to be adopted to identify routes to be used (and roads to be specifically avoided) for Project-related Heavy Commercial Vehicles (HCVs) for shifting bulk materials (such as earth fill or pavement materials or water) (Bulk HCVs) and implement temporary traffic management controls in accordance with the Code of Practice for Temporary Traffic Management (COPTTM).
 - j) Measures to ensure the use and reinstatement (to a mutually agreed standard) of local roads to be used as haul roads. The CTMP shall also describe the assessment and monitoring of road conditions and implementation of mitigation works.

13.0 General Construction Traffic

13.1 The Requiring Authority shall ensure there is no off-site Project-related Bulk HCV traffic:

- a) on Sundays; or
- b) on public holidays or after 4.00 pm on working days prior to long weekends.

13.2 The maximum hours of work for off-site Project-related Bulk HCVs shall be 7.00am – 7.00pm.

14.0 Landscape Management Plan

14.1 The Requiring Authority shall develop the certified CLMP (required by Condition 6.1) into a Landscape Management Plan (LMP). No later than forty (40) working days prior to construction commencing, the Requiring Authority shall submit the LMP to the Territorial Authority Chief Executive or nominee for certification. For the avoidance of doubt, the Requiring Authority may prepare a LMP in relation to each stage of its programme of works, provided that for each stage it shall submit a LMP for certification prior to any construction activity commencing on a particular stage of work.

14.2 The objective of the LMP is to maintain and enhance landscape, amenity and ecological values along the route and to mitigate any adverse visual, landscape, urban design and ecological effects of the Project or a particular stage of the Project. The LMP will identify the specific urban design and landscape measures to be implemented and maintained to achieve this objective.

14.3 The LMP(s) shall be prepared, after consultation with TWWG and the Territorial Authority, by a suitably qualified and experienced landscape architect with appropriate urban design experience and shall include at least the following:

- a) The proposed landscape and urban design theme to be adopted for the entire length of the Project, including for overbridges, underbridges and noise barriers;
- b) Landscape plans that identify any vegetation to be retained, areas of landscape mitigation and ecological enhancement planting (taking into account the requirements of the Ecological Management and Monitoring Plan required by Condition 15), and the type and density of planting to be undertaken;
- c) Provision where practicable for the use of earth bunding with gently undulating forms for noise barriers and measures to integrate the design of noise mitigation measures;
- d) Integration of the landscape design with the design of noise mitigation measures so that the combined measures can be implemented in a co-ordinated manner;
- e) Measures to minimise clearing work to conserve soil and protect any existing vegetation to be retained;
- f) Measures to ensure the appropriate disposal of any invasive or noxious weeds cleared from the site;
- g) Measures to integrate cut and fill batters with the existing topography;
- h) Measures to be undertaken for topsoil and subsoil management so as to provide a viable growing medium for the areas to be planted with trees, shrubs and grass;
- i) The nature, programme and methods of rehabilitation to be implemented within borrow and spoil disposal areas and any areas identified as being required for the treatment of otherwise unsuitable earth material;
- j) A schedule of the species to be planted including botanical name, average plant height at time of planting and at maturity, and planting density;
- k) A planting specification, including planting and mulching techniques;
- l) Planting maintenance requirements over a five year period following planting and reinstatement of road verges and gullies;
- m) An implementation programme for all remedial and mitigation measures;

- n) Post-construction monitoring measures;
- o) Site specific planting and screening measures developed after consultation with directly affected property owners;
- p) Planting and screening measures developed after consultation with landowners of Riley Place and Montgomery Crescent adjoining the designation; and
- q) All plant species used in the Landscape Management Plan shall be selected to ensure that at their full maturity they do not protrude through the Hamilton Airport Obstacle Limitation Surface height restrictions as set out in the Hamilton City District Plan.

14.4 The Requiring Authority shall provide the LMP to the parties referred to in Conditions 14.3(o) and 14.3(p) at least thirty (30) working days prior to submitting it to the Territorial Authority Chief Executive or nominee for certification.

14.5 If the Requiring Authority has not received comment from any of the parties referred to in Conditions 14.3(o) and 14.3(p) within twenty (20) working days of providing them the LMP, the Requiring Authority may consider that the stakeholder concerned has no comment.

14.6 The Requiring Authority shall include any comment from the parties referred to in Conditions 14.3(o) and 14.3(p) in the LMP, along with an explanation of where and why any comments have not been incorporated into the LMP(s), prior to submitting the LMP to the Territorial Authority.

15.0 Ecological Management and Monitoring Plan

15.1 The Requiring Authority shall, after consultation with the TWWG, Waikato Regional Council, the Territorial Authority, the Waikato River Authority, the Director-General of Conservation, the Mangakotukutuku Stream Care Group Incorporated, the Riverlea Environment Society and the NZ Transport Agency develop an Ecological Management and Monitoring Plan (EMMP). The EMMP shall be prepared by an appropriately qualified and experienced ecologist/s.

15.2 The EMMP shall be submitted to the Territorial Authority's Chief Executive or nominee, for certification. The EMMP must be submitted for certification within three (3) years after the date on which the designation is included in the Operative or Proposed HCC District Plan or at least forty (40) working days prior to the commencement of Construction Works, whichever event occurs earlier in time.

The EMMP shall include performance measures, actions, methods, trigger levels and monitoring programmes designed to achieve the objectives specified below.

The objectives of the EMMP shall be to demonstrate how the Requiring Authority intends to achieve no net loss of terrestrial, wetland and stream biodiversity values. It shall provide details on how monitoring, management and mitigation of the significant adverse effects of construction activities and Project operation is to be undertaken, including but not limited to effects on:

- a) Long-Tailed Bats, with the aim of enhancing long-tailed bat habitat within the city boundary;
- b) Avifauna, with the aim of enhancing the extent and quality of habitat for native species;
- c) Lizards, with the aim of enhancing the extent and quality of habitat for native species; and
- d) Indigenous vegetation, aquatic and wetland values, with the aim of restoring indigenous vegetation to the gullies and margins of the Waikato River in accordance with the objectives and policies of the Hamilton Gully Reserves Management Plan: 2007 (or its successor) as these relate to biodiversity, with the species and composition of vegetation restored reflecting as far as possible the natural ecosystems that were likely to be originally representative of gully systems and riparian margins of the Waikato River as defined in Clarkson & Clarkson (1997)¹.

¹ Clarkson, B. R. & Clarkson, B. D. (July 1997 – revised April 2000). Indigenous Vegetation Types of Hamilton City. A report prepared for the Ministry of the Environment. Landcare Research.

15.3 The EMMP shall set out the methodologies and processes that will be used to achieve these objectives and shall include, but will not be limited to:

- a) Ecological management;
 - i) Vegetation and habitat management;
 - ii) Management of effects on long-tailed bats, avifauna, and lizards;
- b) Ecological monitoring; and
- c) Habitat restoration/offset mitigation on the following basis:
 - (i) A minimum 1:1 restoration ratio for areas of gully, bat habitat and river margin affected by the designation (including habitat dominated by exotic vegetation).
 - (ii) a minimum 3:1 restoration ratio for significant indigenous habitats (including indigenous forests, wetlands, seeps and springs) affected by the designation.

The total area to be restored based on the ratio in (i) and (ii) above shall be a minimum of 11.46 hectares.
 - (iii) Gully habitat restoration proposed by the EMMP shall generally align with Wall, K and B.D. Clarkson 2006: Gully restoration guide: a guide to assist in the ecological restoration of Hamilton's gully system. Third Revised Edition. Hamilton City Council (or an updated version).
 - (iv) Animal Pest Control, undertaken for a period of twenty (20) years, at known significant roost sites (significant roost sites being maternity roost sites or other roost sites used by multiple bats on a regular basis). Any measures implemented must be determined by an Animal Pest Control specialist as having a reasonable prospect of being effective. The duration or nature of Animal Pest Control in accordance with this condition can be altered should monitoring of the Animal Pest Control demonstrate that it is ineffective, or to allow alternative Animal Pest Control approaches to be trialled. Any alteration to the duration or nature of Animal Pest Control shall necessitate a review of the EMMP in accordance with condition 15.7.

15.4 The EMMP shall include:

- a) Identification of areas and timeframes for establishment of advance restoration / mitigation planting, as far as practicable ahead of construction activities taking into account land ownership, accessibility and the timing of available funding;
- b) Consideration of opportunities to integrate existing restoration planting on public or private land with the restoration/mitigation planting to be undertaken as part of this designation in order to enhance ecological benefit; this shall include but not be limited to the restoration planting undertaken to date adjacent to the Mangakotukutuku Stream and on the following private properties:
 - Lot 2 DPS 83799 (M & M Shaw)
 - Lot 2 DP 313598 (G James)
- c) Identification of areas and timeframes for establishment of incremental restoration / mitigation planting to be undertaken as property is acquired by or vested in the Territorial Authority through the Public Works Act or the Resource Management Act;
- d) Provision for the coordination of construction works and environmental protection and restoration programmes;
- e) Provision for the engagement of suitably qualified and experienced ecologists to develop appropriate procedures to manage effects on long-tailed bats, avifauna, and lizards, where habitats are affected;
- f) The nature of any weed and / or pest control considered appropriate (timing, extent and location) in restoration / mitigation planting areas;
- g) The nature and extent of stock proof fencing (if required) that is to be established around the boundaries of restoration / mitigation planting areas;
- h) Provisions, where practicable, for the salvage of elements of indigenous flora and fauna that is being destroyed as a result of the construction of the Project and its translocation to appropriate restoration areas; and
- i) Provisions to ensure all restored areas are legally protected in perpetuity, where practicable.

- 15.5 The EMMP provisions for Long-Tailed Bat Management shall include, but not be limited to, the following:
- a) Details of measures to avoid, minimise and monitor roost removal and habitat loss (including specific minimum standards determined by a recognised bat ecologist for roost tree identification and monitoring of roost trees before their removal, recognising the limitations for determining roost tree occupancy in some situations), as well as habitat replacement and enhancement;
 - b) Details of the provision of alternative roosting sites (including suitable indigenous or exotic trees for roost habitat, their ongoing management to enhance their roosting potential (for example, encouraging cavity formation or providing artificial bat houses), with artificial roosts installed as far in advance of construction as possible;
 - c) Details of measures to minimise habitat fragmentation and alteration to bat movement (e.g. creating possible bat crossing points such as a bridge/ tunnels/ culverts; reducing the effect of road lighting by creating 'dark zones' at key bat habitats, aligning streetlights in certain ways or installing baffles on lighting columns to reduce the 'spill' of light away from the road);
 - d) The establishment of buffer zones and hop overs along the Project route in advance of construction (where feasible), during and after construction to encourage bat avoidance of the road and maintaining important bat flyway navigational references, if deemed appropriate by a recognised bat ecologist;
 - e) Details of measures to minimise disturbance from construction activities within the vicinity of any active roosts that are discovered until such roosts are confirmed to be vacant of bats, as determined by a recognised bat ecologist using current best practice;
 - f) Details of ongoing monitoring and reporting of bat activity, including the establishment of adequate baseline survey and post construction monitoring to identify and assess changes in bat activity and behavioural patterns that may occur as a result of construction and operation of the Project network at all locations where bats are detected. The specific priority objectives of monitoring shall include:
 - i) Determining the effects of lighting and roads on the movement of bats and what other key potential barriers (e.g. bridges, embankments) are to movement;
 - ii) Monitoring to gauge the effectiveness of the Animal Pest Control required by condition 15.3(c) (iv); and
 - iii) Identification, protection and ongoing monitoring of key habitats (e.g. maternal roosting sites and foraging sites).
 - g) Specific minimum standards as determined by a suitably qualified bat ecologist for minimising disturbance associated with construction activities around active roosts within the footprint of the Project or its vicinity that do not require removal. This includes the preparation of a pre-tree felling protocol following consultation with the Department of Conservation. The purpose of the pre-tree felling protocol shall be to avoid the injury or mortality of roosting long-tailed bats; and
 - h) Monitoring shall be carried out over the long-tailed bat breeding season and peak activity period (beginning of November to the end of April), first commencing two (2) years prior to Construction Works starting, and continuing during construction and five (5) years post construction for the first stage of the Project, and shall ensure adequate site coverage incorporating all potential roosting and foraging habitats as well as suitable control sites. The timeframes for the monitoring in accordance with this condition shall only be triggered with respect to the first stage of Construction Works for any part of the Project.
- 15.6 The EMMP shall outline the aquatic surveys to be undertaken by a suitably qualified and experienced ecologist/s prior to lodgement of resource consent applications with the Regional Council. These shall include, but will not be limited to:
- a) Fish surveys of waterways (including drains and wetlands) using a recognised protocol prior to stream crossing design to determine the fish community and therefore likely fish passage and fish recovery requirements where culverts are to be installed; and times when instream works are to be avoided so as not to adversely impact on peak periods of fish migration and spawning; and

- b) Surveys to determine aquatic quality and character of habitats impacted by stream crossings where instream habitats will be impacted (e.g. culverts) so that an appropriate methodology can be used to mitigate loss of ecological value that has not already been accounted for by advanced mitigation restoration (e.g. presence of mudfish)

15.7 The Requiring Authority may review the EMMP at any time to make provision for the future grant of resource consents required to authorise components of the Project, and any staging of construction of the Project network, within Hamilton City. The Requiring Authority shall consult with the TWWG, Waikato Regional Council, the Territorial Authority, the Waikato River Authority, the Director-General of Conservation, the Mangakotukutuku Stream Care Group Incorporated, the Riverlea Environment Society and the NZ Transport Agency in preparing any review to the EMMP. The Requiring Authority shall submit any review of the EMMP to the Territorial Authority's Chief Executive for certification.

Advice Note:

The outcomes of the EMMP will be relevant in the development of the LMP (Condition 14.3(b)).

16.0 Heritage and Archaeological Site Management Plan

16.1 The Requiring Authority shall give at least twenty (20) working days written notice of the date that construction is intended to commence to:

- a) The Project archaeologist to establish with the contractor a working relationship that will comply with good practice during the earthworks stage of the construction; and
- b) The Territorial Authority;
- c) The TWWG to enable it to:
 - i) Allocate a representative to liaise with the Project archaeologist, and who will be actively involved in the archaeological work associated with the Project;
 - ii) Clarify with the contractor the location of the archaeological sites and the procedures that will be observed;
 - iii) Provide the names of their representatives who are to be contacted for cultural advice and guidance in the event of a discovery of any buried archaeological deposits found during the Project;
 - iv) Undertake any appropriate cultural ceremonies on the archaeological sites; and
 - v) Arrange for the inspection of the earthworks in the vicinity of the archaeological sites.

16.2 Prior to the commencement of Construction Works the Requiring Authority shall provide to the Territorial Authority evidence that Archaeological Authorities have been obtained, as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works.

16.3 No later than forty (40) working days prior to the commencement of any earthworks or construction works, the Requiring Authority shall submit a Heritage and Archaeological Site Management Plan (HASMP) prepared by a suitably qualified and experienced archaeologist to the Territorial Authority Chief Executive or nominee for certification.

16.4 The HASMP shall be prepared after consultation with the TWWG and with Heritage New Zealand. The objective of the HASMP is to describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation. As a minimum the HASMP shall include the following:

- a) Measures that will be taken to protect or avoid archaeological sites (or insitu archaeological remains) from damage during construction;
- b) Roles and responsibilities associated with managing the archaeological aspects of the Project;
- c) Provision for training for staff and contractors in the archaeological aspects of the Project;
- d) Provision for any revisions required to the HASMP during the course of the Project;

- e) An Accidental Discovery Protocol (*ADP*) (noting that in the event of any conflicting provisions where any part of the site is operating under an Authority from Heritage New Zealand, the *ADP* contained within that Authority shall take precedence) so that in the event that any archaeological sites, remains, artefacts, taonga (Maori artefacts) or koiwi are unearthed, dislodged, uncovered or otherwise found or encountered during Construction Works (“the Discovery”), the Requiring Authority shall:
 - i) Advise taangata whenua, the Project archaeologist, and the Territorial Authority as appropriate, within one day of the Discovery;
 - ii) Cease works in any part of the Project site affected by the Discovery;
 - iii) Contact the NZ Police, the Coroner and Heritage New Zealand as appropriate;
 - iv) Undertake specific preservation measures to address any Discovery that includes water-logged or wet archaeological materials; and
 - v) Not recommence works in the parts of the Project site affected by the Discovery until all necessary statutory authorisations or consents have been obtained;
- f) Twenty (20) working days prior to the Requiring Authority providing the HASMP or any revisions in accordance with Condition 2.5 to the Territorial Authority, a draft version of the plan will be provided to the TWWG and to Heritage New Zealand for their review. The Requiring Authority shall consider any feedback provided and provide a written response within the finalised HASMP detailing:
 - i) Whether any feedback has been provided by the TWWG and Heritage New Zealand;
 - ii) Where feedback has been provided, how it has been incorporated into the HASMP; and
 - iii) Where feedback has been provided but not been incorporated into the HASMP, the reasons why not; and
- g) Provisions for providing any new information on archaeological sites to the New Zealand Archaeological Association for the purpose of updating the national archaeological site record database.

16.5 Conservation Plans shall be prepared for the long-term management of those significant archaeological sites (part or whole) within the area of the designation that remain unaffected by the construction of the Project once construction is completed. Conservation Plans shall be prepared by a suitably qualified and experienced person. The Historic and Cultural Heritage Assessment Criteria employed in the Waikato Regional Policy Statement shall be used to determine if a site has sufficient significance to warrant the preparation of a Conservation Plan. All sites partly or wholly within the designation will be tested against these criteria. These Conservation Plans shall:

- a) Not be limited to the surface visible remains but recognise the importance of sub-surface deposits;
- b) Be prepared by a suitably qualified archaeologist; and
- c) Be submitted to the Territorial Authority Chief Executive or nominee for certification.

16.6 No later than twenty (20) working days prior to the Requiring Authority providing any Conservation Plan to the Territorial Authority Chief Executive or nominee, a draft version of the plan shall be provided to the TWWG and to Heritage New Zealand for their review. The Requiring Authority shall consider any feedback provided and provide a written response within the finalised Conservation Plans detailing:

- a) Whether any feedback has been provided by the TWWG and Heritage New Zealand;
- b) Where feedback has been provided, how it has been incorporated into the Conservation Plans; and
- c) Where feedback has been provided but not been incorporated into the Conservation Plans, the reasons why not.

17.0 Drainage

17.1 Subject to the requirement of any resource consent, the construction and operation of the Project shall not increase flooding risk to surrounding land and/or property.

18.0 Network Infrastructure

18.1 To ensure that there are no interruptions to supply or adverse effects on network utility infrastructure, the Requiring Authority shall, subject only to reasonable planned interruption, either:

- a) Protect the utility from any activity which may interfere with the proper functioning of the services; or
- b) Seek to relocate it to the same or a similar standard (including property rights) as the operator currently has; or
- c) Seek to repair or replace, at the Requiring Authority's expense, any infrastructure damaged during construction to the reasonable satisfaction of the affected network utility operator.

19.0 Dust Management Plan

19.1 Prior to the commencement of Construction Works, the Requiring Authority shall prepare a Dust Management Plan (DMP). The DMP shall be prepared by a suitably qualified and experienced person. The Requiring Authority shall implement the DMP at all times during the Project. The objective of the DMP shall be to ensure that Construction Works are undertaken in a manner to ensure that no discharge of airborne particulate matter (dust) causes an adverse effect on the amenity value of any person beyond the designation boundary.

19.2 The DMP shall be provided to the Territorial Authority Chief Executive or nominee for certification at least forty (40) working days prior to the commencement of Construction Works.

19.3 As a minimum the DMP shall include the following details:

- a) Mitigation measures to be implemented during construction to minimise dust emissions;
- b) Methods for the daily visual monitoring of dust emissions and assessing the effectiveness of the mitigation measures implemented;
- c) Procedures for responding to process malfunctions and accidental dust discharges;
- d) Criteria, including consideration of weather conditions and procedures, for the use of water sprays on stockpiles and operational areas of the Project;
- e) Continuous monitoring of meteorology;
- f) Monitoring of construction vehicle maintenance;
- g) Complaints investigation, monitoring and reporting;
- h) The identification of staff and contractors' responsibilities; and
- i) Appropriate DMP review procedures.

20.0 Contaminated Soil Management Plan

- 20.1 Prior to the commencement of Construction Works, the Requiring Authority shall engage a Suitably Qualified and Experienced Practitioner to prepare a Contaminated Soil Management Plan (CSMP). The Requiring Authority shall implement the CSMP at all times during the Project. The objective of the CSMP shall be to avoid, remedy or mitigate the adverse effects of Construction Works on human health and the environment which may result from the disturbance of contaminated soil/material.
- 20.2 The CSMP shall be provided to the Territorial Authority Chief Executive or nominee for certification at least forty (40) working days prior to the commencement of Construction Works.
- 20.3 As a minimum the CSMP shall include the following details:
- a) Details of any investigation, assessment, reporting and management of contaminated land or potentially contaminated land that has been carried out;
 - b) The measures to be undertaken in the handling, storage and disposal of all contaminated material excavated during the construction works;
 - c) The soil validation testing that will be undertaken;
 - d) The soil verification testing that will be undertaken to determine the nature of any contamination in excavated spoil and the potential reuse or disposal options for that spoil;
 - e) How the placement of any re-used contaminated soil / material will be recorded and tracked;
 - f) Measures to be undertaken in the event of unexpected contamination being identified during construction activities, including measures to:
 - i) Assist with identification of unknown contaminated material; and
 - ii) Stop work or isolate the area once any such material is identified;
 - g) The measures to be undertaken to:
 - i) Protect the health and safety of workers and the public;
 - ii) Control stormwater runoff and runoff;
 - iii) Remove or manage any contaminated soil; and
 - iv) Remediate any required sites;
 - h) The measures to be undertaken to:
 - i) Identify any suspected asbestos;
 - ii) Identify the type of asbestos and confirm the appropriate means by which it shall be removed; and
 - iii) Handle any asbestos containing material.
- 20.4 A Suitably Qualified and Experienced Practitioner shall supervise the implementation of the measures required in Condition 20.3 above.
- 20.5 At the completion of the construction of the Project, a validation report shall be prepared by a Suitably Qualified and Experienced Practitioner in accordance with any Ministry for the Environment guideline and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health, and be submitted to the Territorial Authority Chief Executive or nominee documenting the management of contaminated soil and evidence of appropriate disposal. The validation report shall include a record of all analytical results, volumes, tip receipts, and any incidents or complaints and how these were addressed. The validation report shall also identify any areas which need on-going monitoring and management by the Requiring Authority.

Advice Note:

A *Suitably Qualified and Experienced Practitioner* has the same meaning as described in the Users' Guide for the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (Ministry for the Environment, April 2012).

21.0 Hazardous Substances Management Plan

- 21.1 Prior to the commencement of Construction Works, the Requiring Authority shall prepare a Hazardous Substances Management Plan (HSMP). The HSMP shall be prepared by a suitable qualified and experienced person. The Requiring Authority shall implement the HSMP at all times during the Project. The objective of the HSMP shall be to avoid, remedy or mitigate the adverse effects of Construction Works on human health and the environment which may result from the use of hazardous substances.
- 21.2 The HSMP shall be provided to the Territorial Authority Chief Executive Officer or nominee for certification at least forty (40) working days prior to the commencement of Construction Works.
- 21.3 As a minimum the HSMP shall include the following details:
- a) Details of the type and volumes of hazardous substances to be used and stored during the construction phase of the Project;
 - b) Procedures for the proper storage, handling, transport and disposal of hazardous substances in accordance with best practice and national standards and regulations;
 - c) The equipment, systems and procedures to be used to minimise the risk of spills or leaks of hazardous substances;
 - d) Procedures to notify and report to the Territorial Authority within 24 hours of a spill or leak involving 10 litres or more of a hazardous substance occurring; and
 - e) Procedures to be followed to identify causes of spills or leaks of a hazardous substance and to avoid their recurrence.

22.0 Construction Lighting

- 22.1 The Requiring Authority shall implement procedures at all times during construction to manage light spill (if any) to residences from any night lighting that is required on the site.

OPERATIONAL CONDITIONS

23.0 Operational Noise

- 23.1 For the purposes of Conditions 23.2 - 23.20 the following terms will have the following meanings:
- a) **BPO** – means the Best Practicable Option.
 - b) **Noise Assessment** – means the Noise Assessment prepared in accordance with Condition 23.2.
 - c) **NZS 6806:2010** – means New Zealand Standard NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads.
 - d) **Noise Criteria Categories** – means the groups of preference for time-averaged sound levels established in accordance with NZS 6806:2010 when determining the BPO mitigation option; i.e. Category A – primary noise criterion, Category B, secondary noise criterion and Category C – internal noise criterion.
 - e) **PPF** – means only the premises and facilities identified in green, orange or red in the Noise Assessment.
 - f) **Structural Mitigation** – has the same meaning as in NZS 6806:2010.

- g) **Original Noise Report** – the assessment of road traffic noise and construction noise effects prepared by Opus International Consultants Ltd, report reference 231635.09 as lodged with the Notice of Requirement.

Noise Assessment Report (prior to construction)

23.2 The Requiring Authority shall appoint a suitably qualified acoustics specialist, a suitably qualified planner approved by the Council, and other designers, to determine the BPO for road-traffic noise mitigation in accordance with NZS 6806:2010. No later than six (6) months prior to Construction Works starting, the Requiring Authority shall submit to the Territorial Authority Chief Executive or nominee a Road-traffic Noise Assessment Report ('Noise Assessment') detailing the assessment process, 'Selected Options' for noise mitigation, and the Noise Criteria Categories for all PPFs ('Identified Categories'). The Requiring Authority shall implement the Selected Options for noise mitigation identified in the Noise Assessment as part of the Project, in order to achieve the Identified Categories where practicable, subject to Conditions 23.4–23.20 below.

23.3 The Noise Assessment shall only consider those PPFs existing on the date the Notice of Requirement was publicly notified (29 January 2014), including PPFs at the properties set out in the attached PPF list (**Annexure 1** to these conditions).

23.4 The detailed design of the Structural Mitigation measures of the Selected Options (the "Detailed Mitigation Options") shall be undertaken by a suitably qualified acoustics specialist prior to Construction Works commencing and, subject to Condition 23.5, shall include, as a minimum, the following:

- a) Noise barriers with the location, length and height in general accordance with the Noise Assessment; and
- b) Low-noise road surfaces in general accordance with the Noise Assessment.

Amendments to Noise Assessment Report

23.5 Where the design of the Detailed Mitigation Options identifies that it is not practicable to implement a particular Structural Mitigation measure in the location or of the length or height included in the Selected Options then either:

- a) if the design of the Structural Mitigation measure could be changed so that it would still achieve the same Identified Category A or Category B at all relevant PPFs, and a suitably qualified planner approved by the Hamilton City Council certifies to the Council that the changed Structural Mitigation is consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure; or, if that is not practicable,
- b) if the changed design of the Structural Mitigation measure would change the Noise Criteria Category at any relevant PPF from Category A or B to Category C but a suitably qualified planner approved by the Hamilton City Council certifies to the Council that the changed Structural Mitigation is consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure.

23.6 The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within twelve (12) months of completion of construction.

Operational Noise Limits

23.7 Notwithstanding conditions 23.1 to 23.6, the Noise Assessment Report and the final design of the Detailed Mitigation Options:

- a) Shall not permit the noise level at any PPF to exceed LAeq(24hr) 57dB; or:
- b) The noise level shall not exceed the level that is predicted for the most effective Structural Mitigation measure as set out in the Original Noise Report.

Whichever level is higher.

Operational Noise Monitoring

- 23.8 Prior to construction, the Requiring Authority shall arrange for a suitably qualified and experienced acoustics specialist approved by the Territorial Authority Chief Executive or nominee to undertake a minimum of 10 (ten) representative measurements of ambient noise levels. Measurements shall be undertaken in accordance with the requirements of Section 5.2 of NZS6806:2010.
- 23.9 Following completion of the work, the Requiring Authority shall arrange for a suitably qualified and experienced acoustics specialist approved by the Territorial Authority Chief Executive or nominee to undertake traffic noise monitoring at the same sites surveyed in Condition 23.8 above, within 2 years following completion of construction of the Project, and following the application of any low-noise road surfaces that are required. Measurements shall be undertaken in accordance with the requirements of Section 5.2 of NZS6806:2010.
- 23.10 The results of the noise level monitoring in accordance with Condition 23.8 above shall be used to verify the computer noise model of the Detailed Mitigation Options. Where monitoring identifies that the applicable standards of Condition 23.7 above are not being met, the Requiring Authority shall undertake mitigation measures to ensure compliance is achieved as soon as practicable.
- 23.11 A report describing the findings of monitoring required by conditions 23.9 and 23.10 shall be provided to the Territorial Authority Chief Executive or nominee within one month of the measurements in 23.9 being completed. The Report shall include (as a minimum):
- a) Comparison of the results to the computer noise model of the Detailed Mitigation Options;
 - b) Identification of where compliance with the requirements of Condition 23.7 have been achieved; and
 - c) Identification of where compliance with the requirements of Condition 23.7 have not been achieved and the mitigation measures proposed to ensure compliance is achieved as soon as practicable.

Category C PPFs

- 23.12 Prior to construction of the Project, a suitably qualified acoustics specialist shall identify those PPFs which, following implementation of all the Structural Mitigation included in the Detailed Mitigation Options, are not in Noise Categories A or B and where Building-Modification Mitigation may be required to achieve 40dB LAeq (24h) inside habitable spaces ('Category C Buildings').
- 23.13 Prior to commencement of Construction Works in the vicinity of a Category C Building, the Requiring Authority shall write to the owner of each Category C Building seeking access to such building for the purpose of measuring internal noise levels and assessing the existing building envelope in relation to noise reduction performance.
- 23.14 If the owner(s) of the Category C Building allows the Requiring Authority access to the property within twelve (12) months of the date of the Requiring Authority's letter (sent pursuant to Condition 23.13), then no more than twelve (12) months prior to commencement of construction of the Project, the Requiring Authority shall instruct a suitably qualified acoustics specialist to visit the building to measure internal noise levels and assess the existing building envelope in relation to noise reduction performance.
- 23.15 Where a Category C Building is identified, the Requiring Authority shall be deemed to have complied with Conditions 23.13 or 23.14 above where:
- a) The Requiring Authority (through its acoustics specialist) has visited the building; or
 - b) The owner of the Category C Building allows the Requiring Authority's access, but the Requiring Authority could not gain entry for some relevant reason (such as entry denied by a tenant); or
 - c) The owner of the Category C Building did not allow the Requiring Authority access to the property within the time period set out in Condition 23.14 (including where the owner(s) did not respond to the Requiring Authority letter (sent pursuant to Condition 23.13 within that period)); or

- d) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

If any of (b) to (d) above apply to a particular Category C Building, the Requiring Authority shall not be required to implement any Building-Modification Mitigation at that Category C Building.

23.16 Subject to Condition 23.15, within six (6) months of the assessment required under Condition 23.14, the Requiring Authority shall give written notice to the owner of each Category C Building:

- a) Advising of the options available for Building-Modification Mitigation to the building; and
- b) Advising that the owner has six (6) months within which to decide whether to accept Building-Modification Mitigation for the building, and if the Requiring Authority has advised the owner that more than one option for Building-Modification Mitigation is available, to advise which of those options the owner prefers.

23.17 Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of an affected building, the mitigation shall be implemented (including the Requiring Authority obtaining any third party authorisations required to implement the mitigation) in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.

23.18 Subject to Condition 23.15, where Building-Modification Mitigation is required, the Requiring Authority shall be deemed to have complied with Condition 23.10 above where:

- a) The Requiring Authority has completed Building-Modification Mitigation to the Category C Building; or
- b) The owner of the Category C Building did not accept the Requiring Authority offer to implement Building-Modification Mitigation prior to the expiry of the timeframe stated in Condition 23.16(b) above (including where the owner did not respond to the Requiring Authority within that period); or
- c) The owner of the Category C Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

Maintenance of Detailed Mitigation Measures

23.19 The Requiring Authority shall manage and maintain the Detailed Mitigation Options to ensure that, to the extent practicable, those mitigation works retain their noise reduction performance for at least ten (10) years after the opening of the Project to the public.

23.20 Within twelve (12) months of opening any new section of road to the public, the Requiring Authority shall submit a post-construction noise review report to the Territorial Authority Chief Executive or nominee. The report shall include details of the following post-construction verification checks and actions:

- a) The noise model used for the assessment required by condition 23.2 shall be rerun using the as-built positions of roads, earthworks and barriers. Any differences from the Identified Categories, not previously assessed in accordance with condition 23.5, shall be reported.
- b) A visual inspection of each noise barrier shall be made from the far edge of the road corridor at the closest point to each PPF or cluster of PPFs. The relationship of the PPFs and barrier shall be compared with that shown in the noise model. The height above local ground level of each noise wall shall be physically measured and noise walls shall be inspected to check for any gaps.
- c) Road surfaces shall be visually inspected to confirm they are of the type assumed in the noise model.
- d) Any remedial actions to address issues identified in checks required by conditions 23.20(a), (b) and (c) above.

24.0 Transport Network Management Plan

24.1 As part of the outline plan, the Requiring Authority shall submit a Transport Network Management Plan (TNMP), to be certified by the Territorial Authority Chief Executive or nominee. The objective of the TNMP is to provide a framework to ensure that any adverse effects associated with the operation of the Project can be avoided, remedied or

mitigated. The TNMP shall describe proposed procedures, requirements and standards necessary for achieving the objective of the TNMP and shall include (but not be limited to):

- d) An updated Design Philosophy Statement that establishes the standards, philosophies and references for construction final design outcomes required to achieve the objective of the TNMP. This shall include the intersection design philosophy as a part of a whole-route approach to road and intersection management and operation.
- e) The localised traffic impacts together with accompanying mitigation measures required as a direct or indirect result of road closures, diversions, new intersection arrangements and other measures needed to accommodate the Project;
- f) The provision of cycle infrastructure and the design of cycle features and whether they are consistent with current best practice guidelines;
- g) The provision of pedestrian infrastructure and whether the design of pedestrian infrastructure is consistent with current best practice guidelines;
- h) Consideration of staged bus service infrastructure features such as, but not limited to:
 - i) Bus priority detection equipment at all signalised intersections along the route;
 - ii) Bus stopping lay-bys at appropriate locations along the route;
 - iii) Passenger waiting facilities and shelters with bus information as part of the final road design; and
 - iv) Bus priority measures at all non-signalised, controlled intersections;
- i) The provision of pedestrian and cyclist connectivity to and from Hamilton Gardens and along the Waikato River and Peacocke gully system; and
- j) The provision of pedestrian and cyclist connectivity from areas west of the Peacocke North-South Major Arterial to areas east of the arterial in the vicinity of the Glenview Club.

24.2 In managing traffic safety effects across the whole of the Project (or staged Project) at the detailed design stage, the Requiring Authority shall undertake a Road Safety Audit for the relevant stage of the Project in accordance with NZ Transport Agency's Road Safety Audit (RSA) for Projects. A copy of the RSA shall be provided to the Territorial Authority Chief Executive or nominee.

24.3 In managing traffic effects of the completed Works (or staged completed Works) at their implementation as operational measures, the Requiring Authority shall undertake a Post Implementation Review (PIR) in accordance with NZ Transport Agency's PIR policy, having regard to the Project objectives and the objectives of the TNMP. A copy of the PIR shall be provided to the Territorial Authority Chief Executive or nominee.

25.0 Implementation of Landscape Management Plan(s)

25.1 The landscape and visual mitigation measures identified in the approved LMP(s) shall be implemented:

- a) As soon as areas become available for planting due to the progress of the works (having regard to the relevant planting season); and/or
- b) Within twelve months of the road construction being issued a Certificate of Practical Completion in accordance with NZS 3910:2013 Conditions of Contract for Building and Civil Engineering Construction, unless the seasonal timing of works makes some planting impracticable, in which case such planting shall be completed no later than twenty four (24) months after the issue of the Certificate.

26.0 Maintenance and Monitoring of Landscape Management Plan(s)

26.1 The Requiring Authority shall undertake inspections at one (1) year, two (2) years and five (5) years after the implementation of the LMP(s) in accordance with Condition 25.1 to confirm that the planting has been completed and that significant areas and plants have established successfully. A report from a suitably qualified and experienced landscape architect on the outcome of each inspection shall be forwarded to the Territorial Authority Chief Executive or nominee within one month of completion. Each report shall identify any significant areas of planting that have not become established and shall recommend if and when any remedial works should be undertaken. Any recommendations made in the report for remedial works shall be implemented.

27.0 Operational Lighting

27.1 Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of existing dwelling, and shall ensure that:

- a) All carriageway lighting is designed in accordance with "Road Lighting Standard AS/NZS1158"; and
- b) All other lighting is designed in accordance with the relevant rules of the Operative Hamilton City District Plan.

Advisory Notes**A Regional Consents**

All necessary consents must be obtained from the Waikato Regional Council prior to commencement of construction works.

B Authority under the Heritage New Zealand Pouhere Taonga Act 2014

The Requiring Authority will need to obtain an authority from Heritage New Zealand to destroy, damage or modify any archaeological sites in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.

C Consultation and Liaison with Regional and Local Agencies

The Requiring Authority should carry out adequate and timely consultation with regional and local agencies such as the Waikato Regional Council, Waikato District Council and Waipa District Council (or their successors) with regard to programming and planning commencement of Construction Works and provide a timetabled construction plan.

D Tangata Whenua Contact Details

Contact details for the hapu listed in the conditions above can be obtained through the office of Waikato-Tainui.

E Wildlife Act 1953

The requirements of condition 15 are in addition to any obligation the Requiring Authority has in respect of absolutely protected wildlife under the Wildlife Act 1953.

Annexures

1. PPF list (Condition 23.3)
2. Land to be acquired (Condition 3.22 and 3.23)

Annexure 1 PPF List (Condition 23.3)

Project link	Nearest chainage	Number	Street name
HCC Major Arterial – Cobham Connection	2020	101	Bader Street
HCC Major Arterial – Cobham Connection	2020	103	Bader Street
HCC Major Arterial – Cobham Connection	2020	105	Bader Street
HCC Major Arterial – Cobham Connection	2040	107	Bader Street
HCC Major Arterial – Cobham Connection	2000	101A	Bader Street
Ring Road	160	97	Brookfield Street
Ring Road	160	99	Brookfield Street
Ring Road	160	101	Brookfield Street
Ring Road	160	103	Brookfield Street
Ring Road	160	97A	Brookfield Street
East-West Minor Arterial Connection at Dixon/Ohaupo		7	Cabourne Drive
Ring Road	760	301	Cobham Drive
Ring Road	740	303	Cobham Drive
Ring Road	800	306	Cobham Drive
Ring Road	800	308	Cobham Drive
Ring Road	800	310	Cobham Drive
Ring Road	760	311	Cobham Drive
Ring Road	800	312	Cobham Drive
Ring Road	760	313	Cobham Drive
Ring Road	760	315	Cobham Drive
Ring Road	740	323	Cobham Drive
Ring Road	740	111A	Cobham Drive
Ring Road	820	306A	Cobham Drive
Ring Road	760	315B	Cobham Drive
Ring Road	760	317A	Cobham Drive
Ring Road	740	317B	Cobham Drive
Ring Road	700	321A	Cobham Drive
Ring Road	720	321B	Cobham Drive
Ring Road	180/360	45	Dey Street
Ring Road	220	63	Dey Street

Project link	Nearest chainage	Number	Street name
Ring Road	140	65	Dey Street
Ring Road	120	67	Dey Street
Ring Road	100	69	Dey Street
Ring Road	80	71	Dey Street
Ring Road	60	73	Dey Street
Ring Road	40	75	Dey Street
Ring Road	20	81	Dey Street
Ring Road	20	83	Dey Street
Ring Road	-60	105	Dey Street
Ring Road	-80	109	Dey Street
Ring Road	100	69A	Dey Street
Ring Road	80	71A	Dey Street
East-West Minor Arterial Connection at Dixon/Ohaupo		96	Dixon Road
East-West Minor Arterial Connection at Dixon/Ohaupo		97	Dixon Road
East-West Minor Arterial Connection at Dixon/Ohaupo		98	Dixon Road
East-West Minor Arterial Connection at Dixon/Ohaupo		100	Dixon Road
East-West Minor Arterial Connection at Dixon/Ohaupo		102	Dixon Road
East-West Minor Arterial Connection at Dixon/Ohaupo		103	Dixon Road
East-West Minor Arterial Connection at Dixon/Ohaupo		104	Dixon Road
East-West Minor Arterial Connection at Dixon/Ohaupo		105	Dixon Road
East-West Minor Arterial Connection at Dixon/Ohaupo		107	Dixon Road
East-West Minor Arterial Connection at Dixon/Ohaupo		109	Dixon Road
North-South Major Arterial	3840	239	Dixon Road
Ring Road	1240	1	Echobank Place

Project link	Nearest chainage	Number	Street name
Ring Road	1240	2	Echobank Place
Ring Road	1100	12	Echobank Place
East-West Minor Arterial Connection at Dixon/Ohaupo		5	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		7	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		9	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		11	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		13	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		15	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		17	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		19	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		21	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		23	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		25	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		27	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		29	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		31	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		33	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		35	Exeter Street

Project link	Nearest chainage	Number	Street name
East-West Minor Arterial Connection at Dixon/Ohaupo		37	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		39	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		41	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		43	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		45	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		47	Exeter Street
East-West Minor Arterial Connection at Dixon/Ohaupo		49	Exeter Street
Ring Road	140	6	Flynn Road
Ring Road	260	20	Flynn Road
Ring Road	280	22	Flynn Road
Ring Road	440	48	Flynn Road
Ring Road	440	50	Flynn Road
Ring Road	460	52	Flynn Road
Ring Road	480	54	Flynn Road
Ring Road	500	56	Flynn Road
Ring Road	540	58	Flynn Road
Ring Road	580	60	Flynn Road
Ring Road	600	62	Flynn Road
Ring Road	680	63	Flynn Road
Ring Road	620	64	Flynn Road
Ring Road	640	66	Flynn Road
Ring Road	720	67	Flynn Road
Ring Road	660	68	Flynn Road
Ring Road	720	69	Flynn Road
Ring Road	680	70	Flynn Road
Ring Road	720	71	Flynn Road
Ring Road	680	72	Flynn Road

Project link	Nearest chainage	Number	Street name
Ring Road	700	74	Flynn Road
Ring Road	700	76	Flynn Road
Ring Road	720	78	Flynn Road
Ring Road	720	80	Flynn Road
Ring Road	720	82	Flynn Road
Ring Road	720	84	Flynn Road
Ring Road	740	86	Flynn Road
Ring Road	740	88	Flynn Road
Ring Road	740	90	Flynn Road
Ring Road	160	12B	Flynn Road
Ring Road	180	14A	Flynn Road
Ring Road	200	16A	Flynn Road
Ring Road	240	18B	Flynn Road
Ring Road	300	24A	Flynn Road
Ring Road	320	28B	Flynn Road
Ring Road	340	30B	Flynn Road
Ring Road	360	32B	Flynn Road
Ring Road	380	36B	Flynn Road
Ring Road	420	40A	Flynn Road
Ring Road	400	40B	Flynn Road
Ring Road	500	56A	Flynn Road
Ring Road	720	65A	Flynn Road
Ring Road	720	73A	Flynn Road
Ring Road	740	73B	Flynn Road
Ring Road	740	90A	Flynn Road
Ring Road	740	90B	Flynn Road
Ring Road	60	1	Fox Lane
Ring Road	60	2	Fox Lane
Ring Road	80	3	Fox Lane
Ring Road	100	4	Fox Lane
Ring Road	100	5	Fox Lane
Ring Road	140	6	Fox Lane
Ring Road	120	7	Fox Lane
Ring Road	160	8	Fox Lane

Project link	Nearest chainage	Number	Street name
Ring Road	40	1A	Fox Lane
Ring Road	200	3	Fox Street
Ring Road	260	4	Fox Street
Ring Road	200	5	Fox Street
Ring Road	200	7	Fox Street
Ring Road	160	11	Fox Street
Ring Road	140	13	Fox Street
Ring Road	200	15	Fox Street
Ring Road	200	17	Fox Street
Ring Road	140	19	Fox Street
Ring Road	140/200	42	Fox Street
Ring Road	140	62	Fox Street
Ring Road	120	64	Fox Street
Ring Road	100	66	Fox Street
Ring Road	80	72	Fox Street
Ring Road	80	74	Fox Street
Ring Road	20	82	Fox Street
Ring Road	20	86	Fox Street
Ring Road	0	94	Fox Street
Ring Road	120	64A	Fox Street
Ring Road	60	74A	Fox Street
Ring Road	40	78A	Fox Street
Ring Road	40	78B	Fox Street
Ring Road	180	7A	Fox Street
North-South Major Arterial	4860	84	Hall Road
North-South Major Arterial	4760	92	Hall Road
North-South Major Arterial	4640	104	Hall Road
North-South Major Arterial	4340	140	Hall Road
East-West Minor Arterial	4200	143	Hall Road
North-South Major Arterial	4200	146	Hall Road
Dixon/Ohaupo	4140	148	Hall Road
Dixon/Ohaupo		20	Homestead Place

Project link	Nearest chainage	Number	Street name
Dixon/Ohaupo		22	Homestead Place
Dixon/Ohaupo		24	Homestead Place
Dixon/Ohaupo		22A	Homestead Place
Dixon/Ohaupo		24A	Homestead Place
Dixon/Ohaupo		26A	Homestead Place
Dixon/Ohaupo		26B	Homestead Place
Ring Road	880	103	Howell Avenue
Ring Road	880	107	Howell Avenue
Ring Road	880	109	Howell Avenue
Ring Road	880	111	Howell Avenue
Ring Road	840	113	Howell Avenue
Ring Road	860	115	Howell Avenue
Ring Road	880	101B	Howell Avenue
Ring Road	900	99A	Howell Avenue
Ring Road	900	99B	Howell Avenue
Ring Road	60	18	Hungerford Crescent
North-South	2500	1	McEwan Place
North-South	2540	2	McEwan Place
North-South	2500	3	McEwan Place
North-South	2540	4	McEwan Place
North-South	2520	5	McEwan Place
North-South	2540	6	McEwan Place
North-South	2480	7	McEwan Place
North-South	2540	8	McEwan Place
North-South	2500	9	McEwan Place
North-South	2560	10	McEwan Place
North-South	2520	11	McEwan Place
North-South	2580	12	McEwan Place
North-South	2600	14	McEwan Place
North-South	2580	16	McEwan Place
North-South	2560	18	McEwan Place
North-South	2540	20	McEwan Place
North-South	2500	5A	McEwan Place
Cobham Drive	1400	33	Montgomery Crescent

Project link	Nearest chainage	Number	Street name
Cobham Drive	1420	35	Montgomery Crescent
Cobham Drive	1540	36	Montgomery Crescent
Cobham Drive	1440	37	Montgomery Crescent
Cobham Drive	1560	38	Montgomery Crescent
Cobham Drive	1460	39	Montgomery Crescent
Cobham Drive	1560	40	Montgomery Crescent
Cobham Drive	1460	41	Montgomery Crescent
Cobham Drive	1580	42	Montgomery Crescent
Cobham Drive	1480	43	Montgomery Crescent
Cobham Drive	1580	44	Montgomery Crescent
Cobham Drive	1500	45	Montgomery Crescent
Cobham Drive	1600	46	Montgomery Crescent
Cobham Drive	1520	47	Montgomery Crescent
Cobham Drive	1620	48	Montgomery Crescent
Cobham Drive	1520	49	Montgomery Crescent
Cobham Drive	1640	50	Montgomery Crescent
Cobham Drive	1680	52	Montgomery Crescent
Cobham Drive	1700	54	Montgomery Crescent
Cobham Drive	1720	56	Montgomery Crescent
Cobham Drive	1760	58	Montgomery Crescent
Cobham Drive	1780	60	Montgomery Crescent
HCC Major Arterial – Cobham Connection	1620	61	Montgomery Crescent
HCC Major Arterial – Cobham Connection	1640	63	Montgomery Crescent
HCC Major Arterial – Cobham Connection	1640	65	Montgomery Crescent
HCC Major Arterial – Cobham Connection	1660	67	Montgomery Crescent
HCC Major Arterial – Cobham Connection	1680	69	Montgomery Crescent
HCC Major Arterial – Cobham Connection	1700	71	Montgomery Crescent
HCC Major Arterial – Cobham Connection	1720	73	Montgomery Crescent
HCC Major Arterial – Cobham Connection	1740	75	Montgomery Crescent
HCC Major Arterial – Cobham Connection	1780	77	Montgomery Crescent
HCC Major Arterial – Cobham Connection	1780	79	Montgomery Crescent

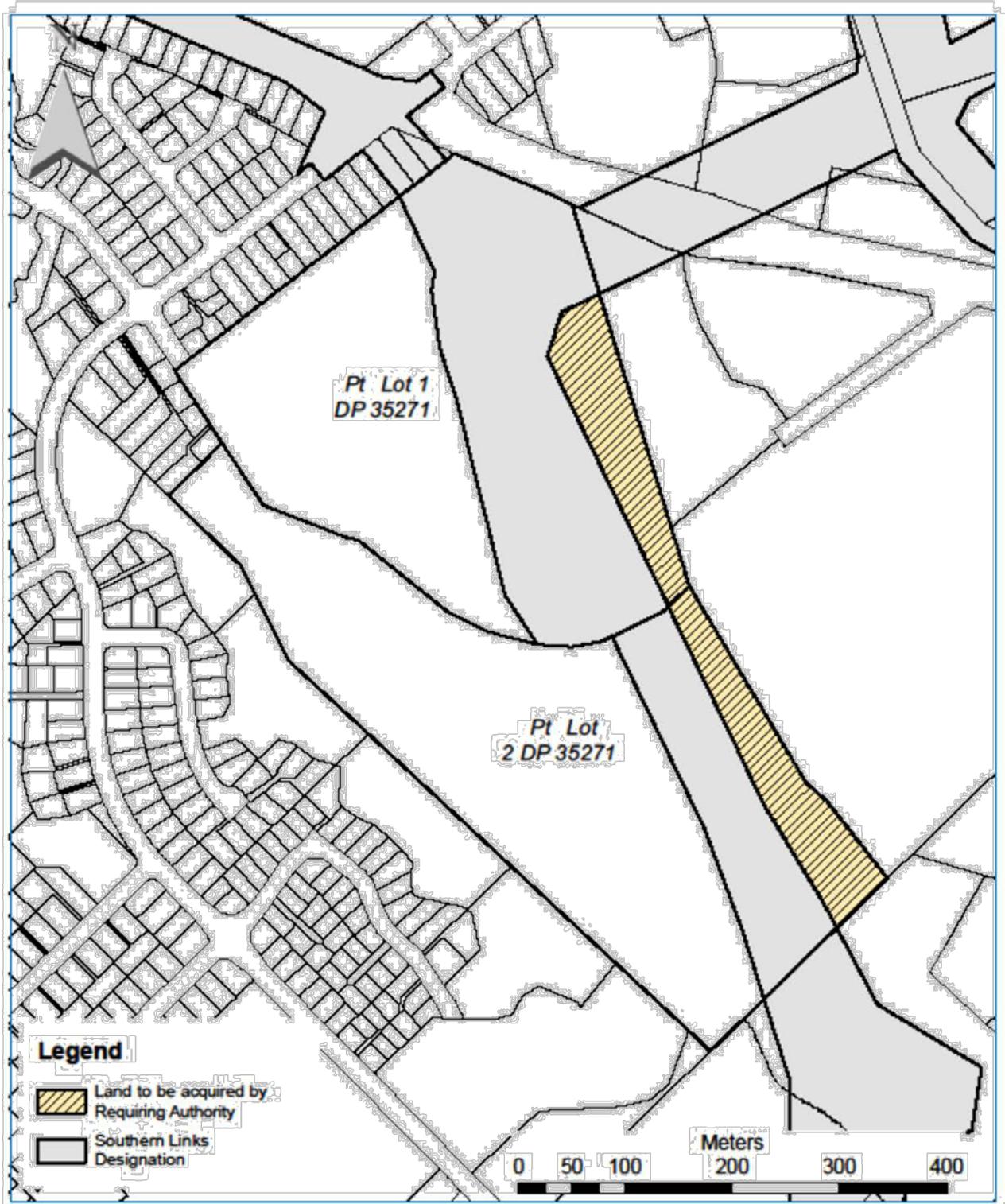
Project link	Nearest chainage	Number	Street name
HCC Major Arterial – Cobham Connection	1920	83	Montgomery Crescent
HCC Major Arterial – Cobham Connection	1940	85	Montgomery Crescent
HCC Major Arterial – Cobham Connection	1980	91	Montgomery Crescent
Ring Road	-60	93	Naylor Street
Ring Road	-40	97	Naylor Street
Ring Road	-40	99	Naylor Street
Ring Road	-20	108	Naylor Street
Ring Road	0	112	Naylor Street
Ring Road	0	114	Naylor Street
Ring Road	0	116	Naylor Street
Ring Road	20	112A	Naylor Street
Ring Road	-80	99A	Naylor Street
Ring Road	-60	99B	Naylor Street
North-South	2100	3	Norrie Street
North-South	2140	11	Norrie Street
North-South	2120	11A	Norrie Street
Dixon/Ohaupo		295	Ohaupo Road
Dixon/Ohaupo		299	Ohaupo Road
Dixon/Ohaupo		301	Ohaupo Road
Dixon/Ohaupo		354	Ohaupo Road
Dixon/Ohaupo		356	Ohaupo Road
Dixon/Ohaupo		358	Ohaupo Road
Dixon/Ohaupo		364	Ohaupo Road
Dixon/Ohaupo		1/350	Ohaupo Road
Dixon/Ohaupo		1/366	Ohaupo Road
Dixon/Ohaupo		2/350	Ohaupo Road
Dixon/Ohaupo		2/366	Ohaupo Road
Dixon/Ohaupo		293A	Ohaupo Road
Dixon/Ohaupo		293B	Ohaupo Road
Dixon/Ohaupo		295B	Ohaupo Road
Dixon/Ohaupo		297A	Ohaupo Road
Dixon/Ohaupo		297B	Ohaupo Road
Dixon/Ohaupo		3/350	Ohaupo Road

Project link	Nearest chainage	Number	Street name
Dixon/Ohaupo		3/366	Ohaupo Road
Dixon/Ohaupo		366A	Ohaupo Road
Dixon/Ohaupo		366B	Ohaupo Road
Dixon/Ohaupo		4/350	Ohaupo Road
Dixon/Ohaupo		4/366	Ohaupo Road
North-South	2020	89	Peacockes Lane
North-South	3740	111	Peacockes Lane
North-South	3760	112	Peacockes Lane
North-South	2600	87	Peacockes Road
North-South	2720	88	Peacockes Road
North-South	2600	89	Peacockes Road
North-South	2700	90	Peacockes Road
North-South	2600	91	Peacockes Road
North-South	2600	93	Peacockes Road
North-South	2600	95	Peacockes Road
North-South	2700	96	Peacockes Road
North-South	2600	97	Peacockes Road
North-South	2700	98	Peacockes Road
North-South	2640	99	Peacockes Road
North-South	2700	100	Peacockes Road
North-South	2700	102	Peacockes Road
North-South	2680	104	Peacockes Road
North-South	2680	108	Peacockes Road
North-South	2680	110	Peacockes Road
North-South	2680	112	Peacockes Road
North-South	2680	114	Peacockes Road
North-South	2680	128	Peacockes Road
North-South	2680	130	Peacockes Road
North-South	2680	132	Peacockes Road
North-South	2640	133	Peacockes Road
North-South	2700	134	Peacockes Road
North-South	2720/1900	138	Peacockes Road
North-South	2700/1760	214	Peacockes Road
North-South	1460	229	Peacockes Road

Project link	Nearest chainage	Number	Street name
North-South	1480	245	Peacockes Road
North-South	1540/140	261	Peacockes Road
North-South	1700/180	266	Peacockes Road
North-South	1580/240	269	Peacockes Road
North-South	1000	337	Peacockes Road
North-South	980	354	Peacockes Road
North-South	1040	361	Peacockes Road
North-South	1260	378	Peacockes Road
North-South	4600	440	Peacockes Road
North-South	2240	442	Peacockes Road
North-South	5840	634	Peacockes Road
North-South	5920	635	Peacockes Road
North-South	5900	645	Peacockes Road
North-South	5900	690	Peacockes Road
North-South	1880	274A	Peacockes Road
North-South	1940	274B	Peacockes Road
North-South	1060	362A	Peacockes Road
North-South	1160	362B	Peacockes Road
North-South	6140	4/625	Peacockes Road
North-South	6060	5/625	Peacockes Road
North-South	2740	82A	Peacockes Road
North-South	2740	82B	Peacockes Road
North-South	2740	82C	Peacockes Road
North-South	2700	84A	Peacockes Road
North-South	2720	84B	Peacockes Road
North-South	2700	86A	Peacockes Road
North-South	2720	86B	Peacockes Road
North-South	2720	90A	Peacockes Road
North-South	2700	94A	Peacockes Road
North-South	2720	94B	Peacockes Road
North-South	2720	96A	Peacockes Road
North-South	2760	4	Plateau Drive
North-South	2780	6	Plateau Drive
North-South	2820	8	Plateau Drive

Project link	Nearest chainage	Number	Street name
North-South	2860	12	Plateau Drive
North-South	2700	1A	Plateau Drive
North-South	2740	1B	Plateau Drive
HCC Major Arterial – Cobham Connection	2480	10	Riley Place
HCC Major Arterial – Cobham Connection	2460	12	Riley Place
HCC Major Arterial – Cobham Connection	2460	14	Riley Place
HCC Major Arterial – Cobham Connection	2420	16	Riley Place
HCC Major Arterial – Cobham Connection	2380	17	Riley Place
HCC Major Arterial – Cobham Connection	2440	18	Riley Place
HCC Major Arterial – Cobham Connection	2380	19	Riley Place
HCC Major Arterial – Cobham Connection	2460	20	Riley Place
HCC Major Arterial – Cobham Connection	2380	21	Riley Place
HCC Major Arterial – Cobham Connection	2440	22	Riley Place
HCC Major Arterial – Cobham Connection	2340	23	Riley Place
HCC Major Arterial – Cobham Connection	2420	24	Riley Place
HCC Major Arterial – Cobham Connection	2360	25	Riley Place
HCC Major Arterial – Cobham Connection	2380	27	Riley Place
HCC Major Arterial – Cobham Connection	2400	29	Riley Place
HCC Major Arterial – Cobham Connection	2400	15A	Riley Place
HCC Major Arterial – Cobham Connection	1720	43	Slim Street
HCC Major Arterial – Cobham Connection	1740	45	Slim Street
Ring Road	2640	1	Waiora Terrace
Ring Road	1320	36	Weston Lea Drive
Ring Road	1380	46	Weston Lea Drive
Ring Road	1340	55	Weston Lea Drive
Ring Road	1420	62	Weston Lea Drive
Ring Road	540	70	Weston Lea Drive
Ring Road	600	71	Weston Lea Drive

Project link	Nearest chainage	Number	Street name
Ring Road	680	84	Weston Lea Drive
HCC Major Arterial – Cobham Connection	1800	1	Wingate Street
HCC Major Arterial – Cobham Connection	1820	2	Wingate Street
HCC Major Arterial – Cobham Connection	1820	3	Wingate Street
HCC Major Arterial – Cobham Connection	1900	4	Wingate Street
HCC Major Arterial – Cobham Connection	1840	5	Wingate Street
HCC Major Arterial – Cobham Connection	1940	6	Wingate Street
HCC Major Arterial – Cobham Connection	1860	7	Wingate Street
HCC Major Arterial – Cobham Connection	1980	8	Wingate Street
HCC Major Arterial – Cobham Connection	1900	9	Wingate Street
HCC Major Arterial – Cobham Connection	1980	10	Wingate Street
HCC Major Arterial – Cobham Connection	1920	11	Wingate Street
HCC Major Arterial – Cobham Connection	2000	12	Wingate Street
HCC Major Arterial – Cobham Connection	1960	13	Wingate Street
HCC Major Arterial – Cobham Connection	1980	15	Wingate Street
HCC Major Arterial – Cobham Connection	2020	10A	Wingate Street
HCC Major Arterial – Cobham Connection	2000	15A	Wingate Street
HCC Major Arterial – Cobham Connection	1800	1A	Wingate Street
HCC Major Arterial – Cobham Connection	1980	4A	Wingate Street



Annexure 2 Land to be acquired (Condition 3.22 and 3.23)

**WAIKATO REGIONAL COUNCIL
WAIKATO DISTRICT COUNCIL
WAIPA DISTRICT COUNCIL
and
HAMILTON CITY COUNCIL**

**Notices of Requirement and
Application for Resource Consents
in respect of
Southern Links**

**Requiring Authorities
NZ Transport Agency and Hamilton City Council**

**Resource Consent Applicants
NZ Transport Agency and Hamilton City Council**

Volume 8

**HCC APPLICATION FOR RESOURCE CONSENT
(Gardens Bridge)
DECISION
OF HEARINGS COMMISSIONERS**

24th October, 2014

**Phil Mitchell
Consultant
AUCKLAND**

**Doug Arcus
Barrister
HAMILTON**

**David Hill
Independent Hearings
Commissioner
AUCKLAND**

**Shane Solomon
Consultant
TAUPIRI**

**Waikato Regional Council
Decision
Consent Application 127680.01.01**

Having had regard to the provisions of the Resource Management Act 1991; and

Having considered the effects on the environment; and

Having considered the submissions and evidence of the Applicants in respect of the proposal now before us, the submissions lodged in respect of that application, and the evidence tendered in support of those submissions, and the reports provided under RMA s42A; and

Acting under a delegation from Waikato Regional Council to hear and determine the applications; and

For the reasons set out in the Hearing Report contained in Volume 1 which is the basis for, and forms part of this decision; and

Making a broad overall judgement; and

Pursuant to Sections 104, 104B, 105, 107 and 108 of the Resource Management Act, 1991,

The **Waikato Regional Council** (as consent authority) **grants consent** to the application by the **Hamilton City Council** for the following **Resource Consents** subject in each case to the consent conditions set out in the respective schedules thereto.

DATED this 24th day of October, 2014



.....
C. D. Arcus
Joint Hearings Commissioner
Chairman



.....
P H Mitchell
Hearings Commissioner
Chair of Waikato Regional Council Hearings Panel

Resource Consent Conditions (consent application 127680.01.01)**General**

1. The Waikato River Bridge east of Hamilton Gardens authorised by this resource consent shall be designed, located and constructed in general accordance with the document entitled "*Hamilton Southern Links - Waikato Regional Council Resource Consent Applications – Bridge Structures*", prepared by AECOM dated 7 August 2013, and all supporting documentation except where otherwise required in the resource consent conditions below. Where there is any discrepancy between the application documents and the resource consent conditions then the conditions below shall prevail.
2. The consent holder shall appoint a representative prior to commencement of any works authorised by this resource consent, who shall be the Waikato Regional Council's principal contact person in regard to matters relating to this consent. The consent holder shall inform the Waikato Regional Council of the representative's name and how they can be contacted prior to this consent being exercised.
3. The consent holder shall be responsible for all contracted operations relating to the exercise of this resource consent, and shall ensure contractors are made aware of the conditions of this consent and ensure compliance with those conditions.
4. The consent holder shall inform the Waikato Regional Council in writing, at least 10 days prior to any work commencing, of the start date of the works authorised by this resource consent.
5. A copy of this resource consent shall be kept onsite at all times that the works authorised by this consent are being undertaken, and shall be produced without unreasonable delay upon request from a servant or agent of the Waikato Regional Council.

Design

6. The consent holder shall retain an appropriately qualified and experienced professional to develop the final detailed design of the bridge, which shall include pier location, height of the bridge above maximum water levels and erosion protection works.
7. The final detailed design of the bridge shall be forwarded for approval to the Waikato Regional Council - acting in a technical certification capacity, at least 40 working days prior to works commencing. The basis for the Regional Council's approval shall be limited to an assessment of whether the design, if complied with, will satisfy the conditions of this consent.
8. The consent holder shall exercise this consent in accordance with the design approved under condition 7 of this consent.
9. The consent holder shall ensure that unimpeded access is maintained along the Waikato River outside working hours except through areas where the safety of the public would be endangered as a result of the works.
10. The consent holder shall ensure that the bridge structure authorised by this consent is undertaken in such a manner so as to avoid increasing flooding effects on adjacent and downstream land.
11. The consent holder shall be held responsible for maintaining the bridge structure clear of debris and other obstructions through the full term of this consent.

Water Quality

12. Construction works on the bridge structure shall not commence until approval to the final detailed design has been approved under condition 7.
13. The consent holder shall provide the Waikato Regional Council with a finalised **Erosion and Sediment Control Plan** (ESCP), at least 40 working days prior to the commencement of activities authorised by this consent. The objective of the ESCP shall be to minimise sediment discharge from the site to the extent practicable over the earthworks period.
14. The consent holder shall ensure that sediment losses to natural water arising from the exercise of this resource consent are minimised during the duration of the works and during the term of this consent.

15. The consent holder shall ensure that all erosion and sediment controls are inspected and in good working order prior to, and immediately after rain events. The consent holder shall further ensure that all erosion and sediment controls are maintained such that optimal sediment capture efficiency is achieved at all times.
16. All construction, operation and maintenance works shall be executed in a manner which minimises disturbance of soil surfaces and vegetation.
17. All disturbed soil surfaces that result from the construction and installation of the permanent bridge structure shall be stabilised immediately on completion of the works.
18. No excess vegetative material or soil disturbed as the result of the exercise of this consent shall be left on the banks of the Waikato River.
19. The consent holder shall ensure that all clean water run-off from stabilised surfaces including catchment areas above and around the site shall be diverted away from the earthworks area via a stabilised diversion system. The consent holder shall also ensure the outfall(s) of these systems incorporate adequate protection against erosion.
20. Any future protection and/or erosion control works or associated maintenance that becomes necessary as a result of the exercise of this consent shall be the responsibility of the consent holder and shall be carried out to the satisfaction of the Waikato Regional Council.

Advice Note: A separate resource consent may be required as a result of the need to undertake erosion control works. Any such consent shall be obtained by the consent holder at their sole expense prior to any works being undertaken.

21. The discharge of untreated surface runoff from any area where soil has been disturbed as a result of the exercise of this resource consent shall only occur after consultation and the prior written approval of the Waikato Regional Council acting in a technical certification capacity. In this regard, the main issues that will be considered by the Waikato Regional Council include:
 - a. The quality of the stabilisation and/or covering vegetation;
 - b. The quality of the water discharged from the rehabilitated land; and
 - c. The quality of the receiving water.
22. All earthmoving machinery, pumps and generators shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any surface water such that any spillage can be contained and does not enter any surface water.
23. Prior to entering the site all machinery shall be appropriately cleaned and inspected to minimise foreign plant species being introduced to the site.
24. Stormwater from the completed bridge deck shall be directed to the river bank and discharged beyond the abutments in a manner that does not cause bank or abutment erosion.
25. The consent holder shall ensure that the bridge is constructed in a manner that avoids the deposition of construction materials into the Waikato River channel under normal conditions, taken as low winter flow of RL 11.39m.

Ecological Restoration and Mitigation

26. The consent holder shall retain an appropriately qualified and experienced ecologist to prepare a detailed **Ecological Restoration and Mitigation Plan (ERMP)** or version thereof. The ERMP's objective shall be to avoid, remedy, or mitigate adverse ecological effects associated with the bridge construction on flora and fauna habitats, and in particular long-tailed bats. The ERMP shall be submitted to the Waikato Regional Council for written approval prior to commencement of the construction activities authorised by this resource consent.

Cultural and Archaeological

27. The consent holder shall ensure that the exercise of this resource consent does not disturb sites of cultural significance to Tangata Whenua. In the event of any archaeological artefacts being discovered the works shall, in the vicinity of the discovery, cease immediately and the Waikato Regional Council shall be notified within 24 hours. Works may recommence on the written approval of the Waikato Regional Council after considering:

- a. Tangata Whenua interests and values;
- b. Protocols agreed upon by Tangata Whenua and the consent holder;
- c. The consent holders interests;
- d. Any Heritage New Zealand authorisations; and
- e. Any archaeological or scientific evidence.

Review

28. The Waikato Regional Council may at any time two months either side of January of 2020, 2025, 2030, 2035, 2040 and 2045, serve notice on the consent holder under section 128(1) of the Resource Management Act (1991), and commence a review of the conditions of this resource consent for the following purposes:
- a. to review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions; or
 - b. if necessary and appropriate, to require the holder of this resource consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment due to the discharge of stormwater to surface water; or
 - c. to review the adequacy of and the necessity for monitoring undertaken by the consent holder, and if necessary, to amend and/or introduce new conditions to monitor any adverse effects on the environment that result from the exercise of this resource;

Advice Note: *Costs associated with any review of the conditions of this resource consent will be recovered from the consent holder in accordance with the provisions of section 36 of the Resource Management Act 1991.*

Administration

29. The consent holder shall pay to the Waikato Regional Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act 1991.

Lapse Period

30. In accordance with section 125 RMA, this resource consent shall lapse twenty (20) years after the date on which it was granted unless it has been given effect to before the end of that period.

Advice Notes

1. Where a resource consent has been issued in relation to any type of construction (e.g. dam, bridge, jetty) this consent does not constitute authority to build and it may be necessary to apply for a Building Consent from the relevant territorial authority.
2. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
3. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA).
4. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
5. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
6. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
7. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.

**WAIKATO REGIONAL COUNCIL
WAIKATO DISTRICT COUNCIL
WAIPA DISTRICT COUNCIL
and
HAMILTON CITY COUNCIL**

**Notices of Requirement and
Application for Resource Consents
in respect of
Southern Links**

**Requiring Authorities
NZ Transport Agency and Hamilton City Council**

**Resource Consent Applicants
NZ Transport Agency and Hamilton City Council**

Volume 9

**HCC APPLICATION FOR RESOURCE CONSENT
(Mangakotukutuku Bridge)
DECISION
OF HEARINGS COMMISSIONERS**

24th October, 2014

**Phil Mitchell
Consultant
AUCKLAND**

**Doug Arcus
Barrister
HAMILTON**

**David Hill
Independent Hearings
Commissioner
AUCKLAND**

**Shane Solomon
Consultant
TAUPIRI**

**Waikato Regional Council
Decision
Consent Application 127680.02.01**

Having had regard to the provisions of the Resource Management Act 1991; and

Having considered the effects on the environment; and

Having considered the submissions and evidence of the Applicants in respect of the proposal now before us, the submissions lodged in respect of that application, and the evidence tendered in support of those submissions, and the reports provided under RMA s42A; and

Acting under a delegation from Waikato Regional Council to hear and determine the applications; and

For the reasons set out in the Hearing Report contained in Volume 1 which is the basis for, and forms part of this decision; and

Making a broad overall judgement; and

Pursuant to Sections 104, 104B, 105, 107 and 108 of the Resource Management Act, 1991,

The **Waikato Regional Council** (as consent authority) **grants consent** to the application by the **Hamilton City Council** for the following **Resource Consents** subject in each case to the consent conditions set out in the respective schedules thereto.

DATED this 24th day of October, 2014



.....
C. D. Arcus
Joint Hearings Commissioner
Chairman



.....
P H Mitchell
Hearings Commissioner
Chair of Waikato Regional Council Hearings Panel

Resource Consent Conditions (consent application 127680.02.01)**General**

1. The Gully Bridge (3A) over the Mangakotukutuku Stream authorised by this resource consent shall be designed, located and constructed in general accordance with the document entitled "*Hamilton Southern Links - Waikato Regional Council Resource Consent Applications – Bridge Structures*", prepared by AECOM dated 7 August 2013, and all supporting documentation except where otherwise required in the resource consent conditions below. Where there is any discrepancy between the application documents and the resource consent conditions then the conditions below shall prevail.
2. The consent holder shall appoint a representative prior to commencement of any works authorised by this resource consent, who shall be the Waikato Regional Council's principal contact person in regard to matters relating to this consent. The consent holder shall inform the Waikato Regional Council of the representative's name and how they can be contacted prior to this consent being exercised.
3. The consent holder shall be responsible for all contracted operations relating to the exercise of this resource consent, and shall ensure contractors are made aware of the conditions of this consent and ensure compliance with those conditions.
4. The consent holder shall inform the Waikato Regional Council in writing, at least 10 days prior to any work commencing, of the start date of the works authorised by this resource consent.
5. A copy of this resource consent shall be kept onsite at all times that the works authorised by this consent are being undertaken, and shall be produced without unreasonable delay upon request from a servant or agent of the Waikato Regional Council.

Design

6. The consent holder shall retain an appropriately qualified and experienced professional to develop the final detailed design of the bridge, which shall include pier location, height of the bridge above maximum water levels and erosion protection works.
7. The final detailed design of the bridge shall be forwarded for approval to the Waikato Regional Council - acting in a technical certification capacity, at least 40 working days prior to works commencing. The basis for the Regional Council's approval shall be limited to an assessment of whether the design, if complied with, will satisfy the conditions of this consent.
8. The consent holder shall exercise this consent in accordance with the design approved under condition 7 of this consent.
9. The consent holder shall ensure that unimpeded access is maintained along the Waikato River outside working hours except through areas where the safety of the public would be endangered as a result of the works.
10. The consent holder shall ensure that the bridge structure authorised by this consent is undertaken in such a manner so as to avoid increasing flooding effects on adjacent and downstream land.
11. The consent holder shall be held responsible for maintaining the bridge structure clear of debris and other obstructions through the full term of this consent.

Water Quality

12. Construction works on the bridge structure shall not commence until approval to the final detailed design has been approved under condition 7.

13. The consent holder shall provide the Waikato Regional Council with a finalised **Erosion and Sediment Control Plan (ESCP)**, at least 40 working days prior to the commencement of activities authorised by this consent. The objective of the ESCP shall be to minimise sediment discharge from the site to the extent practicable over the earthworks period.
 14. The consent holder shall ensure that sediment losses to natural water arising from the exercise of this resource consent are minimised during the duration of the works and during the term of this consent.
 15. The consent holder shall ensure that all erosion and sediment controls are inspected and in good working order prior to, and immediately after rain events. The consent holder shall further ensure that all erosion and sediment controls are maintained such that optimal sediment capture efficiency is achieved at all times.
 16. All construction, operation and maintenance works shall be executed in a manner which minimises disturbance of soil surfaces and vegetation.
 17. All disturbed soil surfaces that result from the construction and installation of the permanent bridge structure shall be stabilised immediately on completion of the works.
 18. No excess vegetative material or soil disturbed as the result of the exercise of this consent shall be left on the banks of the Mangakotukutuku Stream.
 19. The consent holder shall ensure that all clean water run-off from stabilised surfaces including catchment areas above and around the site shall be diverted away from the earthworks area via a stabilised diversion system. The consent holder shall also ensure the outfall(s) of these systems incorporate adequate protection against erosion.
 20. Any future protection and/or erosion control works or associated maintenance that becomes necessary as a result of the exercise of this consent shall be the responsibility of the consent holder and shall be carried out to the satisfaction of the Waikato Regional Council.
- Advice Note:** *A separate resource consent may be required as a result of the need to undertake erosion control works. Any such consent shall be obtained by the consent holder at their sole expense prior to any works being undertaken.*
21. The discharge of untreated surface runoff from any area where soil has been disturbed as a result of the exercise of this resource consent shall only occur after consultation and the prior written approval of the Waikato Regional Council acting in a technical certification capacity. In this regard, the main issues that will be considered by the Waikato Regional Council include:
 - a. The quality of the stabilisation and/or covering vegetation;
 - b. The quality of the water discharged from the rehabilitated land; and
 - c. The quality of the receiving water.
 22. All earthmoving machinery, pumps and generators shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any surface water such that any spillage can be contained and does not enter any surface water.
 23. Prior to entering the site all machinery shall be appropriately cleaned and inspected to minimise foreign plant species being introduced to the site.
 24. Stormwater from the completed bridge deck shall be directed to the river bank and discharged beyond the abutments in a manner that does not cause bank or abutment erosion.

25. The consent holder shall ensure that the bridge is constructed in a manner that avoids the deposition of construction materials into the Mangakotukutuku Stream channel under normal conditions, taken as low winter flow of RL 11.39m.

Ecological Restoration and Mitigation

26. The consent holder shall retain an appropriately qualified and experienced ecologist to prepare a detailed **Ecological Restoration and Mitigation Plan (ERMP)** or version thereof. The EMRP's objective shall be to avoid, remedy, or mitigate adverse ecological effects associated with the bridge construction on flora and fauna habitats, and in particular long-tailed bats. The EMRP shall be submitted to the Waikato Regional Council for written approval prior to commencement of the construction activities authorised by this resource consent.

Cultural and Archaeological

27. The consent holder shall ensure that the exercise of this resource consent does not disturb sites of cultural significance to Tangata Whenua. In the event of any archaeological artefacts being discovered the works shall, in the vicinity of the discovery, cease immediately and the Waikato Regional Council shall be notified within 24 hours. Works may recommence on the written approval of the Waikato Regional Council after considering:
- Tangata Whenua interests and values;
 - Protocols agreed upon by Tangata Whenua and the consent holder;
 - The consent holders interests;
 - Any heritage New Zealand authorisations; and
 - Any archaeological or scientific evidence.

Review

28. The Waikato Regional Council may at any time two months either side of January of 2020, 2025, 2030, 2035, 2040 and 2045, serve notice on the consent holder under section 128(1) of the Resource Management Act (1991), and commence a review of the conditions of this resource consent for the following purposes:
- to review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions; or
 - if necessary and appropriate, to require the holder of this resource consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment due to the discharge of stormwater to surface water; or
 - to review the adequacy of and the necessity for monitoring undertaken by the consent holder, and if necessary, to amend and/or introduce new conditions to monitor any adverse effects on the environment that result from the exercise of this resource;

Advice Note: *Costs associated with any review of the conditions of this resource consent will be recovered from the consent holder in accordance with the provisions of section 36 of the Resource Management Act 1991.*

Administration

29. The consent holder shall pay to the Waikato Regional Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act 1991.

Lapse Period

30. In accordance with section 125 RMA, this resource consent shall lapse twenty (20) years after the date on which it was granted unless it has been given effect to before the end of that period.

Advice Notes

1. Where a resource consent has been issued in relation to any type of construction (e.g. dam, bridge, jetty) this consent does not constitute authority to build and it may be necessary to apply for a Building Consent from the relevant territorial authority.
2. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
3. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA).
4. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
5. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
6. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
7. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.

Southern Links Investigation Project Objectives

(Source: Southern Links Investigation Assessment of Environmental Effects and Supporting Information, August 2013, and Evidence in Chief – Planning of Grant Eccles, 12 May 2014)

Project Objectives	Comment
Contribute to the objectives of the New Zealand Transport Strategy (NZTS), the Land Transport Management Act 2003, and the Waikato Regional Land Transport Strategy (RLTS).	LTMA assessment of Southern Links shows positive impact against 5 LTMA objectives and is consistent with the Waikato RLTS. (Table 14, Scoping Report).
Contribute to NZTA's, HCC's, Waikato DC's, Waipa DC's and Waikato Regional Council's strategic objectives for integrated land use planning, urban growth and economic development including Future Proof.	Southern Links is consistent with and promoted by Future Proof and has been developed in consultation with these key stakeholders.
Contribute to and support the HCC strategies in particular the Access Hamilton and Hamilton's Urban Growth Strategy.	Southern Links has been developed to support and contribute to the aims of Access Hamilton and the principles of HUGS.
Support economic development for Hamilton and the south/south-western Waikato sub-region, including appropriate provision for accommodating utilities and services within the road corridor.	Southern Links will support these objectives through the development of strong reliable and efficient links between SH1 and the west of Hamilton linking with SH3 and the south-western Waikato sub- region.
Contribute to the objectives of the Waikato Expressway (improve journey time and reliability, ease congestion, improve transport connections for economic growth, access to markets, transport efficiency and road safety).	Southern Links will support the objectives of the Waikato Expressway through the development of strong reliable and efficient links between SH1, SH3. Hamilton industrial and commercial areas, and the Waikato.
Develop an appropriate road hierarchy in the sub-region.	Southern Links meets this project objective by establishing a road hierarchy based on strategic objectives and supports the demand generated by sub-region, and is consistent with the strategies of both HCC and NZTA.
Improve options for public transport, walking/cycling and demand management, both within the City, and the District Council areas adjoining the City. The Project is to specifically provide for cyclists and pedestrians, options for passenger transport priority, and not preclude rail links to the airport.	This project objective is achieved through the allocation and reallocation of strategic traffic onto defined routes, thereby allowing for opportunities to improve options for public transport, walking/cycling and demand management on local routes.
Improve amenity and safety through reduced conflict and crash potential along the existing SH1, SH3, SH21, existing key arterial and collector routes within the city, and key local roads.	Southern Links meets this project objective through creating alternative routes which redistributes long distance and heavy vehicle traffic responsible for the negative impacts, creating a more consistent vehicle class along these routes. The result is an opportunity to create safer corridors more suitable for local journeys, PT, walking and cycling.
Improve the residential, industrial and retail environment within Hamilton City, in particular Hillcrest, Melville and Hamilton East, in accordance with the principles of good urban design.	Southern Links meets this project objective through creating alternative routes which redistributes long distance and heavy vehicle traffic responsible for the negative impacts, creating a more consistent vehicle class along these routes. The result is an opportunity to create an environment which better accommodates for the local needs.
Minimize and mitigate adverse environmental, cultural and social effects.	The Southern Links network will be assessed under the RMA and contribute towards the LTMA objectives, both of which require minimisation of environmental effects.
Protect the long-term function of the State Highway and the key arterial or collector road networks.	Southern Links meets this project objective.

HCC Project Objectives	Comment
Facilitate the achievement of HCC's strategic objectives for integrated land use planning, urban growth, infrastructure provision and economic development.	<p>HCC's strategic objectives in this regard are set out in the Access Hamilton Strategy and the Hamilton Urban Growth Strategy (HUGS). HUGS sets out Hamilton City Council's spatial vision for Hamilton City and represents the city's approach to growth management over the next 10-20 years. It was developed in parallel with the Future Proof strategy and as a result there is significant alignment between the two strategies, with HUGS providing a more localised interpretation of the Future Proof principles.</p> <p>The key features of HUGS of relevance to Southern Links are:</p> <ul style="list-style-type: none"> • Accommodation of 50% of projected growth through regeneration of existing areas, focused around existing key nodes including the CBD and transport hubs. • Commitments to the development of the remainder of the Rototuna growth cell in the north of the city, and to Stage 1 of the Peacocke and Rotokauri growth cells. • Prioritising the development of Stage 2 of the Peacocke growth cell in the long term (circa 2023 onward) ahead of the remainder of Rotokauri. The establishment of the city arterials that form part of the Southern Links project are acknowledged as a pre-requisite to the development of Stage 2 of Peacocke. <p>HUGS identifies and reiterates Council's commitment to developing the remainder of Rototuna and Stage 1 of both Peacocke and Rotokauri as its approach to growth. HUGS prioritises the residential growth area of Peacocke in the longer term. It further states that those areas of growth will include greater choice in living environments, for instance, more compact type developments in key areas such as town centres or around parks and open spaces.</p> <p>Access Hamilton 2010-2040 is Hamilton City Council's strategy for managing the city's transport needs over a 30 year horizon. Access Hamilton is a transport strategy that integrates with land use planning and considers all modes of transport, accessibility and mobility for all.</p> <p>Access Hamilton has been translated into 7 Action Plans for implementation. The most relevant of the Action Plans to Southern Links is the Network Action Plan, which aims to "deliver an affordable, integrated, safe, responsive and sustainable transport system that contributes to Hamilton's strategic objectives".</p> <p>The Network Action Plan presents four objectives relating to land use planning and management, multi-modal network, protection and management, and network development.</p> <p>The Network Action Plan identifies the following actions for the future development of the network in Hamilton:</p> <ul style="list-style-type: none"> • Work with NZTA to investigate and implement key infrastructure projects such as the Eastern Arterial, Southern Links, Wairere Drive 4-laning, designation of Te Totara crossing • Develop and protect key connections between the Hamilton Ring Road and the surrounding area • Develop an efficient arterial network in the south to connect the Peacocke development with the existing arterial network <p>Through the other Action Plans, Access Hamilton identifies actions relating to the development of walking and cycling</p>

	<p>facilities, passenger transport, travel demand management that have all had an impact on the form and function of the proposed Southern Links arterials.</p> <p>Designation of the Southern Links network that will extend the Ring Road into Peacocke and allow for the establishment of connections to the existing arterial network at Cobham Drive, both of which will contribute to the development of the Peacocke Growth Area, will positively give effect to HUGS and Access Hamilton and will achieve this project objective.</p>
Protect the Southern Links transport corridor to facilitate the provision of an integrated transport network which supports the future urban development of the Peacocke Structure Plan Area.	Section 176 of the RMA prevents any person undertaking a work within a designation that would prevent or hinder a public work or project or work to which the designation relates without the prior written consent of the requiring authority. Accordingly, designating the Peacocke Arterial Routes will protect the Southern Links transport corridor to allow the arterial roads necessary to support the urban development of Peacocke to be constructed in the future. The designation and work achieves this objective.
Protect the Southern Links transport corridor in the Peacocke Structure Plan Area in light of the risk of build-out along the preferred route.	Section 176 of the RMA prevents any person undertaking a work within a designation that would prevent or hinder a public work or project or work to which the designation relates without the prior written consent of the requiring authority. Accordingly, designating the Peacocke Arterial Routes will protect the routes from build-out in the long term and achieve this project objective.
Provide for growth needs in the south of Hamilton City through the protection of the long-term function of state highway and key arterial, collector and local road networks.	Southern Links creates alternative routes which redistributes long distance and heavy vehicle traffic responsible for the negative impacts, creating a more consistent vehicle class along these routes. The result is an opportunity to create an environment which better accommodates for the local needs. The designation and work achieves this objective.
Provide connectivity between the Peacocke Structure Plan Area and the existing Hamilton City infrastructure network, hospital, airport and state highway network.	The designation of the Southern Links urban arterials in the Peacocke area, in conjunction with the NZ Transport Agency portions of the overall Southern Links network, will allow for connectivity to the areas sought to be provided in the future. The designation and work achieves this objective.
Improve the amenity and safety of key arterial, collector and local road networks in Hamilton City.	Southern Links creates alternative routes which redistributes long distance and heavy vehicle traffic responsible for the negative impacts, creating a more consistent vehicle class along these routes. The result is an opportunity to create safer corridors more suitable for local journeys, Public Transport, walking and cycling. The designation and work achieves this objective.
Provide new transport routes to redistribute freight and regional trips to Hamilton on to appropriate corridors that will relieve congestion and make existing networks operate more efficiently.	The designation of the Southern Links urban arterials in the Peacocke area, in conjunction with the NZ Transport Agency portions of the overall Southern Links network, will allow for the provision of the new routes sought in the future. Southern Links creates alternative routes which redistributes long distance and heavy vehicle traffic responsible for the negative impacts, creating a more consistent vehicle class along these routes. The result is an opportunity to create an environment which better accommodates for the local needs. The designation and work achieves this objective.
Provide opportunities for passenger transport and alternative transport modes which will not preclude the potential development of rail transport in the long term.	The concept design that has informed the extent of the designation allows for alternative transport modes such as walking and cycling, and for passenger transport. The alignment of the routes for which designation are sought does not preclude the provision of rail transport within them in the future. The designation and work achieves this objective.
Improve residential, industrial and retail environments in Hamilton City, in particular in Hillcrest, Melville and Hamilton East through the provision of an integrated transport network which will, in turn, reduce travel trips and demand on existing transport networks.	Southern Links meets this project objective through creating alternative routes which redistributes long distance and heavy vehicle traffic responsible for the negative impacts, creating a more consistent vehicle class along these routes. The result is an opportunity to create an environment which better accommodates for the local needs. The designation and work achieves this objective.

Committee: Finance Committee

Date: 18 February 2016

Report Name: Easement - Vector Limited

Author: Ken Cunningham

Report Status	<i>Open</i>
Strategy, Policy or Plan context	Urban Growth Strategy
Financial status	<i>There is not budget allocated Amount \$Nil</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

- The purpose of this report is to obtain approval for an easement to Vector Limited (Vector) for a gas pipe line located in two Hamilton City Council (Council) Local Purpose Reserves, which are situated between Cumberland Dr and Tuirangi St, Flagstaff.

3. Executive Summary

- Staff became aware that Vector has laid a gas pipeline underground in two Council owned Local Purpose Reserves that has not been legalised.
- Vector has requested approval for an easement over the Local Purpose Reserves.
- The request is to be considered in terms of the Reserves Act 1977, which requires the approval of Council as the administering body and the Minister of Conservation.
- Council has been delegated the Minister of Conservation's power to approve the easement.
- Public consultation is not required as there are no structures above ground.
- Vector is to be responsible for all costs associated with the easement.
- City Transportation, as the Council's administering Unit, has no concerns with an easement.

11. Recommendations from Management

That:

- The report be received;
- Vector Limited is granted an easement for gas supply, covering an area of approximately 60m², over Lot 63 DPS 87863 and Lot 701 DP 468283 subject to the Minister of Conservation approval being obtained;
- Vector Limited be responsible for all costs associated with the easement; and
- The Chief Executive is delegated authority to sign all documentation relating to the easement.

12. Attachments

13. Attachment 1 - Plan indicating location of Local Purpose Reserves.

14. Key Issues

15. Background

- a) Staff became aware of a gas pipeline in two Local Purpose Reserves (Lot 63 DPS 87863 and Lot 701 DP 468283), which connects Tuirangi St with Cumberland Dr, that has not been legalised. Refer Attachment 1 for location of the Local Purpose Reserves.
- b) Lot 701 has an area of approximately 342m² and was vested in Council in May 2014 as Local Purpose (Cycleway) Reserve while Lot 63 has an area of approximately 277m² and was vested in Council in June 2000 as Local Purpose (Access) Reserve.
- c) The Local Purpose Reserves were obtained by Council upon subdivision consents being granted on two different occasions.
- d) Following staff contact Vector has requested an easement over the two Lots to legalise the gas pipeline.
- e) Vector advises its records note Lot 63 as "Legacy network", with pipes installed prior to Vector becoming responsible for the gas network.
- f) In June 2013 a gas pipeline was installed underground by Vector in Lot 701 to allow the distribution of gas to new subdivision areas and replacement of existing pipes in Lot 63.
- g) Vector has been advised that all costs associated with the easement are their responsibility. This will include survey and solicitor's costs.
- h) Council's City Transportation Unit administers the reserves (connection between two roads) and has no concerns with the easement being granted.

16. Easement

- a) The easement encompasses an area of approximately 60m² (1m wide x 60m long).
- b) The depth of the pipes in the ground of Lots 63 and 701 ranges from 0.9m to 1.1m.
- c) Vector has confirmed that the gas network has been laid, tested and commissioned as per Vector Gas Operating Standards and the New Zealand Gas Standard NZS5258:2003.
- d) The easement agreement, to be prepared by Council's solicitors, at Vector's cost will include the following:
 - i. Vector being able to enter the easement area for repairs and maintenance of the gas pipeline.
 - ii. Term to be for perpetuity
 - iii. Vector maintaining the gas pipeline in good order.
 - iv. Council's use of the land not affecting the use of the gas pipeline.

17. Legislative requirements or legal issues

- a) A resolution of Council is required for the easement as landowner, as Council does not have authority to delegate approval to staff in terms of the Reserves Act 1977.
- b) Section 48 of the Reserves Act 1977 applies when granting an easement, as the gas pipeline is laid in land held as Local Purpose Reserves owned by Council.
- c) Section 48 (1) allows for an easement to be granted for “the distribution or transmission by pipeline of natural or manufactured gas...” with the consent of the Minister of Conservation.
- d) The Minister of Conservation approval will be obtained upon the easement being signed.

18. Public Consultation

- a) No Public consultation is required for this request in terms of the Reserves Act 1977.
- b) Section 48 (3) advises that public consultation is not required where:
 - i. “the reserve is vested in the administering body and is not likely to be materially altered or permanently damaged; and
 - ii. The rights of the public in respect of the reserve are not likely to be permanently affected – by the establishment and lawful exercise of the right of way or other easement.”
- c) Vector has confirmed that there are no structures above ground, which enables the public to continue using the area unimpeded and as intended; access between two streets

19. Options (if applicable)

- To approve, or decline, the easement request.

20. Financial and Resourcing Implications

21. Vector will be responsible for all costs associated with the easement process, not Council.

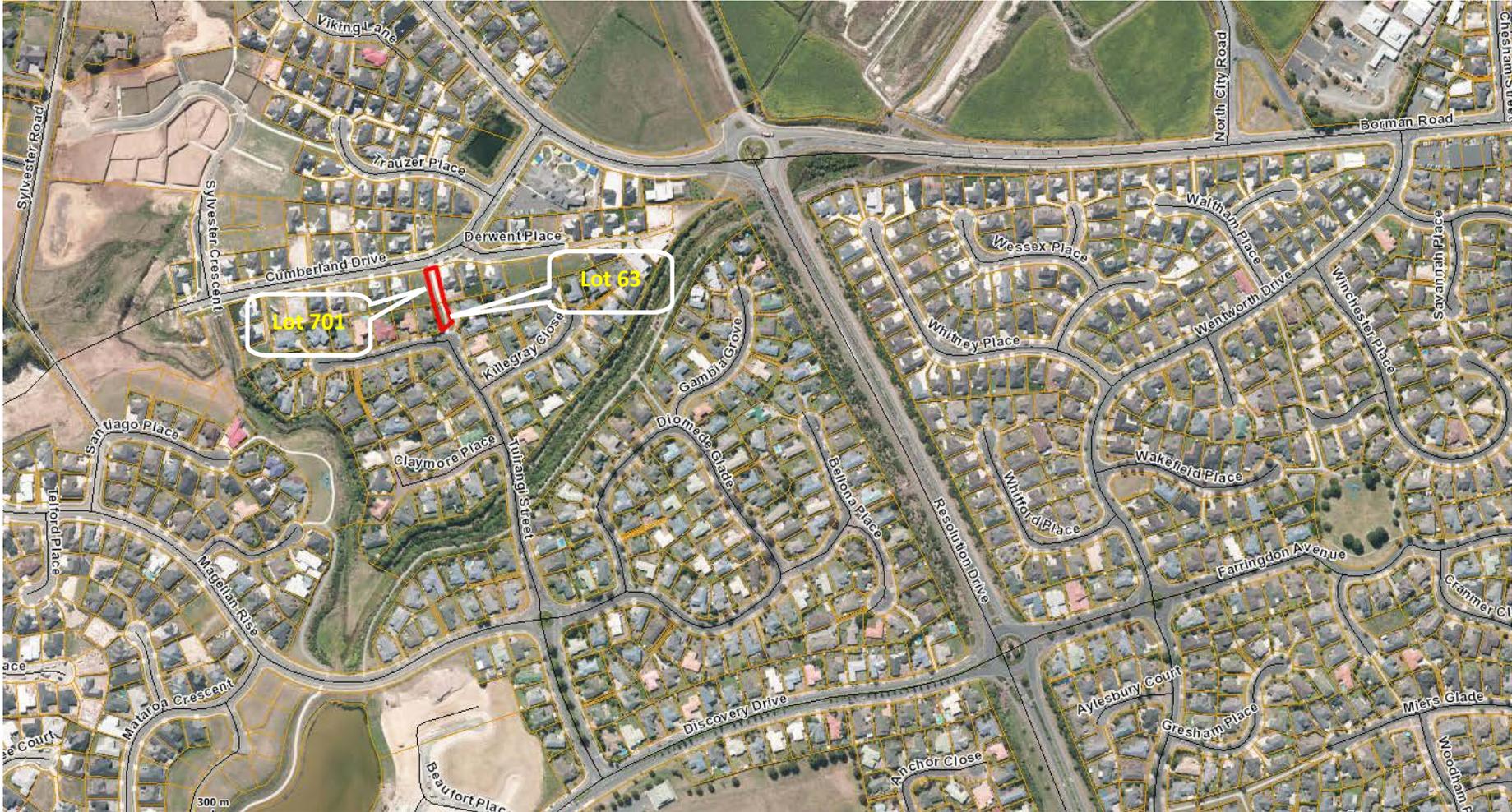
22. Risk

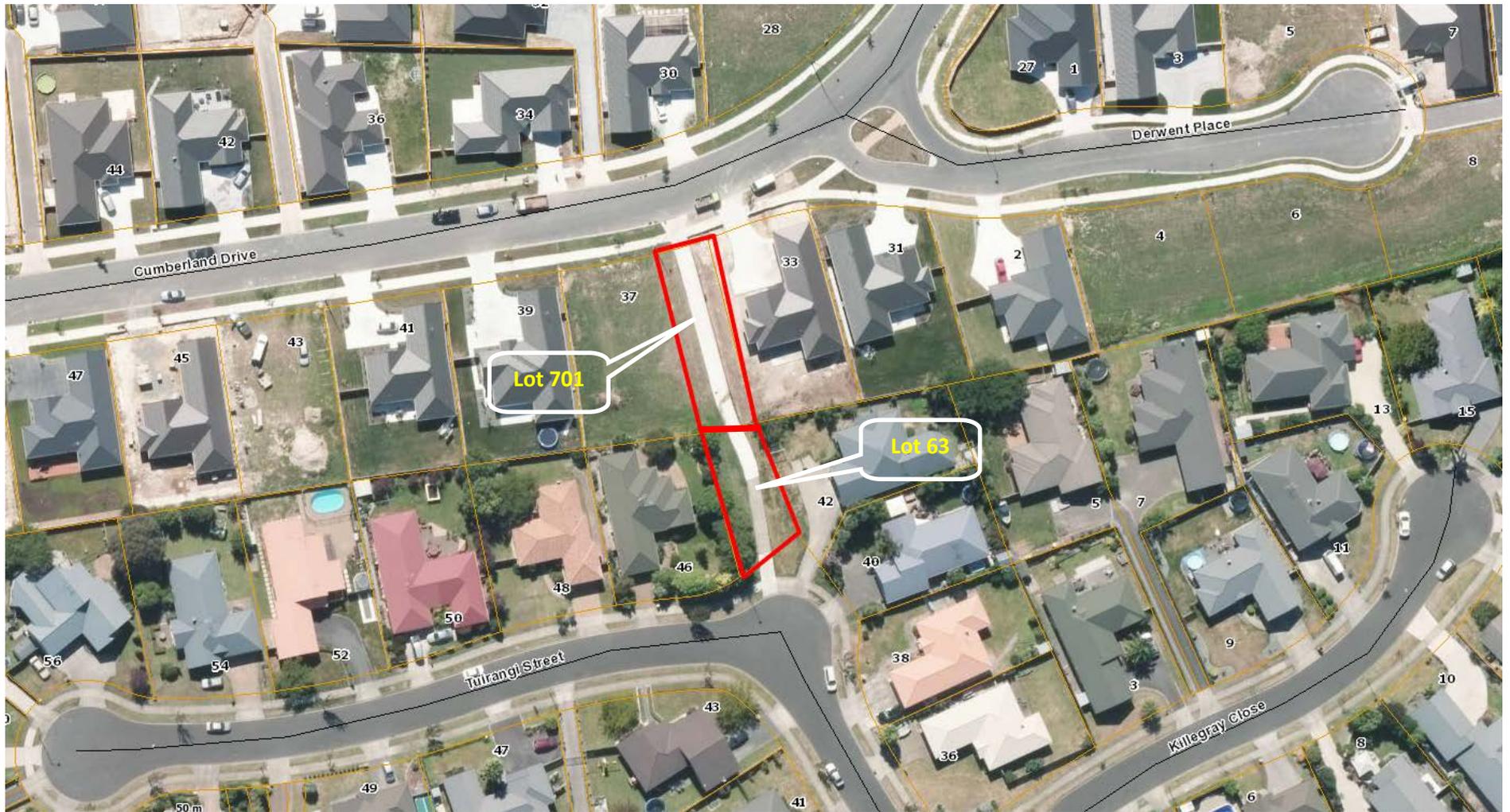
23. There is no risk in granting a gas easement to Vector over the two Local Purpose Reserves.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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Plan indicating location of Local Purpose Reserves affected by easement.





Committee: Finance Committee

Date: 18 February 2016

Report Name: Waikato Regional Services
Fund

Author: Andy Mannering

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>2015-25 Long Term Plan</i>
Financial status	<i>There is not budget allocated</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

- The purpose of this report is to gain Council support for Waikato Regional Council establishing a Regional Services Fund. This Fund will focus on supporting volunteer emergency service providers that operate within the region with a regional focus, rather than individual Councils' providing funding.

3. Executive Summary

- A Regional Services Fund has been discussed between councils in the Waikato since 2013/14, both at Chief Executive level and the Mayoral Forum.
- The 16 November 2015 Mayoral Forum supported the Waikato Regional Council to proceed with developing the Regional Services Fund for voluntary emergency services.
- Waikato Regional Council has developed a Regional Services Fund proposal and will consult on three targeted rate proposals to fund it as part of their 2016/17 draft Annual Plan. The proposal is summarised in a letter from the Regional Council Chair (Attachment 1) and media release (Attachment 2).
- A report will be presented at the Mayoral Forum Meeting on 22 February 2016 for the Forum's endorsement of Waikato Regional Council's proposal. This report is to establish Hamilton City Council support for the proposal.

8. Recommendations from Management

That:

- The report be received;
- Council supports Waikato Regional Council's proposal to establish the Waikato Regional Services Fund; and
- The organisations that will be receiving funding support through the Regional Services will not be funded by HCC for the same purposes.

8. Attachments

9. Attachment 1 - Regional Services Fund - Letter from Waikato Regional Council 2015-12-21
10. Attachment 2 - Regional Services Fund - Waikato Regional Council Media Release 2016-02-05

11. Key Issues

12. Background
13. During 2015 LTP deliberations, Waikato Regional Council resolved to develop a proposal to establish a regional contestable fund for voluntary emergency services through the 2016/17 draft Annual Plan in consultation with the Mayoral Forum. This consultation occurred at the August and November 2015 Mayoral Forum meetings.
14. The voluntary emergency services proposed for funding are surf life saving, Coastguard and rescue/air ambulance helicopter services in the region. The Waikato Regional Council propose to consult in their 2016/17 Annual Plan on three proposals to collect a regional rate (on behalf of local councils) of between \$2.07 and \$3.74 (including GST) per property. One of the proposals does not include funding for rescue/air ambulance helicopter services.
15. Regional support
16. The proposed regional services fund is intended to address the following issues;
 - Provide certainty of funding,
 - Negate the need for multiple applications to several local authorities and provide the opportunity to access funding from one council. Funding collected is intended to replace the current funding from individual councils for the same purpose as the regional services fund addresses.
 - Funding will be collected across the region making it more equitable for rate payers.
17. For this approach to work, each individual territorial authority within the region needs to agree to this funding model and support Waikato Regional Council with its proposal.
18. Communication
19. Waikato Regional Council will lead the public communications on this new Fund, as part of their 2016/17 Annual Plan.
20. Hamilton City Council will provide complimentary communication messaging through the appropriate channel.

21. Financial and Resourcing Implications

22. Because the 2015-25 10-Year Plan does not fund emergency services, in anticipation and support of the new regional funding approach, there are nil financial and resourcing implications to Hamilton City Council.
23. Ratepayers in Hamilton via their Waikato Regional Council rates will contribute to the regional cost of the Fund.

24. Risk

25. Minimal or nil risk to Hamilton City Council, as this proposal will provide greater certainty of funding for the recipient volunteer organisations, at no direct cost to Council.

Signatory

Authoriser	Blair Bowcott, Executive Director Special Projects
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File No: 01 12 15A
 Document No: 3650280
 Enquiries to: Neville Williams



21 December 2015

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Dear Julie

Regional Services Fund

As you recall, the Mayoral Forum recommended that Waikato Regional Council proceed with developing a proposal to establish the Regional Services Fund for voluntary emergency services.

Waikato Regional Council is proceeding with formulating this proposal in collaboration with the recently established Mayoral Forum Reference Group. Waikato Regional Council plans to conduct public consultation on its draft annual plan commencing 11 March 2016. Therefore this proposal will need to be finalised in February.

The Regional Services will be funded by introducing a new rate with the intention of making the funding of these services more equitable region wide and provide a more coordinated approach for the emergency services to access funding within the Waikato region.

At this stage, we ask you to-

- confirm support from your council for the establishment of this fund; and
- confirm that the organisations that will be receiving funding through the Regional Services Fund, not be funded by your council for the same purpose.
- communicate your support of the Waikato Regional Council's proposal to establish the Regional Services Fund by including a statement in either your annual plan consultation document (if you are undertaking consultation), or other appropriate community publication as agreed to by the Mayoral Forum Reference Group.

We are happy to provide you with a report to assist your council reach these decisions.

Wishing you and your family a Merry Christmas and a Happy New Year.

Yours sincerely

Paula Southgate
 Chairperson

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Regional rate proposed for life-saving voluntary services

5 February 2016

Waikato Regional Council will ask the public if they are happy for it to collect a rate to support surf life saving, Coastguard and rescue helicopter services in the region when it consults on its annual plan in March.

The council will ask for feedback on three proposals to collect a regional rate on behalf of local councils of between \$2.07 and \$3.74 (including GST) per property. One of the proposals does not include funding for the Philips Search and Rescue Trust and Auckland Helicopter Trust air ambulances.

The decision was made by councillors during almost two days of budget talks on the 2016/17 Annual Plan this week.

Council chairperson Paula Southgate said there had been a robust process undertaken in collaboration with the Mayoral Forum prior to agreeing the three options for a possible regional services fund.

"A number of councils in the region have already been funding these services, but they've asked us to collect a regional rate so there is an equitable contribution to services available to everyone in the Waikato," Cr Southgate said.

"It's hoped that by having a central collection point we can ensure local government funding in the region is invested well. It could also save the local councils and volunteer organisations time and money processing multiple funding requests," she said.

But it was important to hear what people in the Waikato thought of the proposal. "We want to know if people are happy for us to collect a rate for these organisations, so I strongly encourage people to share their opinions with us when consultation begins in March," Cr Southgate said.

She added: "It's really important to councillors that the money collected goes to providing on-the-ground services by organisations in the region and we're proposing an accountability and reporting framework to ensure this is the case," Cr Southgate said.

"We also want the money to be used in a way that saves lives – not on such things as buildings – so we're proposing criteria to control how the money is spent."

The three proposals have been referred to the Mayoral Forum – comprising mayors and the regional council chair – for endorsement when it meets on Monday, 22 February.

Meanwhile, Waikato Regional Council has maintained a tight focus on costs for 2016/17.

The council has signalled it intends collecting about \$80.5 million in rates revenue in the next financial year – this equates to a reduction in rates revenue from existing ratepayers of about 1.3 per cent.

The decrease is driven by lower inflation, more rateable properties due to regional growth, and the removal of the Lake Taupō protection and TBfree rates. However, not all ratepayers will see a decrease in their rates bill – for some, their invoices will increase as a result of the property revaluations undertaken in the past year by local councils such as Hamilton.

The annual plan consultation document will be confirmed at a meeting on Thursday, 10 March. More details on the regional services fund proposals will be available at www.waikatoregion.govt.nz/annualplan when the consultation begins on Friday, 11 March.

<http://www.waikatoregion.govt.nz/Community/Whats-happening/News/Media-releases/...> 11/02/16

This media item was current at its release date. The facts or figures it contains may have changed since its original publication.

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<http://www.waikatoregion.govt.nz/Community/Whats-happening/News/Media-releases/...> 11/02/16

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. Finance Committee - Public Excluded Minutes - 19 November 2015) Good reason to withhold information exists under Section 7 Local Government	Section 48(1)(a)
C2. Finance Committee Action List - Public Excluded - 18 February 2016) Official Information and Meetings Act 1987	
C3. Report on overdue debtors as at 31 December 2015 & Bad Debts Writeoffs 2015/16		
C4. Development Contributions Report		
C5. Garden Place Carpark		

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 protect the privacy of natural persons	Section 7 (2) (a)
	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to protect the privacy of natural persons	Section 7 (2) (a)
	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C3.	to protect the privacy of natural persons	Section 7 (2) (a)
Item C4.	to protect the privacy of natural persons	Section 7 (2) (a)
	to maintain legal professional privilege	Section 7 (2) (g)
Item C5.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
	to enable Council to carry out negotiations	Section 7 (2) (i)