

Notice of Meeting:

I hereby give notice that an ordinary meeting of Strategy & Policy Committee will be held on:

Date: Tuesday 23 February 2016
Time: 1:30pm
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Strategy & Policy Committee OPEN AGENDA

Membership

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

Quorum: A majority of members (including vacancies)

Meeting Frequency: Six weekly

Brendan Stringer
Committee Advisor

17 February 2016
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Terms of Reference:

- To develop and recommend strategies, plans and policies to the Council that advance the Council's vision and goals, and comply with the purpose of the Local Government Act.
- To monitor implementation and effectiveness of strategies, plans and policies.
- Develop and recommend bylaws to the Council.
- Develop and approve submissions to government, local authorities and other organisations.

Power to act:

- Recommend all strategies, policies and plans.
- Approve all submissions made by Hamilton City Council to other Councils, central government and other bodies.
- Recommend reserve management plans.
- In relation to bylaws, approve for consultation and consider submissions.

Power to recommend:

- Bylaws to Council.
- Strategies, policies and plans.
- Reserve management plans.

Sub-committees:

This Committee will be supported in its work by the:

- Civil Defence and Emergency Management Sub-committee.
- Community Forum Sub-committee.
- Business and Investment Sub-committee.
- Hearings Sub-committee.

Matters may be referred to this Committee from the:

- Event 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: Strategy & Policy Committee **Date:** 23 February 2016
Report Name: Strategy and Policy Committee **Author:** Brendan Stringer
Open Minutes 8 December
2015

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 Strategy and Policy Committee Meeting of 8 December 2015.

1. Attachments

- Attachment 1 - Strategy and Policy Committee Open Minutes - 8 December 2015

Strategy & Policy Committee

OPEN MINUTES

Minutes of a meeting of the Strategy & Policy Committee held in Council Chamber, Municipal Building, Garden Place, Hamilton on Tuesday 8 December 2015 at 1.30pm.

PRESENT

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

In Attendance	Richard Briggs – Chief Executive
	Blair Bowcott – Executive Director Special Projects
	Chris Allen – General Manager Infrastructure
	Lance Vervoort – General Manager Community
	Sean Murray – Director H3 & Events
	Debra Stan-Barton – Acting General Manager City Growth
	Aaron Fleming – Strategy & Research Unit Manager
	Deanne McManus-Emery – Community Development & Leisure Manager
	Kelvin Powell – City Safe Unit Manager
	Andy Mannering – Social Development Manager
	Robyn Denton – Operations Team Leader, City Transportation
	Julie Clausen – Programme Manager - Strategy
	Jason Harrison – Transportation Manager
	Cherie Meecham – Museum Director
	Renee McMillan – Team Leader Planning & Assets
	Gina Hailwood – Team Leader City Landscapes
	Nick Johnston – Strategic Advisor (Arts and Culture)

Also In Attendance Sandy Turner – General Manager, Hamilton Central Business Association
 Thomas Gibbons – New Zealand Property Council
 Aaron Wong – Generation Zero

Committee Advisors: Mr B Stringer and Mrs J Pani

1. Apologies

Resolved: (Crs O’Leary/Chesterman)

That the apologies from Councillor Wilson (lateness) and Councillor Yeung be received and accepted.

It was noted that Councillor Gallagher would be absent for part of the meeting due to his attendance at a funeral in a civic capacity.

2. Confirmation of Agenda

The Chairperson suggested that Item 12 (*Recommendations from the Community Forum Subcommittee – Social Wellbeing Strategy*) be taken after Item 16 (*Action List*) to accommodate the availability of Councillor Gallagher, chairperson of the Community Forum Subcommittee.

Resolved: (Crs O’Leary/Mallett)

The Committee to confirm the agenda, subject to the noted change.

3. Declarations of Interest

No members of the Council declared a Conflict of Interest.

Councillor Wilson arrived during Item 3 (1:32pm).

4. Public Forum

- **Thomas Gibbons**, representing the New Zealand Property Council (Waikato), spoke in support of the Central City Transformation Plan (‘the CCTP’ - included in Item 11 *Recommendations form the Business and Investment Subcommittee*). He noted the importance of ensuring the CCTP was properly resourced in order to implement actions and for Council to show real commitment in that regard.
- **Sandy Turner**, General Manager, Hamilton Central Business Association, spoke in support of the CCTP (included in Item 11 *Recommendations form the Business and Investment Subcommittee*) and highlighted the need for Hamilton’s central city to be competitive. Miss Turner envisaged Council should be an enabler of the CCTP and advocated that those who benefited from the CCTP should be the principal funders for its implementation.

Miss Turner also spoke in support of the proposed Gateways Policy (included in Item 11 *Recommendations from the Business and Investment Subcommittee*).

- **Aaron Wong**, representing Generation Zero, spoke in support of the CCTP (included in Item 11 *Recommendations form the Business and Investment Subcommittee*) and noted the importance of reducing the central city footprint to support climate change initiatives; stronger integration

was required with a high quality public transport network and the Biking Plan. It was submitted that the CCTP provided the vision to attract people into the central city.

Councillor Gallagher left the Meeting during Item 4 (1:39pm)

5. **Strategy & Policy Committee Chairperson's Report**

The Chairperson referred to the Committee's workload for 2015, in particular the progress that had been made in relation to policies. She thanked Elected Members, staff and external members of Council working groups for their contribution throughout the year.

Resolved: (Crs O'Leary/Mallett)

That the Report be received.

6. **Strategy and Policy Committee Open Minutes 3 and 5 November 2015**

Resolved: (Crs King/Mallett)

That the Committee confirm and adopt as a true and correct record the Open Minutes of the Strategy and Policy Committee Meeting of 3 November 2015.

Resolved: (Crs O'Leary/Tooman)

That the Committee confirm and adopt as a true and correct record the Open Minutes of the Strategy and Policy Committee Meeting of 5 November 2015.

7. **Policy Update**

Resolved: (Crs Wilson/Forsyth)

That the report be received.

8. **Regional Roundup Report**

The General Manager Infrastructure, supported by the Operations Team Leader, took the report as read and responded to questions on the following matters:

- **Regional Public Transport Fare Review**
The proposed objectives and options for the fare review would be tested at a workshop of the Hamilton Public Transport Joint Committee in April 2016, to which Elected Members would be invited. Staff noted concerns expressed in relation to distance-based fares being introduced.
- **Ministry of Education ('MoE') School Bus Review Update**
Staff disagreed with the MoE's position that 10 school buses that serviced schools in Hamilton duplicated public transport options. An update would be provided to Committee Members on this matter in the next Roundup Report.

It was observed that the MoE Bus Review was likely to conclude after the Request for Tender was required to be issued.

- **Service Performance Update**
Staff referred to the table under paragraph 54 of the staff report and advised that bus services performing at less than 40% capacity would be subject to review.
- **Procurement of New Bus Service Contracts**
Staff would obtain further information from the Waikato Regional Council on the flexibility of the new bus contracts, considered in paragraph 44 of the staff report, to address changes to demand on a timely basis.
- **Northern Suburbs Bus Service Improvements**
 - i. Interim improvements were due to commence in January 2016 that would operate during peak times until the new bus contracts took effect. Staff believed there was some degree of flexibility to extend the temporary arrangements.
 - ii. Staff were working with principal stakeholders to ensure the road network was satisfactory to service the new junior high school that was to open in Rototuna in 2016. Additional roading would need to be constructed prior to the school accepting students above a specific threshold. It was not clear at this stage how the new bus services would address an increased roll at the school.

Staff were requested to update the Committee on the above matters in their next Roundup Report.

- **Demonstration Project**
 - i. It was confirmed that while the Waikato Regional Transport Committee agreed to the project, any decision to amend speed limits within Hamilton would need to be reported to Council for approval as required by Council's Speed Limit Bylaw. Staff would review data from the project prior to any such decision being sought from Council.
 - ii. Staff expected six to eight changes to speed limits across Waikato; the exact position for which had yet to be determined.

Councillor Tooman, Chairperson of the Speed Management Demonstration Project in Waikato provided a brief overview of the Project's rationale.

As Council's representative on the Waikato Civil Defence Emergency Management Joint Committee, Councillor Tooman also updated the Committee that the proposed All Hazards centre to be situated in Hamilton would not progress further at this stage.

Resolved: (Crs Forsyth/Tooman)

That the Report be received.

Councillors Mallett and King dissenting.

The Meeting adjourned from 2:50pm to 3:04pm.

9. Hamilton Arts Agenda Review

The General Manager Community ('GM Community') and Strategic Advisor (Arts and Culture) took the report as read and responded to questions on the following points:

- **Funding**
Council funding for the proposed commemorative pa sites or regional art award event would be sought, if required, through the Annual Plan or next 10-Year Plan process; external funding would be sought to complete the Public Art Catalogue.

- **Reporting to Council**
The Hamilton Arts Agenda ('the Arts Agenda') envisaged a scorecard which would form the basis for staff's assessment of the Agenda. Key performance indicators would be completed prior to staff's first report to the Committee in 2016.
- **Market Trends**
The Arts Agenda identified that more people attended arts events in Waikato, though less frequently and spent less than previous years.
- **Changes to the Arts Agenda**
The Strategic Advisor outlined the change in approach to the Arts Agenda as compared to the existing strategy drafted in 2011-12. The focus was now on what Council could achieve and greater alignment to other Council plans. Due to the strategic shift, it would be difficult to provide a tracked-change version between the two documents.
- **Hamilton Tourism Centre**
Supporting the establishment of the Hamilton Tourism Centre was also reflected in the River Plan.

Motion: (Crs Forsyth/O'Leary)

That:

- the report be received; and
- the revised Hamilton Arts Agenda 2015 be adopted, replacing the current version.

Amendment: (Crs King/Macpherson)

That the report be referred to the next Strategy and Policy Committee meeting in order for staff to outline changes between the old and the new strategy.

Those for the Amendment: Councillors King, Green, Mallett, O'Leary and Macpherson

Those against the Amendment: Her Worship the Mayor Hardaker and Councillors Wilson, Forsyth, Pascoe, Chesterman, and Tooman

The Amendment was declared lost. The Motion (Crs Forsyth/O'Leary) was then put.

Resolved: (Crs Forsyth/O'Leary)

That:

- the report be received; and
- the revised Hamilton Arts Agenda 2015 be adopted, replacing the current version.

Councillors Mallet and Macpherson dissenting.

Councillor Mallett retired from the Meeting at the end of Item 9 (3:55pm).

10. Community Facilities Review Report

The Community Development & Leisure Manager, supported by the Social Development Manager, responded to questions on the following points:

- **Celebrating Age Concern Building**
 - i. Staff were continuing to work through the ownership issues in relation to the premises.
 - ii. While the building was currently considered 'fit for purpose', staff suggested it may not meet community expectations in the future. The GM Community confirmed the inclusion of this building on the list of reviewed facilities (Attachment 1 to the staff report) was on its own merits. Some Committee members expressed concern at the reference of the building as 'tired, old and not fit for purpose', as noted in the staff report.
 - iii. As with other facilities subject to review, any decision as to the future use or occupation of the building would be reported to Council for a decision.
- **Community Group Consultation**

Staff had informed and updated community groups affected by the facilities under review, and would continue to do so. The consultation undertaken by Councillor Chesterman was also acknowledged.

Resolved: (Crs Pascoe/Forsyth)

That:

- a) the report be received with the exception of the first sentence of paragraph 27;
- b) Council consider each community facility individually and that:
 - i. Staff progress discussions with all interested parties; and
 - ii. Staff present a report to Council should a decision be required on the future use of an individual community facility; and
- c) staff investigate how the availability of bookable community facility spaces can best be communicated to the community.

Councillor Wilson retired from the Meeting during discussion of Item 10 (4:06pm) and did not take part in voting on that matter.

Councillor Gallagher returned to the Meeting during discussion on Item 10 (4:06pm).

11. Recommendations from the Business and Investment Subcommittee

The Chairperson noted that the Committee would consider the CCTP separately from the three policies identified in the staff report.

Central City Transformation Plan

The Director H3 & Events ('the Director') outlined the development of the CCTP and the positive feedback received. In response to questions, the Director noted the following:

- **Submissions**

It was clarified that Generation Zero's submission comprised 88 individual responses from its members, which resulted in a total of 170 submissions received.

- **Planning**
 - i. A review of the District Plan to align with the proposed precincts in the CCTP was an action under the CCTP.
 - ii. Reference to 'Mixed Use' in the Grantham and Victoria Precincts contemplated there would be various activities undertaken in those areas (for example hospitality) in addition to a primary residential character.
 - iii. The City Fringe Mixed Use area, identified on page 15 of the CCTP, was outside the boundary of the precincts that were the focus of the plan. Staff considered no change was required to that area.

Resolved: (Her Worship the Mayor Hardaker/Cr Pascoe)

That:

- a) the report be received;
- b) **Central City Transformation Plan**
 - i. the draft Central City Transformation Plan be approved; and
 - ii. the changes to parking be implemented after 1 July 2016 to take into account integration with the parking technology project.

Councillor King dissenting.

Policies

The Director noted that paragraph 55 of the staff report in relation to public engagement undertaken for the Streetscape Beautification and Verge Maintenance Policy was incorrect; no consultation had taken place, as staff considered that the proposed amendments to that policy related to simplification and clarification of existing practices and no material change was advocated. Staff planned to advise the community of that policy, with associated documents, through a dedicated webpage.

The General Manager Infrastructure and Transportation Manager, in response to questions, advised that the operational elements in the Street and Directional Signage Policy were covered in relevant documents; staff did not consider a policy was required to guide decisions for such matters. Requests for additional signage were not common.

Motion: (Cr Forsyth/Her Worship the Mayor Hardaker)

That:

- c) **Gateways Policy**
 - i. the draft Gateways Policy be approved;
 - ii. no public engagement is undertaken for this policy;
- d) **Streetscape Beautification and Verge Maintenance Policy**
 - i. the draft Streetscape Beautification and Verge Maintenance Policy be approved;
 - ii. no public engagement is undertaken for this policy.
- e) **Street and Directional Signage Policy**
the Street and Directional Signage Policy is deleted.

Amendment: (Crs Gallagher/Macpherson)

That:

- a) the draft Gateways Policy and Streetscape Beautification and Verge Maintenance Policy be approved in principle; and
- b) such proposed Policies be advertised for public feedback in time to report back to 23 February 2016 Strategy and Policy Committee meeting.

Those for the Amendment: Councillors Gallagher and Macpherson

Those against the Amendment: Councillors King, Green, Forsyth, Pascoe, Chesterman, Tooman and O'Leary

The Amendment was declared lost. The Motion (Cr Forsyth/Her Worship the Mayor Hardaker) was then put.

Resolved: (Cr Forsyth/Her Worship the Mayor Hardaker)

That:

- c) **Gateways Policy**
 - iii. the draft Gateways Policy be approved;
 - iv. no public engagement is undertaken for this policy;
- d) **Streetscape Beautification and Verge Maintenance Policy**
 - iii. the draft Streetscape Beautification and Verge Maintenance Policy be approved;
 - iv. no public engagement is undertaken for this policy.
- e) **Street and Directional Signage Policy**
the Street and Directional Signage Policy is deleted.

Her Worship the Mayor Hardaker retired from the Meeting during debate on Item 11 (5:33pm) and did not take part in voting on the Policies.

Notwithstanding the resolution under Item 2 (*Confirmation of Agenda*), the Committee agreed to take Item 12 after Item 11 given the Chairperson of the Community Forum Subcommittee was in attendance.

12. Recommendations from the Community Forum Subcommittee - Social Wellbeing Strategy

Councillor Gallagher, Chairperson of the Community Forum Subcommittee ('the Subcommittee'), introduced the report. He explained that the Recommendations from Management (on page 93 of the Agenda) differed to the resolution of the Subcommittee in order to clarify terminology and the intention of the Subcommittee. He also requested that references to the "Social Indicator Report" be changed to "Social Wellbeing Indicator Report".

The Chairperson provided the following feedback to the draft Social Wellbeing Indicator Report (Attachment 2 to the staff report):

- To present more balanced information on (social) housing;
- To focus on network connections rather than social connections to create a more tangible connection to the city and Council's activities and responsibilities.

Staff signalled that additional feedback could be provided directly to them and that it would be collated and incorporated in an updated Social Wellbeing Indicator Report when the matter was reported back to the Committee in 2016.

In light of the Procedural Motion (Crs Macpherson/King) tabled, the General Manager Community, supported by the Programme Manager – Strategy, advised that Council would need to indicate whether it wanted to join the Quality of Life Survey before the end of 9 December 2015. Staff believed a recommendation from the Committee to Council would suffice for that purpose; it was acknowledged Council would need to make the final decision.

Procedural Motion: (Crs Macpherson/King)

That Item 12 (*Recommendations from the Community forum Subcommittee – Social Wellbeing Strategy*) be referred back to the next meeting of the Community Forum Subcommittee for a further staff report on the changes from the Social Wellbeing Strategy.

Those for the Procedural Motion: Councillors O'Leary and Macpherson

Those against the Procedural Motion: Councillors King, Gallagher, Green, Forsyth, Pascoe, Chesterman and Tooman

The Procedural Motion was declared lost.

The GM Community and Social Development Manager, supported by the Programme Manager – Strategy, responded to questions on the following points:

- **Quality of Life Survey**
 - i. The Subcommittee's recommendation that Council remain committed to promoting social wellbeing was not outside the permitted parameters of a territorial authority under the Local Government Act.
 - ii. In response to concerns as to whether the survey would provide meaningful information for Hamilton, staff confirmed there would be an opportunity to provide input into the updated survey that was being redeveloped.
- **Costs**
 - i. Costs for being part of the survey were estimated to be \$20,000 to \$28,000 each year, which would be covered by the current Strategy & Research budget. A confirmed costing would be available once the number of local authorities that wished to participate was finalised and the scope of the survey was clarified.
 - ii. The Social Wellbeing Indicator Report would only involve staff time; no additional expenses were envisaged.
- **Alignment to Hamilton Plan**

The Chief Executive advised that the Hamilton Plan incorporated Council's community outcomes, required by legislation. If social wellbeing initiatives were aligned to the Hamilton Plan, and that plan was disestablished by a subsequent Council decision, such initiatives would need to be reconsidered in light of an amended strategic framework.

- **Hamilton Residents Survey**

Staff were exploring options for a new provider of the Hamilton Residents Survey in 2016, and would report back to the Committee in due course.

Staff were requested to provide an updated report to a Council Briefing in 2016 that clarified the cost, format and content of the Quality of Life survey prior to Council formally agreeing to participate in that survey.

Motion: (Crs Gallagher/Forsyth)

That:

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

Amendment: (Crs Pascoe/Chesterman)

That:

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

Those for the Amendment: Councillors Green, Forsyth, Pascoe and Chesterman

Those against the Amendment: Councillors King, Gallagher, Tooman, O'Leary and Macpherson

The Amendment was declared lost. The Motion (Crs Gallagher/Forsyth) was then put.

Resolved: (Crs Gallagher/Forsyth)

That:

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

Those for the Motion: Councillors Gallagher, Green, Forsyth, Pascoe and O'Leary

Those against the Motion: Councillors King, Chesterman, Tooman and Macpherson

Extension of Time - Meeting

Resolved: (Crs Chesterman/Macpherson)

That, in accordance with Standing Order 3.2.7, the Meeting continue beyond the six-hour time limit.

The Meeting adjourned from 7:05pm to 7:52pm

The Committee agreed to take Item 14 (*Proposed Hamilton Alcohol Control Bylaw 2015 – Adoption Report*) after the adjournment.

14. Proposed Hamilton Alcohol Control Bylaw 2015 - Adoption Report

In response to concerns as to alcohol consumption in Steele Park, the Executive Director Special Projects confirmed the Committee could not extend the perimeters of the alcohol ban area to encompass that park without undertaking additional public engagement and completing a further hearings process. It was estimated such additional steps would take less than six months to complete.

Resolved: (Crs Tooman/Forsyth)

That:

- a) the report be received;
- b) the Open Minutes of the Alcohol Control Bylaw Hearing Subcommittee Meeting held 30 September 2015 are confirmed and adopted as a true and correct record (Attachment 3);
- c) an alcohol ban for Steele Park and the Hamilton East shopping precinct be considered by the Hamilton East Neighbourhood Plan Working Group during the development of the Hamilton East Neighborhood Plan;
- d) Council determine that the draft Hamilton Alcohol Control Bylaw 2015 does not give rise to implications under the New Zealand Bill of Rights 1990;
- e) the draft Hamilton Alcohol Control Bylaw 2015 be adopted and come into force on 20 January 2016; and
- f) staff provide further information with reference to Steele Park, as raised in submissions, to the Council meeting on 15 December 2015.

13. Hamilton East Neighbourhood Plan

The Programme Manager – Strategy responded to questions on costs outlined in the report:

- The cost for the internal peer review was identified in the staff report to separate that time and expense from other internal costs. External costs were expected to encompass design and printing.
- The estimated staff cost of \$100/hour was an average across all staff and included an overhead component.

Staff were requested to separately identify internal and external costs when providing financial information to the Committee.

Resolved: (Crs O’Leary/Forsyth)

That:

- a) the report be received;
- b) the outlined work programme to develop the Hamilton East Neighbourhood Plan is endorsed; and
- c) a Hamilton East Neighbourhood Plan Working Group is convened comprising of Councillors Gallagher, Chesterman, Pascoe and Her Worship the Mayor Hardaker.

Councillor King dissenting.

15. Draft Waikato Museum Strategic Plan

The Chairperson referred Committee Members to the updated Draft Waikato Museum Strategic Plan (‘the draft Plan’) and the note that detailed changes made to the draft Plan from the version circulated with the Agenda, both of which were tabled.

The GM Community, supported by the Museum Director, provided a summary of the draft report and the proposed actions. In response to questions, they highlighted the following:

- **Costs**
 - i. The draft Plan intended to test ideas and attract feedback; any additional Council funding required would be addressed as part of Annual Plan or next 10-Year Plan discussions.
 - ii. In addition to Council funding, there was external gifting or loans to support art displays at the Museum. Any change to Council’s financial support would be considered through the Annual Plan process in 2016.
- **Hamilton Club Premises**

The acquisition of the Hamilton Club’s former premises was discussed as part of the initial feedback process, though it was not considered suitable. Staff would consider whether the use of this property for administrative purposes would be feasible.
- **Museum footprint**

The draft Plan alluded to the space required for the Museum, including potential use of neighbouring property. Elected Members noted the importance of ensuring the Museum’s footprint was future-proofed

Resolved: (Crs Chesterman/Gallagher)

That:

- a) the report be received;
- b) the Strategy and Policy Committee endorse the draft Waikato Museum Strategic Plan for public consultation for the period from 9 December 2015 to 12 February 2016; and
- c) the final version of the Waikato Museum Strategic Plan be presented for adoption to the Strategy and Policy Committee on 24 March 2016.

16. Action List for 8 December 2015: and Actions Still Underway or Pending for HCC submissions to External Organisations

The Chairperson referred to an additional page of the Action List in relation to the Gambling Policies, which was tabled.

Resolved: (Crs Chesterman/O'Leary)

That:

- a) the Report be received; and
- b) the Committee agree to the deferment of the items noted in the following table.

Item and Resolution Date	Original Due Date	Deferred To
Cemeteries Draft Management Plan (7 July 2015)	11 August 2015, deferred to 8 December 2015	23 February 2016 <i>To take account of other work commitments and enable staff to complete requested work on the design and style of the Plan with external designers.</i>
Hamilton Strategic Housing Plan (11 August 2015)	8 December 2015	3 May 2016 <i>Information is still being collated from the Social Housing Sector that supports the development of the Plan. A draft Strategic Housing Plan will be presented to the Social Housing Sector in mid-February 2016 for feedback with the final plan to be completed by April 2016.</i>
Frankton Neighbourhood Plan (3 November 2015)	8 December 2015	23 February 2016 <i>To enable staff to analyse and report on public feedback following the consultation period, which concluded on 4 December 2015.</i>
Gambling Policies (5 November 2015)	8 December 2015	23 February 2016 <i>To allow staff sufficient time to report back on the final Policies to be recommended to Council for adoption, together with the draft Statement of Proposal for the special consultative procedure in respect of the specific amendments to the Class 4 Gambling Venues Policy.</i>

Zoo Strategic Review – Zoo Master Plan (16 July 2014)	19 November 2014, deferred to 23 February 2016	3 May 2016 <i>The current Review of Operations currently underway at the Hamilton Zoo is likely to be completed in April 2016; the Zoo Master Plan has been deferred to the May 2016 Committee Meeting, as findings from the review will have an impact on the proposed Master Plan.</i>
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Councillor Tooman left the Meeting at the end of Item 16 (8:43pm) and returned to the Meeting during the Public Excluded session (8:50pm), and did not take part in voting on Item 17 (*Resolution to Exclude the Public*).

17. Resolution to Exclude the Public

Resolved: (Crs O'Leary/King)

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. Waikato Museum - Contract) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987))))	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1. to maintain legal professional privilege Section 7 (2) (g)

And that James MacGillivray (Tomkins Wake) remains to provide advice in relation to Item C1.

The Meeting moved into Public Excluded session from 8:45pm to 9:30pm.

The Meeting was declared closed at 9:30pm.

Committee: Strategy & Policy Committee

Date: 23 February 2016

Report Name: Heritage Plan and Historic
Heritage Fund Guidelines

Author: Alice Morris

Report Status	<i>Open</i>
Strategy, Policy or Plan context	
Financial status	<i>There is budget of \$20,000 allocated for heritage related projects in the City Planning Budget.</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 advise the Committee of the outcomes of the public engagement, present the Hamilton Heritage Plan (Attachment 1) and the Historic Heritage Fund Guidelines (Attachment 2).
- To seek the Committee's approval of the Hamilton Heritage Plan and Historic Heritage Fund Guidelines.

4. Executive Summary

- The Strategy and Policy Committee endorsed the draft Heritage Plan and Historic Heritage Fund Guidelines for public engagement in May 2015.
- Public engagement occurred in July 2015 and feedback received (Attachment 4). Staff also engaged with the mana whenua group (Te Ha O Te Whenua O Kirikiriroa Trust) that represents the 5 Waikato Hapu connected with Hamilton and the Heritage Advisory Panel Waikato-Tainui representative (Mr Tom Roa).
- The fundamental structure of the Heritage Plan has not been challenged. The Heritage Plan continues to set out 5 key goals (Identification, Protection, Sustainability & Use, and Management & Implementation) for the management of heritage within the City. The engagement feedback was discussed with the Heritage Advisory Panel with the result being a 'fine tuning' of the document (Attachment 3). As a result, the modifications to the Heritage Plan are the addition of a prologue to provide context, greater inclusion of Te Reo and the introduction of a more diverse range of photos to depict both Maaori and European history of Hamilton. No changes to the strategic directions or actions in the plan are proposed.
- The Historic Heritage Fund Guidelines remains an operational document which will assist with the management of the heritage fund (to be available from 2017) as set out in the Long Term Plan (LTP). The administration and management to allocate the heritage fund will utilize the Council's existing online platform ('Smartygrants') with final approval of successful recipients via full Council.

9. The revised Heritage Plan (Attachment 1) has been reviewed and endorsed by the Heritage Advisory Panel (HAP).

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

- a) That the report be received.
- b) That the Committee approves the Heritage Plan and Historic Heritage Fund Guidelines (as identified as Attachments 1 and 2 to the report).

11. Attachments

12. Attachment 1 - Hamilton Heritage Plan
13. Attachment 2 - Historic Heritage Fund Guidelines
14. Attachment 3 - Changes to the Hamilton Heritage Plan - Post Engagement
15. Attachment 4 - Heritage Plan and Historic Heritage Funding Guide feedback table

16. Key Issues

17. Background
18. Previous drafts of both the Heritage Plan and the Historic Heritage Fund Guidelines have been presented to Council via workshops (October 2014 and April 2015) and the May 2015 meeting round.
19. Public engagement was undertaken in July 2015, including a public 'drop in session' held at the Arts Post on the 15th July.
20. In addition to the public engagement, specific engagement with Te Ha O Te Whenua O Kirikiriroa Trust and the Heritage Advisory Panel Waikato-Tainui representative occurred during September and October 2015.
21. The engagement feedback did not challenge the structure or actions of either the Heritage Plan or the Historic Heritage Fund Guidelines. As a result of the feedback 'fine tuning' of the documents has occurred under the guidance of the HAP.
22. The final Heritage Plan continues to set out 5 key goals (Identification, Protection, Sustainability & use, and Management & Implementation) and corresponding actions for the management of heritage within the City.
23. Strategic alignment
24. The formation of the Heritage Plan is the primary action for the Heritage Advisory Panel during their first term (2013-2016).
25. There are no statutory powers attached to the Heritage Plan.
26. The Heritage Plan will not impact or alter the existing statutory management of heritage sets out under the district plan, the RMA, or the Building Act. Actions that would require the amendment of the district plan would need separate resolution of Council.
27. Consultation
28. Targeted and general engagement was undertaken during the July 2015 – October 2015.

29. A letter was sent to all owners of heritage buildings, key stakeholder groups (e.g. Property Council, Heritage New Zealand) and church groups on 1 July 2015, a public 'open day' session was held on the 15th July and written feedback was received during the month of July.
30. Feedback was received from 19 individuals and organisations. This feedback canvased a broad range of topics pertaining to heritage (Attachment 4). The key messages received were:
- The plan provides a clearer process for the management of heritage
 - Hamilton has history and its culture and heritage needs to be protected
 - There is a lack of heritage due to Council allowing historic buildings to be removed
 - The need to ensure access to funding and to expand the scope of what is eligible for the funding
 - There needs to be greater incentive and support for positive re-use of heritage buildings.
 - The heritage fund is inadequate and as such will be ineffective
 - The heritage fund should be available to a wider sector
 - How the Council manages its interface with owners of heritage buildings needs streamlining (i.e. a dedicated heritage contact person)
31. All of the feedback was reviewed by staff and the HAP in detail. The Panel concluding the majority of the matters raised through the feedback had already been captured within either the Plan or the Guideline. They did however, endorse the following additional actions and matters as a result of the feedback, to be undertaken/adopted into the final draft:
- Further engagement with mana whenua and the outcomes incorporated
 - Oral history itemized as a specific history to be protected
 - Heritage protection to be done in consultation with local people, iwi and communities
 - Goal 4 - *Sustainability & Use* should remain a central element for heritage management.
32. The additional engagement with Te Ha O Te Whenua O Kirikiriroa Trust during September and October 2015 ensured all relevant mana whenua matters pertaining to historic heritage of Hamilton were canvased and represented appropriately in the Heritage Plan. As a result of the Trust's, and Mr. Roa's input, the Heritage Plan has a stronger cultural context. The feedback is particularly reflected through the introduction of the prologue in both English and Te Reo, as well as there being a greater diversity in the photos used. At the October Hui, attended by Councillor Chesterman and staff the Trust they verbally endorsed the Heritage Plan.
33. As a result, the fundamental structure of the Heritage Plan has not been challenged. The only modifications being the addition of a prologue, further Te Reo and the introduction of a more diverse range of photos to depict both Maaori and European history of Hamilton (Attachment 3).
34. Funding was identified in the majority of the feedback as being instrumental for the promotion and protection of the City's heritage. The Heritage Plan identifies the need to develop funding mechanisms as an action, and the Historic Heritage Fund Guidelines sets out the manner in which the heritage fund (in accordance with the LTP) will be allocate once available in 2017. The administration and management to allocate the heritage fund will utilize the Council's existing online platform ("Smartygrants") with final approval of successful recipients via full Council.
35. Treaty requirements/implications
36. There are no specific Treaty requirements or implications in the adoption of the Heritage Plan or the Fund Guidelines.

37. Implementation issues

38. The Heritage Plan sets out a number of actions that are to be undertaken during the 2016 – 2018 period. These will be managed via the City Planning’s operational work program.

39. Financial and Resourcing Implications

40. The formulation of the Heritage Plan and Historic Heritage Fund Guidelines and the actions proposed for the period 2016-18 are to be funded through the existing operational budget of the City Planning Unit.

41. Risk

42. A potential risk lies in not setting an overall policy direction for the Council via the formation of a heritage plan. The formulation of the Plan will ensure the overall management of the City’s historic heritage is addressed in a comprehensive manner to achieve positive heritage outcomes for Hamilton.

Signatory

Authoriser	Debra Stan-Barton, Acting General Manager City Environments
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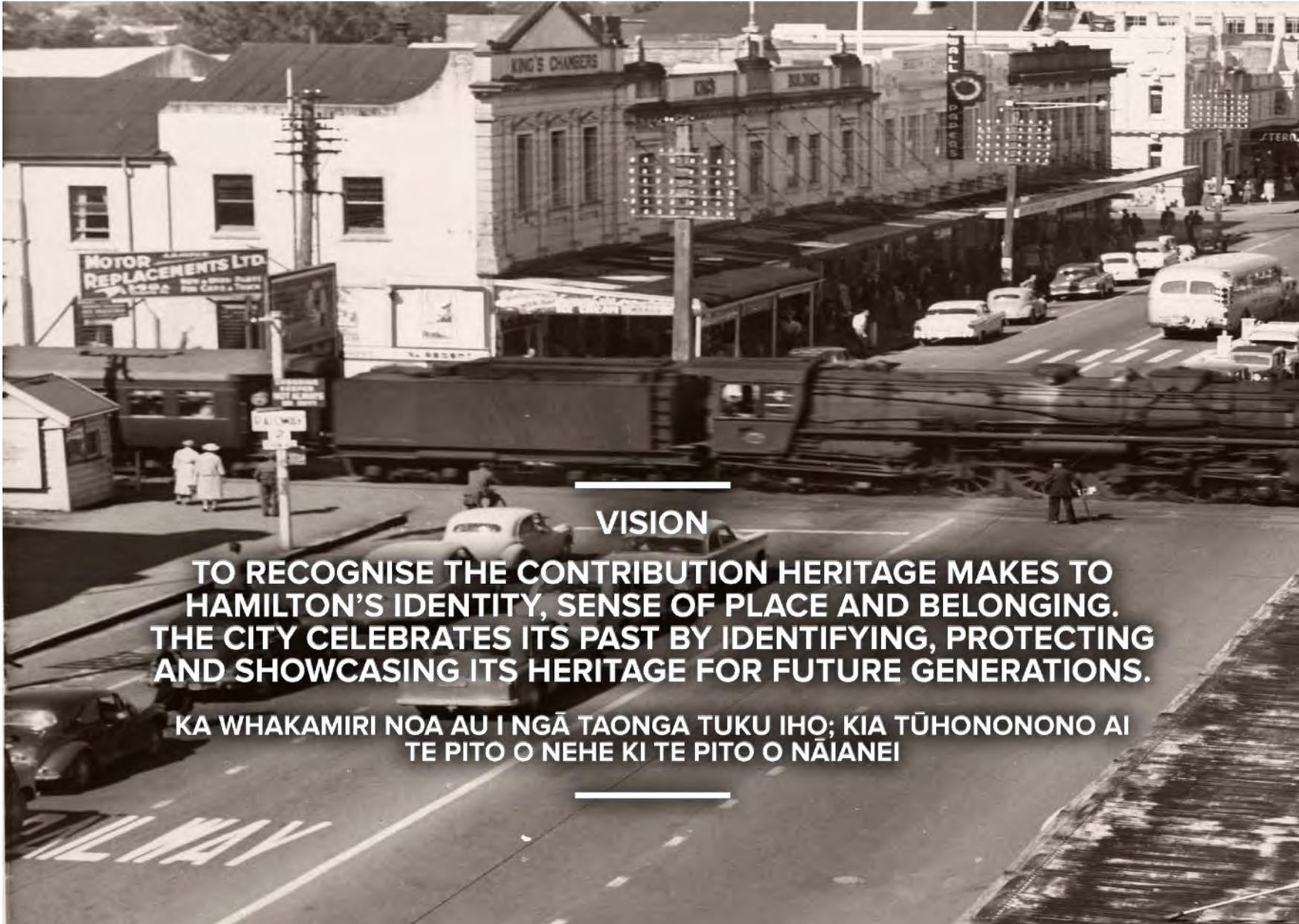


HAMILTON HERITAGE PLAN

MAHERE TIAKI TAONGA O KIRIKIROA

FEBRUARY 2016

 **Hamilton City Council**
Te kaunihera o Kirikiriroa



VISION

TO RECOGNISE THE CONTRIBUTION HERITAGE MAKES TO HAMILTON'S IDENTITY, SENSE OF PLACE AND BELONGING. THE CITY CELEBRATES ITS PAST BY IDENTIFYING, PROTECTING AND SHOWCASING ITS HERITAGE FOR FUTURE GENERATIONS.

KA WHAKAMIRI NOA AU I NGĀ TAONGA TUKU IHO; KIA TŪHONONO AI TE PITO O NEHE KI TE PITO O NĀIANEI



Front Cover: Fairfield Bridge constructed in 1934-1937

Opposite: The Rotorua Express stopping traffic on Victoria Street 1957. Hamilton City Libraries - 06844

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PROLOGUE

KUPU WHAKATAKI

THE HISTORY OF HAMILTON

The Hamilton area has a history of some 700-800 years of Maaori occupation and settlement. The earliest recorded settlers in the Hamilton area were Maaori from the Tainui canoe. The Tainui people called an area on the west bank of the Waikato River, between the Hamilton Hotel and London Street, Kirikiriroa (long stretch of gravel). The priceless artefacts that have been recovered from within the city indicate that the river had been a favoured location for occupation by Waikato iwi and their hapu. At that time the river was the major means of communication and connection with other settled areas. This is highlighted by pa sites, traditional gardens, and agricultural features along the Waikato River.

In the 1860's the New Zealand Wars started along with raupatu (land confiscation), which resulted in subsequent European settlement. Military outposts were built on opposite sides of the river at what are now the sites of St Peter's Cathedral and the Hamilton East end of Anzac Parade. Initial growth of the settlement was slow and by 1868 the population consisted of only 250 people. For many years contact between the two communities was by punt and each had their own town board.

He mahere e whakanui ana i ngaa momo taonga tuku iho o Kirikiriroa.

I ngaa tau 700-800 I mua I te noho mai o te Paakeehaa ki Kirikiriroa I konei kee te Iwi Maaori me ona hiitori moo teenei whenua, araa, ngaa hiitori o ngaa iwi me ngaa hapuu whakaheke o Tainui waka. Ko Kirikiriroa te ingoa tuuturu o te waahi mai I te Hootera o Hamutana ki te tiriti o Ranana I a Kirikiriroa.

He maha taonga taawhito kua taunahanaha e tuutohu nei te nohoanga o te Iwi Maaori ki Kirikiriroa me te momona a te waahi nei ki a raatou.

I taua waa hoki ko te awa o Waikato te ara matua moo ngaa Iwi katoa I noho tahaki i te awa. I te mea he maha ngaa paa i tuu mai I te taha o te awa, ko te awa hoki te ara matua ki ngaa maakete hokohoko i Taamaki-makaurau.

I nga tau o te 1860's kua puta mai ngaa pakanga o Aoteroa. Ko te raupatu whenua te take. Naa te pakanga ka kite te hanga mai o ngaa taone maha puta noa I te rohe o Waikato. Ka hanga mai he poohi hoia ki te waahi e tu ana te whare karakia nui o Hato Peetera I te tiriti o Piriti. Naa wai raa ka tupu ake te tokomaha o ngaa tangata ka noho ki Kirikiriroa. I te tau 1868 e 250 taangata noa iho te taupori o Kirikiriroa.



Whanui Pa carved pou (hi)

But conditions slowly began to improve and in 1867 the road was opened to Auckland and a regular coach service commenced, followed by the opening of the railway line to Auckland in 1868.

The opening of the railway station at Frankton Junction in 1877 and the need to pool resources for a traffic bridge linking Hamilton West and Hamilton East led to the amalgamation of the town boards in the same year. The new Borough of Hamilton was named after Captain John Charles Fane Hamilton. The population at that time was 1245 residents, and continued to expand, reaching 20,000 in 1945, and now exceeding 150,000. The original Hamilton borough had an area of 752 hectares; the city currently occupies approximately 9,860 hectares.

Heoi, I te tau 1867 kua tuuwhera mai te rori ki Tamaki makau rau me te hanga mai o te ara tereina I te tau 1868.

I te tau 1877 kua tuu mai te teihana tereina o Frankton ka reira toko ake te whakaaro me hono te poari o Hamutana ki te hauaaaru me Hamutana ki te raawhiti hei poari kotahi. Naa te whakaaetanga ka puta mai te poari hou, ko te Borough o Hamutana. He ingoa hei whai whakaaro ki te tangata Kaapene Tiaare Fane Hamutana. Ko te tauporitanga I taua waa e 1245 taangata. A, ka tupu ki te 20,000 taangata I te tau 1945, aa, ko naiaanei kua hipa atu I te 150,000 taangata. I te timatanga 752 heketaa te rahinga whenua o Hamutana I riro ki te kaunihera o Hamutana. I teenei raa kua eke ki te 9,860 heketaa te rahi o te whenua o Kirikiriroa.



*Top: The Rawhiti II on her Maiden Voyage at Ferrybank.
Hamilton 1925, November. Hamilton City Libraries - 053.19
Bottom: Present day Hamilton*



INTRODUCTION

This plan sets out the Council's approach to celebrating Hamilton's heritage in all its forms. It also outlines actions for the Council to ensure the identification, protection and use of heritage.

He mahere ka whakaari nei i ngaa momo taonga tuku iho o Kirikiriroa.

Kia moohio ai te tangata ki te mahi tautuhi me te mahi tiaki taonga a te kaunihera o Kirikiriroa.

Why is heritage important?

Heritage is defined as something from the past that has value and needs to be safeguarded for future generations.

An appreciation of the past contributes to a sense of identity and belonging for residents and visitors.

Heritage is represented in a number of ways; buildings and structures, heritage areas and landscapes, natural and archaeological sites, places or areas of significance to Māori, taonga, artefacts and documents. All of these contribute to the story of pre and post-European settlement in Hamilton.

Te Wihika a 200 year-old carved waka taua (Māori war canoe) on display at the Waikato Museum.
Waikato Museum te whare taonga o Waikato

Why should we protect heritage?

Protection and conservation of heritage is essential to ensuring the story of Hamilton, dating back to pre-European settlement, is told and passed on to future generations.

What the law requires

The definition and interpretation of historic heritage is taken from a number of sources including the Resource Management Act, Heritage New Zealand Pouhere Taonga Act, the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act and the Reserves Act.

Under these Acts the plan identifies the following heritage:

- built heritage
- archaeological sites
- natural heritage
- cultural sites
- places or areas of special significance to Maaori
- significant trees
- landscapes

- cemeteries
- taonga
- artefacts
- documentary heritage.

The Council is required to:

- Collect, manage and maintain heritage documents, oral history and artefacts through the libraries, museums and archives.
- Provide objectives and policies for the management of natural heritage and historical items and sites.
- Protect regionally significant natural and cultural heritage resources under the Waikato Regional Policy Statement.

In addition, under the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act and the Waikato-Tainui Environmental Plan, the Council is required to increase its engagement with Waikato-Tainui to ensure their participation in resource and environmental management matters.

The Council is also required under the Resource Management Act to ensure both historic and natural heritage is sustainably managed.

Sections 5 and 6 of the Resource Management Act identify matters of national importance relating to heritage, cultural and natural areas by recognising and providing for the following:

- The preservation of the natural character of the coastal environment, wetlands, and lakes and rivers and their margins.
- The protection of outstanding natural features and landscapes.
- The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.
- The relationship of Maaori and their cultural and traditional links with their ancestral lands, water, sites, wāhi tapu and other taonga.
- The protection of historic heritage from inappropriate subdivision, use, and development.

HOW WILL THIS BE ACHIEVED?

ME PEWHEA RA E TUTUKI

This plan has been developed in collaboration with experts, and feedback from Mana Whenua, heritage groups and the public.

I mahi ngatahi ngaa taangata matatau hiitori, ngaa taangata pouhere taonga me mana whenua ki te hanga i teenei mahere..

The purpose of the plan is to provide a holistic approach to heritage protection in collaboration with owners of heritage places, Waikato-Tainui, Mana Whenua, Heritage New Zealand, Waikato Regional Council, and other interested parties and organisations.

The protection of heritage resources has citywide benefits. However, there can be a cost of maintenance and upkeep that can be viewed as a barrier to the ongoing protection and use of these resources. The Council will support owners of heritage, through a variety of methods to ensure the ongoing preservation and use of these resources. To achieve this, the actions outlined on the following pages are required.



GOALS

NGAA WHAINGA

The Heritage Plan is based on the following goals:

- 1. Identification *Tautuhi***
All historic and natural heritage is identified and documented.
- 2. Protection *Whakangungu***
Heritage is conserved for future generations.
- 3. Promotion *Whakamaanawatanga***
Heritage is celebrated and its importance and value promoted.
- 4. Sustainability and use *Toituu, Toiora***
Heritage buildings and sites within the city are functional places to be occupied and used.
- 5. Management and implementation *Whakahaere me te whakatutuki***
Effective and efficient implementation of the Heritage Plan and its actions

Top: Waikato Brewery building located on the corner of Anzac Parade and Tadal Streets. Constructed in 1897. Hamilton City Libraries - 09194

Middle: Looking east along Commerce Street, Frankton, with the Frankton Supply Company Building to the right c 1913. The main trunk line in the foreground. Hamilton City Libraries - 02018.

Bottom: View of Ferrybank and the Hamilton Rowing Club building along the Waikato River from the Traffic Bridge (Victoria Bridge)



IDENTIFICATION

TAUTUHITANGA

IDENTIFY HERITAGE

TAUTUHI TAONGA

Heritage places need to be identified and reviewed regularly to ensure that Hamilton's rich historic and natural heritage is retained and incorporated into the fabric of the city for future generations to enjoy. Identification is of critical importance to recognise and value heritage places and is the first step in protecting and conserving heritage.



Construction workers on the Fairfield Bridge during construction in 1936. Hamilton City Libraries - 02633

ACTIONS

- Ensure that national and international best practice principles for the identification and assessment of heritage are followed.
- Research, identify and recognise the city's heritage.
- Implement the requirements under the Waikato River Settlement Act.

WHAT WE WILL DO AND WHEN

1. Develop a process for the identification and assessment of all Hamilton's heritage in 2016.
2. Identification and scoping of spatial and thematic heritage projects by 2017.
3. Update the heritage inventory lists within the District Plan by 2018.
4. Take into account the objectives and policies set out in the Waikato-Tainui Environmental Plan when dealing with discovery and identification of Waahi Tapu and Waahi Tuupuna and archaeological sites. This is an ongoing process.



Aerial photograph of Hayes Paddock 1961



PROTECTION

WHAKANGUNGU TAONGA

PROTECT AND CONSERVE HERITAGE

WHAKANGUNGU ME TE TIAKI TAONGA

Heritage is always at risk from inappropriate subdivision, use and development, natural disasters, neglect, and building control requirements such as fire protection, physical access and seismic upgrading. Strong measures need to be in place to ensure that heritage continues to be conserved for future generations.

ACTIONS

- The Council shows leadership in the conservation of heritage.
- All significant heritage places in the city are protected through the District Plan.
- Provide advice and information on retaining heritage features of sites and buildings.
- Promote the Council's ability to purchase significant heritage that may be under threat.
- Develop and implement procedures to ensure the ongoing protection and conservation of cultural heritage.
- Implement the requirements under the Waikato River Settlement Act.

WHAT WE WILL DO AND WHEN

1. Establish criteria for the use of encumbrances, heritage orders, covenants and the vesting of reserves and esplanade strips in 2016.
2. Develop and implement a heritage overlay within the central city by 2018.
3. Develop design guides and information sheets for protection of heritage in 2016.
4. Update the District Plan relating to heritage by 2018.

ONGOING PROCESSES

5. Council develop conservation/maintenance plans and ensure they are implemented for buildings they manage.
6. Follow the principles set out in the guidelines established by Heritage New Zealand, The River Authority and the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value (Revised 2010) when protecting and conserving heritage places.
7. Take into account the objectives and policies within the Waikato-Tainui Environmental Plan when protecting sites of significance to Maaori.
8. Provide advice to people wanting to do work on heritage places.

PROMOTION

WHAKANUIA

HERITAGE IS PROMOTED AND CELEBRATED

TE KAUPAPA TIAKI. HEI WHAKANUI I NGAA TAONGA

Celebration of heritage, along with education about its importance, will lead to acceptance of the need for the ongoing protection of heritage. The promotion of heritage needs to recognise the cultural and economic benefit of heritage.

ACTIONS

- Showcase the contribution heritage makes to Hamilton.
- Recognise and reward outstanding heritage conservation projects.
- Increase accessibility to documentary heritage.
- Work with Waikato-Tainui, Mana Whenua, tourism and business sectors, and the community to promote heritage.

WHAT WE WILL DO AND WHEN

1. Give heritage more prominence on the Council website in 2016.
2. Identify heritage through the use of plaques and interpretive signage by 2018.
3. Develop heritage trails in key heritage areas by 2018.

ONGOING PROCESSES

4. Establish working relationships between the Council and Waikato-Tainui, Mana Whenua, Heritage New Zealand, Waikato Regional Council, Department of Conservation, heritage groups and organisations and the local community.
5. Complete the digitisation of documents held by the central library and make them available to the public.
6. Publicly recognise owners of heritage places and members of the wider community who have made an outstanding contribution to the conservation of heritage.
7. Provide workshops and training courses for council staff and stakeholder groups.



Cadman's Garage on Victoria Street built in 1928 as a motor showroom and parking station.



SUSTAINABILITY AND USE

TOITUU, TOIORA.

SUPPORT THE ONGOING USE OF HERITAGE PLACES

HAPAI AKE NGAA TAONGA O NEHE KEI NGARO

To enable the ongoing retention of heritage we need to support activities that facilitate the continued use of places. Many buildings require upgrading to meet building code which can result in the existing uses not being a viable option. We need to ensure that best practice in heritage conservation is followed by the Council, owners and occupiers to minimise the loss of heritage values when undertaking adaptive reuse of heritage buildings.

ACTIONS

- Support and encourage methods of conserving heritage that complement the statutory methods.
- Encourage owners of heritage buildings and structures to continue to use, or repurpose their building or structure.
- Ensure the sustainable use or re-use of heritage buildings that retain their heritage values.
- Ensure the sustainable management and use of sites and areas.

WHAT WE WILL DO AND WHEN

1. Establish a heritage specialist list to assist owners of heritage places in 2016.
2. Establish a working group to investigate the sustainable use of heritage within the central city by 2017.
3. Develop design guides that encourage sustainability and appropriate use by 2017.
4. Develop statutory and non-statutory incentives to encourage the use of heritage places by 2017.
5. Investigate the establishment of an acquisition fund to acquire heritage that is under threat or risk by 2017.

MANAGEMENT

WHAKAHAERETANGA

FOSTER BEST PRACTICE AND ENCOURAGE COLLECTIVE STEWARDSHIP

NAAU TE ROUROU. NAAKU TE ROUROU KA ORA AI TEENEI KAUPAPA.

There needs to be a shared responsibility for the management of heritage with the Council leading by example to ensure an integrated and holistic approach to the sustainable management of heritage.

ACTIONS

- The Council follows best practice when it comes to the conservation and protection of the heritage it owns or manages.
- Develop stronger working relationships with owners of heritage sites, Waikato-Tainui, Mana Whenua, Heritage New Zealand, Waikato Regional Council and other parties involved in the protection and management of heritage.
- Ensure relevant heritage expertise is available within the Council.
- Funding support for heritage.
- Ensure the continued collection, protection and management of cultural heritage.
- Monitor the effectiveness of the plan and implementation of its actions.

WHAT WE WILL DO AND WHEN

The following are ongoing processes:

1. Secure funding to support the promotion, protection and management of heritage.
2. Develop and implement a training programme for staff.
3. Best practice procedures are followed with regards to the collection, storage and protection of heritage artefacts and taonga.
4. Follow the principles set out in the guidelines established by Heritage New Zealand, The River Authority and the ICOMOS New Zealand Charter when managing heritage places.
5. Take into account the objectives and policies within the Waikato-Tainui Environmental Plan when managing and protecting sites of significance to Maaori.
6. Benchmark the Council processes nationally and internationally to ensure best practice is followed.

*Victoria Bridge (Hamilton Road Bridge) constructed in 1908-1910 on the site of the ferry crossing (1864-1877) and the Union Bridge (1877-1908).
St Peter's Anglican Cathedral built in 1916 in the background .*







The Hamilton New Zealand Temple of the Church of Jesus Christ of Latter Day Saints, Temple View. The Temple dates from 1957-1958 and was the second temple to be built outside the United States.

IMPLEMENTATION

WHAKATUTUKITANGA

The actions in this plan will be implemented through a number of methods including provisions within the District Plan, the development of incentives, education and promotion, and through the strengthening of relations with other organisations.

MONITORING

The plan is intended to be a working document and should be monitored on a regular basis to ensure its effectiveness and that the objectives are being achieved. The monitoring of the Plan will be undertaken on the following basis:

- City Planning Unit will report on the progress of the Heritage Plan and the implementation of the deliverables on an annual basis.
- A comprehensive review of the Heritage Plan will be undertaken every three years.
- The review will be measured against the actions and deliverables for each goal.

Mirapiko Pa Site located on the bank of the Waikato River. Contains the remaining physical evidence of the Pa structure and is a significant toanga to local Mana Whenua.

KEY INDICATORS

When reviewing the plan the success of the goals will be assessed against the following key indicators:

IDENTIFICATION *TAUTUHITANGA*

1. Increased number of additional historic heritage places identified.
2. Commencement and completion of new historic heritage projects.

PROTECTION *WHAKANGUNGU TAONGA*

1. Increased number of heritage items and archaeological sites protected.
2. All applications for resource consents for heritage listed items include a conservation and/or maintenance plan.
3. 50 per cent of the heritage buildings identified as earthquake prone are earthquake strengthened.

PROMOTION *WHAKANUIA*

1. Increased media coverage of historic heritage.
2. Increased hits to the Council website regarding historic heritage.
3. Public recognition of people and/or organisations for their contribution to the conservation of heritage.
4. Increased percentage of heritage documents digitised by the libraries and made available to the public.

SUSTAINABILITY AND USE *TOITUU, TOIORA*

1. Reduction in the number of vacant heritage buildings.
2. Increase in the number of reused heritage buildings.

MANAGEMENT AND IMPLEMENTATION *WHAKAHAERE ME TE WHAKATUTUKI*

1. Increased opportunities for staff to attend heritage training courses.
2. Increase in the amount of funding provided for the protection of heritage.
3. The Council's heritage management performs well when benchmarked against other metropolitan councils.

GLOSSARY

Archaeological sites: Pre-1900 sites that are associated with human activity. An archaeological site can also be a site that through archaeological methods provides evidence relating to the history of New Zealand. It must also be noted that structures can be deemed to be archaeological sites if they are associated with human activity that occurred prior to 1900.

Artefacts: Objects of cultural or historical interest made by human beings.

Built Heritage: Includes buildings, structures (e.g. bridges or memorials), historic sites, special heritage zones, places and areas. Built heritage not only includes the external elements (such as façades) but also elements located within buildings (such as fixtures, and fittings). The courtyard and associated surroundings form a setting (such as the surrounding garden) which can have significance to the overall heritage value of an identified heritage building or structure.

Cemeteries: Important cultural and historic symbols and are a record of linkages with past generations.

Cultural heritage: represents the human experience. This includes:

- tangible heritage – the representation of the presence of human settlement within the area, including artefacts, which may have historic, social, spiritual, aesthetic or scientific and technological values; and
- intangible heritage – documentary heritage, the oral traditions, stories, legends and spiritual association with the area or people from the area.

Documentary heritage: Comprises material which “documents” or “records” something by intellectual intent and which helps inform the community about its past. It includes books, manuscripts, records, archives, photographs, maps, sound recordings etc.





Band Rotunda at Ferrybank was built in 1916 as part of an effort to beautify the city.

Historic heritage: Defined as those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures and is derived from any of the following; built heritage, archaeological sites, cultural heritage, areas of significance to Maaori, significant trees, natural heritage.

Natural heritage: includes indigenous flora and fauna, freshwater, ecosystems and habitats, landscapes, landforms, soils and the natural character of waterways.

Places or areas of significance to Maaori: Waahi tapu or other places associated with ancestors such as Wahi tupuna. These sites may also be archaeological sites, areas of significance to Maaori related to physical archaeological evidence, and natural features such as the Waikato River.

Significant Trees: Trees that have heritage significance by way of being planted to commemorate a specific occasion, in memory of a specific person or location.

ICOMOS the International Council on Monuments and Sites.

Mana Whenua is described as a local tribe/s that have a special connection to the land, to the rivers and to the mountains of a particular area and is intertwined in their genealogy, their history and their own personal tribal stories. In Hamilton City there are five hapuu (sub-tribes) that have shared mana whenua status, namely; Ngaati Wairere, Ngaati Mahanga, Ngaati Hauaa, Ngati Tamainupoo and Ngaati Korokii Kahukura. These five hapuu settled the lands in and around Hamilton City both pre and post European settlement.

REFERENCES

Resource Management Act 1991— <http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230265.html>

Reserves Act 1977— <http://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444305.html>

Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010—<http://www.legislation.govt.nz/act/public/2010/0024/latest/DLM1630002.html>

Heritage New Zealand Pouhere Taonga Act 2014— <http://www.legislation.govt.nz/act/public/2014/0026/latest/DLM4005414.html>

Waikato-Tainui Environmental Plan 2013 —http://www.wrrt.co.nz/wp-content/uploads/EBook_FINAL_EP_Plan_sp.pdf

Proposed Waikato Regional Policy Statement February 2013—http://www.waikatoregion.govt.nz/PageFiles/10522/2320314_RPS_Decisions_1_Feb_2013.pdf

Hamilton City District Plan 2014—<http://www.hamilton.govt.nz/our-council/council-publications/districtplans/Pages/default.aspx>

ICOMOS New Zealand Charter for the conservation of Places of Cultural Heritage Value 2010—http://www.icomos.org.nz/docs/NZ_Charter.pdf

Sustainable Management of Historic Heritage Guidance series—<http://www.heritage.org.nz/resources/sustainable-management-guides>

*Top: St Andrew's Presbyterian Church, at the corner of Te Aroha Street and River Road built in 1913
Hamilton City Libraries - 01402.*

*Bottom: Photograph showing the Frankton Junction Signal Box built in 1910 in its original location
Hamilton City Libraries - 09060*





HERITAGE ADVISORY PANEL

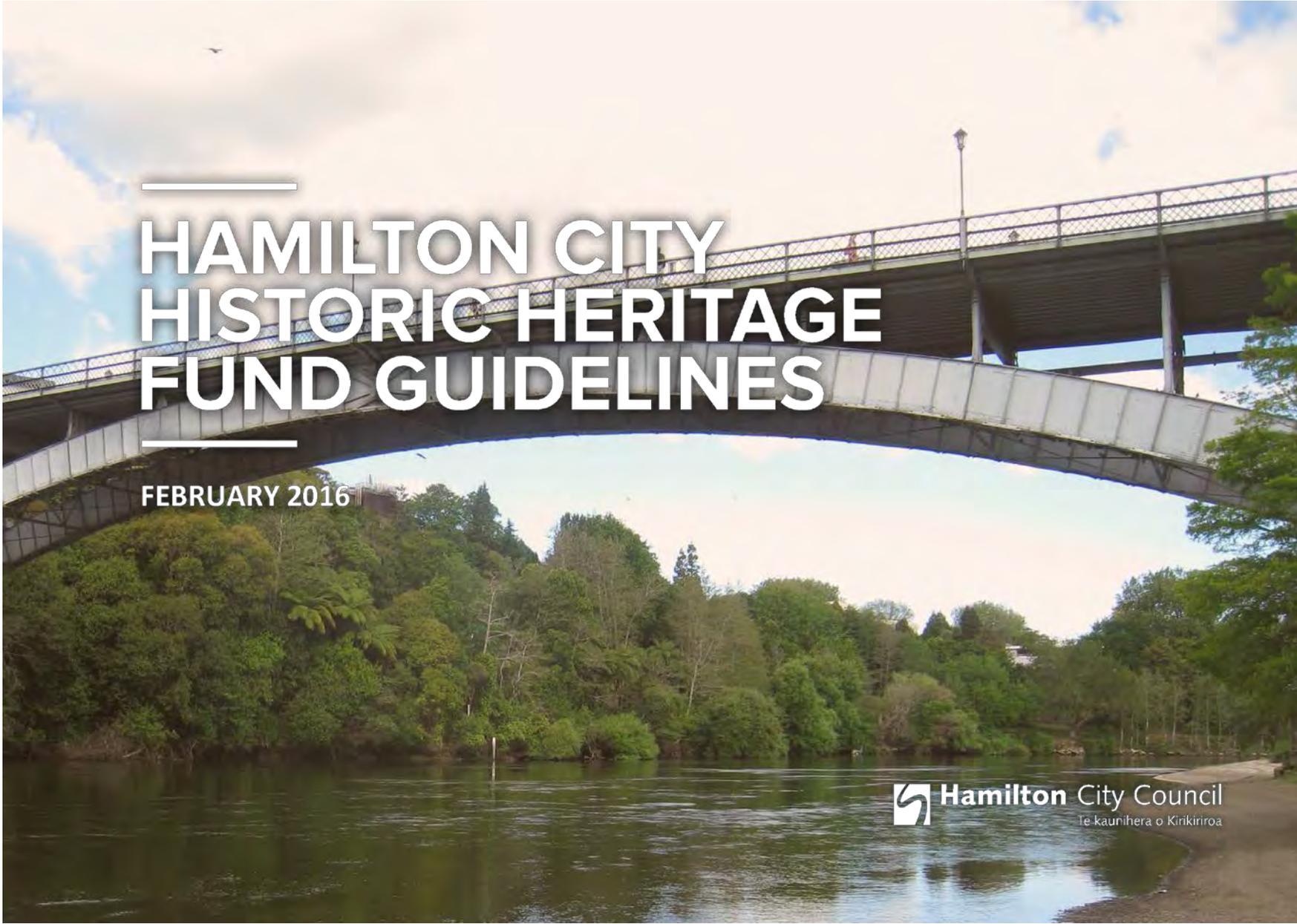
Councillor Gordon Chesterman	Heritage Advisory Panel Chairperson
Councillor Martin Gallagher	Hamilton City Council representative
Councillor Lois Livingston	Waikato Regional Council representative
Ms. Robin Byron	Heritage New Zealand representative
Mr. Brian Squair	Waikato Property Council representative
Mr. Tom Roa	Waikato Tainui representative
Dr. Ann McEwan	Heritage Consultant
Ms. Wendy Turvey	Heritage Planning Expert
Ms. Laura Kellaway	Heritage Architect
Mr. Dave Pearson	Heritage Architect

For more information, please contact

City Planning Unit
PH: 838 6699
E: planning@hcc.govt.nz

Find out more at: Hamilton.co.nz





HAMILTON CITY HISTORIC HERITAGE FUND GUIDELINES

FEBRUARY 2016

 **Hamilton City Council**
Te kaunihera o Kirikiriroa



INTRODUCTION

These guidelines result from the actions set out in the Hamilton Heritage Plan. The plan recognises the contribution heritage makes to Hamilton's identity and the need to protect, conserve and restore this heritage.

PURPOSE

To incentivise the protection, conservation, restoration and use of both the built heritage and archaeological sites within Hamilton.

WHO CAN APPLY?

This contestable fund is available from 2017 to support owners of historic heritage. The fund is open to private individuals, companies and non-profit organisations/groups:

1. For a project within Hamilton, and
2. a building that is listed as a heritage item in Schedule 8A of the Proposed District Plan, or
3. a site that is listed as a Group 1 archaeological and cultural site in Schedule 8B of the Proposed District Plan.

Only applications for works that have not yet commenced will be considered for funding.

WHO WILL NOT BE CONSIDERED FOR FUNDING?

1. the Crown
2. state owned enterprises
3. district health boards
4. tertiary education institutions, local and regional authorities.

WHAT TYPE OF PROJECTS ARE ELIGIBLE FOR FUNDING?

The following types of projects are eligible for funding:

1. Essential repairs, emergency works, stabilisation or core structural works of the original heritage fabric
2. Restoration projects
3. Upgrades to code/regulation standards to enable contemporary use of heritage places, e.g. fire, earthquake, access provisions
4. Specific “like for like” material replacement or maintenance projects that protect the integrity of heritage buildings
5. Preparation of heritage conservation plans and/or maintenance plans

HOW ARE APPLICATIONS ASSESSED?

Priority will be given to projects where:

- Heritage buildings are earthquake-prone under the Building Act 2004
- Buildings and structures are on the Heritage New Zealand Pouhere Toanga List
- Does not detract from the heritage values of the item
- Works contribute to the retention, preservation and the continued use or compatible reuse of the heritage building
- Work is supported by a conservation/maintenance plan prepared by a heritage professional.

Along with the above the following will be considered:

- Financial contribution to be made by the applicant
- Applicant's ability to access funding from other sources
- Financial and project management capacity of the applicant
- Applicant's funding history.

The amount of funding is subject to the availability of funds and will be at the discretion of the Council. Applicants will be able to apply for up to \$100,000. Any other costs will need to be funded separately by the applicant. Financial contribution and additional funding sources may include "in-kind contribution" (e.g. voluntary labour and material contributions).

WHAT TYPES OF WORKS WILL NOT BE FUNDED?

To ensure the best use of the Fund, funding will not be available for the following:

- Demolition
- Relocation of heritage buildings or structures off-site
- Construction of new buildings or structures
- Additions and/or extensions to existing heritage buildings or structures
- Reconstruction or replicas of heritage buildings, structures or items
- Routine building maintenance including interior re-fits where there is no public benefit, e.g. private homes.
- Projects that are not supported by a conservation professional.

RESOURCE CONSENT LODGEMENT FEE WAIVER

To support owners to retain and conserve heritage buildings and sites, the Council will also consider a reduction in non-notified resource consent fees for the following activities provided these activities protect and conserve the heritage values of the building or site:

- earthquake strengthening
- signage erection, construction or extending a structure or fence
- earthworks on a group 1 archaeological site.
- Change to use to an activity otherwise listed as a non-complying activity in the underlying Zone Rules.

Activities that require a resource consent due to failing requirements other than those relating to heritage, will not be eligible for the resource consent fee waiver. However the waiver of, and the amount to be waived, is at the discretion of the Council.

FREQUENCY OF FUNDING

Eligible applicants may only receive one funding grant or resource consent waiver in each funding cycle. Funding will only be provided on completion of the project and certification of works unless a staged funding programme has been agreed.

COMPLETION OF WORKS

Works must be completed within one year of receiving approval for funding unless a staged development programme has been agreed.





WHO WILL ASSESS APPLICATIONS?

Applications will be received by the City Planning Unit who will process the applications, consult with other Council departments, and the Council's Heritage Advisory Panel when necessary.

All grants will require the approval of full Council. Information on funding grants will be reported to the Council every six months. All approved funding grants will be made available to the public on the Council website.

TERMS AND CONDITIONS OF THE HISTORIC HERITAGE FUND

The Council may impose specific conditions on applications that have been awarded funding in addition to the following:

- Applicants that accept funding from the Council will be required to account for their expenditure through the provisions of invoices and receipts prior to the final inspection and the release of funds. Failure to provide this information may result in the loss of approved funding.
- General details of an application (property address, amount of funding and purpose) will be reported publicly to the Council. This information may also be used for publicity following the awarding of funding.
- Successful applicants and their projects may be used as part of ongoing publicity for the promotion of the Fund and heritage.
- Retrospective applications will not be considered for funding.

HOW TO APPLY

The Council will call for applications every six months (e.g. March and September), depending on the availability of funding. Application forms will be available on Hamilton City Council's website or by emailing planning@hcc.govt.nz.

For more information, please contact

City Planning Unit
PH: 838 6699
E: planning@hcc.govt.nz

Find out more at: Hamilton.co.nz



CHANGES TO THE HAMILTON HERITAGE PLAN POST ENGAGEMENT:

Page No.	Topic	Current Wording (2016)	Change	Why
1	Cover		Add Maori text	Response to feedback from Thok and HAP
4	Prologue	No prologue	Inclusion of a prologue	Response to feedback from Thok and HAP
6	Introduction		Change image	Response to feedback from Thok and HAP
			Add Maori text	Response to feedback from Thok and HAP
		The Council is required to: <ul style="list-style-type: none"> Collect, manage and maintain heritage documents and artefacts through the libraries and museums. 	The Council is required to: <ul style="list-style-type: none"> Collect, manage and maintain heritage documents, <u>oral history</u> and artefacts through the libraries, and museums <u>and archives.</u> 	Response to feedback from submitters.
8	How Will This Be Achieved		Add Maori text	Response to feedback from submitters
		<p>...However, there are high costs of maintenance and upkeep that can be viewed as a barrier.....</p> <p>...The Council will support owners of heritage to ensure the ongoing preservation and use...</p>	<p>...However, there <u>can be a</u> costs of maintenance and upkeep that can be viewed as a barrier.....</p> <p>...The Council will support owners of heritage, <u>through a variety of methods</u> to ensure the ongoing preservation and use...</p>	
9	Goals		Change Image	Response to feedback from Thok and HAP
			Add Maori text	

Page No.	Topic	Current Wording (2016)	Change	Why
10	Identification		Add Maori Text	Response to feedback from Thok and HAP
		What we will Do and When 2. Identification and scoping of spatial and thematic heritage projects by 2016	What we will Do and When 2. Identification and scoping of spatial and thematic heritage projects by 2016 2017	Amended to meet current timeframes.
11	Protection		Add Maori Text	Response to feedback from Thok and HAP
		On Going Processes 5. Develop conservation/maintenance plans and ensure they are implemented. 6. Follow the Principles set out in the guidelines established by Heritage New Zealand, The River Authority and the International Council on Monuments and Sites (ICOMOS) Charter NZ as far as practically possible when protecting and conserving heritage places.	On Going Processes 5. Council De develop conservation/maintenance plans and ensure they are implemented for buildings they manage. 6. Follow the Principles set out in the guidelines established by Heritage New Zealand, The River Authority and the ICOMOS New Zealand Charter for the conservation of Places of Cultural Heritage Value (Revised 2010)International Council on Monuments and Sites (ICOMOS) Charter NZ as far as practically possible when protecting and conserving heritage places.	Editorial Clarity in the plan. Correct terminology
12	Promotion		Change Image Add Maori Text	Response to feedback from Thok and HAP

Page No.	Topic	Current Wording (2016)	Change	Why
13	Sustainability and Use		Add Maori Text	Response to feedback from Thok and HAP
		What we will Do and When 1. Establish a heritage specialist list to assist owners of heritage places by 2015 3. Develop design guides that encourage sustainability and appropriate use by 2016	What we will Do and When 1. Establish a heritage specialist list to assist owners of heritage places by 2015 <u>2016</u> 3. Develop design guides that encourage sustainability and appropriate use by 2016 <u>2017</u>	Amended to meet current timeframes.
14	Management		Add Maori Text	Response to feedback from Thok and HAP
		Actions • Monitor the effectiveness of the policy and implementation of its actions	Actions • Monitor the effectiveness of the policy <u>policy-plan</u> and implementation of its actions	Editorial
16	Implementation		Change Image	Response to feedback from Thok and HAP
			Add Maori Text	Response to feedback from Thok and HAP
17	Key Indicators		Add Maori Text	Response to feedback from Thok and HAP
18	Glossary		Inclusion of definition of Man Whenua	To provide clarity in the Plan
19	Heritage Advisory Panel		Amended list to include correct titles	Editorial

Draft Heritage Plan/Funding Feedback:

Feedback		Supports or Not	Key points raised		Responses
			Heritage Plan	HH Fund Guideline	
1	Sarah	Support	-	-	-
2	Geoff Kreegher	No support	Question where funding will come from		LTP
3	Andy Overall	Supports	Structures will be lost if not preserved	Not only to save but to preserve those worth preserving; Should be available only to those owners will to spend as well.	HHFG addresses this via PDP list
4	Nick Sam	No support	Should be the responsibility of the landlord; HCC has no place nor duty to fund upgrades/maintenance from ratepayers money		-
5	Daryl Silcock	Supports	Need for guidelines and processes to manage heritage Buildings (e.g. St Johns Methodist)	-	Goals 2 & 4 address this
6	Maureen Mildon	Supports	Too many heritage buildings have been lost already	-	-
7	Carol Carr	No support	Council has not properly invested in preservation of heritage in the City	-	-
8	Kathryn Mercer	Supports	There is a need to support owners both financially and through advise, especially those not for profit; Greater need for indexing and digitising; Access to privately archived materials; Hold workshops to tackle issues of preservation.	Fund will not address earthquake strengthening as its too expensive	Noted & Edits to HP undertaken

Feedback		Supports or Not	Key points raised		Responses
			Heritage Plan	HH Fund Guideline	
9	Penny Pollard	Supports	Plan is about valuing history and culture, suggests: Heritage protection be done in a continuous and consultative manner; Expand definition of heritage to include trees; Identify and protect more sites in Frankton; Undertake archaeological digs; Consider joint funding with other Councils; Consider bi-annual festival and annual awards, scholarships, hall of fame; Develop a heritage brochure/information guides.	Expand scope of fund	Actions under the 5 Goals will address most matters raised
10	Hemi Tapu Maori Pastorate Church & Marae	Supports	In particular maintenance and restoration of heritage buildings	-	-
11	South East Kirikiriroa Community Assn	Supports	Suggest stronger link with the UD Panel	Fund should be revolving (extensive information provided on this)	Unable to change LTP management of funding at this time
12	Creative Waikato	Supports	Heritage needs greater prominence; Excited by celebrating Hamilton's heritage. Actions should identify who is responsible to achieve	Funding should not become diluted with other priorities	Noted

Feedback		Supports or Not	Key points raised		Responses
			Heritage Plan	HH Fund Guideline	
13	Kathryn Parsons	Supports	Suggested editorials to page 10 and 12 relating to documentary heritage; Plan should facilitate the sharing of knowledge held by private parties (e.g. Waikato Historical Society)	-	Noted & Edits undertaken
14	Stef Bowman	Supports	This increases the protection of historic heritage within the City.	What is the overall funding available (is it \$100K/applicant?); Type of work not funded implies the enabling of new builds – funding must directly benefit the historic buildings; Need to clarify articulate the reduction of RC fees; Preference should be given to projects that have been through a consenting process	Noted; HHFG does not proposed to fund new builds
15	John Shaskey	Support	Positive initiative BUT there are opportunities to streamline how HCC manages its interface with property owners that “might make it feel as though the efforts expended by us to maintain heritage sites are genuinely appreciated and we are afforded some priority in the planning process”; Need a dedicated heritage contact person in HCC.		Noted; Goal 5, Action 2 will assist
16	Waikato Historical Society	Supports	Suggest establishing criteria for the use of encumbrances, heritage orders, covenants; Greater promotion needed.	Funding support for heritage needed; Need to review how funding is to be distributed.	Noted & edits undertaken

Feedback		Supports or Not	Key points raised		Responses
			Heritage Plan	HH Fund Guideline	
17	Property Council	Support	Commends HCC in their ambitions and incentive proposal to preserve Hamilton's heritage; Seek continued dialogue through the implementation of the Heritage Plan; Questions the difference in the number of listed heritage on the HNZ list compared to the PDP – will this be a challenge for commercial property owners especially in the CBD rejuvenation.	Must be an uncomplicated process; Work in collaboration with commercial building owners and their interests; Need fairness and equity in distribution of fund; Question the effectiveness of the budgeted \$100K fund; Queries the efficiency of requesting applications every six months; Is the fund reset every year from 2017?	Noted; Unable to change LTP management of funding at this time
18	Hamilton East School	Support	Supports Goal 4 – sustainability and use, and this should remain a central element of the Council's approach to heritage management; However there is tension between conservation/protection and contemporary use of heritage buildings – there needs to be greater incentive and support for positive re-use if the barriers to modify for practical use are too high.	Support the proposed funding ; Council should offer streamlined/discounted consenting processes for heritage buildings; Re visit who is eligible for funding.	

Feedback		Supports or Not	Key points raised		Responses
			Heritage Plan	HH Fund Guideline	
19	Heritage New Zealand Pouhere Taonga	Support	Note the Plan is intentionally developed as a high level overview document; suggests the inclusion of additional guidance and policies to ensure that the implementation of the methods do not undermine the goals of the Plan; Greater recognition and engagement with hapu needed; Addition of oral history; Editorials on pages 5 & 6; Concerned with the use of the word "practically"; Correct reference to ICOMOS	Clarification required to allow future heritage inventory items and Maori heritage sites to be eligible; The fund should also be available for the preparation of covenants (item 5); Waiver of RC fees important;	Noted & edits undertaken

Committee: Strategy & Policy Committee **Date:** 23 February 2016

Report Name: Frankton Neighbourhood Plan **Author:** Paul Bowman

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>The Development of a Neighbourhood Plan for Frankton is one of the 10 Hamilton Plan Priorities</i>
Financial status	<i>There is a budget allocated Amount of \$20,000</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

2. To recommend the Draft Frankton Neighbourhood Plan to the Strategy and Policy Committee for approval.

3. Executive Summary

4. The Strategy and Policy Committee approved the draft Frankton Neighbourhood Plan for public engagement at its meeting of 3 November 2015.
5. Public engagement commenced on Thursday 12 November 2015 and concluded on Friday 4 December 2015 and a public open day was held on Saturday 28 November 2015.
6. 44 responses were received from the public engagement and the public feedback shows strong support for the Plan.
7. The two main topics for discussion from the public engagement are heritage and access (car parking, pedestrian, public transport) to and around Frankton.
8. Some minor changes are recommended to the draft Plan.

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

- a) That the report be received.
- b) That the Frankton Neighbourhood Plan incorporating the changes in Attachment 2 be recommended to Council for adoption.

10. Attachments

11. Attachment 1 - Frankton Neighbourhood Plan Submissions Summary Analysis
12. Attachment 2 - Draft Frankton Neighbourhood Plan

13. Key Issues

14. Background

15. The Strategy and Policy Committee approved the draft Frankton Neighbourhood Plan for public engagement at its meeting on 3 November 2015. Public engagement was open from Thursday 12 November 2015 and concluded on Friday 4 December 2015 and included:

- A public open day held on Saturday 28th November 2015 from 9am – 12 noon saw over 45 people attend. The open day was attended by Cllr Angela O Leary, staff and some members from both the Working and Focus Groups.
- On line engagement with feedback forms.
- The document was made available at the local library and customer service centre.
- City News.
- Meetings with Older Persons Advisory Panel and Youth Advisory Panel to receive their feedback on the draft plan.
- The draft Plan was also sent to Organisations including NZTA, Waikato Regional Council, Heritage New Zealand, Progressive Enterprises, Cycle Action Waikato and Kiwi Rail

16. The Older Persons Advisory Panel are supportive of the Plan although commented that it could include greater reference to older people and the three goals of the Older Persons Plan (Accessibility, Safety and Inclusion) could be integrated into the Frankton Plan. The Youth Advisory Panel also support the Plan and request they are involved further with those projects that involve and resonate with youth such as the skate park.

17. Waikato Regional Council commented that the future of public transport needs to be considered in light of the aim to increase the number of people living in Frankton.

18. Public engagement

19. A total of 44 responses were received, 38 were from individuals and 6 represented organisations with an equal split between online feedback and written responses. Overwhelmingly, respondents and those who attended the open day supported the Plan for Frankton with the projects shown. Attachment 1 is the analysis of the feedback. In summary:

- There is strong support for the Plan
- The aspects that generated the most feedback were on heritage and access in and around Frankton

20. Most respondents offered further ideas on how the Frankton Plan and in particular its projects could be amended to create a better outcome for Frankton.

21. Two other minor themes also emerged following feedback focussing on beautification and community projects.

22. There is interest on the finer details of how Frankton's heritage will be managed and protected for those projects that involve street beautification or new development on key sites.

23. Respondents supported the identification of Maaori sites but considered this needs background research, archeological assessment and further study to show a robust approach.

24. There are suggestions to create a community 'main street' group which considers how Commerce Street could be improved. Other feedback highlighted its pedestrian friendly street character and suggests greater emphasis for pedestrians and cyclists.

25. A joint workshop was held with the Working Group and Focus Group on 17th February 2016 to discuss the feedback provided through the public engagement. After considering all feedback

staff are not recommending any significant changes to the draft Frankton Neighbourhood Plan. Attachment 2 is a summary of the minor changes recommended.

26. Financial and Resourcing Implications

27. City Planning allocated \$20,000 in its 2015/16 budget for the development of the Plan. Approximately \$20,240 of this has been spent to date, consisting of \$16,560 in research and plan production and \$3,680 in community engagement costs.

Signatory

Authoriser	Luke O'Dwyer, City Planning Unit Manager
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FRANKTON NEIGHBOURHOOD PLAN SUBMISSIONS SUMMARY ANALYSIS

This report provides a summary of the main themes and findings from the feedback received through public engagement on the draft Frankton Neighbourhood Plan.

Public Engagement Period	Thursday 12 November 2015 to Friday 4 December 2015 Public Open Day held on Saturday 28 th November 2015
Total number of responses received	44
Form of feedback	Completed online survey – 21 Written/email submissions - 23

1. Submission Breakdown

- 18 lived in Frankton
- Of the 44 submissions received, in total 38 were from individuals and six represented organisations.
- Organisations included NZTA, Waikato Regional Council, Heritage New Zealand, Progressive Enterprises, Cycle Action Waikato and Kiwi Rail

Age Range	Number of Responses
0-18	0
18-25	1
25-45	12
45-65	11
65+	10

2. Feedback Summary

- **35 of 44 (80%)**, respondents considered the Plan would contribute positively to establishing Frankton as a successful urban village.
- **4 of 44 (9%)** respondents did not consider the Plan would contribute to establishing Frankton as a successful urban village.
- **5 of 44 (11%)** respondents were neutral or did not respond.
- Most respondents took the opportunity offered to provide further ideas on how the Frankton Plan and in particular its projects could be amended to create a better outcome for Frankton.

The following comments reflect opinions expressed by those who commented positively on the draft plan:

Verbatim Comments

"The Rail Cottage Plan is superb; the history and the rail community - an essential part of the Frankton story and will encourage people to live in the neighbourhood and contribute to the local economy"
"I especially like the emphasis on connection to the city centre- and in particular, safe, off road cycle connections"
"As noted in the Plan, Frankton is "an important industrial, commercial and retail node ... strategically located" and the objective to "Retain and grow Frankton's unique economy" is very important and fundamental to the prosperity of the suburb and the inner city"
"Overall, WRC supports the draft Plan's outcomes to enhance Frankton, particularly to enhance pedestrian and cycle accessibility"
"KiwiRail support the extensive acknowledgement of the role of rail in the development of the Frankton area in the past and the role it can play in the future"

The following reflects the comments received regarding project ideas for the Frankton Neighbourhood Plan:

Verbatim Comments
"As a resident of the railway cottage area, I would like to have the chance to work with HCC and other neighbours regularly to shape and co-design the paint palette, streetscape and landscaping of the park and playground. Also be involved in the Hall project"
"It would be nicer to see a greater emphasis on access for pedestrians/cyclists on, say, the strip of shops on Commerce Street- for example a car-free zone. Currently it feels very cluttered with cars and just like any other road- having a 'safe' space just for pedestrians/cafe users etc. would definitely add a nicer ambiance and sense of communal urban space, reclaimed for people"
"Strongly object to the suggestion to introduce angle parking in Somerset Street. It is a busy thoroughfare and angle parking will restrict traffic movements and create traffic hazards. The Somerset business community needs to be consulted about the proposal before it proceeds"
"Preserve Frankton's Heritage by a comprehensive Heritage Study before any heritage projects are undertaken"
"The Māori sites plan and the heritage trail need to be significantly intertwined. Too often the 'heritage' sites and trails are colonial/pioneer-centric"
"Plant trees to create an arboretum, provide seats for walking people. Have a film festival once a year in the area"
"WRC has a strong desire to work with Hamilton City Council to ensure that public transport plays a key role in realising the vision and outcomes of the Frankton Neighbourhood Plan"
"Get a 'Main Street' (Commerce Street) planning group together to look at how the street can be improved"

3. Key themes from submissions from organisations and businesses

Business / Organisation	Submission Theme
NZTA	NZTA supports the principle of improving connectivity

	<p>(particularly pedestrian and cycle connectivity) across SH1 and the Railway Line.</p> <p>NZTA considers it may be useful to identify the strategic transport functions of key routes in the Frankton Plan Area in terms of the One Network Roding Classification i.e. SH23.</p>
Waikato Regional Council	<p>WRC is supportive of the longer-term implementation programme to connect the Frankton Rail Station to the Village Centre.</p> <p>WRC note that Public Transport is not considered in the draft Frankton Neighbourhood Plan, they consider that future public transport need to be considered in light of the aim to increase the number of people living in Frankton.</p>
Kiwi Rail	<p>KiwiRail support the extensive acknowledgement of the role of rail in the development of the Frankton area in the past and the role it can play in the future.</p> <p>To avoid confusion, KiwiRail seek that reference to the key development site at the end of Commerce Street is amended to remove any confusion that the land is railway owned.</p>
Heritage New Zealand	<p>HNZ generally supports that the Frankton Plan recognises that Frankton is an important part of the heritage of Hamilton.</p> <p>HNZ has provided a range of detailed feedback addressing a range of heritage issues, including:</p> <ul style="list-style-type: none"> - Pre 1900 Archaeology - Cultural Heritage - Council taking the opportunity to name or rename streets/features/parks and place to contribute to the recognition of Māori heritage in Frankton - Expansion of the gully restoration project - Undertaking detailed analysis before commencing heritage works.
Cycle Action Waikato	<p>Cycle Action Waikato (CAW) supports the goal to make Frankton more attractive by reducing speed limits on urban streets to 40km/h. They also request a high quality link from the Western Rail Trail to Frankton, ensuring that it is not bypassed.</p>
Progressive Enterprises Ltd	<p>Progressives are supportive of the general direction of the Plan.</p>

4. Conclusions from the analysis

A. The main conclusions are:

- There is general support for the Frankton Neighbourhood Plan outcomes (35/44 responses).
- There is concern from some submitters as to how the finer details of how Frankton's heritage will be managed. Particularly for those projects that involve beautification or encouraging development (3/44 responses).
- There are submissions that oppose any changes to on-street parking available particularly in Commerce Street and Somerset Street (5/44 responses).
- Maori heritage needs to be integrated into the story of Frankton (5/44 responses).
- There is support for community assets such as a library, museum, and community hall (3/44 responses).
- There is a wish for community involvement the delivery of the projects, particularly around the Frankton Railway Village Precinct and Commerce Street (7/44 responses).
- There is support for the beautification project on Commerce Street (6/44 responses) with some opposition to the removal of Melia Trees on Commerce Street (3/44 responses).

B. The following key themes emerged from the submissions:

- Heritage and concern with ensuring heritage adequately and fully addressed.
- Access to and around Frankton; including car parking, pedestrian access/safety, public transport and commuter rail.

C. Two other minor themes also emerged with submitters also focussing on beautification and community projects.

5. Suggested ideas to improve the five plan outcomes identified for Frankton

- Intertwine the Māori site plan and Heritage Trail.
- Reflect the boundary of 'Frankton' to reflect the original Borough.
- Create a car-free zone on Commerce Street.
- Run heritage tours through Frankton.
- Establish a regular festival in Frankton such as a Film Festival or street party.
- Develop a community garden.
- Involve the community in the beautification of Commerce Street, taking a 'Main Street' approach.

To be read in conjunction with draft Frankton Neighbourhood Plan

Item 7

Attachment 1

Page No.	Topic	Current Wording	Change	Why
2	Introduction	“The residential areas are a mix of older homes and medium density, and the oldest street in Hamilton is situated in Frankton”	“The residential areas are a mix of older homes and medium density housing. and the oldest street in Hamilton is situated in Frankton ”	Inaccurate
4	Story of Frankton	“1888... Lake Rotorua...”	“1888... Lake Rotorua <u>Rotoroa</u> ...”	Typo
7	Rediscovering Frankton Map		Include SH23 on Map	Response to feedback from NZTA
			Show the original Frankton Borough Boundary in the Plan	Response to feedback from submitters
8+9	Facts and Figures	Average age 30.9 years Hamilton average 32.2 years	Average Median age 30.9 years Hamilton average median 32.2 years	Correct terminology
		\$296,350 average house price	\$296,350 331,050 average median house price	Reflect up to date QV value.
13	Frankton Village (Parking Plan)	Additional angle parking on High Street, Somerset Street and Commerce Street	Complete a parking plan for High Street, Commerce Street and Somerset Street to create more parking ensuring businesses can continue to operate efficiently.	Responds to feedback that opposes changes to the layout of Somerset Street. A complete traffic plan will need to be done before changes are made.
13	Frankton Village (Commerce Street Character Overlay)	“Include a Special Heritage Zone character overlay area for Commerce Street in the District Plan”...	“Include a Special Heritage Zone character overlay area for Commerce Street in the District Plan”...	To be consistent with District Plan terminology
		Publish a planning guide booklet for	Publish a planning design guide booklet	

		investors and property owners.	for investors and property owners	
16+17	Celebrating Heritage	“Planning guide booklet for renovation and enhancement of cottages”.	“ Planning-Design guide booklet for renovation and enhancement of cottages”.	To be consistent with District Plan terminology
		Review the location and use of Frankton Hall	Review the role and function of Frankton Hall	Response to feedback from submitters. Council currently carrying out Community Facilities review.
18+19	Connecting Frankton		Add additional sentence to the outcome: Frankton should be accessible, safe and inclusive to encourage and allow more people into the area.	Response to feedback from the Older Persons Advisory Panel.
20+21	Investment	“The railway land...”	“The railway land <u>adjoining the railway corridor</u> ”	Response to feedback from KiwiRail
22+23	Implementations and timeframes		Update to reflect earlier changes suggested in table	Plan consistency
		“include a Special heritage zone character overlay area”	“include a Special Heritage Zone Character overlay area”	To be consistent with District Plan terminology
		Publish a planning guide booklet for investors and property owners.	Publish a planning design guide booklet for investors and property owners	

		Review the location and use of Frankton Hall	Review the condition and use of Frankton Hall	Response to feedback from submitters
		Market the business and residential opportunities.	Market the business, retail and residential opportunities.	To provide clarity in the Plan.
25	KPI's & Measures	<p>1. GDP – 2% increase in GDP per annum.</p> <p>2. Residential – 10% increase in people living in Frankton by 2023.</p> <p>3. Business – 10% increase in the number of businesses in Frankton by 2023.</p> <p>4. Profile – increasing numbers of visitors and residents know about Frankton and what it offers.</p>	<p>1. Frankton's GDP growth aligns with the City's annual GDP growth.</p> <p>2. Residential Growth of 10% in Frankton by 2023.</p> <p>3. 10% increase in the number of commercial businesses in Frankton by 2023.</p> <p>4. Profile Frankton's unique selling point regarding its retail offer to attract the target market.</p>	Response to feedback from the working group. Creates more informative and realistic KPI's

DRAFT

Discover Frankton

The Frankton Neighbourhood Plan



 **Hamilton City Council**
Te kaunihera o Kirikiriroa



Introduction

Frankton has a history centred on rail and a story that is tied to Hamilton's origins. It is a place with a special character and its economic identity is based on a tradition of trade and family businesses. It is a mature inner city suburb, close to the central city and major event facilities. It is surrounded by parks, and the historic West Town Belt, and is connected by some of Hamilton's main transport routes. The residential areas are a mix of older homes and medium density, and the oldest street in Hamilton is situated in Frankton.

Over the past thirty years Frankton has lost some of its charm, but this inner city location and mixed economy make it an ideal place to live and work. This plan is about rediscovering Frankton and its role in Hamilton as an urban village, with projects to enable Frankton to develop and grow, while preserving its history and uniqueness.

Story of Frankton

1867 The Jolly's arrive in Hamilton and purchase farmland, which they name "Frankton"

1877 Frankton's original rail station constructed

1885 The Frankton Hotel fire; nothing could be saved

1890 Thomas Jolly killed by his own Jersey bull, the first in the Waikato

1910 Frankton Post Office built.
Frankton Town Hall opens.
The first Signal Box arrived managing more than 80 trains and 1,000 wagons each day
Windermere house built

1911 Frankton Primary School opened

1913 Frankton became a Borough and Frank Jolly elected the first Mayor of Frankton.
The Empire Hotel opened

1914 Mobilization of Waikato troops began in Frankton

1917 Hamilton and Frankton Boroughs amalgamated
Frankton Saleyards open

1931 Fire in the Frankton Hotel incinerator room but little damage

1926 During the Christmas season Frankton Junction carried 400 trains and 84,000 passengers

1945 Nearly 1,000 rail employees living in Frankton

1946 Grand Hotel burns to the ground
Forlong's opens
Frankton Business Association formed

1984 The Station Masters house relocated to the entrance to the Hamilton Gardens

1987 Frankton Town Hall demolished
First 'Frankton Markets' held

2012 Good George opens its doors in Frankton using the historic St Georges church in Somerset Street
Classics Museum opens in Frankton showcasing an amazing collection of classic cars

1878 The first passenger train arrives in Frankton to a crowd of 300

1901 Hutton's factory opens

1908 Completion of the main trunk line enhanced Frankton's strategic importance

1888 Patients arrived by train to go to the new Waikato Hospital were trundled on luggage trolleys to the northern edge of Lake Rotorua, they were then rowed across the lake to the hospital by a house surgeon.

1913 Prime Minister W F Massey turned on Frankton Borough Council's electricity and water supply to a cost of £19,000

1915 Thousands of people welcomed the Hospital Train carrying wounded soldiers

1922 The House Factory began production of railway staff cottages and rail buildings, producing 8,000 feet of dressed timber a day

1948 Frankton Tornado strikes causing \$2m in damage

1960s Griffin's & Sons factory in King Street

1986 Massey Street Overbridge opened

1995 Five die in Empire Hotel fire

2011 Frankton Primary celebrates being 100 years old

2014 Hutton's Factory closes

1900

2000

Rediscovering Frankton

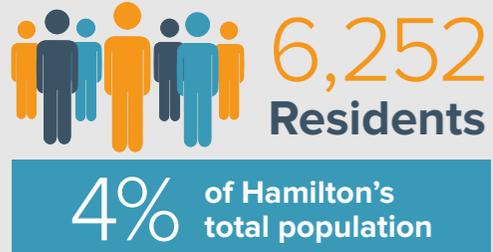
Surrounded by an extensive green belt, Frankton is a mature suburb tied to Hamilton's origins with a rich history centred on rail. It functions as an important industrial, commercial, and retail node and is strategically located alongside SH1 and key Hamilton roads.

With a flat topography, Frankton is pedestrian and bike-friendly and easy to get around. Major sports stadiums, theatres, parks and open spaces and the central city are within 20 minutes walking distance of Frankton Village.

Its history and diverse, quirky nature make Frankton a suburb with a difference, unique in our City. Combining commercial and retail opportunities, a central city lifestyle and visitor attractions, Frankton does not need to be reinvented just rediscovered. The Frankton Neighbourhood Plan describes how this can happen.



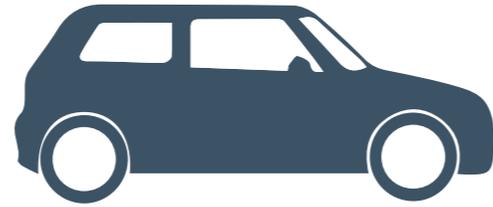
Facts & Figures



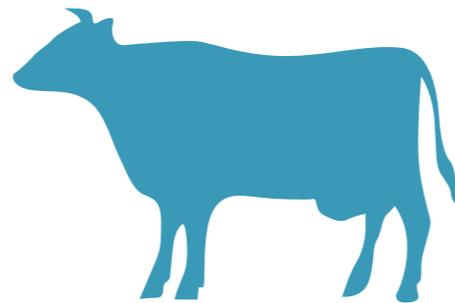
66 Different Ethnicities
Frankton / Hamilton

European	3,700 / 93,000
Maori	1,800 / 28,600
Asian	600 / 18,500
Pasifika	400 / 6,800

Largest demographic group is **20-29** years and increasingly **65+**



Main industries:
1. Automotive 2. Service Industry
3. Manufacturing 4. Retail
5. Trade and Wholesalers



Saleyards:
Hamilton's only stock saleyards opened in 1917 and are still operating today

\$700 Million GDP



1,500 Businesses

13 Historic Classifications



Classic museum
Award winning museum of cars and memorabilia from yesteryear

Three distinct housing areas:

1. Residential Intensification
2. Frankton Railway Village Heritage Area
3. General Residential



28% owner occupied

Discover Frankton

Plan Outcomes



Retain and grow Frankton's unique economy

Frankton has a unique economic mix of light industrial, trade and retail businesses which have been a part of this area for a long time. They make an important contribution to Hamilton's economy.

There is significant potential to generate economic growth by leveraging Frankton's economic base and reputation as a supportive commercial environment for small to medium trade, family and start-up businesses.

The Frankton shopping area has potential to develop a village look and feel, building on the quirky nature of the retail offering and the character of the area.



More people living in Frankton

Frankton is a mature suburb located close to the central city, offering a range of housing options. It is close to jobs and main transport routes.

Frankton will become an increasingly desirable suburb for families and professionals interested in an urban village atmosphere and convenient, pedestrian-friendly proximity to work, education, cultural and social facilities.

Frankton's location and the availability of large development sites provide exciting opportunities for new types of residential living.



Preserve, enhance and share Frankton's history

Frankton's history, particularly its railway heritage, is a significant cultural asset.

The Frankton story is represented by places, buildings, railway connections and other historical artefacts which provide opportunities to celebrate a part of Hamilton's and New Zealand's history.



Visitors are attracted to Frankton's history and quirky character

Frankton's unique character with a blend of the contemporary and historical, and development of a more attractive village look and feel, provide the potential for visitor experiences.

City projects such as the Western Rail Trail – a recreational bike path to be built in 2016 – will draw more people into the area while other initiatives such as preservation projects for Commerce Street and historic rail cottages provide reasons for visitors to stay and enjoy Frankton's heritage sites, shopping and hospitality.



Strengthen Frankton's connections

Frankton is located close to Seddon Park, FMG Stadium Waikato, Hamilton Lake and the Founders Theatre, providing pedestrian-friendly connections between event spaces and Frankton's urban village activities.

Making these connections more visible and easier to use will raise Frankton's profile as a destination and provide attractive and interesting biking and walking routes to and through Frankton.

Frankton Village – creating Hamilton’s first urban village

Anchoring the retail area in Commerce Street around Forlongs, maximising the value of the heritage buildings, and creating a high level of amenity unique to Frankton in the public spaces and streetscape will support delivery of the outcomes in this plan.

The existing Frankton shopping area has a mix of traditional businesses such as the local butcher, florist, cake shop and barber servicing the local residents and businesses.

It has the potential to develop a village look and feel, building on the traditional businesses and the quirky nature of the newer retail offerings starting to emerge. Commerce Street is dominated by Forlongs, a family owned and operated department store, significant landowner and service provider. The Frankton Market has been an attraction for 30 years.

Outcomes:

- Frankton Village is a destination
- A unique and quirky shopping experience
- Heritage features are preserved and prominent
- A place that families enjoy gathering



Artist's impression of Frankton Village

Projects:

Beautification Plan for Commerce Street

Improve the beauty and amenity of Commerce Street from High Street to Kent Street.

- Upgrade footpaths, planting and street furniture on Commerce Street to reflect Frankton's heritage character. Replace Melia street trees with a species that enhances Frankton's village appeal.
- Develop a design palette for Commerce Street historic buildings and promote to building owners.

Commerce Street Character Overlay

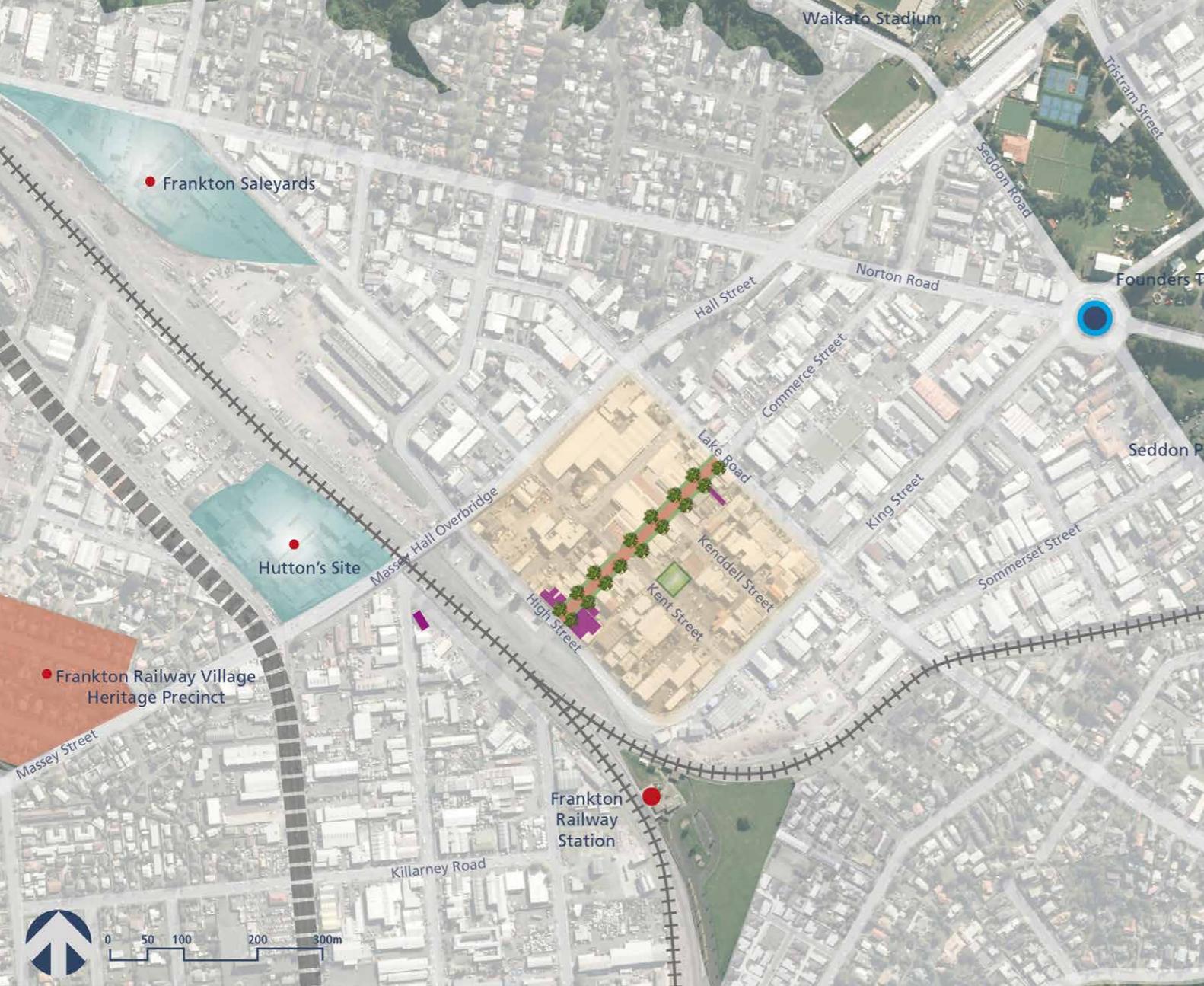
- Include a Special Heritage Zone character overlay area for Commerce Street in the District Plan to protect the character, amenity, heritage and unique qualities of Commerce Street.
- Publish a planning guide booklet for investors and property owners.

Parking Plan

Additional angle parking on High Street, Somerset Street and Commerce Street.

Pocket Park in Kent Street

Develop a small, beautiful park in Kent Street close to the village centre.



Celebrating Heritage – telling Frankton’s story

Frankton has a rich history that includes significant sites for Maori. From early European settlement, Frankton was a major New Zealand rail junction for transporting people and goods. This history has been largely forgotten. This Plan seeks to change that and promote and preserve this rich history.

The railway cottages built to accommodate the railway workers remain the largest intact collection of railway cottages in New Zealand. Frankton was also a major sheep and cattle sale yards, with farmers often walking their sale herds through the streets of Frankton.

Outcomes:

- Frankton’s heritage is preserved
- People know about Frankton’s history
- People visit Frankton for a heritage experience

Projects:

Frankton Railway Cottage Area Conservation Plan

Frankton’s railway cottages are the largest intact collection of railway cottages in New Zealand.

This project is to develop a conservation plan for the railway cottage area which will include:

- A paint colour palette for the cottages’ exteriors.
- A financial incentive scheme for cottage owners to encourage adoption of the colour palette.
- A streetscape and road design to complement the historical cottages and enhance the street as a visitor attraction.

- Planning guide booklet for renovation and enhancement of cottages.
- A promotional campaign.
- Landscaping plan for the Railway Park.

Heritage Trail

Tell Frankton’s story by:

- Developing and sign posting the Frankton Heritage Trail, including the Rail Station, Saleyards, High Street and Weka Street.
- Installing heritage history boards at key sites.
- Implementing a marketing campaign to promote the Heritage Trail.
- Encouraging public art installations on the Heritage Trail.

Frankton Heritage Museum

Community led project to develop a Museum in the Frankton Village that tells the history of Frankton.

In the short term, there will be pop up heritage exhibitions that share and celebrate Frankton’s stories, heritage and historical artefacts.

Maori Sites Plan

- Map the significant Maori sites within the Frankton area and develop a programme of restoration.
- Install story boards and create a tour guidebook.

Gully Restoration

Develop a gully restoration plan to restore the Waitawhiriwhiri Gully.

Frankton Hall

Review the location and use of Frankton Hall.



Connecting Frankton – making it easy to discover Frankton

Frankton is within close proximity to the sports stadiums and Founders Theatre. Improving and promoting easy entry and exit gateways and connection to major facilities will enhance Frankton’s appeal as an inner city suburb.

Frankton is centrally connected to all the major transport routes, including SH1. There are high traffic volumes that transect Frankton which impact on the quality of pedestrian and cycling connections.

Outcomes:

- Frankton is easily accessible for pedestrians and cyclists
- Connections to major facilities are visible and well used.



Projects:

Upgrade the Massey-Hall Overbridge

Enhance the visual appearance of the overbridge and improve safety for pedestrians including installing railing screens and art features. Direct access from the overbridge to High Street will also be explored.

Upgrade the playground in Swarbrick Park

Incorporate a historic theme in upgrading the existing playground to provide a more exciting play experience.

Define the Connection to the major facilities

Identify, sign post and enhance the pedestrian routes to connect Frankton to Seddon Park, FMG Stadium Waikato and Founders Theatre.

Complete the Western Rail Trail

The Western Rail Trail is a project in the Hamilton Biking Plan providing a connection from the south west suburbs to the central city and destinations such as Hamilton Lake, Frankton Rail Station, Seddon Park and FMG Stadium Waikato. This off road biking trail runs alongside the railway track through Frankton.

Frankton Heritage Bike Loop

Develop a bike friendly circuit from the Western Rail Trail into Frankton Village and include history storyboards and route enhancement features.

Frankton Gateway

Community-led project to install a major artwork to promote the entry to Frankton at the Founders Roundabout.

Install Way-Finding Signs

Install signs to promote gateway entry to Frankton and to the Frankton Village.

Connect the Frankton Rail Station to Frankton Village

Frankton Rail Station is an iconic feature of the area’s strong railway heritage and an important link for future potential commuter rail to and from Auckland. This is a long term project to explore options to reactivate the Railway Station through a structural connection to Frankton Village.

Support a skate park in or near the Green Frame

The Central City Transformation Plan includes the development of a new skate park in or near the Green Frame, which borders Frankton to the east.



Artist's impression of the Western Rail Trail

Investment – growing Frankton’s attraction as a place to live and do business

The mixed trade and manufacturing economy has been an important part of Frankton for decades with mostly small to medium sized owner-operated businesses. This economic make up is unique in Hamilton.

Despite competition from Te Rapa and other commercial/industrial areas in the city, Frankton has continued to provide a range of services and products that people want to use as well as a wide range of jobs. To accommodate and support ongoing investment, this Plan aims to protect and grow this mixed economy.

Frankton’s location and range of housing options, including medium density, makes it an attractive place to live. Supporting and promoting these options to enable the population to grow and support the economic activity in the area.



Outcomes:

- Retain and grow Frankton’s unique economy
- Increase in the GDP contribution Frankton makes to Hamilton
- Increase the number of people living in Frankton

Projects:

Key Development Sites

There are three privately owned sites in Frankton that offer large scale opportunity for residential or commercial rejuvenation. The Council encourages development on these sites to support the outcomes in this Plan. Those sites are:

- The railway land on High Street commercial zone (0.8 ha of land in one title)

- Industrial site on the corner of Lincoln and Massey-Hall Overbridge (ex-Hutton’s factory) (industrial zone, 7 lots, 3 titles, 3.4ha)
- Stockyards on Norton Road (industrial zone, 16 lots, 3 titles, 2.35ha)

Resolve the District Plan Business Zone Appeals

This will be completed in early 2016.

Create an Events Programme

In partnership with the business community and community funders, identify a major attraction annual event. One example is an ethnic food festival.

Establish a Business Improvement District (BID)

Explore the viability of establishing a Business Improvement District (BID) for Frankton with the business community.

Market the Business and Residential Opportunities

Work with real estate agents to promote Frankton as a place for business and living.

Reduce Red Tape

Deliver the Better Business Services Plan.

Implementation & Timeframes

This page identifies the estimated timeframes for projects and actions. Recreating Frankton as an exciting urban village will take time.

To start immediately

Maaori Sites Plan

Map significant Maaori sites within the Frankton area, develop a restoration programme, install story boards and create a tour guidebook.

Beautification Plan for Commerce Street

Upgrade footpaths, planting and street furniture to reflect Frankton's heritage character; replacing the street trees with a species that enhances Frankton's village appeal; develop and promote a design palette for historic buildings.

Resolve District Plan Business Zone Appeals

Reduce Red Tape

Deliver the Better Business Services Plan.

Market the Business and Residential Opportunities

Work with real estate agents to promote Frankton as a place for business and living.

Complete Western Rail Trail

Provide an off-road biking connection from south west suburbs to the central city, Hamilton Lake and Stadiums. It will run alongside the railway track through Frankton.

Short-term (1-3 years)

Frankton Railway Cottage Area Conservation Plan

Develop a conservation plan for the railway cottage area to preserve the historical cottages and enhance the street as a visitor attraction. Develop a planning guide booklet for the renovation and enhancement of cottages, and a promotional campaign for the area.

Establish a Business Improvement District (BID)

Explore the viability of establishing a Business Improvement District (BID) for Frankton with the business community.

Heritage Trail

Tell Frankton's story by developing and sign posting the Frankton Heritage Trail, installing heritage history boards at key sites, implementing a marketing campaign to promote the Heritage Trail and encouraging public art installations on the Heritage Trail.

Frankton Heritage Bike Loop

Developing a bike friendly circuit from the Western Rail Trail into Frankton Village which includes history storyboards and route enhancement features.

Define the Connection to the major facilities

Identify, sign post and enhance the pedestrian routes to connect Frankton to Seddon Park, FMG Stadium Waikato and Founders Theatre.

Install Way-Finding Signs

Install signs to promote gateway entry to Frankton and to the Frankton Village.

Parking Plan

Create additional angle parking provision on High Street, Somerset Street and Commerce Street.

Create an Events Programme

In partnership with the business community and community funders, identify a major attraction annual event. One example is an ethnic food festival.

Frankton Gateway

Community-led project to install a major artwork to promote the entry to Frankton at the Founders Roundabout.

Gully Restoration Project

Develop a gully restoration plan to restore the Waitawhiriwhiri Gully.

Frankton Hall

Review the location and use of Frankton Hall.

Long-term

Commerce Street Character Overlay

Include a Special Heritage Zone character overlay area for Commerce Street in the District Plan to protect the character, amenity, heritage and unique qualities of Commerce Street. Publish a planning guide booklet for investors and property owners.

Hall Street Overbridge

Improvements to the visual appearance of the over-bridge, direct access to High Street and pedestrian safety features. Install railing screens that reference Frankton's identity and incorporate art, and enable the activity in High Street/Commerce Street to be visible from the bridge.

Pocket Park in Kent Street

Develop a small, beautiful park in Kent Street close to the village centre.

Upgrade the playground in Swarbrick Park

Upgrade the existing playground with a historic theme to provide a more exciting play experience.

Frankton Heritage Museum

Community led project to develop a Museum in the Frankton Village that tells the history of Frankton. In the short term, there will be pop up heritage exhibitions that share and celebrate Frankton's stories, heritage and historical artefacts.

Connect the Frankton Rail Station to Frankton Village

Explore options to reactivate the Frankton Railway Station - an iconic feature of the area's strong railway heritage and an important link for future potential commuter rail to and from Auckland - through a structural connection to Frankton Village.

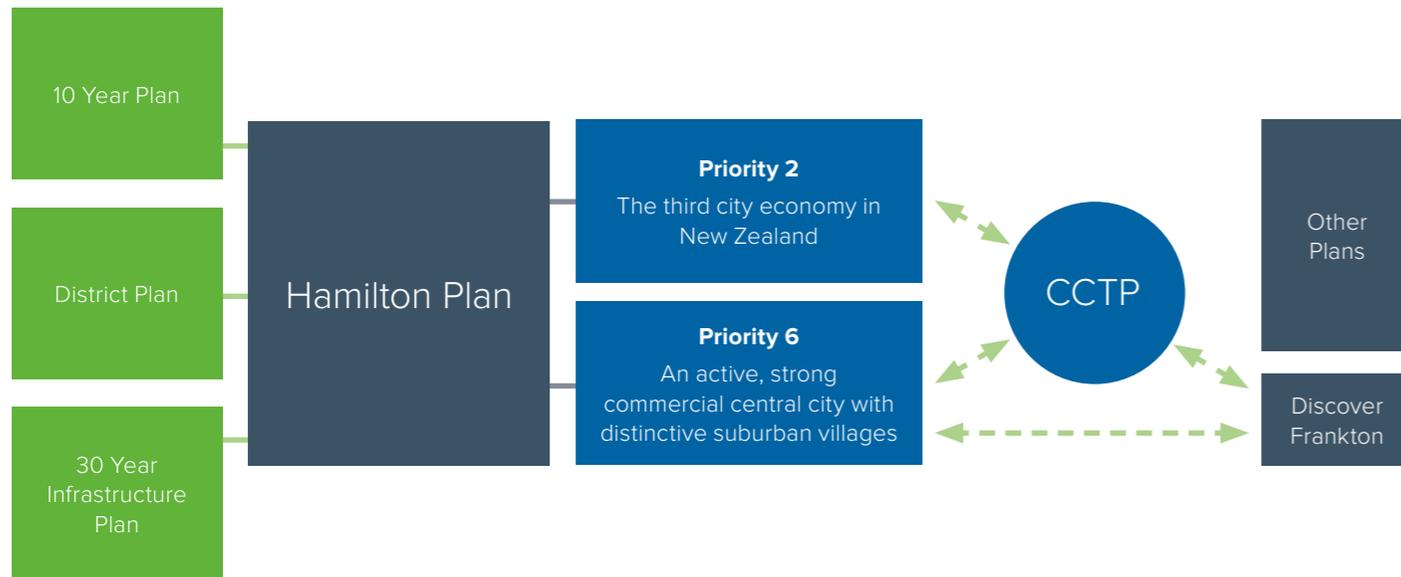
Support a skate park in or near the Green Frame

The Central City Transformation Plan includes the development of a new skate park in or near the Green Frame, which borders Frankton to the east.

Key Development Sites

Encourage development to support residential and commercial rejuvenation on the three key privately-owned sites in Frankton.

Strategic Framework



KPIs & Measures

1. **GDP** – 2% increase in GDP per annum
2. **Residential** – 10% increase in people living in Frankton by 2023
3. **Business** – 10% increase in the number of businesses in Frankton by 2023
4. **Profile** – increasing numbers of visitors and residents know about Frankton and what it offers

References

Reference 1
Population data from 2013 New Zealand Census.

	Hamilton City		Frankton area	
	Number	Total (%)	Number	Total (%)
European	93315	65.90%	3714	59.40%
Maori	28605	20.20%	1839	29.41%
Pasifika	6798	4.80%	429	6.86%
Asian	18477	13.00%	624	9.98%
MELAA	2628	1.90%	81	1.30%
Other	2163	1.50%	93	1.49%
Not Elsewhere Included	7401	5.20%	465	7.44%
Total	141612		6252	

Source: Property Economics Report 2011: Retail expenditure is estimated to be \$10 million in 2016 and expected to grow to \$14m by 2031.
 Source: 2014/15 City Planning Land Use Survey.
 Source: QV August 2015: Average house price \$ 296,350.
 Source: 2013 Census: 28% owner occupied, compared to 43% in Hamilton.
 Source: QV August 2015: Annual increase of 4% capital value increase for housing.
 Source: HCC Proposed District Plan Heritage Schedule 2015

Acknowledgments

Page 4/5 - B. Lafferty, From Farm to Inner City, P.J Gibbons, Astride the River
 Page 8/9 - Existing sources table shown on page 26
 Page 10 - HCC Libraries Image
 Page 12-17 - Artist's Impression: Design Engine Architects Ltd
 Page 19 - Artist's Impression: BECA
 Document photography: Mike Walden
 All photos not separately acknowledged are property of Hamilton City Council.





Committee: Strategy & Policy Committee **Date:** 23 February 2016

Report Name: Gambling Policies Review 2015 **Author:** Julie Clausen
 - Adoption Report

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Supports the Social Well Being Strategy</i>
Financial status	<i>There is budget allocated of \$20,000 within the operating budget for the review of the Gambling Policies.</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance and Engagement 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. To present the proposed Class 4 Gambling Venue Policy and the proposed TAB Board Venue Policy for Council's consideration and adoption.
3. To present the amended draft Class 4 Gambling Venue Policy and Statement of Proposal for consideration and adoption prior to public consultation.

4. Executive Summary

5. Public consultation on the proposed Class 4 Gambling Venue Policy and the proposed TAB Board Venue Policy commenced 2 September 2015 and closed on 2 October 2015. Seventy eight (78) submissions were received. Full submissions are available on [Council's website](#).
6. Five submitters were heard in support of their submission at the hearing held on [5 November 2015](#).
7. Following deliberations, Council resolved to amend the Class 4 Gambling Venue Policy to select Option B (limited relocation).
8. Council resolved to adopt both the Class 4 Gambling Venue Policy and TAB Board Venue Policy with the inclusion of a policy note regarding the Gambling Amendment Bill (No 3).
9. Also at the 5 November 2015 meeting, Council resolved:

That Council consult, using a Special Consultative Procedure, the public solely on:

 - i. the inclusion of an additional clause to Option B that any venue within the permitted area is able to relocate within the gambling permitted area.*
 - ii. the removal of the word "existing" from section 4a of Option B relating to club mergers.*
10. An amended draft Class 4 Gambling Venue Policy and Statement of Proposal is attached for consideration and adoption prior to public consultation.
11. The consultation period will be from Thursday 3 March 2016 to Wednesday 6 April 2016.

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

- a) That the report be received.
- b) That the proposed Class 4 Gambling Venue Policy be adopted.
- c) That the proposed TAB Board Venue Policy be adopted.
- d) That the proposed Class 4 Gambling Venue Policy and the proposed TAB Board Venue Policy, as adopted above, come into force on 2 March 2016.
- e) That Council adopt the draft Amended Class 4 Gambling Venue Policy and Statement of Proposal to allow public engagement.
- f) That the consultation period be from Thursday 3 March 2016 to Wednesday 6 April 2016.

13. Attachments

14. Attachment 1 - Proposed Class 4 Gambling Venue Policy
15. Attachment 2 - Proposed TAB Board Venue Policy
16. Attachment 3 - Amended draft Class 4 Gambling Venue Policy
17. Attachment 4 – Statement of Proposal- Amended Class 4 Gambling Venue Policy

18. Adoption of the proposed Class 4 Gambling Venue Policy and the proposed TAB Board Venue Policy

19. The Gambling Act 2003 and Racing Act 2003 required Council to have a Class 4 Venues Policy and a TAB Board Venue Policy and for the policies to be reviewed every three years using the Special Consultative Procedure.
20. Public consultation commenced 2 September 2015 and closed on 2 October 2015. Seventy eight (78) submissions were received. Full submissions are available on Council's website.
21. Five (5) submitters were heard in support of their submission at the hearing held on 5 November 2015.
22. Following deliberations, Council resolved to support Option B (limited relocation) for the Class 4 Gambling Venue Policy. No further changes are proposed to the two policies for adoption, except for the inclusion of a policy note regarding the Gambling Amendment Bill (No 3).
23. The Class 4 Gambling Venue Policy and the TAB Board Venue Policy will come into force on 2 March 2016.

24. Amendment to Class 4 Gambling Venue Policy

25. Council resolved on 5 November 2015 at the Strategy and Policy Committee meeting that there were two additional changes to the Class 4 Venues Policy that it wished to consider.
26. These issues were not part of the Statement of Proposal provided during the Special Consultative Procedure for the Class 4 Venues Policy and a TAB Board Venue Policy, and therefore are required to be addressed by a subsequent Special Consultative Process.

27. The changes are:
- i. Inclusion of a new clause s4(b) to allow any venue within the permitted area to be able to relocate within the gaming permitted area. The Class 4 Gambling Venue Policy (recommended for adoption 23 February 2016) does not allow any relocation, even within permitted areas. In consideration, this could be restrictive on operators as it does not allow them to relocate to alternative premises within the permitted area.
 - ii. The removal of the word “existing” from section 4a relating to club mergers. The Class 4 Gambling Venue Policy s4(a) requires that any private clubs who merge and consolidate their existing activities must use one of the existing venues. The removal of the word “existing” would allow merged clubs to relocate to an alternative venue.
28. There are no other changes to the Class 4 Gambling Venue Policy.
29. The amended Class 4 Gambling Venue Policy and Statement of Proposal are attached.
30. The consultation period will be advised by Public Notice and will run from Thursday 3 March 2016 to Wednesday 6 April 2016. The consultation will be available on Council’s website “have your say” and at Council offices.
31. A letter will be sent to all submitters who made submissions to the draft Class 4 Gambling Venue Policy (recommended for adoption 23 February).
32. The hearings and deliberations on the amended draft Class 4 Gambling Venue Policy will be considered at the 3 May 2016 Strategy and Policy Committee.

33. Financial and Resourcing Implications

34. The cost of reviewing the gambling policies is budgeted for in existing budgets.
35. External costs for the review are estimated at \$6000.00, including legal input and consultant support. Conducting a second round of consultation to amend the Class 4 Gambling Venue Policy will incur additional costs to Council of approximately \$2000.00.
36. To date staff input is estimated at 120 hours, or approximately \$12,000.00.
37. There are no financing and resourcing implications for the proposed changes to the policies.

38. Risk

39. The changes proposed are able to be undertaken within the existing legislative framework and have followed a robust deliberation process by Council. For this reason, there is low legislative or financial risk.

Signatory

Authoriser	Sean Hickey, General Manager Strategy and Communications
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First adopted:	8 March 2004
Revision dates/version:	2 March 2016 / Revision 7
Next review date:	December 2018
Engagement required:	SCP
Document number:	D-1984721
Associated documents:	Gambling Act 2003
Sponsor/Group:	City Growth



CLASS 4 GAMBLING VENUE POLICY

Purpose

1. To control the growth of Class 4 gambling venues.
2. To minimise the harm caused by Class 4 gambling.

Definitions

Adjacent Allotment	Allotments sharing one or more common boundaries a) any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not:- i). the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or ii). a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or b) any parcel of land or building or part of a building that is shown or identified separately:- i). on a survey plan; or ii). on a licence within the meaning of Part I of the Companies Amendment Act 1964; or c) any unit on a unit plan; or d) any parcel of land not subject to the Land Transfer Act 1952.
Class 4 Gambling Venue	a building located on one or more contiguous allotments at which gambling machines are located, or for the purposes of application at which it is proposed that gambling machines be located
Gambling Machine	As defined in the Gambling Act 2003
Premises	A building in which a Class 4 gambling venue is located
Private Club	In this context meeting the criteria of operating as a club as defined in Section 65 (3), in the Gambling Act 2003
Society	A corporate society as defined in the Gambling Act 2003 (including reference to Section 33), which has an operator's licence for Class 4 gambling machines.

Policy

3. To be considered for a venue consent under this policy, the primary activity of a venue must be either for:
 - a. the sale of alcohol or, the sale of alcohol and food where the venue is subject to an on licence (but not being a bring-your-own licence) or club licence; or
 - b. the conducting of race and sports betting in standalone, alcohol free New Zealand Racing Board venues under the Racing Act, 2003.
4. Council will not grant consent for the establishment of any new Class 4 gambling venues or machines except in the following circumstance(s):
 - a. Where two or more private clubs merge and consolidate the operation of their class 4 gambling activities at a single existing gambling venue that is located within a Gambling Permitted Area (Schedule 1); or
 - b. Where a society undertakes to permanently close an existing class 4 gambling venue located outside of a Gambling Permitted Area as part of an application for a new Venue Consent and the proposed new Class 4 gambling venue is located within a Gambling Permitted Area (outlined in Schedule 1).
5. This relocation policy only applies:
 - a. Where the applicant surrenders the existing venue licence (with the Department of Internal Affairs) for the existing venue, and
 - b. The application meets all other provisions of this policy.

Location restrictions

6. If the proposed gambling venue premises is located **within the Central City** (Map 4, Schedule 1):
 - a. the premises must not be adjacent to any other Class 4 gambling venue or casino; and
 - b. must not be adjacent to any school, or early childhood centre; and
 - c. must not be closer than 100 metres (in a straight line) to any residentially or special character zoned land or community facilities zoned land as outlined in the Hamilton City Proposed District Plan (or resulting Operative District Plan).
7. If the proposed gambling venue premises is located **outside of the Central City** (Maps 1,2,3,5,6,7,8,9, Schedule 1):
 - a. the premises must not be within 50m (in a straight line) of the principal entrance of any other Class 4 gambling venue or casino; and
 - b. must not be adjacent to any school, or early childhood centre; and
 - c. must not be closer than 100 metres (in a straight line) to any residentially or special character zoned land or community facilities zoned land as outlined in the Hamilton City Proposed District Plan (or resulting Operative District Plan).

Number of machines

8. On the relocation of a Class 4 Gambling Venue, the maximum number of machines permitted to operate at the new Class 4 Gambling Venue at the time when the new Class 4 venue licence takes effect is the same as the maximum number of gaming machines permitted to operate at the old venue immediately before the licence relating to the old venue is cancelled (as prescribed in Section 97A of the Gambling Act 2003).
9. Two or more private clubs which merge may consolidate the number of gambling machines being operated at the merged private club venue to the lesser of:
 - a. 24 gambling machines or
 - b. the sum of the number of gambling machines previously operated by each private club individually.

Application and Fees

10. Applications for a Venue Consent must be made on the approved form.
11. Application fees and charges will be set annually through the Annual Plan (fees schedule) process

Exemptions from Meeting Parts of the Policy

12. Where a legally established venue is required to apply for a venue consent at a new site because its existing site has been rendered physically incapable of being reused for the purpose of the venue (meaning a fire, earthquake or similar event), Council will consider the application under clause 6 and 7 of the venue policy for venue consent. The consent shall allow for up to the number of gambling machines the venue was licenced for immediately prior to the cessation of activity.

Policy Note – This policy is subject to provisions of the Gambling Amendment Bill (No 3) and any subsequent amendments to the Gambling Act 2003

SCHEDULE 1 – GAMBLING PERMITTED AREAS

The Gambling Permitted Area is indicated by the grey shaded areas of the following maps:

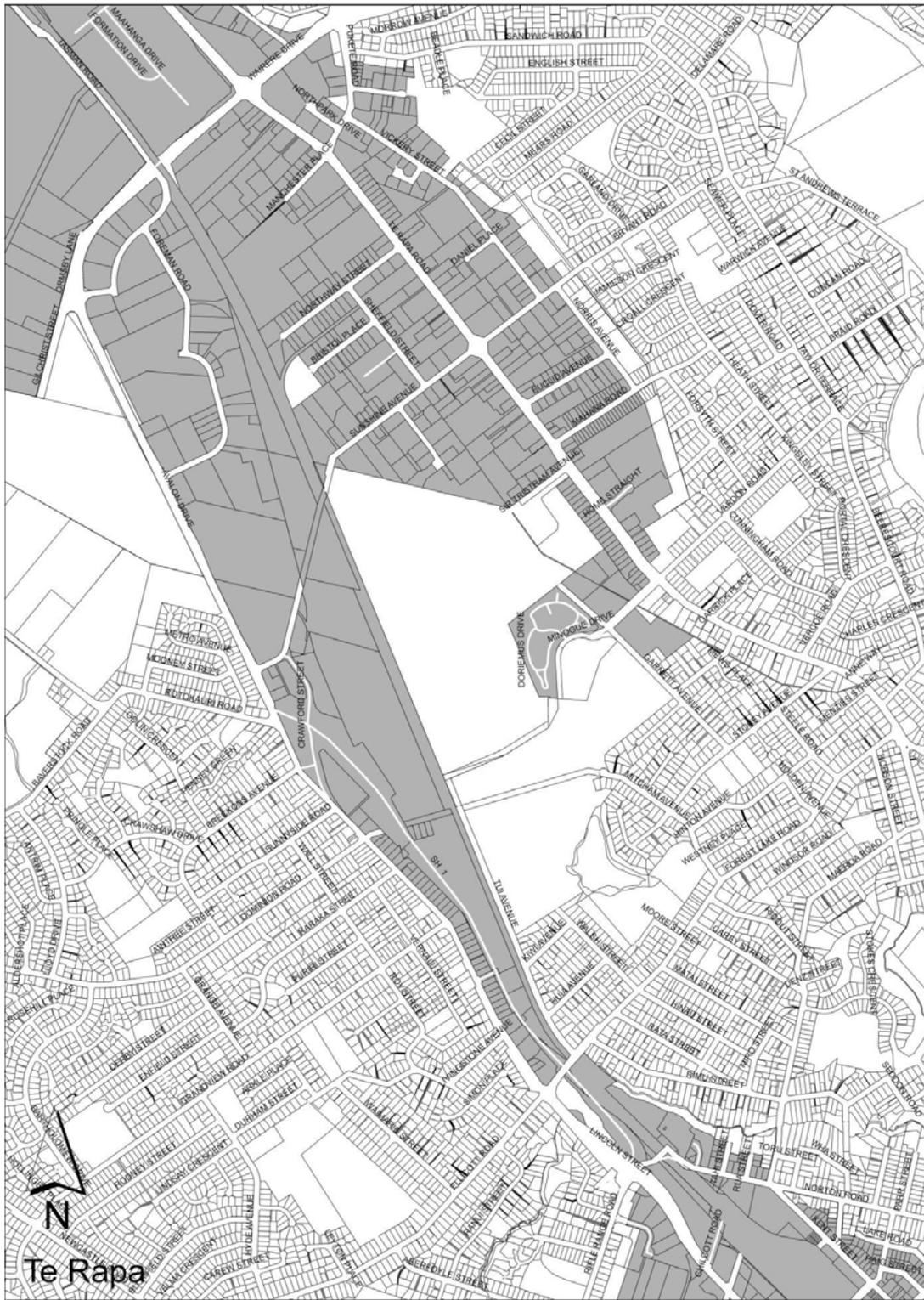
- Map 1 - Gambling Permitted Area Northern Te Rapa
- Map 2 - Gambling Permitted Area Southern Te Rapa
- Map 3 - Gambling Permitted area Frankton Industrial
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- Map 5 - Gambling Permitted Area Hamilton East
- Map 6 - Gambling Permitted Area Frankton Commercial
- Map 7 - Gambling Permitted Area Dinsdale
- Map 8 - Gambling Permitted Area Claudelands
- Map 9 - Gambling Permitted Area –Chartwell

MAP 1
Gambling Permitted Area, Northern Te Rapa



MAP 2

Gambling Permitted Area, Southern Te Rapa

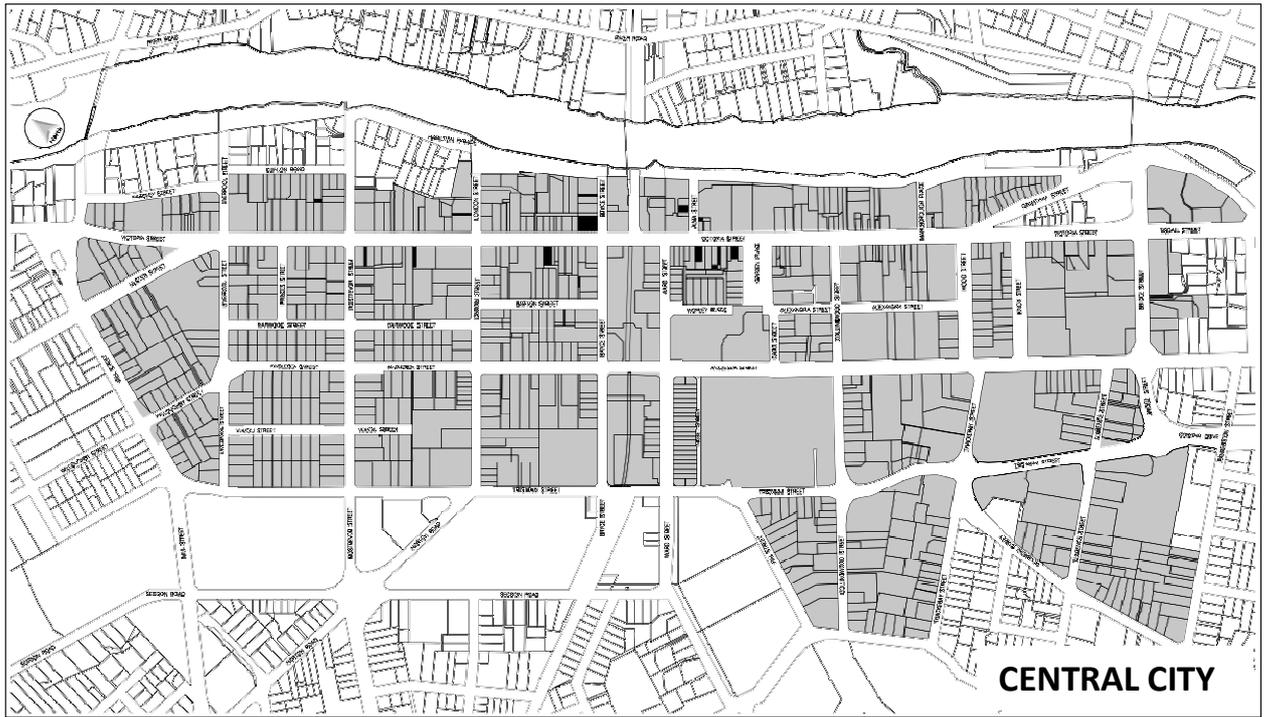


MAP 3
Gambling Permitted Area, Frankton Industrial



MAP 4

Gambling Permitted Area, Central City



MAP 5

Gambling Permitted Area, Hamilton East



MAP 6
Gambling Permitted Area, Frankton Commercial



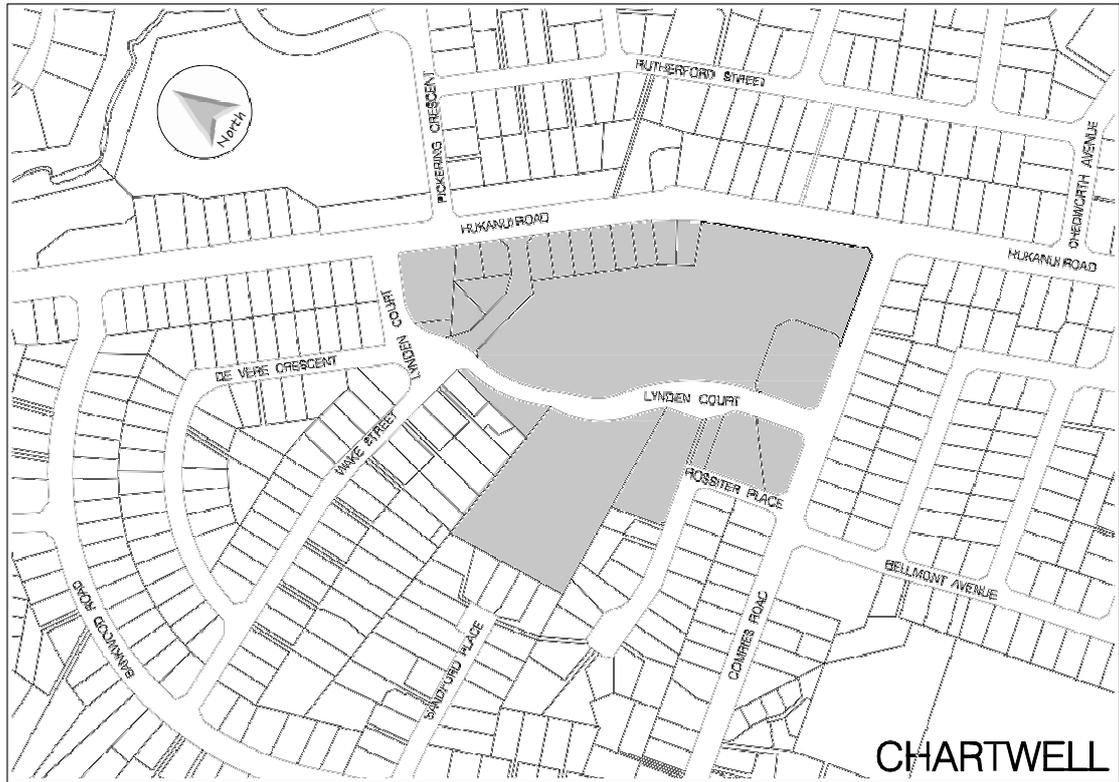
MAP 7
Gambling Permitted Area, Dinsdale



MAP 8
Gambling Permitted Area, Claudelands



MAP 9
Gambling Permitted Area, Chartwell



First adopted:	8 March 2004
Revision dates/version:	2 March 2016 / Revision 7
Next review date:	December 2018
Engagement required:	SCP
Document number:	D-1984771
Associated documents:	Racing Act 2003
Sponsor/Group:	City Growth



TAB BOARD VENUE POLICY

Purpose

1. To control the growth of gambling in Hamilton City within the scope of the Racing Act 2003, while allowing those who wish to participate in sports or racing gambling to do so.
2. To minimise the harm caused by gambling, including problem gambling in Hamilton City
3. To reflect the views of local communities in respect of the provision of gambling in Hamilton City

Definitions

Board venues	Premises that are owned or leased by the New Zealand Racing Board and where the main business carried on at the premises is providing racing betting or sports betting services under the Racing Act 2003 (the Act).
Premises	Building in which a TAB Board venue is located.

Policy

4. From the date this Policy comes into force, no further Board venues may be established in Hamilton City.
5. Existing Board venues (as outlined in Schedule 1) are not permitted to relocate from one premises to another.
6. Signage on Board venue sites may include corporate colours, logos, and signage but not include details of individual gambling promotions.
7. Board venues may also host Class 4 gaming machines subject to Council's Class 4 Gambling Venue Policy.

Policy Note – Clause 7 is subject to provisions of the Gambling Amendment Bill (No 3) and any subsequent amendments to the Gambling Act 2003

SCHEDULE 1 - TAB BOARD VENUES (EXISTING AT THE TIME OF POLICY ADOPTION)

- Te Rapa TAB (618 Te Rapa Rd) and
- Frankton TAB (20 King St).

First adopted:	8 March 2004
Revision dates/version:	2 March 2016 / Revision 7 To be advised / Revision 8
Next review date:	December 2018
Engagement required:	SCP
Document number:	D-1984721D-2050478
Associated documents:	Gambling Act 2003
Sponsor/Group:	City Growth



CLASS 4 GAMBLING VENUE POLICY

Purpose

- To control the growth of Class 4 gambling venues.
- To minimise the harm caused by Class 4 gambling.

Definitions

Adjacent	Allotments sharing one or more common boundaries
Allotment	<p>a) any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not:-</p> <ol style="list-style-type: none"> the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or <p>b) any parcel of land or building or part of a building that is shown or identified separately:-</p> <ol style="list-style-type: none"> on a survey plan; or on a licence within the meaning of Part I of the Companies Amendment Act 1964; or <p>c) any unit on a unit plan; or</p> <p>d) any parcel of land not subject to the Land Transfer Act 1952.</p>
Class 4 Gambling Venue	a building located on one or more contiguous allotments at which gambling machines are located, or for the purposes of application at which it is proposed that gambling machines be located
Gambling Machine	As defined in the Gambling Act 2003
Premises	A building in which a Class 4 gambling venue is located
Private Club	In this context meeting the criteria of operating as a club as defined in Section 65 (3), in the Gambling Act 2003
Society	A corporate society as defined in the Gambling Act 2003 (including reference to Section 33), which has an operator's licence for Class 4 gambling machines.

Policy

3. To be considered for a venue consent under this policy, the primary activity of a venue must be either for:
 - a. the sale of alcohol or, the sale of alcohol and food where the venue is subject to an on licence (but not being a bring-your-own licence) or club licence; or
 - b. the conducting of race and sports betting in standalone, alcohol free New Zealand Racing Board venues under the Racing Act, 2003.
4. Council will not grant consent for the establishment of any new Class 4 gambling venues or machines except in the following circumstance(s):
 - a. Where two or more private clubs merge and consolidate the operation of their class 4 gambling activities at a single ~~existing~~ gambling venue that is located within a Gambling Permitted Area (Schedule 1); or
 - b. Where a society undertakes to permanently close an existing Class 4 gambling venue located inside of a Gambling Permitted Area as part of an application for new Venue Consent and the proposed new Class 4 gambling venue is located within a Gambling Permitted Area (outlined in Schedule 1).
 - ~~b.c.~~ Where a society undertakes to permanently close an existing Class 4 gambling venue located **outside** of a Gambling Permitted Area as part of an application for a new Venue Consent and the proposed new Class 4 gambling venue is located within a Gambling Permitted Area (outlined in Schedule 1).
5. This relocation policy only applies:
 - a. Where the applicant surrenders the existing venue licence (with the Department of Internal Affairs) for the existing venue, and
 - b. The application meets all other provisions of this policy.

Location restrictions

6. If the proposed gambling venue premises is located **within the Central City** (Map 4, Schedule 1):
 - a. the premises must not be adjacent to any other Class 4 gambling venue or casino; and
 - b. must not be adjacent to any school, or early childhood centre; and
 - c. must not be closer than 100 metres (in a straight line) to any residentially or special character zoned land or community facilities zoned land as outlined in the Hamilton City Proposed District Plan (or resulting Operative District Plan).
7. If the proposed gambling venue premises is located **outside of the Central City** (Maps 1,2,3,5,6,7,8,9, Schedule 1):
 - a. the premises must not be within 50m (in a straight line) of the principal entrance of any other Class 4 gambling venue or casino; and
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Number of machines

8. On the relocation of a Class 4 gambling venue, the maximum number of machines permitted to operate at the new Class 4 gambling venue at the time when the new Class 4 gambling venue licence takes effect is the same as the maximum number of gaming machines permitted to operate at the old venue immediately before the licence relating to the old venue is cancelled (as prescribed in Section 97A of the Gambling Act 2003).
9. Two or more private clubs which merge may consolidate the number of gambling machines

being operated at the merged private club venue to the lesser of:

- a. 24 gambling machines or
- b. the sum of the number of gambling machines previously operated by each private club individually.

Application and Fees

10. Applications for a Venue Consent must be made on the approved form.
11. Application fees and charges will be set annually through the Annual Plan (fees schedule) process

Exemptions from Meeting Parts of the Policy

12. Where a legally established venue is required to apply for a venue consent at a new site because its existing site has been rendered physically incapable of being reused for the purpose of the venue (meaning a fire, earthquake or similar event), Council will consider the application under clause 6 and 7 of the venue policy for venue consent. The consent shall allow for up to the number of gambling machines the venue was licenced for immediately prior to the cessation of activity.

Policy Note – This policy is subject to provisions of the Gambling Amendment Bill (No 3) and any subsequent amendments to the Gambling Act 2003.

SCHEDULE 1 – GAMBLING PERMITTED AREAS

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MAP 1
Gambling Permitted Area, Northern Te Rapa



MAP 2
Gambling Permitted Area, Southern Te Rapa

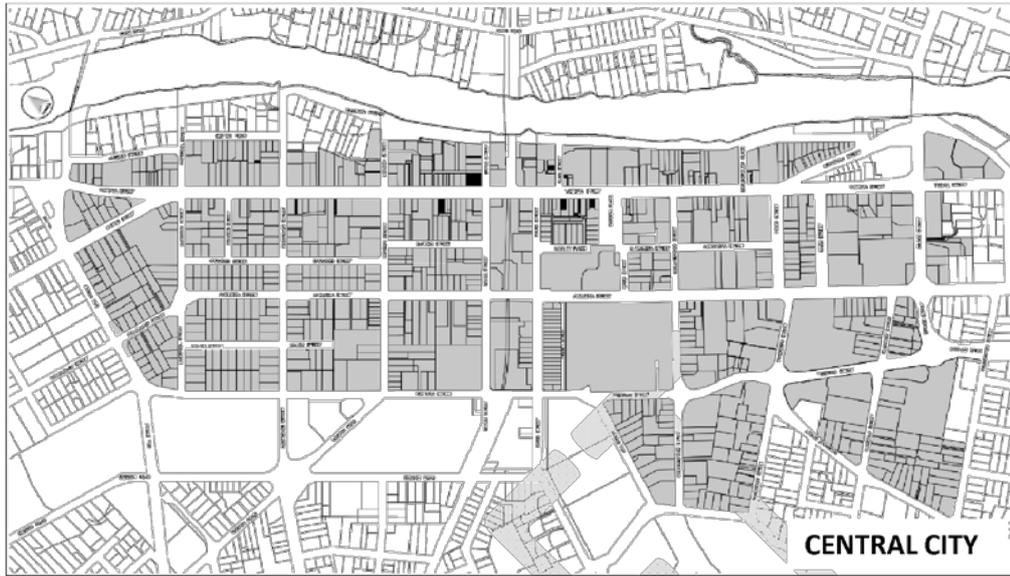


MAP 3
Gambling Permitted Area, Frankton Industrial



MAP 4

Gambling Permitted Area, Central City



MAP 5
Gambling Permitted Area, Hamilton East



MAP 6
Gambling Permitted Area, Frankton Commercial



MAP 7
Gambling Permitted Area, Dinsdale



MAP 8
Gambling Permitted Area, Claudelands



STATEMENT OF PROPOSAL

Amended Class 4 Gambling Venue Policy

Hamilton City Council (the Council) is seeking feedback on proposed amendments to the Class 4 Gambling Venue Policy. This Policy regulates the location and number of venues which have gambling machines (Class 4 venues) within Hamilton City.

WHY ARE WE DOING THIS?

The Gambling Act 2003 and Racing Act 2003 required Council to have a Class 4 Venues Policy and a TAB Board Venue Policy. These policies have to be reviewed every three years.

Council has recently completed this review resulting in revised policies being adopted on 2 March 2016.

During this review, Council decided to consider in the Class 4 Venues Policy the option of allowing existing venues within the permitted gambling areas to move to another venue within the permitted gambling area. This is not currently allowed under the revised policy. As this was not outlined on the Statement of Proposal sent to the public during the last review, Council must re-consult with the public if it wishes to make this change.

There are no other suggested changes to the Class 4 Venue Policy.

WHAT'S BEING PROPOSED

The two changes proposed to be considered by Council are:

1. The Class 4 Gambling Venue Policy does not allow any relocation, even within permitted areas. In consideration, this could be restrictive on operators as it does not allow

them to relocate to alternative premises (for example to relocate to a premise which may be more fit for use than their current premise).

Policy Amendment – addition of section 4(b).

2. The Class 4 Gambling Venue Policy requires any private clubs that merge and consolidate their existing activities to only be able to use one of their existing venues. This would restrict private clubs who merge from locating to a more suitable premise within the permitted area. The removal of the word "existing" would address this issue.

Policy Amendment to section 4(a)

TELL US YOUR THOUGHTS ON THE POLICY

We encourage you to tell us your views. For a copy of the draft Policy and a feedback form, visit the Hamilton City Council website hamilton.govt.nz/consultation.

How to give feedback

There are a number of ways you can give your feedback:

1. Fill out a feedback form online.
2. Fill out the feedback form and send to Hamilton City Council, Strategy Unit, Private Bag 3010, Hamilton 3240.

Feedback forms and the proposed policy are also available from all Hamilton City Council libraries, and from the Ground Floor reception of Council's Municipal Building in Garden Place. For any queries please ring 07 838 6699.

The period for giving us written feedback is open from **3 March 2016 and closes 4pm on 6 April 2016**.



**FEEDBACK FORM
PROPOSED CLASS 4 GAMBLING VENUE POLICY**

SECTION 1 Please print your details clearly

Name: Mr / Mrs / Miss / Ms _____

Organisation: _____

Address: _____

Phone: (day) _____ (evening) _____

Email: _____

Are you responding as a resident/business/other stakeholder interest? (please circle)

Please note all submissions are treated as public documents and will be uploaded on to the Council's website with the names and contact details of submitters included.

SECTION 2 Please print clearly

1. Do you agree with allowing operators (including clubs) that currently operate within the permitted area to be able to relocate to alternative venue within the permitted area?

Yes

No

Feedback can be:

- submitted online : www.hamilton.govt.nz/consultation
- posted: Freepost 172189, Strategy Unit, Hamilton City Council, Private Bag 3010, Hamilton 3240
- delivered to the main reception, ground floor of Council Building, Garden Place

Important Reminder: All written feedback must reach Council by 4pm on 6 April 2016. Feedback after this date may not be included in the feedback summary to Councillors.

Thank you for your feedback.

Committee: Strategy & Policy Committee **Date:** 23 February 2016
Report Name: Trade Waste and Wastewater Bylaw for Public Engagement **Author:** Emily Botje

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Bylaw</i>
Financial status	<i>The budget required for the making of this bylaw is estimated to be \$100,000. These costs have been funded from a combination of budgets from City Waters, Strategy and Communications.</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 considered to have a high degree of significance</i>

1. Purpose of the Report

- The purpose of the report is to present the draft Hamilton Trade Waste and Wastewater Bylaw 2016 for Councils consideration and adoption prior to commencing public engagement.

3. Executive Summary

- At the 22 September 2015 Strategy and Policy Committee, Item 8, Council determined that a bylaw is the most appropriate mechanism to deal with trade waste and wastewater matters within Hamilton.
- This report presents the draft bylaw for consideration and a recommendation to adopt it for the purposes of public engagement.

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

That:

- the report be received;
- Council determine that the proposed Hamilton Trade Waste and Wastewater Bylaw 2016 is the most appropriate form of bylaw;
- Council determine that the proposed Hamilton Trade Waste and Wastewater Bylaw 2016 does not give rise to implications under the New Zealand Bill of Rights Act 1990;
- the proposed draft Trade Waste and Wastewater Bylaw 2016 be adopted by Council for public engagement;
- a Councillor/s (comprising of [*Councillors' names to be inserted*]) be delegated to receive spoken submissions made to the proposed draft Trade Waste and Wastewater Bylaw 2016 at the drop in session 22 March; and

- f) a summary of the submissions received on the proposed Trade Waste and Wastewater 2016, including recommendations is presented to the 5 July 2016 Strategy and Policy Committee meeting as part of the staff report for deliberation and adoption.

7. Attachments

8. Attachment 1 - Proposed Trade Waste and Wastewater Bylaw
9. Attachment 2 - Statement of Proposal
10. Attachment 3 - Proposed Trade Waste and Wastewater Bylaw 2016 Proposed Changes and Benefits

11. Key Issues

12. Background
13. Following the 22 September 2015 Strategy and Policy Committee, staff have worked with internal and external stakeholders to determine the key issues and have developed a draft bylaw that allows these issues to be managed in the most effective and efficient way.
14. Legislative requirements or legal issues
15. Council's Trade Waste Bylaw 2006 is legislatively required to be reviewed by 16 August 2016, a period of 10 years since it was last reviewed.
16. This review has identified the need to protect our wastewater network and treatment plant as well as the health and safety of both staff and the public. This has been addressed by the development of a combined trade waste and wastewater bylaw.
17. Council has a duty, under section 17 of the Waikato River Settlement Act 2010, to have regard to the Vision and Strategy for the Waikato River. The management of wastewater assists in achieving the Vision and Strategy for the Waikato River by controlling what can be discharged to the wastewater system, protecting wastewater infrastructure from damage, encouraging businesses to carry out on-site treatment to remove substances that could affect the Waikato River, and controlling stormwater discharges to the wastewater system.
18. Under section 10 of the Local Government Act Council needs to provide effective and efficient wastewater infrastructure.
19. Local Government Act 2002 – bylaw determination and the New Zealand Bill of Rights 1990 (BORA)
20. Section 155(1) of the LGA requires Council to determine if a bylaw is the most appropriate mechanism to address a perceived problem.
21. If a bylaw is not considered the most appropriate mechanism, it should not be used.
22. If a bylaw is considered the most appropriate mechanism, Council must determine the most appropriate form for the proposed bylaw and if the bylaw gives rise to implications under the New Zealand Bill of Rights Act 1990 (BORA) (s 155(2)). Further, no bylaw can be made that is inconsistent with BORA (s 155(3)).
23. Compliance with this requirement:
 - The appropriateness of having a bylaw for trade waste and waste water was determined in the report (Strategy & Policy Committee – 22 September 2015).
 - The proposed bylaw is not considered to be inconsistent with the BORA.

24. Local Government Act 2002 – Bylaw making powers
25. The LGA outlines that a purpose for making a bylaw includes protecting, promoting, and maintaining public health and safety (s 145(b)).
26. Section 146(a)(iii) provides Council with bylaw making powers to regulate trade wastes.
27. Section 146(b)(iii) also provides Council with bylaw making powers to regulate, manage, regulate against, or protect from, damage, misuse, or loss, or to prevent the use of, land, structures, or infrastructure associated with wastewater, drainage, and sanitation.
28. Further to ss 145-146, s 148 gives specific direction relating to a trade waste bylaw, including the need for Council to:
 - Send the proposed bylaw to the Minister of Health (MoH) for their comments (prior to making the bylaw but after consultation and any further amendments arising from consultation) (s 148(1));
 - Give public notice of its intention to make the bylaw at least 2 months before the making of the bylaw (s 148(2));
 - Receive and consider any written submission about the bylaw from or on behalf of owners or occupiers of trade premises in Hamilton City (owners or occupiers) for at least two months from the public notice (s 148(2)(c)&s 148(3)); and
 - Consult anyone MoH specifies as a representative of the interests of Owners or Occupiers (s 148(4)).
29. Compliance to this requirement:
 - The draft bylaw will be sent to MoH on 1 March 2016. Approval has been gained from MoH for their 2 month consultation period to run in conjunction with the public consultation period.
 - The public notice for consultation will be on 27 February 2016 (Waikato Times) and 2 March 2016 (Hamilton Press).
 - The public consultation period is set for 1 March 2016 to 1 May 2016.
 - A public drop in session on 22 March 4pm to 7pm at the Municipal Building Reception Lounge.
30. Bylaw review
31. The bylaw has been developed using a cross organisational team lead by City Waters and includes Environmental Health, City Planning, City Development, Shared Services, Building Control, Strategy and Communications Units.
32. External stakeholders who have given input into the draft Trade Waste and Wastewater Bylaw to date include:
 - Waikato Tainui to ensure alignment with the Waikato Tainui Environmental Plan
 - Waikato and Waipa District Councils to ensure as much consistency as possible of the bylaws being implemented by the Shared Services Team.
 - Waikato Regional Council
 - Ministry of Health
 - Public Health Unit of the Waikato District Health Board to provide local health representational input.
 - Major trade waste customers including Dairy Goat, Mauri ANZ, Greenlea.

- Other key stakeholders including FB Hall (plumber), and consultants; MWH, Beca and Environmental Research and Technical Services.
33. Proposed bylaw
34. Based on feedback from key stakeholders several amendments have been made to the bylaw in terms of:
- controlling what enters the wastewater system in order to protect the operation of the wastewater system and consequently the natural environment;
 - protecting our wastewater assets from damage;
 - protecting staff and the public from public health and safety issues caused by inappropriate use of the wastewater system; and
 - effectively assisting in the managing of the wastewater activity, future growth planning and minimising the amount of wastewater generated.
35. Tompkins Wake has undertaken a legal review of the draft bylaw and has confirmed the provisions within the draft bylaw are within the Council's powers and that the bylaw is legally robust.
36. The draft bylaw has been written so that:
- there is alignment where possible across the sub-region for easier implementation by the trade waste shared services team;
 - simple language is used;
 - it is specific to Hamilton and addresses Hamilton's issues;
 - it ensures Hamilton can meet the resource consent requirements at the Wastewater Treatment Plant and assists the Council in protecting the environment against wastewater spills;
 - it is clear and easy to understand from an administration and operational perspective; and
 - it is concise and doesn't contain unnecessary information.
37. The bylaw enables Council to recover costs from managing trade waste premises on a volume and contaminant-load basis. The Council's fees and charges set through the Annual Plan process set the appropriate fees and charges for these discharges.
38. The Trade Waste Bylaw 2002 oversees trade waste discharges from approximately 900 premises; this number is not expected to increase due to the introduction of the proposed 2016 bylaw.
39. Enforcement of bylaw
40. The enforcement of the bylaw will continue to be mainly managed by the Council's City Infrastructure Group. It is not expected that the proposed bylaw will increase enforcement requirements.
41. Enforcement of the bylaw will work hand in hand with City Water and Shared Services education programmes to ensure enforcement and prosecutions are minimised.
42. The bylaw gives clarity and confidence for owners and occupiers of trade waste premises around what activities are acceptable and which are not.
43. Legislative requirements - Consultation
44. Sections 82-82A of the LGA set out the principles of consultation. Sections 82-82A require Council to provide those affected or interested reasonable access to the bylaw proposal

(including the reason for the bylaw, its purpose, an analysis of options and an outline of changes where a previous version existed) and a draft of the proposed bylaw. A further requirement includes encouraging and giving reasonable opportunity to those affected or interested to present their views in a format appropriate to their needs and preferences ((ss 82(1)(b)&(d)).

45. If the bylaw concerns a matter identified as significant under the Significance and Engagement Policy or if there is likely to be a significant impact on the public, then a Special Consultative Procedure is required (s 156(1)(a)).
46. Significance is defined under s 5 as a matter that has a high degree of importance regarding its impact and consequence on the district; any persons likely to be particularly affected by the bylaw, and the capacity of council to perform its role.
47. Compliance to this requirement:
 - The Trade Waste and Wastewater Bylaw is considered significant due to its impact and consequence on:
 - a. The district:
 - i. Treated wastewater is discharged to the Waikato River as per the consents held by council.
 - ii. Waikato District who have developed their Trade Waste and Wastewater Bylaw in conjunction with Hamilton City Council have deemed their bylaw as significant.
 - b. The persons affected by the bylaw:
 - i. The bylaw introduces a regime to improve enforcement of compliance across all existing trade waste consent holders.
 - ii. The bylaw expands the potential businesses that will require a consent or approval notice.
 - iii. The bylaw with the introduction of wastewater applies a degree of compliance across all households.
 - c. The capacity of council to perform its role:
 - i. Wastewater reticulation and treatment network is listed as a Strategic Asset under schedule 1 of the Significance and Engagement Policy.
 - ii. The bylaw in itself does not impact the level of service provided by the wastewater reticulation and treatment network.
 - Therefore it is recommended that the trade waste and waste water bylaw is considered significant and requires a Special Consultative Procedure.
48. Legislative requirements – SCP Consultation Process
49. Council must not only inform a person (wishing to present their view) when this can be done but must also make publically available:
 - An adopted statement of proposal (SOP) and a summary of the SOP if Council deemed it necessary to enable public understanding (ss 83(1)(a) & 83(1)(b)(i)).
 - Details of how views can be presented in a manner that enables reasonable opportunity for spoken interaction between the person and Council (or any representatives where an appropriate delegation has been made) (s 83(1)(b)(ii) & s83(1)(e).
 - A statement detailing the specific period (minimum 4 weeks) in which views can be presented (s 83(1)(b)(iii)).
50. Compliance to this requirement:

- The SOP has been drafted and is attached.
- An opportunity for spoken interaction will be provided through an open day with a delegated Councillor(s) available to receive feedback.
- Further feedback options and the consultation period are set out in the SOP.

51. Staff will report back to the Strategy and Policy Committee with the feedback from the engagement for deliberations and adoption of the bylaw at the 5 July 2016 meeting.

52. Financial and Resourcing Implications

53. The cost of developing and reviewing city bylaws is already budgeted for. The estimated cost of producing the bylaw is approximately \$100,000. \$94,000 has already been spent to date with \$6,000 remaining to cover consultation expenses.

54. Technical input for the development of the bylaw is to be sourced internally from City Waters staff and through the use of consultants where appropriate. Legal review has been sought. These works are funded through City Waters' and Strategy operational budgets.

55. Risk

56. The Section 148 requirements could lead to the consultation and deliberations part of the process being extended at short notice and a replacement bylaw not being adopted prior to the 10-year review period finishing (16 August 2016).

57. The proposed changes to the bylaw are able to be undertaken within the existing legislative frameworks and therefore pose low legislative risk.

58. The recommended engagement process meets the legislative requirements under section 82 of the LGA.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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Approved By: Hamilton City Council	Date Adopted :
Date In Force:	Review Date:

DRAFT HAMILTON TRADE WASTE AND WASTEWATER BYLAW 2016

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Hamilton City Council, in exercise of its powers and authorities given to it under the Local Government Act 2002 and the Health Act 1956 and any subsequent amendments to the Acts and all other relevant powers, makes the following bylaw.

1. INTRODUCTION

- 1.1. Hamilton City Council has the ability to make bylaws for regulating and protecting wastewater drainage and Trade Waste. Under Section 10 of the Local Government Act, Council needs to provide effective and efficient wastewater infrastructure. The regulation of Trade Waste allows Council to control the quality and quantity of Trade Waste and recover the additional costs of Trade Waste collection and treatment. In addition, Council has a duty under s17 of the Waikato River Settlement Act 2010, to have regard to the Vision and Strategy for the Waikato River. The management of wastewater assists in achieving the Vision and Strategy for the Waikato River by controlling what can be discharged to the Wastewater System, protecting wastewater infrastructure from damage, encouraging businesses to carry out on-site treatment to remove substances that could affect the Waikato River, and controlling Stormwater discharges to the Wastewater System.

(Note: the above introduction does not form part of this bylaw and is intended to be read as an introductory note)

2. SHORT TITLE, COMMENCEMENT AND APPLICATION

- 2.1. The bylaw is known as the "Hamilton Trade Waste and Wastewater Bylaw 2016".
- 2.2. The bylaw applies to the Hamilton City Council District.
- 2.3. The bylaw comes into force on....

3. SCOPE

- 3.1. This bylaw applies to the district of Hamilton City pursuant to the Local Government Act 2002 and any land, building, work, or property or catchment under the control of the Council, although situated beyond Council's district. This bylaw applies to both Wastewater Systems and Private Drains.

4. PURPOSE

- 4.1. The purposes of this bylaw are to enable Council to:
- (a) Protect the health and safety of all people using or working in the Wastewater System.
 - (b) Protect the Wastewater System from damage and misuse.
 - (c) Protect the environment from adverse effects of harmful substances discharged to the Wastewater System.
 - (d) Produce Wastewater and Biosolids of a consistent quality.
 - (e) Encourage waste minimisation, Cleaner Production, efficient recycling and reuse of waste streams at business Premises.

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- (f) Ensure that business Premises maintain Trade Waste discharges within agreed and consented flow and Characteristic levels.

5. COMPLIANCE WITH OTHER ACTS AND CODES

- 5.1. This bylaw has been developed in accordance with all relevant legislation and guidance documents.
- 5.2. Compliance with the requirements of this bylaw does not remove the need to comply with the requirements of any Act, regulation or other bylaw.

6. DEFINITIONS

- 6.1. In this bylaw except where inconsistent with the context:

Access Point	Is a place where access may be made to a Private Drain for inspection (including sampling or measurement), cleaning or maintenance. The location of the access point must be in accordance with the New Zealand Building Code.
Alternative Grease Removal System	Refers to a grease removal system other than a Grease Trap. Includes, but is not limited to, grease converters and mechanical grease removal systems.
Approval or Approved	Means Approved in writing by Council, either by resolution of the Council or by any Authorised Officer of the Council.
Approval Notice	Means an Approval given by Council and signed by an Authorised Officer authorising a Person to discharge Permitted Trade Waste to the Wastewater System.
Authorised Officer	Means an employee, agent or contractor of Council, appointed by Council as an enforcement officer under section 171 of the Local Government Act 2002.
Biosolids	Means wastewater sludge derived from a Wastewater Treatment Plant that has been treated and/or stabilised to the extent that it is able to be safely and beneficially applied to land or reused, and does not include products derived solely from industrial Wastewater Treatment Plants. The term Biosolid/s is used generically throughout this document to include products containing Biosolids (e.g. composts).
Characteristics	Means any of the physical or chemical properties of a Wastewater and may include the level of a Characteristic.

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Cleaner Production	Means the implementation on Premises of effective operations, methods and processes appropriate to achieve the reduction or elimination of the quantity and toxicity of wastes. This is required to minimise and manage Trade Waste by: <ul style="list-style-type: none"> (a) Using energy and resources efficiently, thereby avoiding or reducing the amount of waste produced; (b) Producing environmentally sound products and services; (c) Achieving less waste, fewer costs and higher profits.
City Waters Manager	Means the City Waters Manager employed by Council, and if that role has been disestablished, means the appropriate equivalent Council officer, or if there is no such equivalent position, means the Council officer authorised by Council to act in that position for the purposes of this bylaw.
Condensing or Cooling Water	Means any water used in any trade, industry, or commercial process or operation in such a manner that it does not take up matter into solution or suspension.
Conditional Consent	Means an Approval given by Council and signed by an Authorised Officer authorising a Person to discharge Conditional Trade Waste to the Wastewater System.
Conditional Trade Waste	Means a Trade Waste discharge which exceeds the physical and chemical Characteristics defined in Schedule 1A of this bylaw, and which is not a Prohibited Trade Waste.
Consent	Means an Approval Notice or Conditional Consent.
Consent Holder	Means the Person occupying Premises who has obtained a Consent or Trade Waste Agreement and includes any Person who does any act on behalf or with the express or implied consent of the Consent Holder (whether for reward or not) and any licensee of the Consent Holder.
Council	Means Hamilton City Council or an employee, agent or contractor of the Council appointed to carry out duties relating to Trade Waste and Wastewater management.
Defect Notice	Means a notice issued in accordance with clause 13.1.
Disconnection	Means the physical cutting and sealing of any of Council's water services, utilities, drains or Wastewater System to prevent use by any Person.

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Domestic Wastewater	Means liquid wastes (with or without matter in solution or suspension) discharged from Premises used solely for residential purposes and which complies with the physical and chemical Characteristics defined in Schedule 1A of this bylaw, or wastes with the same volume and Characteristic discharged from other Premises; but does not include any solids, liquids or gases that cannot lawfully be discharged into the Wastewater System.
Grease Trap	Means a separation tank that reduces the amount of fat, oil and grease in Trade Waste prior to it being discharged into the Wastewater System.
Hazardous Materials	Means raw materials, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials, or any materials which when mixed with Wastewater, are likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous to the health and safety of any Person or harmful to the Wastewater System, and includes hazardous substances as defined by the Hazardous Substances and New Organisms Act 1996.
Independently Qualified Person	Means a Person with appropriate qualifications, Approved by Council and who is independent of the Consent Holder.
Infiltration	Means ground or surface water entering the Wastewater System or a Private Drain connected to the Wastewater System through defects such as, but not limited to, poor joints and cracks in pipes or manholes. It does not include Inflow.
Inflow	Means water discharged into the Wastewater System or a Private Drain connected to the Wastewater System from non-complying connections. It includes Stormwater entering through illegal down pipe connections or from low gully traps.
Management Plan	Means a plan for management of the operations on the Premises from which Trade Wastes come, and may include provision for flow and quality monitoring, sampling and testing, Cleaner Production, waste minimisation, discharge, contingency management procedures, or any relevant industry Code of Practice.
Mass Limit	Means the total mass of any Characteristic that may be discharged to the Wastewater System over any stated period from any single Point of Discharge or collectively from several points of discharge.
Maximum Concentration	Means the instantaneous peak concentration that may be discharged at any instant in time.
Occupier	Means the Person occupying Premises connected to the Wastewater System.

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Permitted Trade Waste	Means a Trade Waste discharge that complies with the physical and chemical Characteristics defined in Schedule 1A of this bylaw.
Person	Includes a corporation sole and also a body of persons whether incorporated or unincorporated.
Point of Discharge	Is the boundary between the Wastewater System and a Private Drain but for the purposes of monitoring, sampling and testing, must be as designated in the Consent.
Pre -Treatment	Means any processing of Trade Waste designed to reduce or vary any Characteristic in a waste before discharge to the Wastewater System in order to comply with a Consent or this bylaw.
Private Drain	Means that section of drain between the Premises and the point of connection to the Wastewater System.
Premises	Means the physical location to which a Wastewater service is provided and includes: <ul style="list-style-type: none"> (a) A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued; (b) A building or part of a building that has been defined as an individual unit by a cross-lease, unit title or company lease; (c) Land held in public ownership for a particular purpose; or (d) Individual units in buildings, which are separately leased or separately occupied. <p>Allotment means the same as defined in the Land Transfer Act 1952.</p>
Prohibited Trade Waste	Means a Trade Waste discharge that has any of the prohibited Characteristics as defined in Schedule 1B of this bylaw.
Stormwater	Means surface water runoff that: <ul style="list-style-type: none"> (a) Enters or may enter the Stormwater system as a result of a rain event; and (b) Contains any substance where the type and concentration of the substance is consistent with the contributing catchments land use(s) and that of the receiving environment.
Tankered Waste	Is water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal, excluding Domestic Wastewater discharged directly from house buses, caravans, buses and similar vehicles.
Temporary Discharge	Means any discharge of an intermittent or short duration. Such discharges include the short-term discharge of an unusual waste from Premises subject to an existing Consent.

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Trade Waste Is any liquid, with or without matter in suspension or solution, that is or may be discharged from a Premises to the Wastewater System in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature; and may include Condensing or Cooling Waters; or Stormwater which cannot be practically separated.

Trade Waste Agreement Is a written agreement between Council and a Person discharging Trade Waste, authorising the Person to discharge Conditional Trade Waste to the Wastewater System, that outlines both parties' rights and responsibilities.

Wastewater Means water or other liquid waste, including sewage and waste matter in solution or suspension, discharged to the Wastewater System. This includes Domestic Wastewater and Trade Wastes.

Wastewater System Includes all infrastructure, including pipes, fittings, manholes, pumps, pump stations; and any land, buildings, and treatment works which are under the control of the Council and used for the purpose of providing a Wastewater service.

Wastewater Treatment Plant Means the processes and facilities involved in treating Wastewater.

Working Day Means any day of the week other than:

- (a) A Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Labour Day, and
- (b) A day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year.

7. WASTEWATER

7.1. Connecting to the Wastewater System

- (a) No Person may, without Council's Approval
 - i. Connect to the Wastewater System;
 - ii. Disconnect from the Wastewater System;
 - iii. Carry out any other works on, or in relation to , the Wastewater System; or
 - iv. Open any manhole, chamber, Access Point on, or otherwise tamper with the Wastewater System.
- (b) Any Person wishing to connect to or disconnect from the Wastewater System, or to otherwise carry out works on such a system, must make a written application for Approval to Council, and must provide with that application all information relating to the application as is specified by Council.

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- (c) Council may grant Approval to such connection, Disconnection or other works, as the case may be, and may impose conditions which must be complied with in the exercise of the Approval.
- (d) Without limiting subclause (c), a condition imposed under that subclause may require that the connection, Disconnection or works comply with any relevant code of practice.
- (e) Council may refuse an application for Approval to connect to a system where:
 - i. The applicant has not paid fees or charges associated with the connection (including development charges) that have been required by Council or has refused to provide such information relating to the application as has been specified by Council;
 - ii. In Council's reasonable opinion, there is insufficient capacity in the system to accommodate the connection;
 - iii. In Council's reasonable opinion, the connection would compromise its ability to maintain levels of service in relation to the Wastewater System;
 - iv. The connection is outside the area currently served by the Wastewater System, regardless of its proximity to any specific component of the Wastewater System; or
 - v. In Council's reasonable opinion, refusal is necessary to protect the Wastewater System, the health and safety of any Person, or the environment.

7.2. Control of Discharges

- (a) A Person must not discharge, or allow to be discharged any Wastewater into the Wastewater System except in accordance with this bylaw and in accordance with the provisions of a Consent or Trade Waste Agreement.
- (b) No Person may introduce or discharge or allow to be introduced or discharged Wastewater that has any of the prohibited Characteristics set out in Schedule 1B into the Wastewater System.
- (c) No Person may cause or allow Stormwater to enter the Wastewater System unless specific Approval is given.
- (d) No Person may introduce or discharge Condensing water, Cooling water, disinfected or super-chlorinated water into the Wastewater System unless specific Approval is given.

NOTE: (this note does not form part of the bylaw) condensing, cooling, disinfected or super-chlorinated water must not be discharged to the Stormwater system without specific Approval.

- (e) When any Person fails to comply with clauses 7.2 (a) – (d), and a reasonable alternative method cannot be agreed with the discharging party, the Council may physically prevent discharge into the Wastewater System.
- (f) Domestic Wastewater must comply with the physical and chemical Characteristics in Schedule 1A.

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- (g) The maximum instantaneous flow rate discharged from any Premises used solely for residential purposes must not exceed 2.0 litres/second.

7.3. Hazardous Materials

- (a) A Person must take all practicable steps to store, handle, transport and use Hazardous Materials in a way that prevents Wastewater with prohibited Characteristics as described in Schedule 1B entering the Wastewater System.
- (b) Any Person who knows of the entry or imminent entry of Wastewater with prohibited Characteristics as set out in Schedule 1B to the Wastewater System must inform an Authorised Officer or Council as soon as reasonably practicable.
- (c) Any Person who causes or allows the discharge of Wastewater with prohibited Characteristics as set out in Schedule 1B to the Wastewater System must:
 - i. Immediately take all practicable steps to stop the imminent entry or further entry of any Wastewater with prohibited Characteristics to the Wastewater System; and
 - ii. Inform an Authorised Officer or Council as soon as reasonably practicable.

7.4. Protection of Wastewater System

- (a) No Person may cause or allow to be caused any damage to, or modification, stoppage, or obstruction of, or interference with the Wastewater System, except as Approved by Council.
- (b) Every Person excavating or working around the Wastewater System must take due care to ensure that the excavation or work is carried out in a manner that does not damage and/or compromise the integrity of the Wastewater System.
- (c) Any Person who knows of any serious or substantial damage to the Wastewater System must inform an Authorised Officer or Council as soon as reasonably practicable.
- (d) Any Person who causes or allows any damage to the Wastewater System must inform an Authorised Officer or Council as soon as reasonably practicable.
- (e) No Person may place any additional material over or near a Wastewater System without Approval.
- (f) No Person may cover an Access Point without Approval. Regardless of who covered an Access Point, removal of any covering material or adjustment of the Access Point will be at the property owner's expense.

7.5. Private Drains

- (a) Council may require an owner to fix or upgrade Private Drains, at the owner's cost, to meet original design specifications.

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- (b) Owners of Premises must ensure that all Private Drains on the Premises are kept and maintained in a state which is free of cracks and other defects that may allow Infiltration.
- (c) Occupiers and Owners of Premises must ensure that Stormwater is excluded from the Wastewater System and any Private Drain by ensuring that:
 - i. There is no direct connection of any Stormwater pipe or drain to the Wastewater System;
 - ii. Gully trap surrounds are set above Stormwater ponding levels (refer New Zealand Building Code G13), or secondary overland flow path flood levels;
 - iii. Inspection covers are in place and are appropriately sealed.
- (d) An Occupier or owner whose Private Drain is overflowing or has other reasons to suspect a blockage, must immediately call a drainlayer to clear and remove any blockage in the Private Drain, at the Occupier or Owner's expense. If the drainlayer considers that the blockage originates within the Wastewater System, then the drainlayer must contact Council.
- (e) Council will reimburse the owner of the Private Drain for the reasonable cost of unblocking work for which the owner has paid, provided that Council is satisfied that:
 - i. The blockage originated in the Wastewater System;
 - ii. The blockage was not forced downstream into the Wastewater System in the act of clearing the Private Drain; and
 - iii. The owner or occupier of the Premises has not caused or permitted a discharge which does not comply with this bylaw, a Consent or a Trade Waste Agreement.
- (f) Where the roots of a tree which is on private land enter or are likely to enter the Wastewater System, Council will follow the procedure set out in s 468 of the Local Government Act 1974.
- (g) A Person with a pressure Wastewater System, or any other system that is connected to the Wastewater System, must use that system in accordance with any operating manual or guidelines for that system.

8. TRADE WASTE DISCHARGES AND CONSENTS

8.1. Classification of Discharges

- (a) Trade Waste discharges are classified as one of the following types:
 - i. Permitted Trade Waste, (in which case an Approval Notice must be obtained);
 - ii. Conditional Trade Waste, (in which case a Conditional Consent must be obtained or a Trade Waste Agreement be entered into); or
 - iii. Prohibited Trade Waste, (in which case no Consent will be granted and no Trade Waste Agreement will be entered into).

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- (b) No Person may discharge or cause to be discharged Trade Waste into the Wastewater System except in accordance with a Consent or a Trade Waste Agreement.
- (c) Council is not obliged to accept any Trade Waste.
- (d) Council may, at any time and at its complete discretion, enter into a Trade Waste Agreement for the discharge and reception of Trade Wastes with an Occupier. Any such agreement may be made in addition to or in place of a Consent and the Trade Waste Agreement and its terms will have the same force as if the agreement was a Consent issued under this bylaw.
- (e) Circumstances where a Trade Waste Agreement may be appropriate include, but are not limited to, where, in the reasonable opinion of Council, the discharge is considered to have:
 - i. Unique discharge Characteristics;
 - ii. A volume or loading of any Characteristic that may affect the operation of the Wastewater System or Treatment Plant;
 - iii. Potential discharge of hazardous or prohibited substances;
 - iv. Pre-Treatment systems;
 - v. The requirement for capacity to be reserved at the Wastewater Treatment Plant; and/or
 - vi. A history of non-compliance with a Consent or Trade Waste Agreement.

8.2. Application for a Consent or Variation

- (a) Every Person who does, proposes to, or is likely to:
 - i. Discharge into the Wastewater System any Trade Waste either continuously, intermittently or temporarily;
 - ii. Vary the Characteristics of a Permitted Trade Waste discharge in a manner which may cause it to fail to meet the standards for a Permitted Trade Waste;
 - iii. Vary the conditions of a Consent that has previously been granted; or
 - iv. Significantly change the method or means of Pre-Treatment for a discharge;
 must apply to Council, using the prescribed form, for a Consent for the discharge of that Trade Waste, or for consent to the proposed variations.
- (b) Council reserves the right to deal with the owner as well as the Occupier of any Premises.
- (c) Where the Premises produces Trade Waste from more than one area of the Premises, a separate description of the Trade Waste Characteristics must be included in any application for Trade Waste discharge for each area. This applies whether or not the separate areas are part of a single or separate trade process.
- (d) The application and every document conveying required information must contain all the required information, be properly executed and accompanied by the application fee.

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- (e) The applicant is responsible for the correctness of the content of the application and any annexure thereto, adherence to the prescribed application process and compliance with all the requirements to obtain the Consent, Trade Waste Agreement or variation.
- (f) Every act or omission done for, or on behalf of, the eventual Consent Holder (whether for reward or not) in making any such application is deemed to be an act of the Consent Holder.
- (g) Council may require an application to be supported by a report or statement from an Independently Qualified Person, to verify information supplied by the applicant. All costs incurred must be paid by the applicant.

8.3. Processing An Application

- (a) On receipt of an application, Council may:
 - i. Require the applicant to submit additional information which Council considers necessary to reach an informed decision;
 - ii. Require the applicant to submit a satisfactory Management Plan to Council's satisfaction; and/or
 - iii. Wherever appropriate, have the discharge investigated and analysed as provided for at clauses 8.8 and 8.10 of this bylaw at the applicant's cost.
- (b) Council will then :
 - i. Issue an Approval Notice and inform the Consent Holder of the conditions imposed;
 - ii. Grant a Conditional Consent and inform the Consent Holder of the conditions imposed;
 - iii. Advise the applicant that Council is willing to enter into a Trade Waste Agreement on terms acceptable to Council; or
 - iv. Decline the application and notify the applicant of the decision, giving a statement of the reasons for refusal.
- (c) In considering any application for a Consent, Trade Waste Agreement or variation, Council must consider the Characteristics, volume, and rate of discharge of the Trade Waste from such Premises or tanker and any other matter that it considers, on reasonable grounds, to be relevant, which may include:
 - i. The health and safety of Council staff, Council's agents and the public;
 - ii. The limits and/or maximum values for Characteristics of Trade Waste as specified in Schedules 1A and 1B of this Bylaw;
 - iii. The extent to which the Trade Waste may react with other Trade Waste or Wastewater to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the Wastewater System, etc;

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- iv. The flows and velocities in the Wastewater System and the material or construction of the Wastewater System;
- v. The capacity of the Wastewater System including the capacity of any Wastewater Treatment Plant, and other facilities;
- vi. The nature of any wastewater treatment process and the degree to which the Trade Waste is capable of being treated in the Wastewater Treatment Plant;
- vii. The timing and balancing of flows into the Wastewater System;
- viii. Any statutory requirements relating to the discharge of raw or treated Wastewater to receiving waters, the disposal of Wastewater sludges, beneficial use of Biosolids, and any discharge to air (including the necessity for compliance with any resource consent, discharge permit or water classification);
- ix. The possibility of unscheduled, unexpected or accidental events and the degree of risk these could pose to humans, the Wastewater System or the environment;
- x. Consideration of other existing or future discharges;
- xi. Existing Pre-Treatment works on the Premises;
- xii. The use of Cleaner Production techniques and waste minimisation practices;
- xiii. Control of Stormwater;
- xiv. Any Management Plan;
- xv. Tankered Waste being discharged at an Approved location/s; and
- xvi. Whether it would be more appropriate for the discharge to be controlled pursuant to a Trade Waste Agreement.

8.4. Conditions of Consent

- (a) Any Consent may be granted subject to such conditions that Council may impose, including, but not limited to:
 - i. The particular location or locations to which the discharge will be made;
 - ii. The maximum daily volume of the discharge and the maximum rate of discharge, and the duration of maximum discharge;
 - iii. The maximum limit or permissible range of any specified Characteristics of the discharge, including concentrations and/or Mass Limits determined in accordance with clause 8.4 (b) of this bylaw;
 - iv. The period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;
 - v. The provision by, or for the Consent Holder, at the Consent Holder's expense, of screens, Grease Traps, silt traps or other Pre-Treatment works to control Trade Waste discharge Characteristics to the consented levels;

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- vi. The provision and maintenance, at the Consent Holder's expense, of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection;
 - vii. The provision and maintenance of a sampling, analysis and testing programme and flow measurement, at the Consent Holder's expense;
 - viii. The method or methods to be used for measuring flow rates and/or volume and/or Characteristics and taking samples of the discharge for use in determining compliance with the consent and for determining the amount of any Trade Waste charges applicable to that discharge;
 - ix. The provision and maintenance by, and at the expense of, the Consent Holder of such meters or devices as may be required to measure the volume or flow rate or Characteristics of any Trade Waste being discharged from the Premises, and for the calibration and/or validation of such meters and devices;
 - x. The provision and maintenance, at the Consent Holder's expense, of such services, (whether electricity, water or compressed air or otherwise), which may be required, in order to operate meters and similar devices;
 - xi. At times specified, the provision in an Approved format of all flow and/or volume records, on-line monitoring readings, results of analyses (including Pre-Treatment by-products, e.g. Wastewater sludge disposal) and calibration/validation records;
 - xii. The provision and implementation of a Management Plan;
 - xiii. Risk assessment of damage to the environment due to an accidental discharge of a chemical;
 - xiv. The investigation of waste minimisation and Cleaner Production techniques;
 - xv. Remote monitoring or control of discharges and associated control, telemetry or SCADA systems;
 - xvi. Third party treatment, carriage, discharge or disposal of by-products of Pre-Treatment of Trade Waste (including Wastewater sludge disposal);
 - xvii. The provision of a bond or insurance in favour of Council where failure to comply with the consent could result in damage to the Wastewater System, the Wastewater Treatment Plants, or could result in Council being in breach of any statutory obligation or resource consent;
 - xviii. Specific discharge related capital costs Council would incur for altering the Wastewater System and or Wastewater Treatment Plant in order to accommodate the discharge; and
 - xix. Specific discharge related operational costs Council would incur for operating the Wastewater System and or Wastewater Treatment Plant in order to accommodate the discharge.
- (b) A Conditional Consent may impose controls on a Trade Waste discharge by specifying Mass Limits for any Characteristic. Any Characteristic permitted by Mass Limit must also have its maximum concentration limited to the value scheduled unless Approved otherwise. When setting Mass Limit allocations for a particular Characteristic, Council may consider:

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- i. The operational requirements of and risk to the Wastewater System, and risks to occupational health and safety, public health, and the ultimate receiving environment;
- ii. Whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of Biosolids or Wastewater sludge;
- iii. Conditions in the Wastewater System near the Trade Waste discharge point and elsewhere in the Wastewater System;
- iv. The extent to which the available industrial capacity was used in the last financial period and is expected to be used in the forthcoming period;
- v. Whether or not the applicant uses waste minimisation and Cleaner Production techniques within a period satisfactory to Council;
- vi. Whether or not there is any net benefit to be gained by the increase of one Characteristic concurrently with the decrease of another;
- vii. Any requirements of Council to reduce the discharge of any Characteristic to the Wastewater System;
- viii. How great a proportion the mass flow of a Characteristic of the discharge will be of the total mass flow of that Characteristic in the Wastewater System;
- ix. The total mass of the Characteristic allowable in the Wastewater System, and the proportion (if any) to be reserved for future allocations; and
- x. Whether or not there is an interaction with other Characteristics that increases or decreases the effect of either Characteristic on the Wastewater System, treatment process, or receiving water (or land).

8.5. Duration and Review

- (a) Conditional Consents granted under this bylaw expire at the end of a term not exceeding 5 years. Shorter terms may be applied where, in the reasonable opinion of Council:
 - i. The applicant has a history of non-compliance with a Consent or Trade Waste Agreement;
 - ii. The flow or Characteristics of the discharge are uncertain; or
 - iii. The flow or Characteristics of the discharge may change over time.
- (b) Approval Notices remain valid until:
 - i. Cancellation under clause 8.12;
 - ii. The discharge fails to comply with the physical and chemical characteristics defined in Schedule 1A of this Bylaw (including any amendments to Schedule 1A); or
 - iii. In the reasonable opinion of Council, the discharge changes or is likely to change to such an extent that it becomes a Conditional or Prohibited Trade Waste.
- (c) Council may at any time during the term of a Consent, by written notice to the

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Consent Holder (following a reasonable period of consultation), vary any condition to such an extent as Council considers necessary following a review of the technical issues considered when setting conditions of Consent, or to meet any new Resource Consent imposed on the discharge from Council's Wastewater Treatment Plant, or with any other legal requirements imposed on Council.

- (d) A Consent Holder may at any time during the term of a Consent, by written application to Council, seek to vary any condition of Consent, as provided for in clause 8.2 (a) of this Bylaw.

8.6. Accidents and Spills

- (a) A Person who discharges Trade Waste must inform the Council immediately upon becoming aware of:
- i. An accident;
 - ii. Spillage;
 - iii. A defect in the process discharging Trade Waste; or
 - iv. A risk to the health and safety of the public or the environment;
- that may cause a breach of this bylaw.
- (b) A Person who reports an accident, spillage or defect as provided for in clause 8.6 (a) or the Consent Holder for a Premises must disclose any information that may contribute to:
- i. The restoration of the integrity of the Wastewater System,
 - ii. The cleaning of any spillage; or
 - iii. The determination of the risks associated with the Trade Waste.
- (c) In the event of any accident, spillage or defect referred to in clause 8.6 (a) from Premises where a Consent Holder has a Conditional Consent, Council may:
- i. Review the Consent under clause 8.5; or
 - ii. Require the Consent Holder to review the contingency management procedures and resubmit the Management Plan to the Council for its Approval.
- (d) In the event of any accident, spillage or defect referred to in clause 8.6 (a) from Premises where a Consent Holder has an Approval Notice, Council may require the Consent Holder to apply for a Conditional Consent.

8.7. Pre-treatment Requirements

- (a) Council may approve a Trade Waste discharge subject to the provision of appropriate Pre-Treatment systems to enable the Consent Holder to comply with this bylaw. Such Pre-Treatment systems must be provided, operated and maintained by the Person discharging, at their expense. Typical Pre-Treatment requirements are provided for common Trade Waste Premises in Schedule 2.

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- (b) Refuse or garbage grinders and macerators must not be used to dispose of solid waste from Trade Waste Premises to the Wastewater System unless Approved by Council.
- (c) Grease Traps must:
 - i. Have a functional capacity of no less than 500 litres;
 - ii. Be sized according to the greatest volume as specified in Table 1 contained in Schedule 2;
 - iii. Be cleaned out at least once every 6 months or more frequently as specified in Consent conditions. The frequency with which Grease Traps are required to be cleaned out may be determined through a visual inspection and/or sample testing from the device outlet by Council.
- (d) Shared Grease Traps, such as those operated by a body corporate or food court, must be sized appropriate to the total inputs. This must be no less than a functional capacity of 500 litres for each connected Premises.
- (e) A Consent Holder whose Premises has existing Grease Traps with a functional capacity of less than 500 litres must apply for a Conditional Consent unless they can demonstrate compliance with the physical and chemical characteristics set out in Schedule 1A to Council's satisfaction.
- (f) Alternative Grease Removal Systems must be:
 - i. Operated in accordance with the manufacturer's instructions;
 - ii. Serviced and/or cleaned out by a contractor Approved by Council as specified in Consent conditions;
 - iii. Sized according to manufacturer's recommendation; and
 - iv. May only be used with Council's Approval.
- (g) The frequency with which Alternative Grease Removal Systems are required to be serviced and/or cleaned out in accordance with sub-clause 8.7 (f) may vary. This will be determined by Council after a visual inspection and/or sample testing from the device outlet.
- (h) Alternative Grease Removal Systems which do not meet the requirements contained in this bylaw must be replaced at the Consent Holder's expense.

8.8. Flow Metering

- (a) Where flow and/or volume metering of any Trade Waste discharge is required as a condition of a Consent the Consent Holder is responsible, at their own expense, for the supply, installation, reading and maintenance of any meter required by Council for the measurement of the rate or quantity of discharge of Trade Waste. These devices are subject to the Approval of Council, but remain the property of the Consent Holder.

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- (b) Records of flow and/or volume must be available for viewing at any time by the Council, and must be submitted to Council at prescribed intervals by the Consent Holder in a format Approved by Council.
- (c) Meters must be located in a position Approved by Council that provides the required degree of accuracy and should be readily accessible for reading and maintenance. The meters must be located in the correct position according to the manufacturer's installation instructions.
- (d) The Consent Holder must arrange for in situ calibration and verification of the flow metering equipment and instrumentation by an Independent Qualified Person and method Approved by Council upon installation, and at least once a year thereafter to ensure its performance. The meter accuracy should be $\pm 10\%$, but with no greater a deviation from the previous meter calibration than $\pm 5\%$. A copy of the independent certification of each calibration and verification must be submitted to Council.
- (e) Should any meter, after being calibrated or verified, be found to have an error greater than that specified in clause 8.8 (d) of this bylaw, as a repeatable measurement, Council may make an adjustment in accordance with the results shown by such tests, back-dated for a period at the discretion of Council, but not exceeding 12 months. The Consent Holder must pay or be credited a greater or lesser amount according to such adjustment.
- (f) Where in the reasonable opinion of Council, a meter has been tampered with, Council (without prejudice to the other remedies available) may declare the reading void and estimate discharge as provided in clause 8.9(a) of this bylaw.
- (g) Measurement of flow and/or volume must be carried out by or on behalf of the Consent Holder in accordance with British Standard (BS)3680: Part 11A, BS 3680: Part 11B and BS 5728: Part 3, or another Council Approved methodology.

8.9. Estimating Discharge

- (a) Where no flow meter or similar device is required or where no flow or sample results have been supplied by the Consent Holder, Council may estimate the discharge of Trade Waste for charging purposes based on:
 - i. The volume of water supplied to the Premises, taking into account the proportion of that volume which is estimated to be discharged to the Wastewater System;
 - ii. The flow or characteristics of the discharge measured by the Consent Holder at a previous time during similar operating conditions; and/or
 - iii. The flow or characteristics measured by Council during the most recent audit sample.

8.10. Sampling, Testing and Monitoring

- (a) Council may undertake sampling, testing, monitoring and audit inspections to

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determine if:

- i. A discharge complies with the provisions of this bylaw;
 - ii. A discharge is to be classified as Permitted, Conditional, or Prohibited (refer to clause 8.1 of this bylaw);
 - iii. A discharge complies with any condition of a Consent or Trade Waste Agreement including a Management Plan; and
 - iv. Trade Waste Consent charges are applicable to that discharge.
- (b) Where monitoring of any Trade Waste discharge is required as a condition of a Consent to ensure compliance with other conditions of the Consent:
- i. The Consent Holder must monitor the discharge of Trade Waste; and
 - ii. Council may independently monitor the discharge of Trade Waste.
- (c) The Consent Holder is responsible for all costs of monitoring, sampling and testing.
- (d) The taking, preservation, transportation and analysis of the samples must be undertaken by an Authorised Officer or agent of Council, or the Consent Holder in accordance with accepted industry standard methods or another methodology Approved by Council.
- (e) Any sample analysis must use methods or procedures in accordance with, or validated against, the latest version of the AWWA Standard methods for the examination of Water and Wastewater” or by such alternative method or procedure Approved by Council. Analysis must be undertaken by a laboratory accredited by IANZ, or a laboratory Approved by Council.
- (f) The Consent Holder must provide to Council or an Authorised Officer the results of any sampling, analysis, flow measurements or other monitoring requirements such as Pre-Treatment system maintenance, within one Working Day of any request by Council.
- (g) In the case of non-compliance with the conditions of a Consent or a Trade Waste Agreement or where an anomalous result is obtained, the Consent Holder must report the results of the analysis to Council as soon as practicable and in all cases within one Working Day.

8.11. Review of Decisions

- (a) If any Person is dissatisfied with any decision by an Authorised Officer made under this bylaw, that Person may, by notice delivered to the City Waters Manager of Council, not later than 20 Working Days after the decision by the Authorised Officer is served upon that Person, request that the City Waters Manager review any such decision. The City Waters Manager’s decision is final.
- (b) Nothing in this clause affects any right of appeal under the Local Government Act 2002.

8.12. Transfer or Termination

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- (a) A Trade Waste Consent must be issued in the name of the given Consent Holder. The Consent Holder must not, without Council Approval:
- i. Transfer to any other party the rights and responsibilities provided for under this bylaw, and under the Consent;
 - ii. Allow a Point of Discharge to serve another Premises, or the Private Drain to that point to extend by pipe, or any other means, to serve another Premises; or
 - iii. In particular and not in limitation of the above, allow Wastewater from any other party to be discharged at their Point of Discharge.
- (b) Council may suspend or cancel any Consent at any time following not less than 20 Working Days (during which consultation has occurred) notice to the Consent Holder or Person discharging any Trade Waste:
- i. For the failure to comply with any condition of the Consent or to maintain effective control over the discharge;
 - ii. For the failure to comply with the requirements of this bylaw or a Consent in respect of the volume, nature or composition of Trade Waste being discharged;
 - iii. In the event of any negligence which, in the opinion of Council, threatens the safety of, or threatens to cause damage to any part of the Wastewater System or the Wastewater Treatment Plant, or threatens the health or safety of any Person or poses a serious threat to the environment;
 - iv. In the event of any breach of a Resource Consent held by Council issued under the Resource Management Act caused in whole or in part by the Trade Waste discharge;
 - v. Failure to provide and when appropriate update a Management Plan as required for a Conditional Consent;
 - vi. Failure to follow the Management Plan provisions;
 - vii. Failure to pay any Trade Waste charges;
 - viii. If new information becomes available on the nature or Characteristics of the Trade Waste discharge; or
 - ix. If any other circumstances arise which, in the opinion of Council, render it necessary in the public interest to cancel the right to discharge.
- (c) Further to clause 8.12 (b) of this bylaw, any Consent may at any time be summarily suspended or cancelled by Council, on giving to the Consent Holder, written notice, if:
- i. They discharge any Wastewater with prohibited Characteristics as set out in Schedule 1B ;
 - ii. Council is lawfully directed to withdraw or otherwise to terminate the Consent summarily;
 - iii. The discharge of Trade Waste is unlawful;

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- iv. If the continuance of the discharge is, in the opinion of Council, a threat to the environment or public health;
 - v. In the opinion of Council, the continuance of the discharge puts at risk the ability of Council to comply with the conditions of a Resource Consent and/or requires identified additional treatment measures or costs to avoid a breach of any such Resource Consent.
- (d) Council may require a Consent Holder, at their expense, to disconnect the Premises from the Wastewater System where:
- i. The Consent has expired;
 - ii. Council suspends or cancels a Consent;
 - iii. The Consent Holder breaches clauses 7.2 (a) to (d).
- (e) If the Consent Holder fails to comply with any such requirement, Council may at its discretion, and at the Consent Holder's expense, access the Premises in accordance with section 171 of the Local Government Act 2002 and clause 10.1 of this bylaw in order to disconnect it from the Wastewater System and carry out such works as it considers necessary to prevent the further discharge of Trade Waste into the Wastewater System.

8.13. Transitional provisions

- (a) Any application for a Consent made under Council's Trade Waste Bylaw 2006, for which a Consent has not been granted at the time of this new bylaw coming into force, is deemed to be an application made under clause 8.2 of this bylaw.
- (b) Every existing Consent continues in force as if it were a Consent under this bylaw until it reaches its expiry date, provided that no Consent runs beyond 31 August 2021.
- (c) Subject to clause 8.13 (d) of this bylaw, every duly executed Trade Waste Agreement for the discharge and reception of Trade Waste between an Occupier and Council existing at the date this bylaw comes into force continues in force on the same terms and conditions as if the Trade Waste Agreement was a Trade Waste Agreement issued under this bylaw.
- (d) Where an existing Trade Waste Agreement is silent as to its term, that agreement will be terminable on six months' written notice by Council and the Occupier shall thereafter be required to apply for a Consent or Trade Waste Agreement in accordance with this bylaw.
- (e) A Person who proposes to continue a discharge of Permitted Trade Waste who does not have an Approval Notice must apply for an Approval Notice within twelve weeks of this bylaw coming into force. If Council declines the application for an Approval Notice, the Person must cease discharging Permitted Trade Waste immediately upon receipt of notice of Council's decision.

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9. TANKERED WASTE

- 9.1 Any Person wishing to discharge Tankered Waste into the Wastewater System must hold a Consent under this bylaw.
- 9.2 Council may accept Tankered Waste for discharge at an Approved location.
- 9.3 Consent Holders must supply the following information to Council before discharging Tankered Waste to the Wastewater System:
- (a) A description of the type of waste;
 - (b) The source of waste and location;
 - (c) The date and time of collection;
 - (d) The volume of waste collected;
 - (e) The tracking Identification number and vehicle registration number; and
 - (f) A representative sample of the tanker load.
- 9.4 Tankered Waste will only be accepted during working hours on Working Days, or as advised by Council.
- 9.5 Tankered Waste is not to be collected and transported to the disposal site until appropriate arrangements, documentation and method for disposal have been Approved by Council.
- 9.6 To prevent cross-contamination between tanker loads, the tanker must be washed prior to collecting a load for disposal into the Wastewater System.
- 9.7 A Consent Holder must give Council 24 hours' notice of a proposed discharge of Tankered Waste.
- 9.8 Council may require analysis of Tankered Waste to confirm its Characteristics.
- 9.9 Council may require the Consent Holder to obtain specialist advice on Pre-Treatment or acceptance.
- 9.10 The cost of all sampling, analysis and advice must be met by the Consent Holder.
- 9.11 The Consent Holder must ensure that Tankered Waste is treated in accordance with the conditions of the Consent before disposal.

10. ACCESS

- 10.1. In accordance with section 171 of the Local Government Act 2002, an Authorised Officer may enter and inspect any land or building (other than a dwelling house) for routine

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inspection or monitoring or for post breach monitoring. The Authorised Officer must give at least 24 hours notice of the intended entry.

- 10.2. In accordance with section 172 of the Local Government Act 2002, an Authorised Officer may enter and inspect any land for the purpose of detecting a breach of this bylaw if the Authorised Officer has reasonable grounds for suspecting that a breach has occurred or is occurring on the land. The Authorised Officer must give reasonable notice unless the giving of notice would defeat the purpose of entry. To use this power to enter a dwelling house, the Authorised Officer must comply with section 172(3) of the Local Government Act 2002.
- 10.3 In accordance with section 173 of the Local Government Act 2002, in the event of a sudden emergency causing or likely to cause damage to property or the environment or where there is danger to any works or adjoining property, an Authorised Officer may enter occupied land or buildings. Notice is not required.

11. FEES & CHARGES

- 11.1. In accordance with sections 150 and 151 of the Local Government Act 2002, Council may from time to time, by resolution using the procedures required by the Act, fix administrative charges payable by Consent Holders and applicants for the purposes of administering this bylaw, administering Consent applications and Consents granted under this bylaw and the charges for the receiving, treatment and disposal of Trade Waste by or on behalf of Council.

12. BREACHES

- 12.1. It is a breach of this bylaw to:
- (a) Fail to comply with any requirement of this bylaw;
 - (b) Fail to comply with any Defect Notice issued by an Authorised Officer pursuant to this bylaw;
 - (c) Obstruct an Authorised Officer in the performance of their function under this bylaw.
- 12.2. Any Consent Holder who incorrectly informs Council of the Characteristics or volume of Tankered Waste, or who discharges Tankered Waste other than in the prescribed location and in accordance with the Consent will be in breach of this bylaw.
- 12.3. Council may physically prevent discharge to the Wastewater System in the case of a non-compliance with this bylaw, a Consent or a Trade Waste Agreement.
- 12.4. An Authorised Officer may report breaches or imminent breaches to Waikato Regional Council and the Environment Protection Authority for further enforcement.
- 12.5. A Person is not in breach of this bylaw if that Person proves that the act or omission complained of was necessary to:
- (a) Save or protect life or health or prevent injury; or
 - (b) Comply with Council's obligations under the Health Act 1956 and any subsequent amendments; or
 - (c) Prevent serious damage to property; or

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(d) Avoid actual or likely damage to the environment;

provided the conduct of the Person was reasonable in the circumstances and the effects of the act or omission were adequately remedied or mitigated by the Person after the breach occurred.

13. REMEDIAL WORKS AND COST RECOVERY

13.1. In accordance with section 186 of the Local Government Act 2002, if an Authorised Officer serves a notice on the owner or Occupier requiring works to be carried out or materials to be provided in connection with the Premises in order to comply with the requirements of this bylaw, a Consent, or Trade Waste Agreement, Council or an Authorised Officer may carry out the work or provide the materials where the owner or Occupier fails to comply with the notice, either:

- (a) Within the time specified in the notice; or
- (b) Within 24 hours if the notice certifies that the work is urgent; or
- (c) If the owner or Occupier fails to proceed with the work with all reasonable speed.

13.2. In accordance with section 187 of the Local Government Act 2002, if an Authorised Officer serves a notice on any Person under this bylaw, and the Person fails to take the steps within the time specified, then Council or any Authorised Officer is authorised to take the steps set out in the notice. Council may recover the cost of doing the work, together with reasonable administrative and supervision charges.

13.3. In accordance with section 176 of the Local Government Act 2002, a Person who has been convicted of any offence against this bylaw is liable to pay to Council the costs of remedying any damage caused in the course of committing the offence. The costs must be assessed by a District Court Judge and are recoverable summarily as if they were a fine.

13.4. Costs recoverable under clause 13.3 are in addition to any other penalty for which the Person who committed the offence is liable.

14. OFFENCES AND PENALTIES

14.1. A Person who breaches this bylaw and is convicted of an offence is liable to a penalty not exceeding \$200,000 pursuant to section 242 under the Local Government Act 2002.

The COMMON SEAL of the HAMILTON CITY COUNCIL
 was hereunto affixed in the presence of:

Councillor: _____

Councillor: _____

Chief Executive: _____



SCHEDULES

- 1A – PERMITTED WASTEWATER
- 1B - PROHIBITED WASTEWATER
- 2 - PRE-TREATMENT REQUIREMENTS

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Schedule 1A - Permitted Wastewater

The following tables set out general requirements for a permitted Wastewater and Maximum Concentrations for common substances that may be contained in Wastewater discharged to the Wastewater System.

Conditional Consents and Trade Waste Agreements may contain lower or higher concentration limits and/or Mass Limits to control the total mass of a substance discharged.

Table 1 - General Characteristics

Parameter	Requirement	Commentary
Bio-chemical Oxygen Demand (BOD5)	1,000 g/m ³ .	High BOD can overload treatment plants.
Chemical Oxygen Demand (COD)	2,000 g/m ³ .	High COD can overload treatment plants.
Colour	No waste shall have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs Wastewater treatment processes or Council is at risk of breaching resource consent conditions relating to discharge to the environment.	Some coloured substances can be difficult to remove in the treatment process.
Emulsions of paint, latex, adhesive, rubber, plastic or similar	Must not cause blockages or interfere with the operation of the Wastewater treatment system including treatment process.	Emulsions will coagulate when unstable and can sometimes cause blockages in the Wastewater System or interfere with the operation of the treatment process.
Flow	Maximum daily total flow 5m ³ . Instantaneous flowrate 2.0 L/s.	The total flow should be measured over any 24 hour period. Trade waste discharges with a daily flow greater than 5m ³ will require a Conditional Consent.
Gross solids (non-faecal)	15mm maximum dimension.	Gross solids can cause blockages in the Wastewater System.
Oil and Grease	200 g/m ³ . No free or floating layer.	Oils and greases can cause blockages in the Wastewater System, adversely affect the treatment process, and may impair the aesthetics of the receiving environment.

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Parameter	Requirement	Commentary
pH	6.0 to 10.0.	Low pH can cause corrosion of the Wastewater System, generate odours which could cause a public nuisance; release toxic H ₂ S gas which could endanger workers.
Radioactivity	Must not exceed the Office of Radiation Safety Code of Practice CSP1 for the Use of Unsealed Radioactive Material.	
Settleable Solids	50 ml/L.	Can cause blockages and overload the treatment process.
Solvents or other organic liquids	No free or floating layer.	Some organic liquids are denser than water and will settle in pipes and traps.
Suspended Solids	2,000 g/m ³ .	Can cause blockages and overload the treatment process.
Transmissivity	When diluted at 10:1 with distilled water and tested at 254nm, the result must have a transmissivity of 50% or more, equivalent to an absorbance of 0.3010 or less.	Poor transmissivity reduces the effectiveness of the UV light disinfection at treatment plants.
Temperature	40 °C.	High temperatures cause increased damage to structures, increase the potential for anaerobic conditions to form in the Wastewater, promote the release of toxic gases and can endanger workers. Conditional Consents may have a lower temperature limit.
Inhibitory Substances	Should any Characteristic of a discharge be found to inhibit the performance of the Wastewater treatment process, such that Council is at risk of breaching resource consent conditions, Council may limit the concentration of any inhibitory substance.	

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Table 2 - Chemical Characteristics

Parameter	Limit g/m ³	Commentary
Ammonia (as N)	50	May endanger workers; significantly contribute to the nutrient loading on the receiving environment.
Ammonium salts	200	May endanger workers; significantly contribute to the nutrient loading on the receiving environment.
Anionic Surfactants as methylene blue active substance (MBAS)	300	High MBAS can adversely affect the efficiency of activated sludge plants, cause foaming and impair the aesthetics of the receiving waters.
Boron	25	Boron is not removed by conventional Wastewater treatment.
Bromine as Br ₂	5	High concentrations could affect the health and safety of workers.
Chlorine (Cl ₂ free chlorine)	3	Can endanger workers, cause corrosion of the Wastewater collection system.
Cyanide as CN ⁻	1	Can produce toxic atmospheres and endanger workers.
Dissolved aluminium	100	Aluminium compounds, particularly in the presence of calcium salts, have the potential to precipitate as a scale, which may cause a blockage.
Dissolved iron	100	Iron salts may precipitate and cause a blockage. High concentrations of ferric iron may also present colour problems depending on local conditions.
Fluoride as F	30	Not removed by conventional Wastewater treatment.
Hypochlorite	30	Can endanger workers, cause corrosion of the Wastewater collection system.
Kjeldahl nitrogen	150	May significantly contribute to the nutrient load discharged to the receiving environment.
Sulphate (measured as SO ₄)	500	May adversely affect Wastewater System, may increase the potential for the generation of sulphides.
Sulphite (measured as SO ₂)	15	Can endanger workers, cause corrosion of the Wastewater collection system.
Sulphide (as H ₂ S on acidification)	5	May cause corrosion of Wastewater System, particularly the non-wetted part of the Wastewater pipes; generate odours which could cause a public nuisance; release toxic H ₂ S gas which could endanger workers.
Total Phosphorus as P	50	May significantly contribute to the nutrient load discharged to the receiving environment.

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Table 3 - Heavy Metals

Heavy metals can inhibit Wastewater treatment process and restrict the reuse of Biosolids. Mass Limits may be imposed – refer to clause 8.4 (b) of this bylaw.

Parameter	Limit g/m ³
Antimony	5
Arsenic	5
Barium	5
Beryllium	0.005
Cadmium	0.5
Chromium (Total)	5
Cobalt	5
Copper	5
Lead	5
Manganese	5
Mercury	0.005
Molybdenum	5
Nickel	5
Selenium	5
Silver	2
Thallium	5
Tin	5
Zinc	5

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Table 4 - Organic Compounds

Organic compounds can endanger sewer workers and treatment processes.

Parameter	Limit g/m ³
Acetone	100
Benzene	1
Butanone	100
Chlorinated phenols	0.02
Ethylbenzene	5
Ethylene Glycol	50
Formaldehyde	30
Halogenated aliphatic compounds	1
Halogenated aromatic hydrocarbons (HAH's)	0.002
Organophosphate pesticides	0.1
Pesticides (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any other pesticides not registered for use in New Zealand)	0.2 in total
Phenolic compounds (as phenols) excluding chlorinated phenols	50
Polybrominated biphenyls (PBBs)	0.002
Polychlorinated biphenyls (PCBs)	0.002
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Total Petroleum Hydrocarbons	
C7 - C14	30
C7 – C36	50
Tri-methyl Benzene	5
Toluene	5
Xylene	5

Table 5 - Liquid Pharmaceutical Waste

Liquid pharmaceutical waste including Liquid antibiotics.

Volume Limit (daily)	Active Concentration
10 Litres	125mg/5ml
5 Litres	250mg/5ml
3 Litres	Above 250mg/5ml

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Schedule 1B: Prohibited Wastewater

Prohibited Wastewater has or is likely to have any of the prohibited Characteristics set out below. Prohibited Characteristics are present if their concentration exceeds background levels. The background level in relation to any substance means the extent to which that substance is present (if at all) in the municipal water supply used on the Premises, or in any other water supply that is Approved by Council for the purpose of discharging waste.

Prohibited Characteristics

- (1) Any discharge has prohibited Characteristics if it has any solid, liquid or gaseous matters, or any combination, or mixture of such matters which by themselves or in combination with any other matters will immediately or in the course of time:
 - (a) Interfere with the free flow of Wastewater in the Wastewater System; or damage any part of the Wastewater System;
 - (b) In any way, directly or indirectly, cause the quality of the effluent or Biosolids and other solids from any Wastewater Treatment Plant to breach the conditions of a permit issued under the Resource Management Act 1991, or water right, permit or other governing legislation;
 - (c) Prejudice the occupational health and safety of any Person or people;
 - (d) After treatment be toxic to fish, animal or plant life in the receiving waters;
 - (e) Cause malodorous gases or
 - (f) Contains substances that cause the discharge of any Wastewater Treatment Plant to receiving waters to be coloured.
- (2) A discharge has a prohibited Characteristic if it has any amount of:
 - (a) Harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;
 - (b) Dry solids, solids longer than 30mm, heavy solids which settle faster than 50mm/minute, fibrous material, sheet films, and anything which may react to form a solid mass;
 - (c) Liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule 1A), calcium carbide and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with sewage;
 - (d) Asbestos;
 - (e) The following organo-metal compounds:
 - i. tin (as tributyl and other organotin compounds); or
 - ii. chromium (as organic compounds);
 - (f) Genetic wastes, being all wastes that contain or are likely to contain genetically altered material from Premises where the genetic alteration of any material is conducted;
 - (g) Any health care wastes covered by NZS 4304 or any pathological or histological wastes;
 - (h) Radioactivity levels not compliant with the Office of Radiation Safety Code of Practice CSP1 for the Use of Unsealed Radioactive Material;
 - (i) Any pharmaceutical liquid waste containing cytotoxic ingredients. Cytotoxic waste means waste that is contaminated by a cytotoxic drug.

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Schedule 2: Pre-treatment and Discharge Requirements

Table 6 – Typical requirements for businesses

Business	Typical Requirement
Aquariums	Must meet quarantine requirements.
Bakeries	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Barber	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Beauticians	Nil.
Building construction	No discharge to sewer permitted.
Business offices with minimal hot food	Nil.
Cafés / takeaways with minimal hot food	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Carpet cleaners	20 micron filtration.
Chemists / pharmacists	Nil.
Churches with catering facilities	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Community hall with minimal hot food	Nil.
Cooling towers	Discharge not to exceed 500 litres an hour.
Day care	Nil.
Delicatessen with no hot food	Nil.
Dental surgery	Amalgam trap and segregation of waste amalgam.
Dental technician	Plaster trap.
Doctors surgery	Nil.
Dog groomer	Appropriate in-floor bucket trap; appropriate in-sink bucket trap; no organophosphorus pesticide to the Wastewater System.
Dry cleaners	Screens to remove solids; solvent recovery unit.
Engineering workshops car wash / valet / automotive	Screens to remove solids; No open areas allowing discharge of rainwater to Wastewater System; appropriate in-ground water/oil separator; appropriate in-ground bucket trap; equipment maintenance requirements and discharge limits apply.
Florist	No herbicide to sewer; appropriate in-floor bucket trap; appropriate in-sink bucket trap.
Food business with minimal hot food preparation	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Fruit and vegetable, retail	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Funeral parlour	Nil.
General Retail (excluding food Premises, cafes, or coffee lounges)	Nil.

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Business	Typical Requirement
Hairdresser	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Health industries, medical centres	Screens to remove solids; appropriate in-floor bucket trap and appropriate in-sink bucket trap; plaster traps; equipment maintenance requirements and discharge limits apply.
Hotels and motels with catering facilities	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Kitchens / dining halls	Appropriate in-floor bucket trap and appropriate in-sink bucket trap, Equipment maintenance requirements and discharge limits apply.
Laundries - small	Appropriate in-floor bucket trap and appropriate in-sink bucket trap; screens to remove lint and solids; equipment maintenance requirements and discharge limits apply.
Marae with catering facilities	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Motels (without restaurant)	Nil
Optical processes	Appropriate solids settlement pit.
Paint and panel beaters	No open areas allowing discharge of rainwater to Wastewater System, appropriate in-ground water/oil/paint separator, appropriate in-ground bucket trap, equipment maintenance requirements and discharge limits apply.
Pet shop	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Residential care facilities	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Restaurants or school canteens	Appropriate in-floor bucket trap and appropriate in-sink bucket trap; equipment maintenance requirements and discharge limits apply.
Retail butchers and fishmongers	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Sandwich shop, salad bar, juice bar, coffee shop, fast food or take-away bar	Appropriate in-floor bucket trap and appropriate in-sink bucket trap; equipment maintenance requirements and discharge limits apply.
Sanitary bin washing	Screening and temperature control.
Schools, polytechnics, universities (with laboratories / catering facilities)	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Service Stations and Automotive servicing workshops / garages	No open areas allowing discharge of rainwater to Wastewater System; appropriate in-ground

Hamilton City Council BYLAWS



Business	Typical Requirement
	water/oil/paint separator; appropriate in-ground bucket trap; equipment maintenance requirements and discharge limits apply.
Swimming pool / spa (residential, hotel, or club)	No open areas draining rainwater to the Wastewater System; discharge must be less than 2 L/s.
Veterinary	Appropriate in-floor bucket trap and appropriate in-sink bucket trap; no organophosphorus pesticide to the Wastewater System; no open areas draining rainwater to the Wastewater System.
X-ray (<10 standard x-ray films a day, e.g. small professional customers, chiropractors, veterinary clinics, dentists, GPs)	Dilute silver rich solutions may be discharged to the Wastewater System in quantities of less than 1 litre per day.

Grease Trap Sizing

A conventional tank type Grease Trap must have a functional capacity of no less than 500 litres. It is recommended Grease Traps be sized based on:

- (a) 40 litres capacity per served meal per hour; or
- (b) 5 litres capacity per seated person/served meals per day;

PLUS

- (c) an additional 25% capacity for peak flushes; and
- (d) an additional 250 litres capacity for each connected dishwasher.

Retention time within the Grease Trap must be a minimum of one hour in all cases.

STATEMENT OF PROPOSAL

Proposed Hamilton Trade Waste and Wastewater Bylaw 2016

Hamilton City Council (the Council) is seeking feedback on the proposed Trade Waste and Wastewater Bylaw to help manage issues relating to wastewater in the city.

The proposed bylaw:

- Sets out what is and is not allowed to enter the wastewater system
- Provides clarity on everyone's responsibilities in using the wastewater system
- Provides clear direction to trade waste consent holders and tankered waste operators on how they will need to manage discharges to the wastewater system.

Council has considered the proposed Hamilton Trade Waste and Wastewater Bylaw 2016 and determined:

- a. the proposed Hamilton Trade Waste and Wastewater Bylaw 2016 is the most appropriate form of bylaw.
- b. the proposed Hamilton Trade Waste and Wastewater Bylaw 2016 does not give rise to implications under the New Zealand Bills of Rights 1990.
- c. the proposed Bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.

QUICK FACTS

What is wastewater?

Wastewater is the liquid waste from households and businesses (includes kitchens, bathrooms, toilets and laundries).

What is trade waste?

Trade waste is liquid waste produced by businesses when they are making a product, providing a service or carrying out an activity e.g. a bakery. Trade waste often has more pollutants than wastewater from our homes.

What is stormwater?

Stormwater is rain runoff from roofs and hard areas which flows through pipes into waterways.

Where does wastewater go?

Wastewater is collected in pipes and flows by gravity and is pumped to the wastewater treatment plant.

What happens at a wastewater treatment plant?

The treatment process removes organic material, nutrients and bacteria from our wastewater. The fully-treated wastewater must meet stringent quality conditions before it is discharged into the Waikato River. The treatment process can be affected by what goes into the wastewater system.

What are biosolids?

This is the treated solid material removed from our wastewater at the treatment plant. This material is reused by making it into organic compost.

What is an overflow?

If a wastewater pipe or pump gets blocked or stormwater gets into the wastewater system, the system can't cope and wastewater can flow out of a manhole onto the ground or into a waterway.

What is a trade waste consent?

A consent allows a business to discharge trade waste into the wastewater system. A consent will outline specific conditions a business must meet to dispose of their trade waste.

WHY ARE WE DOING THIS?

Council is able to create bylaws through the Local Government Act 2002. Council can create bylaws for the following purposes:

- protecting, promoting, and maintaining public health and safety;
- managing trade waste; and
- managing, regulating against or protecting from damage the land, structures or infrastructure associated with the wastewater activity.

The Hamilton Trade Waste Bylaw 2006, which applies only to trade waste, is due to be reviewed by 16 August 2016. Council does not currently have a Wastewater bylaw to manage other inputs into the wastewater system.

Council manages almost 800km of wastewater pipes that collect wastewater from households and businesses and transfers it to the Wastewater Treatment Plant at Pukete. Treated effluent is discharged to the Waikato River and the solid materials (biosolids) produced during the treatment process are reused as compost. Council holds resource consents for the discharges to the environment.

WHAT'S BEING PROPOSED

The Council is proposing a new bylaw to manage wastewater from both domestic and commercial premises. Broadening the bylaw to include both domestic wastewater and trade waste would enable the Council to regulate wastewater from all properties in Hamilton to protect the network and treatment plant as well as the environment.

BENEFITS FOR HAMILTON

The expected benefits to Hamilton of the proposed bylaw are:

- our community understands the importance of the wastewater system to our city and its waterways and the responsibility we all have to help manage and maintain it.
- the Council can take a proactive approach to managing trade waste and protecting the wastewater system from contamination and damage.

- environmental and public health impacts from blockages and overflows are minimised.
- capacity is managed to support more people and more business in Hamilton.
- regional consistency is improved.
- the Council will be better placed to recover costs from people who damage the wastewater system to reduce costs to ratepayers.

IMPACT ON YOUR BUSINESS

The proposed bylaw requires that all businesses that discharge trade waste must have Council's approval to discharge.

Existing trade waste consents will continue until their expiry date. Businesses with approval notices will not need to do anything.

There will be a three month period provided for any businesses that don't have a consent or approval notice to apply for one.

No changes are proposed to the fees and charges for the wastewater activity or trade waste consents. A one off fee of \$160 is charged for consent applications from businesses with low risk trade waste. Businesses with higher risk trade waste pay an annual fee of \$160-\$1,280 to cover the costs of monitoring compliance with consent conditions.

THE BYLAW AT A GLANCE

The management of trade waste and wastewater uses a number of regulatory tools including the Local Government Act 2002, Hazardous Substances and New Organisms Act, District Plan and Regional Plan rules. However there are some issues that are not adequately managed by the available regulatory tools or education.

The following issues have been identified as needing the support of a bylaw to deal with them appropriately:

1. Disposal of inappropriate materials to the wastewater system

Disposal of inappropriate materials including fats, oils, grease, rags or other items can cause blockages and overflows or damage the

wastewater treatment process. This can cause effects on public health or the environment.

Preferred approach – Provide a list of what can and cannot be disposed of to the wastewater system for all users (Schedules 1A and 1B) which will be supported by education. Provide reduced fat, oil and grease permitted levels from biodegradable sources (Schedule 1A). Continue to provide a formal process for trade waste consent and agreements (Section 8).

2. Non-compliance with resource consent conditions for the wastewater treatment plant

What goes into the wastewater system impacts the Council's ability to meet resource consent conditions at the wastewater treatment plant and to produce biosolids that can be reused.

Preferred approach – Continue to provide a formal process for trade waste consents (Section 8) and have a list of list of what can and cannot be discharged to the wastewater system (Schedules 1A and 1B).

3. Optimising the capacity of the wastewater system to allow for future growth

To meet expected growth, the capacity of the wastewater treatment plant will need to be maintained and existing discharges controlled.

Preferred approach – Provide for consents and trade waste agreements in the bylaw to ensure the capacity of the wastewater treatment plant is not exceeded (clause 8.1). Provide reduced organics and nutrient levels for permitted discharges (Schedule 1A).

4. Protect health and safety

The public, Council's staff and contractors can be exposed to any hazardous materials in wastewater.

Preferred approach – Provide requirements for storage and discharge of hazardous materials and a list of what cannot be discharged to the wastewater system (clause 7.3 and Schedule 1B).

5. Managing stormwater inflow and groundwater infiltration into the wastewater system

Stormwater and groundwater entering the wastewater system can exceed the capacity and cause overflows.

Preferred approach – Identify the responsibilities of property owners to control

inflow and infiltration, and educate the community about this. (clause 7.5).

6. Accelerated deterioration of the network

Trade waste can contain substances that lead to faster deterioration of Council's assets.

Preferred approach – Provide a list of what can and cannot be discharged to the wastewater system in a bylaw (Schedules 1A and 1B).

7. Third party contactors damaging the wastewater network and recovering costs to repair

Damage to existing wastewater pipes can occur during installation of other utility services.

Preferred approach – Clarify responsibility to avoid and report damage to infrastructure and recover costs of damage (clauses 7.4 and 13).

8. Customer Responsibilities – residential wastewater

Customers are not always aware of their responsibilities in relation to blockages and wastewater system assets on their properties.

Preferred approach – Outline customer responsibilities (clause 7.5).

9. Recovering costs of trade waste collection and treatment

The wastewater produced by trade waste businesses costs more to collect and treat than domestic wastewater.

Preferred approach – Consents require businesses to monitor their discharges and provide information to allow fair and reasonable costs to be calculated (clause 8.4). Costs are set as part of the 10 Year Plan/Annual Plan process. (clause 11).

10. Waste minimisation and cleaner production

Council has a statutory requirement to promote waste minimisation. This includes cleaner production techniques and re-use of resources.

Preferred approach – Continue to consider waste minimisation and cleaner production as part of the consent process (clauses 8.3 and 8.4) and support with education.

11. Consistent approach across the sub-region

Trade Waste management and enforcement is provided by a shared service across Waikato and Waipa District Councils and Hamilton City Council. Current bylaws are inconsistent.

Preferred approach – Hamilton City Council and Waikato District Council have worked together to prepare a new bylaw that both will consult on. The consent term has been standardised at up to 5 years (clause 8.5). There is standardisation around who needs to apply for a consent (clause 8.1) and what can be discharged (Schedule 1A). Grease trap and grease converter requirements have been introduced which are similar to Waipa Trade Waste Bylaw 2011 (clause 8.7)

12. Lack of Technical Guidance

Industry feedback indicated more guidance was required in some areas and some requirements were out of date.

Preferred approach – More detail has been provided on pre-treatment requirements (clause 8.7) and sampling has been updated to reflect industry practice (clause 8.1).

13. Need to control the disposal of tankered wastewater

Tankered waste needs to be controlled to avoid illegal discharges and impacts on the wastewater treatment plant.

Preferred approach – Update the tankered waste requirements (clause 9) to require more information on what is in the tankered waste and where it has come from.

14. Access

Access to private property is required to check and maintain the wastewater system.

Preferred approach – Provide clarity on the Local Government Act 2002 powers of entry to inspect and maintain wastewater systems (clause 10).

EXPLAINING THE BYLAW

Education is important so that you know about good practice wastewater management e.g. how to avoid blockages and avoid stormwater discharging to the wastewater system. Education strategies and awareness initiatives will be used to encourage appropriate behaviour alongside the proposed bylaw.

Under the proposed bylaw, management of trade waste consents will continue to be carried out by the Trade Waste Shared Services Team. The management of the wastewater section of the bylaw would be carried out by the Council's

City Waters section as part of the day to day wastewater operations.

TELL US YOUR THOUGHTS ON THE BYLAW

We encourage you to tell us your views. For a copy of the draft bylaw and a feedback form, visit the Hamilton City Council website hamilton.govt.nz/consultation.

How to give feedback

There are a number of ways you can give your feedback;

1. Fill out a feedback form online.
2. Fill out the feedback form and send to Hamilton City Council, Strategy Unit, Private Bag 3010, Hamilton 3240.
3. Attend the drop in information session on 22 March, 4pm to 7pm at the Municipal Building Reception Lounge.

Feedback forms and the proposed bylaw are also available from all Hamilton City Council libraries, and from the Ground Floor reception of Council's Municipal Building in Garden Place. For any queries please ring 07 838 6699.

The period for giving us written feedback is open from **1 March 2016 and closes 4pm on 1 May 2016**.

FEEDBACK FORM
PROPOSED HAMILTON TRADE WASTE AND WASTEWATER BYLAW 2016

SECTION 1 Please print your details clearly

Name: Mr / Mrs / Miss / Ms _____

Organisation: _____

Address: _____

Phone: (day) _____ (evening) _____

Email: _____

Are you responding as a resident/business/other stakeholder interest? (please circle)

Please note all submissions are treated as public documents and will be loaded on to the Council's website with the names and contact details of submitters included.

SECTION 2 Please print clearly

1. Does this proposed bylaw clearly explain your responsibilities as a household or business discharging wastewater/trade waste?

Yes

No

2. Do you understand what you can and cannot put into the wastewater system? If no, please explain.

Yes

No

Proposed Trade Waste and Wastewater Bylaw 2016

Proposed Change	Comments	Expected Benefits
Bylaw format	Format has been updated to use simpler wording, contain fewer schedules and be consistent with recent bylaws.	Bylaw easier to understand.
Regional consistency	The new bylaw was prepared in consultation with Hamilton City Council and Waipa District Council with the aim of increasing the consistency of the bylaws across the three districts which operate under the Trade Waste Shared Service.	Bylaw enforcement simpler and a more consistent approach across the Waikato sub-region.
Wastewater Requirements (Section 7)	Introduction of a new section which applies to all wastewater discharges – domestic, commercial and industrial. This section covers connecting to the wastewater system, control of discharges, hazardous materials, protection of wastewater system and private drains as outlined below.	More consistent requirements for all dischargers to the wastewater system.
Connecting to the wastewater system (Section 7.1)	Approval is required before connecting to, disconnecting from or working around the wastewater system. Council can refuse an application to connect for various reasons including not enough capacity available.	Better control over new connections.
Control of discharges (Section 7.2)	Wastewater with prohibited characteristics cannot be discharged to the wastewater system. Stormwater and condensing/cooling water cannot be discharged to the wastewater system without approval.	Reduced blockages and overflows.
Hazardous materials (Section 7.3)	Hazardous materials must be stored and used so they don't enter the wastewater system.	Avoids damage to the wastewater system and the environment and protects the health and safety of workers.
Protection of wastewater System (Section 7.4)	Damaging or obstructing the wastewater system is not permitted and excavation work must take due care to avoid damage. Covering manholes is not permitted. Any damage must be reported to Council	Reduced cost from damage and improved ability to recover repair costs.

Proposed Change	Comments	Expected Benefits
Private Drains (Section 7.5)	Private drains must be maintained in a reasonable condition. Stormwater must be excluded from the wastewater system. Blockages on private property are the responsibility of the property owner unless the blockage originates in the wastewater system. Pressure wastewater systems must be used as per their operating guidelines.	Improved ability to require faults to be repaired. Reduced overflows from excessive stormwater inflow and groundwater infiltration. Reduced blockages in pressure wastewater systems.
Trade waste classification (Section 8.1)	The classification of trade waste has been clarified and reflects current practice for Shared Services. The permitted and conditional categories have been retained and the bylaw clarifies that all permitted trade waste discharges must have an "approval notice".	Clearer requirements responding to stakeholder feedback. Council will have information on where all trade waste discharges are located.
Trade waste agreements (Clauses 8.1 d&e)	Reference to trade waste agreements in the bylaw. Trade waste agreements may be required when the discharge has unique characteristics, could affect the wastewater system/wastewater treatment plant (WWTP), could potentially contain hazardous or prohibited substances, requires pre-treatment systems, requires reserved capacity at the WWTP or has a history of non-compliance.	Responds to stakeholder feedback for more clarity on when trade waste agreements may be used.
Consent Processing (Section 8.3)	Processing timeframes for trade waste consents have been removed from the bylaw. Council will continue to have a 15 day processing performance target.	More flexibility in response to stakeholder feedback.
Consent term (Section 8.5)	Consent term for conditional trade waste discharges set at 5 years unless there is history of non-compliance, the discharge flow/quality is likely to change or there is a lack of information available. Previously most trade waste consents were issued for 2 years. Approval notices for permitted trade waste discharges do not have an expiry date	Greater consistency across the sub-region. Longer term for consent holders complying with existing conditions.

Proposed Change	Comments	Expected Benefits
Pre-treatment requirements (Section 8.7)	More detail on grease trap/pre-treatment requirements for trade waste (similar to current Waipa bylaw). Grease traps must be sized and maintained as approved by Council. Alternative grease removal systems must be approved by Council and be maintained or serviced to the approval of Council. The revised biodegradable Oil and Grease limit for permitted discharges is 200 g/m ³ and 100 g/m ³ for Pokeno and Tuakau.	More guidance for smaller businesses. More consistent approach across the sub-region. Reduced blockages caused by fat, oil and grease.
Cancellation of consent and disconnection (Section 8.12)	Council may immediately cancel a consent and disconnect the discharge if a prohibited substance is discharged, the discharge is a threat to the environment or public health or the discharge impacts on Council's ability to comply with a resource consent.	Protects the wastewater system and the environment.
Transitional provisions (Section 8.13)	Trade Waste consent holders with existing "approval notices" do not need to apply for a new notice or Consent unless the discharge changes significantly. Existing consents and agreements continue until their expiry dates. Trade waste discharges which do not have an approval notice must apply within 3 months of the bylaw coming into force.	Council will know where all trade waste discharges are located.
Sampling (Section 8.10)	Less detail on trade waste sampling is included in the bylaw, guidance will be provided by trade waste officers on a case by case basis. Sampling methodology must be approved by Council. A requirement for trade waste consent holders to use an accredited laboratory for sample analysis and use standard analysis methods.	Removes out of date sampling requirements and provides more flexibility. Ensures sample results are reliable and suitable for compliance and charging purposes.
Tankered waste (Section 9)	More detailed tankered waste collection and disposal requirements.	Clearer requirements which are easier to enforce. Reduced problems at the wastewater treatment plants.

Proposed Change	Comments	Expected Benefits
Fees and charges (Section 11)	No fees and charges details are included in the bylaw. Fees and charges are set during the Long Term Plan/Annual Plan process.	Consistent approach with other Council activities.
Organic and Nutrient limits (Schedule 1A)	Reduced organic (BOD/COD) and nutrient (TKN/TP) limits for permitted wastewater to avoid overloading of wastewater treatment plants and to retain capacity for growth.	Protects the wastewater system and the environment.
Liquid Pharmaceutical Waste (Schedule 1A)	A new requirement for disposal of liquid pharmaceutical waste based on advice from the Ministry of Health.	Protects the wastewater system and the environment.

Committee: Strategy & Policy Committee **Date:** 23 February 2016
Report Name: Regional Strategic Round Up Report **Author:** Susan Henderson

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Future Proof Sub-Regional Growth Strategy, Mayoral Forum.</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 update elected member on HCC's involvement in regional and sub-regional planning partnerships through our commitments to the Upper North Island Strategic Alliance, Waikato Mayoral Forum, Waikato Plan, Future Proof, and strategic waters matters.

3. Executive Summary

4. UNISA

- UNISA has received updates from NZTA on the strategic priority to integrate road and rail to improve freight network safety and productivity. NZTA has also completed a freight accord building on the Upper North Island Freight Story.
- A Skills and Value Chain project is close to being finalised, which will look at constraints to and opportunities for the growth of key sectors in the upper North Island economy. Another project looking at potential scenario mapping tools at an upper North Island scale is also being reviewed. This could assist in understanding the ramifications of future development and growth from a social, environmental and economic perspective.

7. Mayoral Forum

- The current areas of focus for the Mayoral Forum are the Waters CCO investigations, the Policy and Bylaw workstream, the Waikato Road Asset Technical Accord, the Waikato Economic Development Strategy and the Waikato Plan.
 - Waters CCO: In late 2015, having considered the report from Cranleigh, the three councils each resolved to form a new Waters Governance Group. This group, made up of nine elected members, will look at a range of governance, decisions making, shareholding and transition issues considered fundamental to the forming (or not) of any Waters CCO. Meetings of the group have commenced to work through these issues and a workshop to update Councils is proposed for march.

- Policy/Bylaws: The current focus for the project is on bylaws with work to commence in April 2016. The first bylaw to be considered will relate to Easter trading hours, should the current Bill before parliament be enacted into legislation. Work on the development of a Regional Infrastructure Technical Specification (RITS) is about to commence.
- Roading: The Waikato Road Asset Technical Accord (RATA) is the Waikato Mayoral Forum 'Centre of Excellence' for strategic asset management for roading in the Waikato. An update on RATA will be provided in the next Regional Operations Roundup report.
- Economic Development: The Economic Development Strategy was released in 2014 and is now in its implementation phase. An implementation plan was agreed and an implementation governance group was appointed in 2015.

9. **Waikato Plan**

10. The Waikato Plan Joint Committee will be presented with a draft strategic direction summary document for consideration at their meeting on 22 February 2016. The document identifies 4 key priorities for the region;
- Dealing with Population Change
 - Building Connections
 - Improving Community Wellbeing; and
 - Partnering with Iwi
11. The full Waikato Plan is due for completion by September 2016, with consultation and final adoption scheduled for February – April 2017 (after local body elections), with implementation occurring from mid-2017.

12. **Future Proof**

Future Proof is continuing to support the Future Proof partners on a number of appeals under Resource Management Act processes. A Southern Growth Corridor Strategic Land Use and Infrastructure Plan has been developed for the area to the south of Hamilton and around the airport. Future Proof made submissions on the Auckland Land Supply Strategy and the Productivity Commission's Using Land for Housing Report. Work on Future Proof implementation and the Future Proof update continues. The full draft updated Strategy is expected to be complete by August 2016 and released for public feedback in early 2017.

13. **Strategic Waters**

14. The Waikato Regional Council is due to receive the Healthy Rivers plan change for approval in June 2016 and public notification is scheduled to occur in July 2016. Implications of the plan change for Hamilton City Council are not yet clear because the policy framework and subsequent plan change are still in development but there are likely to be significant impacts both for Council and the wider community.

15. **Recommendation from Management**

That the report be received.

16. **Attachments**

17. There are no attachments for this report.

18. Key Issues

Upper North Island Strategic Alliance (UNISA)

19. *Strategic Outcomes sought from UNISA involvement: The overall objective is to maximise sustainable development opportunities for all of the upper North Island and its contribution to New Zealand. There is a focus on seeking to recognise and utilise the strengths of each region.*
20. The UNISA Governance Group met on the 6th November 2015.
21. NZTA presented to the meeting on their strategic priority to integrate road and rail to improve freight network safety and productivity. NZTA will be working closely with KiwiRail, the upper North Island councils, and other freight sector stakeholders. Key challenges for the freight network are constraints at critical points and the demand from private vehicles users and public transport on both road and rail.
22. NZTA also presented a freight accord which has been developed in conjunction with key freight and logistics operators in order to develop a more efficient and safe freight system. It builds on the Upper North Island Freight Story developed with UNISA. The Accord focuses on five critical action areas which are:
 - Deliver a high-performing strategic freight network
 - Identify and plan for significant places for freight
 - Moving more freight on fewer trucks
 - A future fit workforce
 - Smarter regulation plus smart technology for safer, more efficient freight movements.
23. The Accord can be found at <https://www.nzta.govt.nz/assets/Planning-and-investment/docs/upper-north-island-freight-accord.pdf>
24. Auckland Council provided an update on the Auckland Port Future Study which has commenced and is due to be completed by the end of June 2016. A consensus working group has been established that will appoint and oversee consultants to complete the study, which will look at a range of issues and scenarios over a 50 year horizon.
25. Work Update:
26. *Skills and Value Chain project:*
27. The purpose of the research is to build on findings from earlier UNISA work to identify the emerging constraints to, and opportunities for, growth of key sectors of the upper North Island economy, associated with the supply of, and demand for, appropriate labour and changing demographics. This will then identify actions that UNISA can take or champion to improve the productivity of key sectors. It will also allow UNISA to understand the extent to which the upper North Island operates as an economic unit and as a result the extent to which it is important that industry development and transport decisions are made within an upper North Island context for the success of New Zealand and individual regions and cities.
28. A draft document will be reported to the UNISA Chief Executives group in March 2016.

29. *Scenario Modeling Project:*
30. A feasibility study for an Upper North Island Integrated Scenario Explorer (ISE), based on similar models developed for Waikato (WISE), Wellington and Auckland has been undertaken. This could assist in understanding the ramifications of future development and growth from a social, environmental and economic perspective. The capability now exists to develop ISE models for other regions/areas. The Chief Executives group will consider the feasibility study at the March meeting.
31. **Mayoral Forum**
32. *Strategic Outcomes Sought from Mayoral Forum Involvement: The Waikato Mayoral Forum (which includes local mayors and the regional council chair) is in the process of implementing an integrated work programme over three years which seeks to boost the regional economy and deliver multi-million dollar cost savings through collaboration. The current areas of focus are the Waikato Plan, the Waters CCO investigations, the Policy and Bylaw workstream, the Waikato Road Asset Technical Accord, and the Waikato Economic Development Strategy.*
33. **Waters CCO**
34. This workstream is investigating options for the strategic delivery of core water, wastewater and stormwater services in a way that provides the best overall option for the sustainable delivery of high quality services.
35. In late 2015, having considered the report from Cranleigh, the three councils each resolved to form a new Waters Governance Group. This group, made up of nine elected members, have commenced looking at a range of issues considered fundamental to the forming (or not) of any CCO.
36. The output of this phase of the project is intended to be a consensus agreement adopted by each of the three Councils and clear information to the public concerning how a Waters CCO could operate in the Waikato sub-region. It is intended that the information developed will be sufficient to inform a formal Statement of Proposal, should the three Councils choose to proceed to formal public consultation. The consensus agreement is intended to be provided by the end of June 2016.
37. As part of the Future Proof update, there will be a focus on ensuring there is sufficient detail in terms of the Future Proof growth settlement pattern in order to accurately inform the Waters CCO investigations.
38. **Local Authority Shared Services (LASS) Policy/Bylaw work stream – Phase II**
39. To achieve greater consistency and alignment of policies and bylaws across the region, a Mayoral Forum workstream was created with a specific focus of trying to standardise the approach to policy and bylaw making across the region, and where possible, highlight policies or bylaws that could be region wide. This ultimately would make local authorities easier to do business with and make it easier for the public to engage with each Council.
40. The current focus for the project is on bylaws. This work will commence in April 2016. The first bylaw to be considered will relate to Easter trading hours, should the current Bill before parliament be enacted into legislation.
41. The development of a Regional Infrastructure Technical Specification (RITS) is a key project identified by the Waikato Mayoral forum, led by the Policies and Bylaws work stream. Work is about to commence, with funding provided through Local Authority Shared Services (LASS). The RITS will be based on Hamilton’s infrastructure technical specifications. All councils will have the opportunity to review and update the specifications to produce a consolidated set. This work, which will include public consultation, is likely to take at least 12 months to produce.

42. Roading
43. The Waikato Road asset Technical Accord (RATA) is the Waikato Mayoral Forum 'Centre of Excellence' for strategic asset management for roading in the Waikato. RATA commenced work in July 2014 with an agreed vision of 'achieving best practice road asset management collaboration'. An update on RATA will be provided in the next Regional Operations Roundup report.
44. Economic Development:
45. The Economic Development Strategy was released in 2014, seeking to help the Waikato realise its economic potential. The Strategy is now in its implementation phase. An implementation plan was agreed and an implementation governance group was appointed in 2015.
46. Waikato Plan
47. *Strategic Outcomes sought from Waikato Plan involvement: The Waikato Plan will define a long-term strategic direction for the region as a whole. It will identify priorities for action and investment across the Waikato. It will identify opportunities for working together, and enable Local Government to communicate with Central Government using 'one voice' to target resources and investment efficiently.*
48. The Waikato Plan Joint Committee held their most recent meeting on 16th November 2015.
49. The Committee was presented with a draft strategic direction for consideration and requested that a small number of key priorities with specific actions be identified. These were agreed as;
- Dealing with Population Change
 - Building Connections
 - Improving Community Wellbeing; and
 - Partnering with Iwi
50. A draft of the strategic direction, incorporating the key priorities, will be presented to the Joint Committee for consideration on 22 February.
51. Work to appoint Iwi representatives to the Joint Committee has been progressed, with a series of hui organised for late February 2016. These hui will be held at venues around the region, culminating in an 'all-up' hui in Hamilton in early March. Through this process, Iwi will determine how they wish to be represented on the project.
52. The Project Advisor and Chairperson have attended a meeting of the Waikato Intersect Group (regional representatives from Central Government organisations) to socialize the project and identify opportunities for collaboration. The Waikato Plan will continue to engage with this group as the project progresses.
53. The first meeting of the Strategic Partners' Forum was held on 9 February where the Project Advisors discussed the Plan with key stakeholders. The group contains representatives from the tertiary education sector, environmental groups, business groups and the farming sector, and the creative and sports sectors.
54. The Joint Committee approved three initial projects in September 2015 looking at opportunities for aligned planning (specifically in the resource consent area), how to deal with population decline, and how to enhance Hamilton's role as the Waikato centre. Work on these projects is ongoing.
55. The full Waikato Plan document is due for completion by September 2016, with consultation and final adoption scheduled for February – April 2017 (after local body elections), with implementation occurring from mid-2017.

56. The Project Advisor has advised that the Plan will be completed within the existing budget and that no additional funds will be sought from the project partners. There will be a focus on using as many internal resources as possible from partner councils to complete the work.
57. **Future Proof**
58. *Strategic Outcomes sought from Future Proof involvement: The Strategy is a broad scale, long-term, integrated land-use and infrastructure strategy prepared under the Local Government Act 2002. The Strategy provides a framework for co-operatively managing growth and setting goals for future implementation. The importance of Hamilton as the major growth area for the sub-region is a core part of the Strategy. The Strategy seeks to ensure the costs and resources required to fund and manage infrastructure, such as transport, wastewater, stormwater, recreation and cultural facilities, are identified and provided for.*
59. Work on Future Proof implementation and the Future Proof Update continues.
60. Future Proof is continuing to support Future Proof partners on a number of appeals under Resource Management Act processes. Future Proof made submissions on the Auckland Land Supply Strategy and the Productivity Commission's Using Land for Housing Report.
61. The Southern Growth Corridor Strategic Land Use and Infrastructure Plan (SLIP) has been finalised. The SLIP identifies key land use and infrastructure challenges for an area on the southern side of Hamilton, between Hamilton and the airport. The parties to the SLIP include the NZ Transport Agency, Waipa District, Hamilton City, Waikato District and Waikato Regional councils. An agreed approach for the transport network along State Highways 3 and 21 will form the basis of a Memorandum of Understanding (MOU) between the parties. The MOU is expected to be completed early in 2016.
62. Work is well underway on Phase 1 of the Update which involves collating information and inputs, identifying key changes required to the Strategy and adjustments to the Settlement Pattern. Waikato DC and HCC are concurrently working on their inputs. Phase 2 of the Update which involves drafting changes to the Strategy has also begun. Drafting amendments to the Strategy will continue to occur in parallel to Phase 1 as information becomes available. A draft updated Strategy is now expected to be complete by August 2016 and released for public feedback in early 2017.
63. A Hamilton City Council staff steering group has been set up in order to undertake the technical work necessary to feed into the Future Proof update. This will gather and examine evidence in relation to the growth modeling assumptions for Hamilton's greenfield growth areas as well as infill growth assumptions. There will be a number of other critical issues of interest to Hamilton City Council in the Future Proof Update, including the future settlement pattern planning particularly for areas in the North Waikato, continued growth around Hamilton's boundaries, and the areas subject to the existing Strategic Agreement on Future Urban Boundaries with Waikato District (areas known as HT1, R2 and WA).
64. Reports will be presented to this committee over the next few meetings to consider Council's input and position on various matters for the Future Proof update.
65. **Strategic Waters matters**
66. *Strategic Outcomes sought from involvement in strategic waters matters: It is important for Hamilton City Council to ensure the interests of its communities are taken into account in the various processes underway. The work of the Future Proof Waters Policy Group (subject to confirmation by the Future Proof Implementation Committee) will play an important role in ensuring that linkages between the various work underway in Future Proof, the Mayoral Forum (Waters CCO investigations), the Healthy Rivers Plan Change, and other strategic waters matters are considered in an integrated way.*

67. The Healthy Rivers: Plan for Change/Wai Ora: He Rautaki Whakapaipai project (Waikato/Waipā River Iwi and Waikato Regional Council) is developing proposed changes to the Waikato Regional Plan to help restore and protect the health of the Waikato and Waipā rivers. The plan change will look to help reduce, over time, sediment, bacteria and nutrients (nitrogen and phosphorus) entering water bodies in the Waikato and Waipā river catchments, in order to address the statutory requirements of the Vision and Strategy for the Waikato and Waipā Rivers.
68. A number of workshops were held in October 2015, which were attended by around 1,000 people from around the region.
69. A policy framework is being developed by a Collaborative Stakeholder Group for recommendation to the Healthy Rivers Wai Ora committee in March 2016. Hamilton City Council is represented on the Collaborative Stakeholder Group by way of a local government representative (Sally Davis). The Waikato Regional Council is due to receive the Healthy Rivers plan change for approval in June 2016 and public notification is scheduled to occur in July 2016.
70. Implications of the plan change for Hamilton City Council are not yet clear because the policy framework and subsequent plan change are still in development but there are likely to be significant impacts both for Council and the wider community. Renewal or review of HCC's existing consents, such as water take, wastewater discharge and stormwater discharge consents may be impacted. The Council's wastewater consent is due for review in 2017/18 and could therefore be assessed under the provisions of the Healthy Rivers plan change. Any wider implications for city industries and the community will need to be assessed once the Plan Change has been publicly notified.
71. **Financial and Resourcing Implications**
72. There are allocated budgets for Future Proof and UNISA for the 2015/16 year. The budget for Future Proof is \$159,250. The budget for UNISA is \$75,000. The Waikato Plan requires no funding from HCC in the 2015/16 year, apart from staff input to the project. The Waters CCO project budget is \$175,000 for the next phase – this was the subject of a report to Council on 29 October 2015. The contributions to the other Mayoral Forum projects are RATA \$22,606 and Policy/Bylaw \$10,000.
73. **Risk**
74. The Future Proof risk register is monitored and regularly updated. Additionally, in relation to Future Proof, UNISA, Waikato Mayoral Forum, Waikato Plan and strategic waters projects, this report is for information purposes only so there is no decision-making risk at this stage.

Signatory

Authoriser	Blair Bowcott, Executive Director Special Projects
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Committee: Strategy & Policy Committee **Date:** 23 February 2016

Report Name: Consideration and Approval of HCC's Draft Submission to the NZTAs Vehicle Dimensions and Mass Rule 2002 Review (23 February 2016) **Author:** Dawn Shannon

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Economic Development Agenda, Access Hamilton Strategy. HCC's process for developing submissions to external organisations.</i>
Financial status	<i>There is no 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

- For the Strategy and Policy Committee to consider and approve Council's **draft submission** to the NZ Transport Agency's 'Vehicle Dimensions and Mass 2002 Rule Review' (submission # 457).

3. Executive Summary

- Elected Members were made aware of Council's intention to make a submission to the NZ Transport Agency's 'Vehicle Dimensions and Mass 2002 Rule Review' in the 2 February 2016 Executive Update and were asked, based on a description of the proposed changes, if they had any feedback or key messages they would like included in the submission.
- Draft 1** of HCC's submission #457 was circulated to Elected Members for feedback on 12 February 2016. Initial feedback resulted in a revised submission (**Draft 2**-Attached) and a request for an extension of time to make the submission so that the Strategy and Policy Committee could consider the draft prior to finalisation.
- The official closing date for submissions was 17 February 2016. An extension to the submission closing date was obtained from the NZ Transport Agency to 24 February 2016.

7. Recommendations from Management

- That the report be received
- That HCC's 23 February 2016 **Draft 2** submission (#457) to the NZ Transport Agency's

'Vehicle Dimensions and Mass 2002 Rule Review' be considered and approved.

- c) That the approved submission be sent to the NZ Transport Agency to meet the agreed extended submission closing date of 24 February 2016.
- d) That the approved submission be uploaded to HCC's website.
- e) That local Members of Parliament be advised of and encouraged to support the approved submission.

8. Attachments

9. Attachment 1 - HCCs Draft 2 Submission to the MoT/NZTA Vehicle Dimensions and Mass 2002 Rule Review (23 February 2016)
10. Attachment 2 - Heavy Vehicle Controls in Hamilton City

11. Key Issues

12. Background
13. The Land Transport Rule: Vehicle Dimensions and Mass 2002 (the VDAM Rule) specifies requirements for dimensions and mass limits for vehicles operating on New Zealand roads. It has undergone 11 amendments to aspects since its introduction.
14. The VDAM Rule Amendment 2010 changed some of the lengths for heavy vehicles and created a new permit class for High Productivity Motor Vehicles (HPMVs) at increased weights and/or lengths.
15. In October 2013, NZTA introduced pro-forma 50MAX HPMV designs. 50MAX have the same maximum axle weight as standard traffic, but are slightly longer, have nine or ten axles and can carry a total weight of up to 50 tonnes.
16. In June 2014 Council delegated approval to NZTA to assess and approve permits for HPMV and 50MAX vehicles in the city.
17. Schedules B (Higher Productivity Motor Vehicles – Approved Routes) and C (50MAX Heavy Motor Vehicles) were added to the Hamilton City Traffic Bylaw 2015 to reinforce:
 - Councils expectations that HPMV vehicle permits should be limited to the industrial areas of the City and defined arterial routes.
 - The identification of local roads and structures within the Hamilton City area that do not support the passage of 50MAX vehicles.
18. Overweight Permits (for vehicles carrying indivisible loads that exceed the legal mass limits defined in the VDAM Rule) are currently assessed and issued by Council.
19. Discussion Document
20. The New Zealand Government released a discussion document in December 2015 relating to a review of the Vehicle Dimensions and Mass (VDAM) Rule with the purpose of seeking views on proposals to update and improve the Rule.

Refer to <http://www.transport.govt.nz/land/vdam/>

21. The discussion document focuses on changes to:
 - General requirements for dimension and mass limits
 - Permitting and access conditions, and
 - Management of over dimension loads.
22. In drafting the submission staff took the general position of not supporting any changes that increased the risk profile in relation to urban road safety and/or pavement integrity.
23. The draft submission is attached and includes a template that covers all of the proposed changes.
24. In particular, the submission:
 - Does not support any increase to the allowed width or height of heavy vehicles.
 - Does not support any general changes to allowable vehicle axle and gross mass except for the proposed change from 44 tonne to 45 tonne as explained below.
25. The proposal to increase the general access gross mass limit from 44 tonne to 45 tonne applies only to vehicle combinations of at least 16m length and at least 8 axles. In simple terms, a 7-axle vehicle combination weighing 44 tonnes causes more wear to roads than an 8-axle vehicle combination weighing 45 tonnes, due to the heavier axle weight. This proposal is supported as it reduces pavement integrity risk.
26. The discussion document links the proposal to allow 8 axle vehicles to 45 tonne to a proposal to reduce the weighing tolerance from 1500kg to 500kg for most legal maximum weights. Currently 7-axle vehicles can carry 45.5 tonnes without penalty but, with this reduction, the maximum tolerated weight will be 44.5 tonnes. This proposal should encourage operators to use 8-axle vehicles with a maximum tolerated weight of 45.5 tonnes, which will have a lower impact on pavements. This proposal is supported as it reduces pavement integrity risk.
27. The proposal to remove the 50MAX permitting requirements is not supported.
28. One concern that was not addressed in the Review is the difficulty in identifying the status of an HPMV. The “H” sign on a vehicle means that it may be overlength, 50MAX or full HPMV. Each of these vehicle types is subject to different access restrictions. Furthermore, the restrictions do not apply if the vehicle is not loaded above general access gross mass. The ambiguity of the “H” signage complicates enforcement. Staff have noted this and requested consideration be given around this concern.

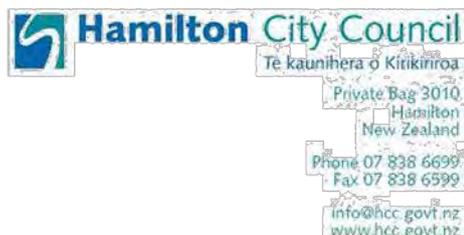
29. Risk

30. The current Review essentially addresses minor inconsistencies in the VDAM Rule and there is minimal risk to Council in any of the proposed changes. However, the traffic pattern changes resulting from the VDAM Rule Amendment 2010, as well as the subsequent impacts of heavier vehicles on road pavements in an urban situation are based on theoretical analysis. Any further increases to mass and/or dimension should only be considered if intended outcomes can be validated by robust data.
31. In submitting feedback on the proposed changes, Council needs to balance supporting economic development against protecting the city’s roading assets.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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DRAFT 2



**Submission by
Hamilton City Council**

Vehicle Dimensions and Mass 2002 Rule Review

23 February 2016

1.0 INTRODUCTION

- 1.1 Overall, Hamilton City Council (HCC) supports this review of the Vehicle Dimensions and Mass 2002 Rule to ensure that the environment it creates is relevant, stable and fit for purpose.
- 1.2 HCC's detailed response is outlined on the following form provided by the NZ Transport Agency. Not all questions have been responded to as we have focussed on those that are most relevant to Council's interests.

2.0 SPECIFIC POINTS

- 2.1 HCC recognises that the aim of the Review is to enable improved transport productivity through ensuring a better fit between vehicles and the roading network.
- 2.2 HCC notes that the impacts of the proposals on traffic safety and roading assets are primarily considered in terms of major arterial road networks. The urban situation of narrow streets, roadside furniture, short queuing facilities, multiple conflict points, and multiple mode users presents different issues that require further consideration.
- 2.3 HCC notes that the impacts of the proposals are primarily considered in terms of 'door to port' scenarios where larger capacity trucks result in fewer trips. There is little data or evidence available in relation to any trends resulting from the introduction of HPMV and 50MAX relevant to urban authorities that would assist with further decision-making. For example, is there evidence of operators replacing smaller vehicles with larger vehicles for routine trips on local urban streets.

3.0 FURTHER INFORMATION

- 3.1 Should the NZ Transport Agency wish to discuss the points raised by HCC, or require additional information, please contact Dawn Shannon (City Transportation Strategic Asset and Performance Manager) on 07 838 6446, email Dawn.Shannon@hcc.govt.nz in the first instance.

Yours faithfully

Richard Briggs
CHIEF EXECUTIVE

VEHICLE DIMENSIONS AND MASS REVIEW

SUBMISSION FORM

Your name: Richard Briggs

Your address (optional):

Your email address (optional):

If your submission is made on behalf of an organisation, please name that organisation here:

... HAMILTON CITY COUNCIL ...

The deadline for submissions is Wednesday 17th February 2016

A summary of submissions will be published on the Ministry of Transport's website at <http://www.transport.govt.nz/land/vdam> in May 2016. This summary may include the names of the individuals or organisations that made submissions. It will not include contact details.

Your submission may be requested under the Official Information Act 1982. If you do not want some or all of your submission released you should let us know, at the time you make your submission, what material you want withheld and why. The Ministry of Transport (in consultation with the NZ Transport Agency) will decide whether to release or withhold material. Requesters can appeal any decision to withhold information to the Ombudsman.

<p>I request that the Ministry consider withholding the release of some or all of my submission</p> <p>YES / NO (please indicate your response)</p>	<p>If yes – describe the reasons why:</p>
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This submission form is designed to be read in conjunction with the *Vehicles Dimensions and Mass Discussion Document*. The document is available at <http://www.transport.govt.nz/assets/Uploads/Land/Documents/VDAM-Discussion-Documents-2015.pdf>

The review covers three major areas:

- general requirements for dimension and mass limits
- permitting and access conditions, and
- management of significant overdimension loads.

You do not need to answer all of the questions in this submission form. You can focus on the issues and questions that are of interest to you. There is also space for general comments.

1. Axle mass and gross mass (pages 15 – 25)

Under the VDAM Rule 2002 New Zealand currently has limits on vehicle mass in two main ways. Firstly, limiting the gross mass of a vehicle, or combination of vehicles, to protect the main structural elements of bridges and other structures. Secondly limiting the mass on axles and axle sets to protect road pavements from excessive wear and damage, as well as protecting bridge decks. Under the existing Rule productivity has increased substantially especially in recent years through the introduction of HPMV permits (including the 50MAX pro-forma class), and more recently with increases to axle mass for high capacity urban buses. The purpose of the proposals is to ensure we are fully utilising our network and keep up with international standards.

Seven proposals have been identified and are listed below (including maintaining the status quo). It is possible to select a suite of proposals rather than just the one.

Questions for your submission:

a) Select the proposals you support in relation to axle mass and gross mass limits:

- Proposal 1: Maintain the current axle mass and gross mass limits.
- Proposal 2: Revise current Schedule 2 limits (as shown in Appendix A in the discussion document).
- Proposal 3: Increase general access gross mass limit from 44,000kg to 45,000kg.
- Proposal 4: Remove the permitting requirement from the operation of 50MAX.
- Proposal 5: Increase axle mass limits for specific categories of vehicles (please state which categories of vehicles, and your reasons).
- Proposal 6: Amend tyre size categories for axle mass.
- Proposal 7: Reduce weighing tolerance from 1,500kg to 500kg.

(Note: It is intended that Proposal 3 will only be adopted if Proposal 7 is also adopted, due to the impact of heavier gross mass limits)

b) Why have you chosen these proposals?

Proposal 7: Modern technology facilitates accurate loading of vehicles, so a tolerance of 1,500kg is excessive and is subject to abuse (it is recognised that some operators may be deliberately loading to the maximum mass plus the tolerance).

Proposal 3: With the proposed tolerance in place, an increase of 1,000 kg to the mass limit for vehicles with 8 axles, increases freight efficiency without significantly increasing the impact on pavements or structures.

Proposal 4 is opposed – withholding of permits is the RCA's only compliance incentive.

Proposal 6 is opposed. Inadequate information provided regarding pavement impacts of super singles.

- c) Are there any potential gains, risks or implications of these proposals you think have not been discussed?

A potential risk with **Proposal 3** is the perception that 45,000 kg has replaced 44,000 kg as the gross mass limit for Class 1 vehicles. Education within the industry will be key.

- d) In relation to increasing mass limits beyond current proposals, indicate whether you would support heavier limits or not, and how this is likely to impact your area of interest?

Increasing mass limits (beyond current proposals) is opposed. Urban streets (excluding arterial streets) are often formed with minimal pavement depth and so the loading capacity does not facilitate frequent use by heavy vehicles. Even more recently constructed pavements were built for a 25 year design life, based on total traffic design loadings that are being consumed at a faster rate than was anticipated. Thus the theoretical life of the pavements will be less and rehabilitation required at a much earlier date.

Hamilton is bisected by the Waikato River and there are only six bridges. Of these, only one (state highway) is currently available to HPMV vehicles. Three of the remaining five are historic structures and one of those is weight restricted. This infrastructure is inadequate to handle increases in mass limits.

- e) Do you have another proposal that has not been presented?

NA

2. Width (pages 26 - 32)

The Rule currently prescribes a general maximum width of 2.50m for all vehicles and their loads (some vehicles carrying particular types of loads; hay bales, wool bales and concrete pipes, are allowed a width of 2.70m). There is a list of exceptions that allow a vehicle's width to extend beyond 2.50m. These include load-securing devices, such as ropes, lashings, straps, chains, and j-hook assemblies, which can extend an additional 25mm from either side of the vehicle. Currently many vehicles in the fleet operate with an effective permitted width of 2.55m resulting in two sets of standards depending on whether a vehicle carries a fully enclosed load (2.50m maximum width) or an 'open' load requiring securing devices, such as logs (2.55m).

The preferred option is Option 2, which allows vehicles to fully utilise the air space above the currently allowable 2.55m road width foot-print.

Questions for your submission

- a) Select your preferred option in relation to current maximum width of 2.50m:

Option 1: Status Quo – retain current maximum width of 2.50m.

Option 2: Increase maximum width to 2.55m (including securing devices).

Option 3: Increase maximum width to 2.55m (plus 50mm for securing devices).

Option 4: Increase maximum width to 2.60m (plus 50mm for securing devices).

b) Why have you chosen this option?

Heavy vehicles share the roads with general traffic – car drivers are not comfortable with increasingly wide oncoming trucks, particularly on urban streets where there are numerous width constraints. These include parked vehicles, traffic control features such as chicanes and bulbous kerbs, overpasses, narrow residential cut gullies, street furniture (streetlights, power poles, traffic signals, street name signs, street trees (avenues), etc.), urban bridges, tunnels and similar. HCC's concerns relate to both safety and asset damage.

Options 3 and 4 are opposed. It should be noted that in many urban streets, the travelling lane width is only 3.0m. The width of these options (including wing mirrors) is 3.03m and 3.08m respectively.

c) Are there any potential gains, risks or implications of these options you think have not been presented?

A greater skill level is required to drive these wider vehicles safely.

Under **Option 2**, a potential risk is that with side mirrors constrained to the same current width envelope, increasing the vehicle width requires narrower mirrors, which potentially will decrease visibility of cyclists. Cyclist/heavy vehicles conflicts are a growing problem in urban areas.

d) Do you have another option that has not been presented?

NA

3. Height (pages 33 – 37)

The height of vehicles of New Zealand's roads is regulated by the VDAM Rule. Height restriction is needed to ensure network fit and the VDAM Rule prescribes a general access height limit of 4.25m for all vehicles with some exceptions. These items include, load restraining devices such as ropes, straps, chains and covers, provided they do not exceed 25mm above the body or load of the vehicle (bringing the total height to 4.275m); and trolley bus poles when extended to collect electric power from overhead wires.

The transport industry has raised concerns that the current general access height limit is restricting innovation in the vehicle fleet.

Aligning the height limit between fully enclosed vehicles and vehicles with external load restraints would improve standardisation of the vehicle fleet and would result in an improvement in volume capacity.

Questions for your submission

a) Select your preferred option in relation to the general access height limit:

- Option 1: Status Quo – maintain current height limit of 4.25m, plus 25mm for load restraining devices.
- Option 2: Increase the general access height limit to 4.275m, inclusive of load restraining devices.
- Option 3: Increase the general access height limit to 4.30m, inclusive of load restraining devices.

b) Why have you chosen this option?

An urban environment includes multiple height constraints – e.g. overbridges, overhead utility cables, trees and cantilever signs, streetlights and traffic signals. Strikes occur on a relatively frequent basis. Any increase in maximum vehicle height is likely to result in an increase to the number or severity of strikes and subsequent damage to structures.

c) Are there any potential gains, risks or implications of these options you think have not been discussed?

Additional height also adds to potential strikes on roadside structures in situations where streets are narrow and there is a significant camber.

d) Do you have another option that has not been presented?

NA

e) Are you aware of clearance issues on local roads where an increase from 4.25m to 4.275m or 4.30m would be problematic?

NA

4. Car transporter gross mass (pages 38 – 40)

The VDAM rule classifies car transporters as simple trailer combinations. Under the VDAM rule, simple trailer combinations are prescribed a gross combination mass limit of 36,000kg.

An increase in the mass limit would compensate for increases in the length, and therefore the chassis weight of pro-forma car transporter designs. It would enable operators of these vehicles to maintain the same level of payload as for previous vehicles (nine cars).

Enabling the pro-forma designs to maintain the same level of payload as standard designs would update the VDAM rule to reflect changes in the vehicle fleet.

Questions for your submission

a) Select your preferred option in relation to mass limits for pro-forma car transporters:

- Option 1: Status Quo – maintain current mass limit for pro-forma car transporters at 36,000kg.
- Option 2: Increase the gross combination mass limit for pro-forma car transporters to 38,000kg.

b) Why have you chosen this option?

Inadequate information provided regarding pavement impacts resulting from mass limit increase.

c) Are there any potential gains, risks or implications of these options you think have not been discussed?

NA

d) Do you have another option that has not been presented?

NA

e) Are there other applications for the pro-forma car transporters design (i.e. not transporting cars) where the additional 2,000kg would be useful?

NA

Permitting (pages 41 – 45)

Permitting ensures that when vehicles not eligible for general access use the roads, they do so safely and their impact on the roading infrastructure is minimised.

5. Divisible loads

Road controlling authorities currently cannot grant permits for overweight divisible loads for non-HPMVs. Permitting some non-HPMV vehicles to carry divisible loads using heavier axle mass could enable greater productivity for some vehicles.

Questions for your submission

a) Should RCAs be allowed to grant permits for overweight divisible loads for non-HPMVs?

Yes

No

b) If yes, are there any conditions RCAs should follow when considering such permits?

Conditions need to include road infrastructure integrity and road safety.

6. Indivisible loads

It is proposed to give formal status to the following 10 loads as indivisible loads: transformer oil, building removals, platform trailers, construction equipment, load dividers, ballast, towing of disabled vehicles, fire fighting vehicles carrying water, slurry sealing and towing of trailers.

Questions for your submission

a) Should the items noted above be formally included as part of a definition of "indivisible load"?

Yes

No

b) Should ancillary components of indivisible loads be allowed to be carried with an indivisible load?

Yes

No

c) If yes, which parts?

In general, the 10 listed loads are divisible and there is no reason to give them special exemption status. Those HCC does believe should be given the status are fire fighting vehicles carrying water, towing of disabled vehicles and building removals. Other items are not clearly described and may be open to abuse.

7. Crane boom sections

It is proposed that crane booms that can be disassembled be allowed to be carried to the equivalent dimensions of a Category 1 overdimension vehicle (maximum width of 3.1m) and to a maximum height of 4.5m.

Questions for your submission

a) Select your preferred option in relation to an exception for crane boom sections:

- Option 1: Status Quo – do not provide width or height exceptions for crane boom sections.
- Option 2: Provide exceptions for crane boom sections, up to 3.1m in width and 4.5m in height.

b) Why have you chosen this option?

NA

8. HPMV Bulk Fleet Permits (pages 46 – 47)

High Productivity Motor Vehicles (HPMV) permits currently issued by the Transport Agency can be for up to five identical trailers associated with one prime mover. The rationale for this limit is it supports reasonable timeframes for assessment, matches demand with volume, and is manageable from an enforcement perspective.

It is proposed permits issued by the Transport Agency allow identified prime movers to be able to be mixed and matched from a set of pro-forma trailers published by the Transport Agency. Currently there are pro-forma designs for 50MAX vehicles and over-length HPMV vehicles. The trailers in an operator's fleet conforming to the pro-forma specifications would be able to be used with any of its prime movers.

Question for your submission

a) As a transport operator, do you think this proposal offers significant benefits to your business?

- Yes
- No

b) If yes, please describe benefits:

NA

9. Management of overdimension loads (pages 48 – 53)

Under the VDAM Rule the standard maximum width (with some exceptions) for general access to the roading network is 2.5 m. The Rule also sets other dimension limits such as length and forward and rear overhangs.

The Rule allows, with conditions, the transport of indivisible loads of widths greater than 2.5m and other dimensions exceeding those required for general access.

Proposals for your submission

Select your preferred proposal or proposals in relation to the management of over weight/overdimension vehicles. Supporting arguments for your selections are also encouraged.

- Proposal 1: Clarify in Rule the responsibilities of 'operator' for overweight and overdimension permits.
- Proposal 2: Flags should no longer be permitted to signal the edge of overwidth loads (but still be required to mark the end of long loads).
- Proposal 3: All tractors between 2.5m and 3.1m wide should be required to use a warning light or hazard panels signifying width.
- Proposal 4: Pilots should be able to use sound warnings to warn oncoming vehicles of an approaching overdimension load.
- Proposal 5: Pilots should be allowed to (or be required) to be positioned on the road in line with the outer extremity of an overwidth load.
- Allowed
- Required

Following are a set of broader questions about aspects of the management of overdimension loads for which specific proposals are to be developed. Any specific proposals will be included in the draft Rule which will be released in mid-2016 for public submission.

10. Management of loads

Questions for your submission

- a) If there were to be a maximum width for transporting houses, what should that limit be, and why?

HCC prefers an ongoing requirement for the transporter to determine the maximum safe width based on the route being taken and the infrastructure in place on the route.

- b) Should there be a limit to the speed for very wide loads?

Yes

No

If yes, what should that limit be?

Safe speed would be dependent on the route taken – visibility, geometry, infrastructure (e.g. central wire rope barriers), etc.

- c) If the current hours of travel for moving overdimension vehicles are revised, what hours do you consider appropriate for what size of load?

NA

- d) If the travel zones for overdimension vehicles are revised to ensure they reflect changing road use patterns, are there any specific changes you recommend?

NA

- e) Do you have a preference as to signage on pilot vehicles warning oncoming vehicles of an approaching overdimension load?

Yes

No

If yes, what is your preference?

Warning should be more specific to the width of the load and the desired actions for the oncoming motorist.

- f) Do you have a preference as to the positioning and extent of hazard panels, including reflective and illuminating signs/lights on overdimension loads?

Yes

No

If yes, what do you suggest they be?

NA

g) Do you support increasing the number of pilots for very wide vehicles to three pilots?

Yes – route specific requirement. Additional pilots may be required if traffic needs to be stopped (incl side road traffic).

No

11. General comments on the proposals in the Vehicle Dimensions and Mass Rule Discussion Document:

A number of concerns have not been addressed by the proposed changes. These include:

- In Hamilton, 50MAX vehicles operate on the full network with only 11 restrictions. These include five of the six river bridges. It is believed that drivers following GPS devices, or simply taking known routes, are using these restricted passages, having not memorised every restriction showing on the current online version of the NZTA maps. A standard sign erected on location to alert 50MAX drivers of restrictions would be beneficial to RCA's and to Police (especially in relation to diversions after incidents).
- HPMV vehicles (vehicles showing the "H" sign) are frequently seen on streets or structures where full HPMV do not have access and/or 50MAX are restricted. However, it may be that they are over-length, 50MAX or not fully loaded. The "H" alone does not provide useful enforcement information and leads to public concerns and confusion.
- HCC would like to see increased and proactive inspection/enforcement of heavy vehicles in urban areas in partnership with road controlling authorities.

Heavy Vehicle Controls in Hamilton City

February 2016

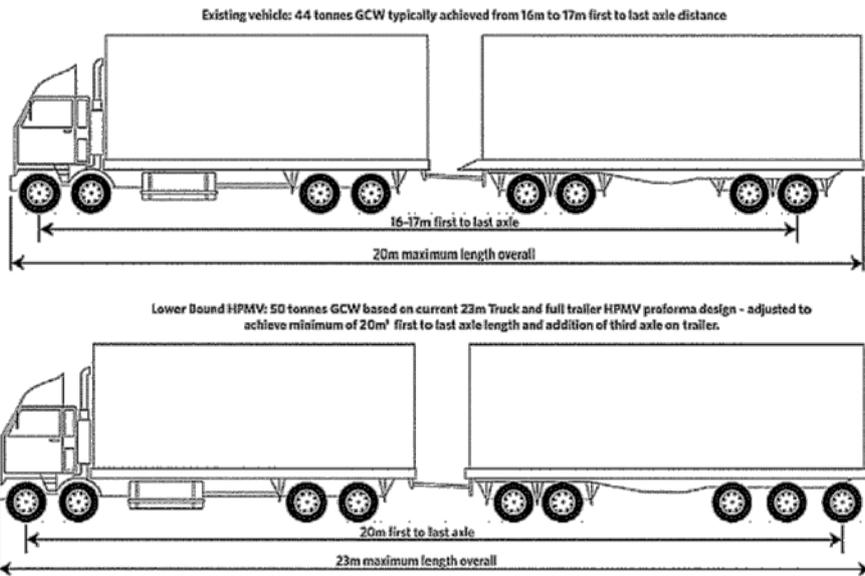
Vehicle Description	Control Mechanism
General heavy vehicles (tonnes)	
<ul style="list-style-type: none"> • 3.5 T to 44 T 	<p>Hamilton City Traffic Bylaw 2015. Includes restriction of through traffic on specified routes (refer to The Hamilton Traffic Bylaw 2015, Heavy Traffic Prohibitions Register, Part 5).</p>
Full HPMV vehicles	
<ul style="list-style-type: none"> • 44T to 62T 	<p>Land Transport Rule: Vehicle Dimensions and Mass 2010 Amendment. Access to network under route specific Permit, which applies for up to two years. Council has approved delegation of permitting to NZTA (June 2014). In Hamilton, approved routes are limited to industrial zones and specified arterial roads (refer to The Hamilton Traffic Bylaw 2015, Heavy Traffic Prohibitions Register, Part 6,B).</p>
50MAX HPMV vehicles	
<ul style="list-style-type: none"> • 44T to 50T • proforma design 	<p>Land Transport Rule: Vehicle Dimensions and Mass 2010 Amendment. Area based permit system comprising specific restrictions. Council has approved delegation of permitting to NZTA (June 2014). Currently there are eleven restrictions in Hamilton – 9 structures and 2 road lengths (refer to The Hamilton Traffic Bylaw 2015, Heavy Traffic Prohibitions Register, Part 6,C).</p>
HPMV overlength vehicles	
<ul style="list-style-type: none"> • within standard width and height limits • over 20m in length 	<p>Land Transport Rule: Vehicle Dimensions and Mass 2010 Amendment. A specific Permit is required. The permit has no expiry date and may include route restrictions. Proforma vehicles require permits but have full access.</p>
Overdimension vehicles or loads	
<ul style="list-style-type: none"> • indivisible load • exceeds VDAM limits for width, height and/or length 	<p>Land Transport Rule: Vehicle Dimensions and Mass 2002, and its Amendments. A permit is required, issued by HCC. In Hamilton, there are limited specific routes which can facilitate some overdimension loads.</p>
Overweight vehicles	
<ul style="list-style-type: none"> • indivisible load • over 44T for 16m wheelbase (varies) 	<p>Land Transport Rule: Vehicle Dimensions and Mass 2002, and its Amendments. A permit is required, issued by HCC. In Hamilton, permits are considered for all city streets and structural assessments are carried out by Bridge Inspection Consultants where required. Our process aligns with the NZTA Overweight Permit Manual.</p>

The 50MAX Vehicle Configuration

The NZ Transport Agency has developed a number of pro-forma 50MAX HPMV designs that are slightly longer than standard 44-tonne vehicles, have nine or ten axles and are capable of carrying a total weight of up to 50 tonnes. Because the load of a vehicle that conforms to a 50MAX pro-forma design is spread over more axles, there is no additional wear on road pavements per tonne of freight compared with a standard 44-tonne vehicle.

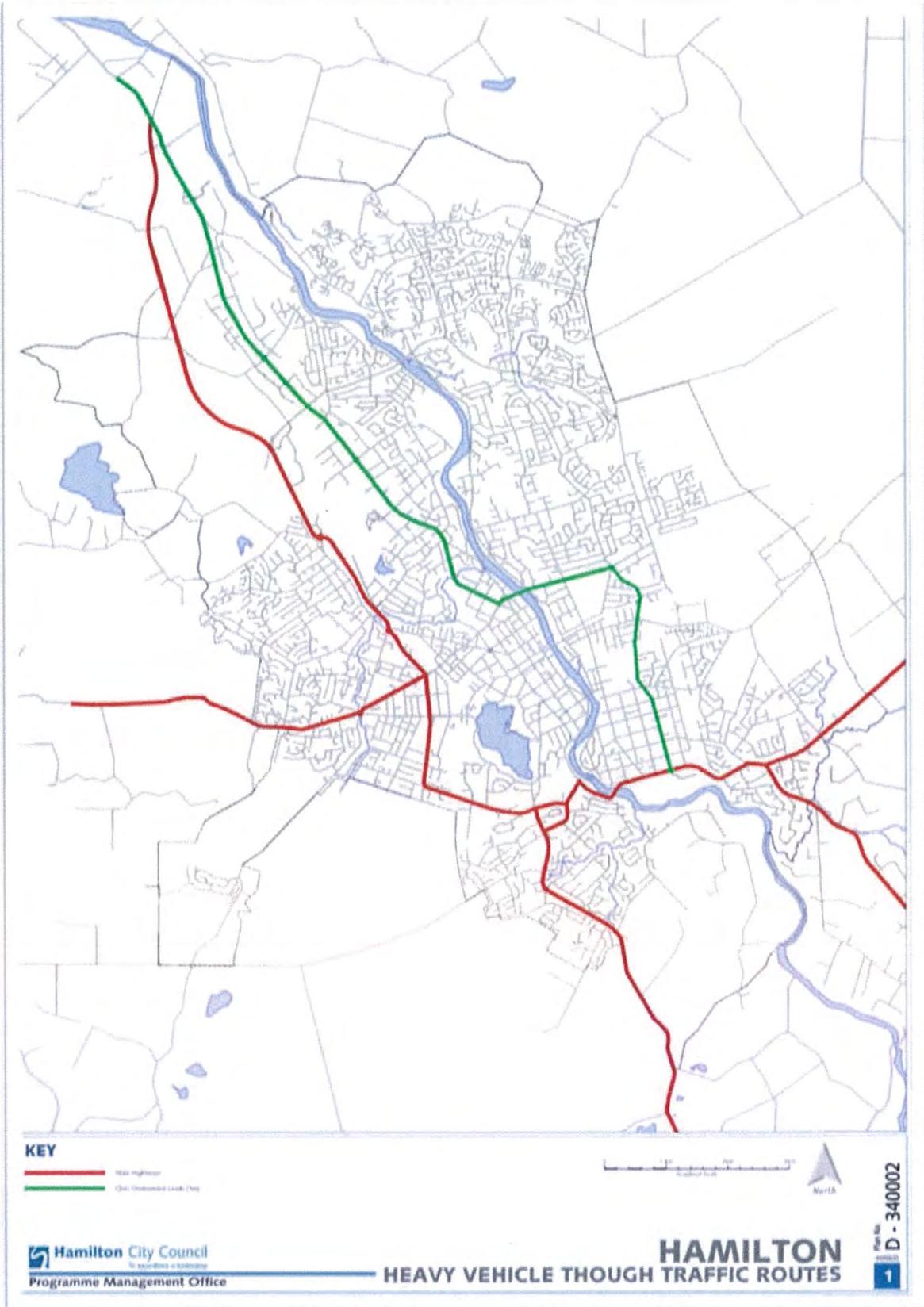
The diagram below shows how, for a rigid truck and trailer, increasing the first to last axle length from a current length of around 16-17m (for a general access 44 tonne vehicle combination) to 20m (for a Lower Bound HPMV, ie 50MAX) allows combined vehicle mass to increase up to 50 tonnes on all Class 1 routes.

(Note: GCW is gross combination weight – comprising weight of both vehicle and load).



Hamilton City Council Heavy Traffic Prohibitions Register

Part 5 Hamilton City Heavy Vehicle Through Traffic Routes



Item 11

Attachment 2

Hamilton City Council Heavy Traffic Prohibitions Register

Item 11

Part 6 Weight Or Load Restrictions

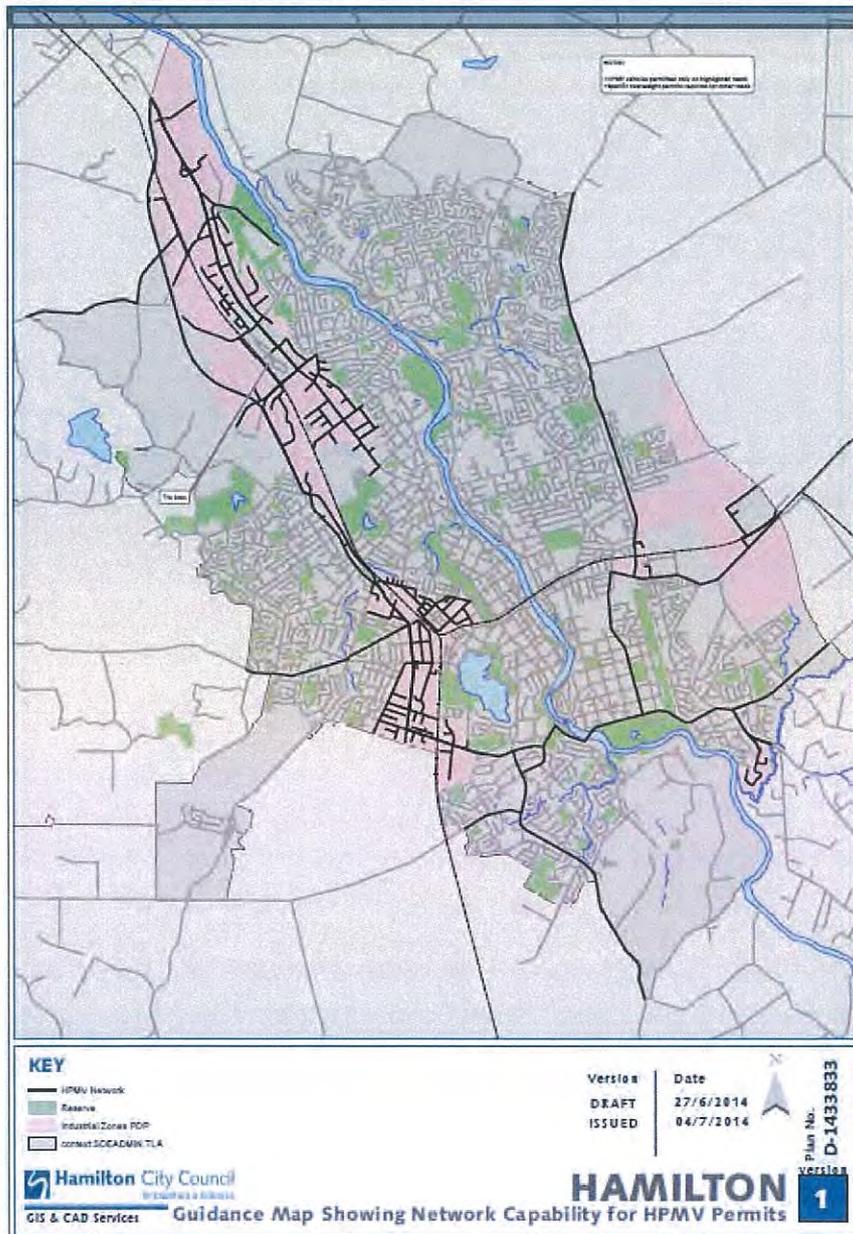
A - Over Bridges Or Culverts

Name of Road	Name of bridge or culvert	Weight limits	
		Maximum weight on any one axle	Gross weight (maximum of axle weights)
Claudeland Road	Claudeland Bridge	6,500kg	30,000kg

B - Higher Productivity Motor Vehicles – approved routes

Only the routes shown in the map below are approved for use by vehicles operating under Higher Productivity Motor Vehicle permits.

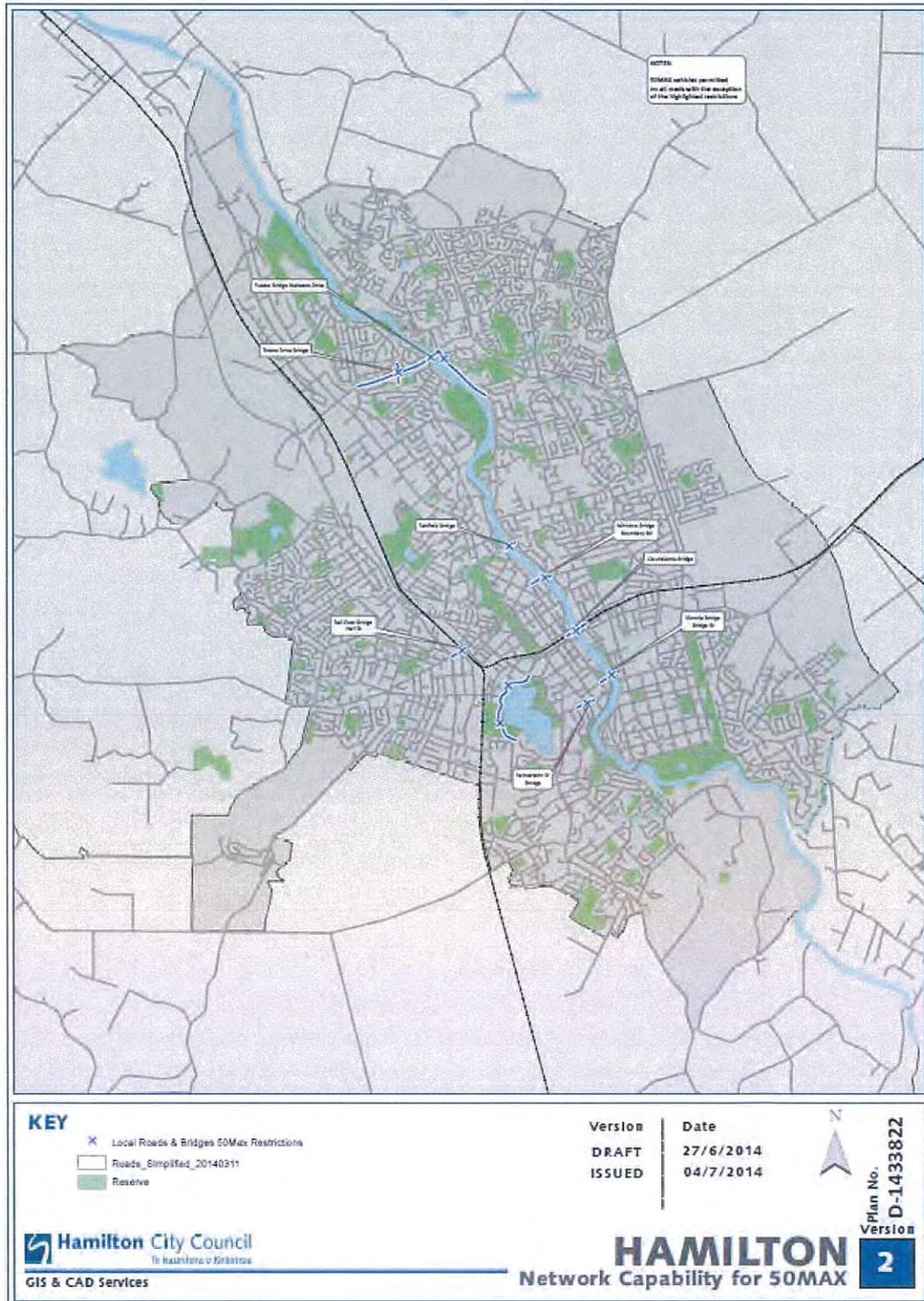
Attachment 2



Hamilton City Council Heavy Traffic Prohibitions Register

C- 50MAX heavy Motor Vehicles

The local roads and bridges/structures shown on the map below are not to be used by 50MAX vehicles.



Committee: Strategy & Policy Committee **Date:** 23 February 2016

Report Name: Consideration and Approval of Three Hamilton City Council Submissions to External Organisations **Author:** Mark Brougham

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>HCC's process for developing submissions to external organisations.</i>
Financial status	<i>There is no 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

2. For the Strategy and Policy Committee to consider and approve the following three Council submissions:
 - **#456:** 9 February 2016 submission to the Ministry for the Environment's initial consultation on 'Developing the National Policy Statement on Urban Development' (noting that this submission has already been sent to meet the 9 February 2016 submission closing date and therefore needs to be considered and retrospectively approved). **Attachment 1.**
 - **#458:** 23 February 2016 **Draft 2** submission to the NZ Productivity Commission's 'Urban Planning Inquiry' (submission due 9 March 2016). **Attachment 2.**
 - **#459:** 23 February 2016 **Draft 2** submission the Local Government and Environment Committee's 'Resource Legislation Amendment Bill' (submission due 14 March 2016). **Attachment 3.**

3. Executive Summary

4. Elected Members were made aware of submission #'s 456, 458 and 459 in December 2015, and advised that staff would develop draft submissions for circulation and feedback.
5. **Draft 1** submissions for submission #'s 456, 458 and 459 were circulated to Elected Members on 29 January 2016 for feedback.
6. Comments from Elected Members for submission #456 **Draft 1** (the MFE's initial consultation on 'Developing the National Policy Statement on Urban Development') were incorporated into the final version sent on 9 February 2016 (changes between **Draft 1** and the final version sent, are highlighted in yellow).
7. As there was no feedback on submission #458 **Draft 1** (the NZ Productivity Commission's 'Urban Planning Inquiry'), **Draft 2** remains unchanged from **Draft 1**.

8. Feedback on submission #459 (the Local Government and Environment Committee's 'Resource Legislation Amendment Bill') was incorporated into **Draft 2** (changes between **Draft 1** and **Draft 2** are highlighted in yellow).

9. Recommendations from Management

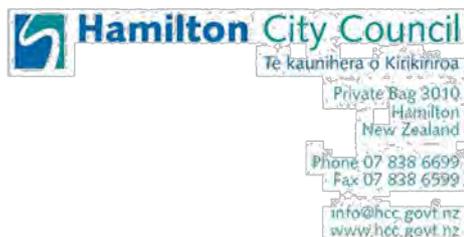
- a) That the report be received.
- b) That HCC's 9 February 2016 submission (#456) to the Ministry for the Environment's initial consultation on 'Developing the National Policy Statement on Urban Development' be considered and retrospectively approved.
- c) That the Ministry for the Environment be advised of any changes made to submission #456 at the 23 February 2016 Strategy and Policy Committee meeting.
- d) That HCC's **Draft 2** submission to the 'Urban Planning Inquiry' (#458) be considered and approved.
- e) That HCC's **Draft 2** submission to the 'Resource Legislation Amendment Bill' (# 459) be considered and approved.
- f) That approved submission #458 and #459 be sent to the relevant organisation to meet the submission closing date.
- g) That subsequent to the Strategy and Policy Committee's approval, the three approved submissions be uploaded to HCC's website.
- h) That local Members of Parliament be advised of and encouraged to support the three approved submissions.

10. Attachments

11. Attachment 1 - HCCs Submission to the MFEs Initial Consultation on Developing the Proposed ~ Policy Statement on Urban Development (23 February 2016 S&P Committee Agenda) (PDF)
12. Attachment 2 - HCCs Draft 2 Submission to the NZ Productivity Commissions December 2015 Issues Paper Better Urban Planning (23 February 2016 S&P Committee Agenda) (PDF)
13. Attachment 3 - HCCs Draft 2 Submission to the Resource Legislation Amendment Bill (23 February 2016 S&P Committee Agenda) (PDF)

Signatory

Authoriser	Sean Hickey, General Manager Strategy and Communications
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Submission by
Hamilton City Council

Developing the Proposed National Policy Statement on Urban Development

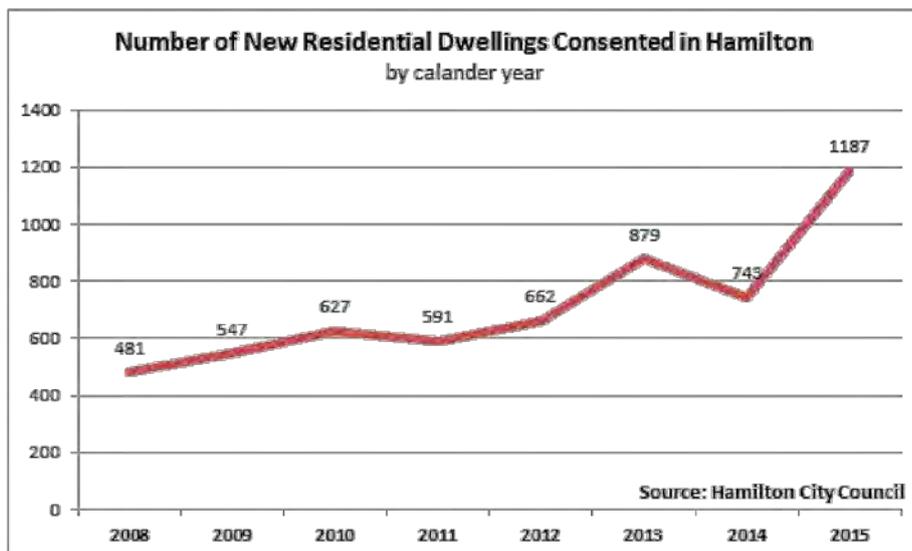
9 February 2016

1.0 INTRODUCTION

- 1.1 Overall, HCC supports the concept of a **National Policy Statement (NPS) on Urban Development**. HCC is of the view that such a policy instrument has the capacity to provide clarity and direction for local government on how urban development can be delivered around New Zealand.
- 1.2 Urban issues have emerged as a key feature of the national policy agenda. The importance of cities and their metropolitan areas to the national economy, as well as their strategic role as global nodes in international markets, has led the government to renew its support for cities and it is within this context that HCC supports the concept of a NPS.
- 1.3 This submission directly responds to the three questions posed by the consultation document forwarded to stakeholders by MFE and MBIE in December 2015.

2.0 SPECIFIC POINTS

- 2.1 **Is your area experiencing high levels of population growth and challenges in planning for this growth?**
- 2.2 **Yes, Hamilton is experiencing high levels of population growth and challenges in providing for adequate infrastructure financing and delivery.**
- 2.3 Hamilton is a growth city and a major metropolitan centre in New Zealand.
- 2.4 It has a rapidly growing population (estimated to be 156,800 at June 2015), is the fourth largest city in New Zealand, and the country's largest inland city.
- 2.5 Hamilton is also one of the fastest growing cities in New Zealand and experienced population growth of 16.3% between June 2006 (134,800) and June 2015 (156,800).
- 2.6 This high growth rate is also reflected in recent development activity in Hamilton as outlined in the following graph, which illustrates the increasing number of residential dwelling consents issued between 2008 and 2015.



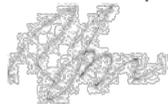
- 2.7 The principal drivers for dwelling production are population growth, demographic change, economic activity and access to credit markets. Recent demographic work undertaken by the National Institute for Demographic and Economic Analysis (NIDEA) on population projections for Hamilton indicates that the City's population will increase from 147,290 in 2013 to 221,390 in 2063 (a 50.3% increase).
- 2.8 Hamilton is the **third** smallest territorial authority by land area (**110 km²**) and the smallest metropolitan centre in New Zealand. Hamilton does not have vast greenfield land resources at its disposal and has structure planned and zoned the majority of the city for urban development.
- 2.9 A flexible land use planning framework has been created to enable residential and employment land to be developed in multiple ways. Infill development has also been encouraged to cater for anticipated future population growth.
- 2.10 The greatest challenge facing Hamilton is not related to urban planning – rather, future growth is dependent on adequate infrastructure financing and delivery.
- 2.11 HCC cannot fund the entire growth infrastructure required to develop all of the City's greenfield areas. Consequently, alternative funding mechanisms (such as development contributions and private developer agreements) have been deployed to enable growth in the City to continue.
- 2.12 How could a National Policy Statement and supporting guidance help to address these issues?**
- 2.13 A NPS for urban development could assist HCC to better understand its growth by mandating that certain considerations around urban development issues are explicitly addressed through the plan-making process.

- 2.14 While HCC has undertaken considerable technical investigations to inform its recent District Plan review, having a national policy document could be beneficial to provide guidance for future large scale planning policy projects undertaken by HCC.
- 2.15 HCC is also of the view that any NPS should be focused on the plan-making functions of territorial authorities as opposed to any consenting activities.
- 2.16 Furthermore, HCC is of the view that a NPS is likely to be particularly effective for larger metro cities where urban development pressures are generally greatest, and consideration should be given as to whether a future NPS should only apply to metropolitan and other regional cities.
- 2.17 What could a National Policy Statement and supporting guidance contain?**
- 2.18 Any NPS should be outcome-focused and not over prescriptive. HCC believes it should be informed by the following principles:
- Urban growth should increase labour and capital productivity.
 - Land use and infrastructure must be integrated.
 - Recognise urban development is about more than housing – it's also about jobs and amenity and places where people live.
 - Ensuring future plans have enough housing and employment land set aside for projected growth over the plan period.
 - Provide opportunities for collaboration between local authorities where urban growth issues expand beyond existing political boundaries.
 - Maintain a focus on sustainable management of natural and physical resources.
- 2.19 Future supporting guidance can be developed at a later date and provide detailed information, methods, processes and definitions for the following matters:
- Housing supply and demand analysis, informed by a degree of economic feasibility.
 - Employment land supply and demand analysis (in particular industrial land demand).

3.0 FURTHER INFORMATION

- 3.1 Should the NPS Project Team wish to discuss the points raised by HCC, or require additional information, please contact Luke O'Dwyer (City Planning Manager) on 07 838 6418, email Luke.O'Dwyer@hcc.govt.nz in the first instance.

Yours faithfully



Richard Briggs
CHIEF EXECUTIVE

DRAFT 2



Submission by
Hamilton City Council

**NEW ZEALAND PRODUCTIVITY COMMISSION'S DECEMBER 2015 ISSUES PAPER
'BETTER URBAN PLANNING'**

23 February 2016

Executive Summary and Recommendations

1. **Urban planning is an important activity that creates value for New Zealand communities**
 - All advanced industrial economies have a system of urban planning to manage urban growth and development.
 - Urban planning is essentially a technical process to manage change in the urban environment brought about by many interests such as developers, land owners, and infrastructure providers.
 - Good urban planning is essential to mitigate the effects of urbanisation while also creating value within urban and regional economies.
 - Hamilton City Council (HCC) believes the Resource Management Act (RMA) already provides a strong framework for urban planning in New Zealand. Even so, HCC acknowledges that the current systems could benefit from further reforms to simplify the plan-making and resource consent process.
2. **There is a role for Central Government direction in the planning system**
 - Decentralised urban planning, led by local government, is a rational and effective way to ensure local communities and different local issues can be adequately planned for.
 - Nevertheless, the planning system could benefit from strong leadership and technical direction from Central Government to ensure consistent processes, methods and provisions are provided for across New Zealand.
 - In particular, Central Government direction in mandating standardised planning methods for ensuring adequate supplies of land for employment and residential land should be considered.
3. **Any revised planning system must integrate land use and infrastructure planning**
 - Integrating land use and infrastructure planning and development is crucial to ensure cities and regions develop as efficiently and productively as possible.
4. **Public participation in the planning system should be maintained**
 - A new planning system should maintain public and iwi participation. Front loading community involvement can be beneficial to identify key issues impacting urban environments. Early,

thorough input in the plan-making process with key stakeholders should be considered so that future development aspirations can be clearly articulated and understood, thereby removing the need for additional consultation and engagement during later stages of the development process.

5. **Special regard should be had for Maori interests in planning**
 - A unique feature of planning in New Zealand is the special significance set aside for addressing Maori interests. This consideration should be retained as a key principle in any revised planning system.
6. **Duplication and streamlining should be addressed as part of any planning system review**
 - HCC supports planning reforms that will streamline, simplify and reduce the complexity in existing planning processes.

SPECIFIC RECOMMENDATIONS

7. **A new planning and development system should:**
 - Be informed by key principles such as sustainable development, land use and infrastructure integration, increasing productivity and efficiency, and maintaining iwi and public participation.
 - Consider enhanced national policy guidance to provide clear direction to councils.
 - Provide for streamlined plan-making processes, including standard evaluative policy reports.
 - Include a standard plan format, including standard definitions, for urban development across New Zealand.
 - Consider alternative planning arrangements that reduce timeframes, including by way of limiting appeals and objections, such as those provided through Board of Inquiry processes, the Auckland Unitary Plan process and processes in the Housing Accords and Special Housing Areas Act.
 - Further, any examination of the planning and development system should not be framed solely in terms of the system's ability to control externalities, but should be part of a comprehensive analysis to ensure a focus on the delivery of quality, successful, urban communities.

General Comments

8. Rather than respond to each of the specific questions posed by the issues paper, this submission will address some of the key themes outlined in the document.
9. HCC acknowledges the Government's desire to ensure that New Zealand has a planning system that operates efficiently, drives productivity and economic growth, creates value, protects the environment and is responsive to expected population growth and demographic changes.
10. HCC agrees with the Productivity Commission's findings that the current planning system has become increasingly complex and difficult to administer and navigate - not only for local government authorities but also for investors, developers and communities who use and interact with the planning system.
11. The Issues Paper touches on an increased role for Central Government leadership and direction in the planning system. HCC supports this concept and believes that greater central government direction can be beneficial to ensure that nationally consistent planning outcomes for key issues can be delivered. This may include a role for central government in the provision of enough land

for employment and housing supply, and ensuring requisite infrastructure is provided to service urban development.

12. Part of the complexity of the existing planning and urban development framework in New Zealand stems from the fact that other legislation, apart from the RMA, has a bearing on how urbanisation processes are delivered. The planning and development system includes the Resource Management Act 1991, the Land Transport Management Act 2003 and the Local Government Act 2002. The Reserves Act 1977 is also a key piece of legislation which is central to providing open space, one of several crucial infrastructural elements required of integrated, functioning, sustainable urban communities.
13. Accordingly, any review of the existing planning system also needs to take into account the suite of legislation currently in operation and how alignment and integration between these statutes could be achieved.

Specific Comments

Scope of Planning

14. Urban planning is a form of public policy intervention relating to the use of land and buildings that is typically governed by legislation. All advanced economies have planning systems to integrate land use and infrastructure investment. The fundamental principles of urban planning as contained in the RMA remain valid, but the practice of planning in New Zealand has been burdened by the time-consuming processes embedded in various amendments to the RMA since its inception.
15. In various jurisdictions urban planning is a process and methodology for identifying future actions to occur within a defined area, including the resources in it. The justification for urban planning as public policy intervention is based on the potential for negative externalities to arise from individual activities on land upon the broader community. HCC believes that the scope of planning, as it applies in New Zealand, is fundamentally contained within the principles in the RMA and that these principles should also be used to inform the development of any new planning system.

Reducing Complexity and Provide Certainty

16. The ability to rezone land in a timely and affordable manner is clearly important to ensure sufficient supply of land for both employment and residential purposes. Any revised planning system should consider providing a standardised process, including standardised evaluations, which can enable plan changes/variations to be prepared quickly and cost-effectively.
17. A new planning system should also consider a streamlined process whereby third party rights of appeal could be limited for some plan change/variations that address areas of national policy significance (such as affordable housing).
18. In previous submissions on the planning reform, HCC has supported the concept of a standardised plan format, including standard definitions, and these proposals continue to be supported. The Productivity Commission should also consider if there is value in other alternative planning arrangements that could assist in speeding up processes. For example, a recent Board of

Inquiry process for the Ruakura Inland Port development in Hamilton was concluded within nine months. There are no rights of appeal to a Board of Inquiry process except on points of law and this resulted in a considerable time saving for the applicant. The Auckland Unitary Plan process also contains alternative planning arrangements, with no appeals except on points of law. Furthermore, the Housing Accords and Special Housing Areas Act 2013 also contains limitations on rights of appeal and objections. HCC considers that alternative methods such as these should be considered.

International Best Practice

19. HCC encourages the Productivity Commission to undertake further research on international best practice for urban planning systems. For example, aspects of the NSW planning system may provide some learning on how effective central government guidance and control can be used to ensure that national infrastructure projects, or certain growth areas can be efficiently planned and developed, or how urban design assessments can be standardised.
20. While some examples have been identified in the December 2015 Issues Paper, it would be worthwhile getting a deeper understanding on what are the success factors that are working in different jurisdictions and how applicable these success factors would be in a New Zealand context.

Summary - Fundamental Principles to Inform a Planning System

21. HCC is of the opinion that if a new planning system is to be developed it needs to be informed by the following key principles:
 - Maintaining a focus on sustainable development.
 - Ensuring land use and infrastructure integration occurs.
 - Maintaining iwi and public participation.
 - Increasing productivity and efficiency and economic development.

Further Information

22. Should the New Zealand Productivity Commission require clarification of the points raised in this submission, or additional information, please contact Luke O'Dwyer, City Planning Manager on 07 838-6418, email Luke.O'Dwyer@hcc.govt.nz in the first instance.

Yours faithfully

Richard Briggs
CHIEF EXECUTIVE

DRAFT 2



**Submission by
Hamilton City Council**

Resource Legislation Amendment Bill

23 February 2016

1.0 INTRODUCTION

- 1.1 Overall, Hamilton City Council (HCC) supports the Resource Legislation Amendment Bill in that it provides continual improvement to the existing processes and procedures to the Resource Management Act (RMA).
- 1.2 HCC does, however, have concerns at the discretion provided to the Minister to intervene locally and provide central government control given the present appetite to more thoroughly review aspects of New Zealand's planning system as has been indicated through reviews by the Productivity Commission, Local Government New Zealand, and the National Council for Infrastructure Development. Various New Zealand Government technical working groups have examined aspects of New Zealand's planning system and provided recommendations for change – few of which have been acted upon to date.
- 1.3 Given the significant number of proposed amendments and that a large percentage of these are either technical or consequential in nature, this submission focuses on those that HCC considers of most importance.

2.0 SPECIFIC POINTS

2.1 National Direction

- 2.1.1 HCC supports improvements to the processes for developing National Policy Statements (NPS) and National Environmental Standards (NES). Similarly, HCC recommends greater use of these mechanisms so as to provide National Direction on significant and emerging resource management issues.
- 2.1.2 Regulations relating to NES may be prepared for any specific area of New Zealand, and may specify how affected consent authorities perform their functions to achieve the standard. This is one of a set of measures which, when combined, give the Minister almost unrestricted ability to direct the activities of individual Territorial Local Authorities (TLA) or Regional Authorities (RA) in regard to what must be in Plans, how those Plans are given effect to, how they are monitored, and what their effects are.

There appears to be no ability for a TLA to oppose or to challenge the imposition by the Minister of an NES specification as to what it must do to perform its function to achieve any NES and this is a concern for HCC.

- 2.1.3 HCC supports the proposal to introduce new regulation powers to prevent duplication of other legislation and place unreasonable restrictions on land use and supports the expiry of any regulation upon the development of a National Planning Template.
 - 2.1.4 HCC supports regulation to develop a National Planning Template (NPT) to improve consistency of RMA plans and policy statements across the country. Many issues are repetitive within plans and are unnecessarily open to challenge every time plans are prepared at great expense to our communities. The use of Section 32 to determine costs and benefits of any NPT is supported, along with the process to develop the NPT. Section 58H (1) (e) is recommended to apply to “a variation or change”.
 - 2.1.5 HCC supports removing control of hazardous substances from Regional and Territorial Authority functions.
 - 2.1.6 HCC supports the addition of “the management of significant risks from natural hazards” being added to Section 6 ‘Matters of National Importance’ in order to better manage risks and improve the integration across all levels of the RMA. Similarly, HCC recommends that a NPS/NES be developed as a priority as there needs to be some consistency over the country as to the methodology in defining the risks.
 - 2.1.7 HCC supports the proposal to make it a function of RAs and TLAs to ensure residential and business development capacity to meet the expected long-term demand through zoning and the provision of infrastructure that exists or is likely to exist under policy statements and plans under RMA and other plans and strategies developed under other Acts.
 - 2.1.8 However, it is unclear what “long term” is, or what approach might be taken to assess “expected”. Whilst Hamilton has a sound approach to providing for housing, the funding of growth infrastructure remains the city’s biggest growth management issue. Without additional funding sources available to HCC, debt becomes a serious constraint on the ability of Council to provide infrastructure to service land. HCC recommends that Central Government provides a pool of funding with repayment through development levies.
- 2.2 Plan Making**
- 2.2.1 HCC supports the changes to the plan-making process to improve efficiency and provide clarity through providing for limited notification of plan changes, requiring councils to request an extension of time beyond two years to make decisions on proposed plans or changes and to clarify councils may give effect to a proposed Regional Policy Statement when preparing a combined plan.
 - 2.2.2 HCC supports, in principle, the proposal for a new Streamlined Planning Process to enable it to implement a national direction, to meet a significant community need, or to develop a combined plan. Councils can request to develop or amend a particular plan or policy statement through the Minister, acknowledging there won’t be the opportunity for appeal rights except a judicial review.

- 2.2.3 It is also acknowledged that the process is one which the Minister can add additional steps and that the councils draft decision is sent to the Minister for approval so as to ensure quality decision-making occurs. However, the new decision-making powers to central government risk transferring control away from local government.
- 2.2.4 HCC supports, in principle, providing Council with an option to use a Collaborative Planning Process for preparing or changing a plan, recognising that such a use of this process is more for those complex planning issues where significant trade-offs are required where a full range of views will be represented and deliberated on at an early stage.
- 2.2.5 HCC supports enhancing Maori participation by requiring councils to invite Iwi to engage in voluntary Iwi participation arrangements and enhancing consultation requirements.
- 2.3 Consenting**
- 2.3.1 HCC supports, in part, consent exemptions for low impact activities and minor rule breaches. The first aspect of the proposed changes involving boundary rule breaches with an affected boundary for another site has the potential to be a positive amendment. This would be a pragmatic approach to the situation when a boundary rule is infringed and the only potential effect is on a neighbouring property. It is noted that administering this will result in additional costs to councils. To ensure consistency with how this is administered, it is suggested that a form be used by all councils and developed within the regulations.
- 2.3.2 The second exemption regarding activities involving a marginal breach of a rule is viewed as being more problematic. HCC has concerns regarding consistency on how this rule is administered. There is potential for neighbours to disagree with the decision and consider that they may be affected by the proposal. Would their only recourse then be by judicial review?
- 2.3.3 For Council to use the discretion provided by this amendment an assessment will still be required to be made regarding whether any persons are affected and whether the activity should be treated as permitted. This will need to be a formalised process to ensure that the rule is used appropriately, with an application needing to be presented and costs likely to be charged for this work. Alternatively, it is suggested this type of activity would be best managed through the new proposed fast track process. Provided the process is managed appropriately to ensure the processing and cost of the fast track process is appropriate to the scale of the application, it is considered to achieve the intent of the amendment. The requirements for what needs to be included in an application for fast track consents should be less to allow the general public to prepare the application themselves and avoid the cost of a consultant.
- 2.3.4 An overall concern regarding these changes is the affect these exemptions will have on the Permitted Baseline assessment as part of other resource consents.
- 2.3.5 HCC supports the overall intent to fast track the process for simple applications, with the preferred option being for councils to regulate what rules/rule breaches would be suitable to put through a fast track process as opposed to specific rules/rule breaches being specified in the regulations that would apply to all councils. This would

acknowledge that each plan is unique and that individual councils are best placed to determine what rule/rule breaches are appropriate for this process.

- 2.3.6 HCC has implemented a similar process whereby specific rules/rule breaches are identified as being suitable for a simplified process. This involves a lesser fee and a 10 working day target timeframe. To support this process and ensure that the processing occurs more efficiently, a simplified report template has been developed for these consents which reflect the simple nature of the assessment. This allows the processing planner to cover all necessary aspects of the assessment, whilst not resulting in an unnecessarily long report. Lesser application requirements would be appropriate to further enable the public to prepare applications without the input of a planning consultant.
- 2.3.7 From February 2015, when the process was implemented, the number of fast track consents processed above would meet the minimum 35 percent of land use consents suggested by the Ministry for the Environment.
- 2.3.8 HCC generally supports the amendments to Section 95 of the RMA, which streamlines the notification and hearing process, as the wording provides better clarity on who can be considered affected. Whilst the two step method is similar to how HCC currently assesses applications, it is positive having this specifically set out. The changes do involve a narrowing of public involvement in the resource consent process but are considered to allow for a better quality of involvement. Certainty will also be provided for applicants. A key aspect of ensuring that effective public involvement continues to occur will be the need for councils to provide information and guidance to submitters regarding the process. This will aim to reduce submissions that are outside of the identified reasons for notification and would need to be struck out.
- 2.3.9 With regard to including regulations in the RMA, which detail situations where limited or public notification is not able to occur, it is HCC's preference that this be managed by individual councils. This will ensure that the specifics of each area and District Plan are taken into account. The Hamilton City Proposed District Plan includes activities and situations where notification is not provided for.
- 2.3.10 The amendment requiring parties participating in mediation to be able to settle as part of the mediation process is supported. This will likely result in councils having to change their delegations and for other parties to ensure relevant persons are involved in the process.
- 2.3.11 HCC supports the principle of the proposal to improve processes for specific types of housing related consents. However, HCC has some concerns with the actual amendments. Many Plans will not be aligned with this approach in the way that the rules are drafted as well as the research that went into the drafting of the Plan. As such, there is likely to be unintended impacts if the rules are not able to be varied to reflect this new approach prior to the amendments taking affect.
- 2.3.12 There are also many situations where residential subdivision and residential activities are not of a design or density that the Plan considers acceptable. Whilst the activity in general is anticipated, the specifics of the proposal may not be suitable. Without notification, the only option would be to decline the application directly. For example, where non-compliances with the subdivision standards do not cascade the activity status to Non-Complying but still result in the proposal not being acceptable.

- 2.3.13 HCC has no issue with the presumption for subdivision being changed. However, time will likely be needed to ensure that the Plan rules reflect this new presumption.
- 2.3.14 HCC does not support requiring fixed remuneration for hearing panels and consent decisions issued with a fixed fee. It is very difficult to accurately predict how long a hearing process will take prior to the hearing. By requiring a fixed fee, some hearings will potentially take less time than the fee would allow for and in other cases, the fee will not adequately cover the costs associated with the process. The cost of the overruns will be placed on the ratepayer.
- 2.3.15 HCC uses independent commissioners for hearings, with an estimate provided to the applicant prior to the process being undertaken.
- 2.3.16 HCC supports, in principle, clarification of the scope of consent conditions, although what is advocated has been HCC's standard practice. There are some concerns that the scope identified in the amendments does not provide for 'general accordance conditions' and conditions that reinforce the scope of an activity or compliance with rules. These are important to ensure that the activity occurs as has been proposed. Conditions reinforcing aspects of the activity as well as requiring compliance with rules, such as noise standards that are proposed in the application, are also important to provide clarity as well as ease of monitoring for Council and consent holders.
- 2.3.17 HCC supports amendments to improve the management of risks from natural hazards in decision-making. To ensure this occurs consistently and effectively, further clarification is needed around what a 'risk-based approach' involves. National direction on this would be desirable.
- 2.3.18 HCC supports enabling objections to be heard by an Independent Commissioner as this is already provided for through HCC delegations.
- 2.3.19 HCC supports the new procedural requirements for decision-makers, as it currently strives to operate in this manner. In particular, Council is supportive of increasing the ability and use of electronic methods as part of the resource consent processes.

2.4 Appeals and Courts

- 2.4.1 HCC supports enabling objections to decisions on resource consents to be heard by an independent decision-maker, as well as the improvement of the Environment Court processes to support efficient and speedy resolution of appeals through limiting the scope of appeals to the appellants submission, strengthening the Court's powers to require Alternative Dispute Resolution, and enabling Judges and Commissioners sitting alone to make a wider range of orders.
- 2.4.2 HCC supports enabling the Environment Court to allow councils to acquire land where planning provisions have rendered land incapable of reasonable use and placed unfair and unreasonable burden on the landowner.

2.5 Process Improvement

- 2.5.1 HCC supports the new procedural requirements for decision-makers and streamlined and electronic public notification requirements.

- 2.5.2 HCC supports, in principle, the requirement for enhanced council monitoring for the efficiency and effectiveness of processes including timeliness, costs, and customer satisfaction.
- 2.5.3 HCC opposes, in principle, to phase out the ability to charge financial contributions under the RMA. However, HCC is not convinced that provision can be made to meet the development community and community needs through development contributions (DCs) alone. Removing financial contributions is intended to make it clear that the costs of servicing new growth should be met through development contributions under the Local Government Act (LGA), and make charging more certain and transparent for applicants.
- 2.5.4 The ability to fund growth through DCs is subject to significant funding priority pressures, which are ultimately reflected in decision-making through the Long Term Plan (LTP) process. Relying on DCs carries the risk that reserves and other infrastructure such as storm water, water, wastewater and roading may not be funded sufficiently through the LTP, which will result in inadequate provision to meet community needs, and ultimately the possibility of turning down applications, unless the applicant volunteers to mitigate the environmental effects through offering conditions of consent.
- 2.5.5 HCC has made use of financial contributions for provision of neighbourhood reserves and other infrastructure. In relation to neighbourhood reserves, this move is the result of the current LTP not including funding for neighbourhood reserve acquisition as part of subdivision. Financial contributions are currently the only mechanism to secure neighbourhood reserves to meet community needs. If the ability for councils to impose these is removed, it is recommended that the reforms consider how funding certainty can be improved to ensure adequate provision of facilities such as neighbourhood reserves.
- 2.5.6 Amendments to the LGA in 2014 also restricted the use of DCs. Removing the ability to charge financial contributions will result in a decrease in revenue. The narrower scope of DCs means it is likely lost revenue will not be fully offset. It is recommended the use of DCs be made wide enough to ensure councils can recover the costs of servicing new growth from any development that creates a demand for new infrastructure that usually falls to council to provide.
- 2.5.7 It is further noted that the ability to predict the costs and timing (and to some degree location) of growth is constrained as development decisions are made by parties other than Council reflecting individual circumstances and priorities. As DCs (timing and value) are set every three years as part of the LTP process, there can be a lack of flexibility to respond to changing development priorities or costs of land and infrastructure. Financial contributions are a tool which allows a real time consideration for funding (or acquisition of land).
- 2.5.8 It is suggested that the removal of tools such as financial contributions should instead be considered as part of a broader, joint review of the RMA and LGA to ensure complete alignment.
- 2.5.9 It is understood the removal of financial contributions will not affect the power or ability for councils to acquire esplanade reserves, esplanade strips or access strips but may affect their ability to fund the acquisition of such instruments.

- 2.5.10 Esplanade reserves are for purposes, including protection of conservation values, provision of public access, or provision of recreational use (that is compatible with the conservation values) when privately owned land is subdivided. It is recommended that the reforms retain the existing provisions for esplanade reserves as Council uses the esplanade provisions of the RMA frequently. These provisions are simple, clearly understood, accepted and expected by developers and the wider community.

3.0 FURTHER INFORMATION AND HEARINGS

- 3.1 Should the Local Government and Environment Committee require clarification of the points raised by HCC, or additional information, please contact Luke O'Dwyer (City Planning Manager) on 07 838 6418, email Luke.O'Dwyer@hcc.govt.nz in the first instance.
- 3.2 Hamilton City Council does wish to speak in support of its submission at the Local Government and Environment Committee hearings.

Yours faithfully

Richard Briggs
CHIEF EXECUTIVE

Committee: Strategy & Policy Committee **Date:** 23 February 2016

Report Name: Action List for 23 February 2016: and Actions Still Underway or Pending for HCC submissions to External Organisations **Author:** Sean Hickey

Status	<i>Open</i>
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Recommendation

- a) That the Report be received.
- b) That the Committee agree to the deferment of the items noted in the following table.

Item and Resolution Date	Original Due Date*	Deferred To
Sustainable Hamilton Strategy (Sustainability Panel Report) (22 September 2015)	23 February 2016	24 March 2016 <i>Additional time is required to appropriately engage with the Sustainability Advisory Panel prior to reporting to the Committee.</i>
Cemeteries Draft Management Plan (8 December 2015)	23 February 2016	25 February 2016 (Council) <i>Item referred to Council for final approval and adoption of Plan.</i>

* Date that the Committee resolved for the item to be reported back to the Committee.

1. Attachments

2. Attachment 1 - Strategy and Policy Committee Action List
3. Attachment 2 - Actions Still Underway or Pending for HCC Submissions to External Organisations

Strategy and Policy Committee - Action List at 12 February 2016

D-1330420

Meeting Date	Item	GM Responsible	Action	Status
30-Apr-14	Wairere Drive to Cobham Connection	Community Infrastructure	Parks and Open Spaces to include consideration of space required to four lane Wairere Drive during the review process of the East Town Belt Concept Plan which will take place in 2015/16. 7 July 2015: Staff to report back to Council on options for the pedestrian/cycle overbridge prior to committing to any particular design.	The development of a concept plan for the Hamilton East Town Belt, which will consider Wairere Drive will commence in August 2016. Further options assessment and concept design consideration is required. Staff to report to the Committee on 24 March 2016.
26-Jun-2014	Public Art Panel and Arts Forum Terms of References	Community	Arts Forum to undertake a review of the Hamilton Arts Agenda and make recommendations to the Public Art Working Group prior to 15 October 2014. The Arts Forum Advisory Panel is aiming to complete its review of the Arts Agenda for September 2015.	Completed.
16-Jul-14	Zoo Strategic Review - Zoo Master Plan	Community	Working Group to report back to the Committee on 19 November 2014. The Working Group will reconvene in August 2015, followed by a Council Briefing, before being reported back to S&P Committee.	Report Deferred to S&P 3 May 2016 following the outcome of the Zoo Review.
15-Aug-14	Sustainable Hamilton Strategy (Sustainability Panel Report)	CE's Office	Strategy referred to the Community Forum Subcommittee. Sustainability report was circulated to the Community Forum Subcommittee in early June 2015 at the request of the Chair of the Community Forum Subcommittee. The Sustainability report was considered at the 19 August Community Forum Subcommittee meeting, which made the following recommendations to the S&P Committee's meeting on 22 September 2015: i. Chief Executive to review the Sustainability Report as to its application to Council's operations; and ii. Chief Executive to consider and make a recommendation as to whether Council should have a stand-alone Sustainability Strategy.	The Chief Executive to report back to S&P in March 2016.
03-Sep-14	Herbicides Policy (Streetscape Beautification)	Community	Staff to report on plants used in streetscapes as part of the Streetscape Beautification and Management Policy Review presented to Business and Investment Subcommittee on 18 November 2015.	Completed.
	Frankton Neighbourhood Plan	City Growth	Working Group convened comprising Her Worship the Mayor, Cr O'Leary (Chair) and Cr Gallagher. Report due back to Council in June 2015. 3 November 2015: Staff to report back to the Committee in December 2015 with a final Plan for adoption following a period of public engagement.	Report to S&P on 23 February 2016 to recommend final plan to Council for adoption.
19-Nov-14	Cemeteries Draft Management Plan	Community	Plan adopted at 7 July 2015 Strategy and Policy Committee subject to action list and reformatted Plan to be incorporated. Staff to report back to the 11 August 2015 Committee meeting. This was deferred to the 27 August Council Meeting. Due to other priorities staff have not finalised the work on this Plan.	Staff to present updated Plan to 25 February 2016 Council meeting for approval.
24-Feb-15	Social Housing Strategy	Community	To provide progress report to the Committee on strategy development by 11 August 2015. Update provided to the 11 August S&P meeting.	Report to Committee on 3 May 2016.
08-Apr-15	Waikato Expressway	Infrastructure	7 July 2015: a. Staff to arrange for Elected Members to be invited to public consultation meetings arranged by NZTA. b. Staff to also explore means for HCC to play more active role in public consultation processes (re Osborne Road overbridge) outside its territory (eg joint committee with Waikato District Council).	Ongoing transport modelling work completed with Opus and NZTA to inform the Resolution Drive Extension designation, Osborne Rd overbridge and Horsham Downs link. a. Public open day held in December 2015; personal invite sent to Mayor and Councillors. Completed. b. Ongoing.
08-Apr-15	Hamilton Lake Domain - Reserve Management Plan Review	Community	Staff report back to the Strategy and Policy Committee with a draft Proposed Hamilton Lake Domain Management Plan for endorsement for consultation under section 41(6) of the Reserves Act 1977. First stage consultation completed, over 50 submissions received. 3 November 2015: Working Group (Crs Gallagher, Green, Mallett and Yeung) to meet December 2015/February 2016 to provide strategic direction and vision for the Plan. The draft Plan to then be presented back to the Committee for public engagement.	The Working Group convened 10 December 2015. The draft plan is expected to be reported back to the Committee in May 2016, prior to public consultation.

Item 13

Attachment 1

Meeting Date	Item	GM Responsible	Action	Status
08-Apr-15	Community Facilities Report	Community	<p>Community Facilities Working Group to agree on a process and scope to review the community facilities portfolio; to report back to Council in July 2015.</p> <p>8 December 2015: Staff to progress discussions with all interested parties for each community facility, and present a report to Council if a decision is required on the future use of any community facility.</p>	In progress.
08-Apr-15	Waikato Museum Strategic Review	Community	<p>i. Staff to track costs in completing the review.</p> <p>ii. Draft strategic plan to go out for public consultation from 9 December 2015 to 12 February 2016.</p> <p>iii. 8 December 2015: Staff to consider whether the use of the Hamilton Club's former premises would be feasible for administrative purposes.</p>	<p>i. Staff Tracking Costs.</p> <p>ii. Report to S&P Meeting on 24 March 2016 to present final Strategic Plan for adoption.</p> <p>iii. Completed. Relocation of the administration office is not feasible and unbudgeted in 2015-2025 10 Year Plan. Any significant building redevelopments will need to be considered through the 2017/2018 Annual Plan and the 2018-2028 10 Year Plan.</p>
26-May-15	Older Persons Plan	Community	Staff to provide six-monthly progress reports through the Community Forum Subcommittee. First report will be presented to the Community forum at their meeting on 11 November 2015.	An update on the Older Person's Plan will be presented at the 24 March 2016 meeting, at the recommendation of the Community Forum Subcommittee.
07-Jul-15	Advisory Panels' Chair Reports	Corporate (Democracy)	The Chairs for each Advisory Panel to present an Annual Report to the Committee at the August or September Committee meetings.	Report from Chair of Sustainability Advisory Panel postponed to March 2016 to align with the recommendations from the Community Forum Subcommittee.
07-Jul-15	Hamilton Alcohol Control Bylaw 2015	City Growth	<p>Deliberation and adoption report for the proposed bylaw be presented to the 3 November 2015 Committee meeting, including report a summary of the oral submissions and evidence presented on the proposed bylaw from the Alcohol Control Bylaw Hearings Subcommittee.</p> <p>8 December 2015: Staff presented additional information on Steele Park submission at the Council meeting on 15 December 2015.</p>	Completed.
11-Aug-15	Arts Forum Advisory Panel	Community	<p>Staff:</p> <p>i. arrange a briefing for Elected Members following the adoption of the revised Arts Agenda; and</p> <p>ii. staff liaise with the Arts Forum and Creative Waikato on pre-feasibility research for an art gallery, and report back on this matter before the 2016 Draft Annual Plan is adopted.</p>	<p>i. Panel believes a Briefing is no longer required given the content of the Arts Agenda. Completed.</p> <p>ii. Staff will report back in 2016 through the Annual Plan process.</p>
22-Sep-15	Urban Design Advisory Panel	City Growth	That a briefing for Elected Members take place to provide an opportunity for further discussion on the work and role of the Panel.	Staff and Democracy are looking into the next opportunity to have a briefing on this matter, early 2016.
22-Sep-15	Public Places Bylaw and Policy	City Growth	<p>Draft bylaw to be presented to the S&P Committee to be adopted for public engagement.</p> <p>3 November 2015: The Business and Investment Subcommittee reports a summary of the submissions and evidence presented on the proposed draft Public Places Bylaw 2016 and draft Public Places Policy, including recommendations, to the 16 February 2016 Committee meeting as part of the staff report for deliberation and adoption.</p>	Report presented on 16 February 2016 as a Recommendation to Council.
22-Sep-15	Trade waste and Wastewater Bylaw	Infrastructure	Draft bylaw to be presented to the S&P Committee to be adopted for public engagement.	Report to be presented at 23 February 2016 Committee meeting as a Recommendation to Council.
22-Sep-15	Central City Transformation Plan	H3 & Events	Final plan to be reported to the Committee for approval following public consultation.	Completed.
22-Sep-15	Voluntary Targeted Rates (VTR)	Strategy & Communications	VTR Scheme to be considered as part of the 2016/17 Annual Plan.	Staff will report back in the 2016/17 Annual Plan process.

Meeting Date	Item	GM Responsible	Action	Status
05-Nov-15	Gambling Policies	Strategy & Communications	<p>5 November 2015:</p> <p>a) Subject to changes agreed by the Committee at its 5 November meeting, staff present a track-changed version of the Class 4 Gambling Venue Policy and the TAB Board Venue Policy for adoption at the 8 December 2015 Committee meeting.</p> <p>b) Council consult, using a special consultative procedure, the public solely on: i) the inclusion of an additional clause to Option B that any venue within the permitted area is able to relocate within the gambling permitted area; and ii) the removal of the word "existing" from section 4a of Option B relating to club mergers.</p> <p>c) Staff to collate and circulate information gathered by Council when the first Gambling Policy was implemented (pre-2006) in relation to the causal link between the number of gaming machines and problem gaming.</p> <p>d) Staff to check the accuracy of statistical information in the Statement of Proposal (particularly pages 36 and 37)</p>	<p>a) Report to be presented at 23 February 2016 meeting, together with the Statement of Proposal report (b).</p> <p>b) As above.</p> <p>c) This information cannot be circulated as the background research and data is over ten years old and was collected pre the electronic management system. A search of the physical record storage has not located any relevant records.</p> <p>d) There was a typographical error "Gambling expenditure in New Zealand has increased from \$145 million in 1994 to \$20.91 billion in 2014." The correct figure was \$2.091 billion. The other statistics on pages 36 and 37 in the 5 November have been checked to the source data. There</p>
08-Dec-15	Social Wellbeing Strategy	Community	<p>a. Staff to arrange a Council briefing on the Quality of Life survey and its connection to the proposed Social Wellbeing Indicator Report.</p> <p>b. Staff to develop a Social Wellbeing Indicator Report to present key features of the Quality of Life survey and present the same at the Strategy and Policy Committee in May 2016.</p> <p>c. Staff to update the Committee as to the new provider of the Hamilton Residents Survey.</p>	<p>a. Completed. Staff report presented to the 17 February 2016 Community Forum Subcommittee, instead of a Briefing.</p> <p>b. Report to be presented at the 3 May 2016 Committee meeting.</p> <p>c. Staff are conducting a briefing at the conclusion of the 17 February Community Forum Subcommittee meeting on the Quality of Life, including information around the Resident Survey.</p>
	Regional Round-up Report	Infrastructure	<p>a. Elected Members to be invited to Hamilton Public Transport Joint Committee workshop on the Public Transport Fare Review.</p> <p>b. Staff to update Committee on MoE School Bus Review and Northern Suburbs Bus Service Improvements in the next Round-up Report.</p> <p>c. Staff to obtain further information from the WRC as to the flexibility of the new bus service contracts to deal with changes to demand on a more timely basis.</p>	<p>a. Completed. Email circulated 11 January 2016.</p> <p>b. Update will be provided in the Operational Roundup report to the S&P committee on 24 March 2016</p> <p>c. Update will be provided in the Operational Roundup report to the S&P committee on 24 March 2016</p>
	Hamilton East Neighbourhood Plan	Strategy	Working Group to report back to the Committee on 2 June 2016 with a draft Plan.	Working Group established. Report to be presented at 2 June 2016 Committee meeting.
	Financial and Resource Implications	All	Staff to separately identify internal and external costs when providing financial information to the Committee.	Ongoing.

PROGRESS OF HCC SUBMISSIONS TO EXTERNAL ORGANISATIONS: 23 FEBRUARY 2016 STRATEGY AND POLICY COMMITTEE MEETING AGENDA

(For all submissions made by HCC, refer <http://www.hamilton.govt.nz/our-council/consultation-and-public-notice/councilsubmissions/Pages/default.aspx>)

INFORMATION CURRENT AS AT 16/2/16

Submissions Removed – Process now Complete

- # 386B: Alteration to Designation for the Waikato Expressway – Hamilton Section (Waikato District Council)
- # 423: Using Land for Housing (Issues Paper, November 2014 – NZ Productivity Commission)
- # 433: Five General Statements of Heritage Policy (Heritage New Zealand)
- # 445: Using land for Housing (Draft Report, 17 June 2015 – NZ Productivity Commission)

New Submissions Added

- # 454: Ruakura Variation to Hamilton City’s Proposed District Plan (Hamilton City Council)
- # 456: Developing the Proposed National Policy Statement on Urban Development (Ministry for the Environment)
- # 457: Vehicle Dimensions and Mass Rule 2002 Review (NZ Transport Agency)

TABLE 1: PROGRESS OF HCC SUBMISSIONS ‘AT A GLANCE’ (REFER TO TABLE 2 FOR FURTHER DETAIL)

Note: Updates to the ‘Summary at a Glance’ table that formed part of the 8 December 2015 Strategy and Policy Committee meeting agenda are highlighted in yellow.

SUB #	TITLE OF DOCUMENT/ISSUE AND ORGANISATION	KEY PROGRESS
398	HCC’s and the NZTA’s Notices of Requirement - Southern Links Project (Waikato District Council, Waipa District Council and Hamilton City Council)	At a Judicial Conference on 31/8/15, the parties agreed the appeal would proceed to a hearing before the Environment Court, and the hearing was set down for 25/2/16 and 26/2/16. However, the appeal has been settled by negotiation, and a draft consent order was filed with the Court on 21/1/16.
404	Building (Earthquake-Prone Buildings) Amendment Bill (Local Government and Environment Committee)	On 10/5/15, the Government announced major changes to how quickly earthquake-prone buildings will need to be assessed and strengthened to “better target regulations on buildings where location, use and type pose the greatest risk to life”. The country will be split into 3 zones according to the risk of a big earthquake, and the timeframes for assessment and strengthening vary accordingly.
439	Building (Earthquake-Prone Buildings) Amendment Bill – Interim Report (Local Government and Environment Comm.)	The Bill is expected to receive its second reading before Parliament adjourns for the 2016 year, with the new legislation anticipated to be in place around March 2017.
414	Proposed Auckland Unitary Plan – Further Submissions (Auckland Council)	HCC staff have not appeared in person at the hearings, given the structure of the hearings and the time/cost involved. However, Future Proof and the Future Proof partners of Waikato Regional Council and Waikato District Council have appeared at hearings covering the topic of Auckland growth. The focus of the evidence given is to highlight to Auckland Council the impacts of growth in the south of the Auckland Region on land use, settlement patterns and infrastructure impacts (namely the Waikato Expressway) in the Waikato.
447	State Highway 26/Ruakura Road/Lisette Road Intersection Upgrade - Publicly Notified Notice of Requirement from the NZTA for an Alteration to Designation (Waikato District Council)	The City Planning Unit, in collaboration with the City Development Unit, developed HCC’s submission. This was sent to WDC on 4/9/15 under the Chief Executive’s delegated authority for RMA submissions. WDC appointed an independent Commissioner to hear submissions. A member of the City Planning Unit prepared evidence in support of HCC’s submission. The hearing took place on 27/10/15. The Commissioner’s recommendations on the Notice of Requirement were provided to the NZTA in December 2015. The NZTA’s decisions on the recommendations are expected sometime in February 2016.

SUB #	TITLE OF DOCUMENT/ISSUE AND ORGANISATION	KEY PROGRESS
452	Final Position Paper 'Improving New Zealand's Water and Wastewater and Stormwater Sector' (LGNZ)	A brief article on LGNZ's final position paper was included as part of the 6/10/15 Executive Update. LGNZ has advised that its National Council supports progressing the co-regulatory option and will continue to update the sector on further developments.
453	Building (Pools) Amendment Bill (Local Government and Environment Committee)	Staff from the Building Control Unit spoke in support of HCC's written submission at the hearings of the Local Government and Environment Committee on 3/12/15. The report of the Local Government and Environment Committee is due on 16/3/16.
454	Ruakura Variation to Hamilton City's Proposed District Plan (Hamilton City Council)	The submission identifies a number of minor errors or omissions for various sections of the Ruakura Variation and the relief sought for each submission point. It also includes matters relating to administration of the plan and clarity for plan users. Next steps include hearings to be convened for submissions received, which will be heard by independent Commissioners in mid 2016.
455	Shop Trading Hours Amendment Bill (Commerce Committee)	HCC's draft submission was considered and approved at the 15/12/15 Council meeting. The final revised submission was uploaded to Parliament's website on 22/12/15. Parliament acknowledged receipt of HCC's submission on 14/1/16. The report of the Commerce Committee is due on 3/5/16. If enacted, the new powers will take effect in time for changes to be made prior to Easter 2017.
456	Developing the Proposed National Policy Statement on Urban Development (Ministry for the Environment)	<p>To inform the development of a proposed NPS on Urban Development, feedback was sought on the following questions. 1) Is your area experiencing high levels of population growth and challenges in planning for this growth? 2) How could a NPS and supporting guidance help to address these issues? 3) What could a NPS and supporting guidance contain?</p> <p>Draft 1 was circulated to Elected Members on 29/1/16 for feedback. Comments were incorporated into a final version sent to MFE to meet the 9/2/16 submission closing date. The submission is to be considered and retrospectively approved at the 23/2/16 Strategy and Policy Committee meeting.</p>
457	Vehicle Dimensions and Mass Rule 2002 Review (Ministry of Transport/NZ Transport Agency)	The intention to make a submission was outlined in the 2/2/16 Executive Update. Draft 1 was circulated to Elected Members for feedback on 12/2/16. Initial feedback resulted in a revised submission (Draft 2), which will be included as part of a separate report to be considered and approved at the 23/2/16 Strategy and Policy Committee meeting. An extension to the submission closing date was obtained from the MOT/NZTA i.e. from 17/2/16 to 24/2/16.
458	Better Urban Planning (Issues Paper, December 2015) (New Zealand Productivity Commission)	<p>The NZ Productivity Commission began the Inquiry with release of an Issues Paper on 9/12/15 outlining its proposed approach to the Inquiry, the context for the Inquiry, and a preliminary list of key questions to be addressed via a broad consultation process. Their draft report will be released in July 2016 for submissions, with the final report to Government due on 30/11/16.</p> <p>Elected Members were advised of this Inquiry in the 24/11/15 Executive Update. HCC's Draft 1 submission was circulated to Elected Members on 29/1/16 for feedback. As no feedback was received, Draft 2 remains unchanged from Draft 1 and will be considered and approved at the 23/2/16 Strategy and Policy Committee meeting.</p>
459	Resource Legislation Amendment Bill (Local Government and Environment Committee)	The overarching purpose of this Bill is to create a resource management system that achieves the sustainable management of natural and physical resources in an efficient and equitable way. Elected Members were advised of this Bill in the 1/12/15 Executive Update. Draft 1 was circulated to Elected Members on 29/1/16 for feedback. Comments were incorporated into Draft 2 , which will be considered and approved at the 23/2/16 Strategy and Policy Committee meeting.
460	Watercare's December 2013 Application for a Water -Take Resource Consent from the Waikato River (Waikato Regional Council)	Through Future Proof, WRC has an action to update the Group on the allocation status of the Waikato River and determine a process to enable understanding of water take applications currently in the queue. This action is still uncompleted.

TABLE 2: PROGRESS OF HCC SUBMISSIONS - FULL SUMMARY

Note: The following schedule identifies submissions made by HCC to external organisations since April 2013 where the process has not been fully completed and where various actions are still underway or pending. Updates to the schedule that formed part of the 8 December 2015 Strategy and Policy Committee meeting agenda are highlighted in yellow.

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
398	<p>HCC's and the NZ Transport Agency's Notices of Requirement to the Southern Links Project</p> <p>http://www.waipadc.govt.nz/our-district/MajorProjects/HamiltonSouthernLinks-NoticesofRequirement/Pages/default.aspx</p>	Waikato District Council, Waipa District Council and Hamilton City Council	28/2/14	Final submission considered and retrospectively approved on 18/3/14.	<p>On 24/10/14, the Commissioners' made their recommendations on the NZTA's requirements and decisions on the NZTA's resource consent applications. The decisions and recommendations were issued to the parties the following week.</p> <p>The decision confirms HCC's requirement (with conditions, including a lapse period of 20 years) and grants HCC consent (with conditions, including lapse periods of 20 years) to construct a bridge over the Waikato River east of Hamilton Gardens and another over the Mangakotukutuku Stream. One appeal was lodged against the decision on HCC's requirement. HCC did not appeal the decision.</p> <p>The Commissioners have granted the NZTA consent (subject to conditions, including a lapse period of 20 years) to construct a bridge crossing the Waikato River at the Narrows and recommended the NZTA confirms the new designations and alteration to existing designation subject to conditions, including lapse periods of 20 years.</p> <p>The NZTA's decisions on the Commissioners' recommendations regarding the NZTA's requirements were issued in December 2014. Two parties have appealed aspects of the NZTA's decisions. HCC (as territorial authority) has not appealed and will not become a Section 274 party to these appeals. HCC (as Requiring Authority and the NZTA's Southern Links project partner) submitted a notice to become a Section 274 party to one of the appeals. Negotiations between the NZTA and this appellant failed to resolve the appeal.</p> <p>At a Judicial Conference on 31/8/15, the parties agreed the appeal would proceed to a hearing before the Environment Court, and the hearing was set down for 25/2/16 and 26/2/16. However, the appeal has been settled by negotiation, and a draft consent order was filed with the Court on 21/1/16.</p>

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
404	Building (Earthquake-Prone Buildings) Amendment Bill http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL12960_1/building-earthquake-prone-buildings-amendment-bill	Local Government and Environment Committee	17/4/14	Final submission considered and retrospectively approved on 30/4/14.	<p>A Council workshop on this topic was held on 15/5/13. Councillor O’Leary presented HCC’s submission to the Local Government and Environment Select Committee hearing on 19/6/14. HCC’s Principal Building Advisor was also in attendance.</p> <p>In December 2014, HCC staff sent an information update to all stakeholders/building owners advising them that the Building (Earthquake-Prone Buildings) Amendment Bill could potentially replace HCC’s ‘Earthquake-Prone, Dangerous and Insanitary Buildings Policy’ with a national regime for earthquake strengthening work. The letter updated stakeholders/building owners on key changes and how the Bill could affect them if enacted.</p> <p>On 10/5/15, the Government announced major changes to how quickly earthquake-prone buildings will need to be assessed and strengthened to “better target regulations on buildings where location, use and type pose the greatest risk to life”.</p> <p>The four significant changes to the policy were:</p> <ul style="list-style-type: none"> • Varying the timetable for strengthening relative to earthquake risk. • Prioritising education and emergency buildings for strengthening. • Reducing the number of buildings requiring assessment. • Introducing new measures to encourage earlier upgrades. <p>The country will be split into 3 zones according to the risk of a big earthquake, and the timeframes for assessment and strengthening vary accordingly i.e.:</p> <ul style="list-style-type: none"> • High Risk Zone – including Gisborne, Napier/Hastings, Palmerston North, Wellington, Blenheim, and Christchurch (will keep the existing timeframe of assessment within five years and strengthening within 15 years). • Medium Risk Zone – including Hamilton, Tauranga, Rotorua, New Plymouth, Wanganui, Nelson, Invercargill and Timaru. • Low Risk Zone – including Northland, Auckland, Oamaru and Dunedin. <p>The Government has confirmed that the earthquake-prone building definition as being less than 34% of the new building standard, a 10-year extension for listed heritage buildings, and exemptions from strengthening for low risk, low occupancy buildings, would remain in the policy.</p>

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
					As Hamilton has been classed as 'medium risk', buildings will have 10 years to be assessed and 25 years to be strengthened under the proposed policy. Many of Hamilton's buildings have already been assessed by engineers and it is unlikely they will be subject to any further assessment.
439	<p>Building (Earthquake-Prone Buildings) Amendment Bill - Interim Report of the Local Government and Environment Committee</p> <p>http://www.legislation.govt.nz/bill/government/2013/0182/latest/versions.aspx</p> <p>http://www.parliament.nz/resource/en-nz/51DBSCH_SCR63267_1/b48e2b01669564a6e9c9e6a7f02bbb55ae768006</p>	Local Government and Environment Committee	16/7/15	Final submission considered and retrospectively approved on 11/8/14.	<p>The passage of the Building (Earthquake-Prone Buildings) Amendment Bill has progressed with release of an interim report back to the House by the Local Government and Environment Committee on 23/6/15.</p> <p>The Bill had run into considerable difficulties due to its complexity and also the need to apply its provisions to a wide range of structures and circumstances. In its report, the Committee notes that it had received advice from the Ministry of Business, Innovation and Employment, the Parliamentary Counsel Office, and the Regulations Review Committee. As a result of that process, and in response to the issues raised by submitters, it was considering a range of potential changes to the original Bill.</p> <p>HCC's Principal Building Advisor spoke to the Local Government and Environment Committee at the 30 July 2015 hearing in support of Council's 16/7/15 submission.</p> <p>The Local Government and Environment Committee released their final report on the Bill with recommended amendments on 2/9/15 – refer http://www.parliament.nz/resource/en-nz/51DBSCH_SCR64791_1/a38b4befdfdd2c6a85be60e37365b16f8da763c8</p> <p>The Bill is expected to receive its second reading before Parliament adjourns for the 2016 year. HCC's Principal Building Advisor is a member of the Local Government working party which is assisting MBIE with the development of the MBIE draft policy. This includes establishing the CEO's methodology for the means of assessing earthquake-prone buildings and a number of other transitional changes. The working party is also developing draft regulations which will drive changes in the Building Act.</p> <p>The working party is working towards identifying and completing all the changes before May 2016 in order to consult and seek feedback from stakeholders. The new legislation is expected to be in place around March 2017.</p> <p>HCC's submission identified that we have already prioritised our buildings according to</p>

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					<p>risk. However, there is some likelihood we will have to do more work on classifying priority buildings (those that are high risk or on major public corridors such as high foot traffic, inner city etc.) and this work will need to be completed within 5 years. The outcomes will have to go through a public consultation process.</p> <p>HCC's 16/7/15 submission also identified that Council has written to the owners of buildings that are considered to be earthquake-prone but we have not issued formal Section 124 notices (which are akin to a dangerous building notice). There is some certainty that Section 124 notices will need to be issued once the new legislation changes are enacted.</p>
414	<p>Proposed Auckland Unitary Plan – Further Submissions http://www.aucklandcouncil.govt.nz/EN/planspolicies/projects/plansstrategies/unitaryplan/Pages/submissions.aspx</p>	Auckland Council	22/7/14	Not applicable. Submissions and further submissions in 2014 made under the Chief Executive's delegated authority for RMA submissions.	<p>The consultation period for further submissions opened on 11/6/14 and closed on 22/7/14. City Planning staff analysed approximately 100,000 further submission points and identified where any further submissions were required to be made in line with HCC's original 28/2/14 submission.</p> <p>Hearings for further submissions commenced in September 2014 and the process will continue until July 2016. HCC's submission and further submissions will be considered as part of the Independent Hearings Panel hearing process. Hearing documents can be found at http://www.aupihp.govt.nz/hearings/</p> <p>HCC staff have not appeared in person at the hearings, given the structure of the hearings and the time/cost involved. However, Future Proof and the Future Proof partners of Waikato Regional Council and Waikato District Council have appeared at hearings covering the topic of Auckland growth. The focus of the evidence given is to highlight to Auckland Council the impacts of growth in the south of the Auckland Region on land use, settlement patterns and infrastructure impacts (namely the Waikato Expressway) in the Waikato.</p>
447	<p>State Highway 26/Ruakura Road/Lisette Road Intersection Upgrade - Publicly Notified Notice of Requirement from the NZ Transport Agency for an Alteration to Designation https://www.waikatodistrict.govt.nz/Have-your-say.aspx</p>	<p>Waikato District Council Note: HCC also served a copy of its submission to the NZ Transport Agency</p>	4/9/15	Not applicable. Submission made under the Chief Executive's delegated authority for RMA submissions.	<p>Waikato District Council (WDC) has received and publicly notified an alteration to designation application by the New Zealand Transport Agency (NZTA) to provide for a roundabout and associated works at the intersection of SH26/Ruakura Road/Lisette Road.</p> <p>In addition to the above works, but outside of the designation boundary, the NZTA also proposes to undertake works within private property to address any potential effects of the proposed works on those properties from which land is required.</p>

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					WDC appointed an independent Commissioner to hear submissions. A member of the City Planning Unit prepared evidence in support of HCC's submission. The hearing took place on 27/10/15. The Commissioner's recommendations on the Notice of Requirement were provided to the NZTA in December 2015. The NZTA's decisions on the recommendations are expected sometime in February 2016.
452	Final Position Paper 'Improving New Zealand's Water and Wastewater and Stormwater Sector' http://www.lgnz.co.nz/home/our-work/our-policy-priorities/4.-infrastructure/3-waters-programme/ http://www.lgnz.co.nz/assets/29617-three-Waters-Position-Paper.pdf	Local Government New Zealand	30/10/15	Draft submission considered and approved at the 29/10/15 Council meeting.	<p>On 1/10/15 Local Government New Zealand (LGNZ) released its final position paper 'Improving New Zealand's Water and Wastewater and Stormwater Sector' for review and feedback. The paper builds on the momentum established under the LGNZ 3 Waters project by describing how a strong, sector-led approach will address the issues identified in the issues paper released in October 2014 'Exploring the Issues Facing New Zealand's Water, Wastewater and Stormwater Sector'.</p> <p>LGNZ consulted extensively in the preparation of this paper with its members, Government and other stakeholders. There was general agreement during the process that maintaining the status quo is not an option and that change is needed. The position paper therefore provides views on deliverables of a fit for purpose water sector and three potential models for sector oversight.</p> <p>A brief article on LGNZ's final position paper was included as part of the 6/10/15 Executive Update. LGNZ's National Council will consider submissions at its final meeting of the year.</p>
453	Building (Pools) Amendment Bill http://www.parliament.nz/en-nz/pb/sc/make-submission/51SCLGE_SCF_00DBHOH_BILL64825_1/building-pools-amendment-bill	Local Government and Environment Committee	5/11/15	Draft submission considered and approved on 5/11/15.	<p>Staff from the Building Control Unit spoke in support of HCC's written submission at the hearings of the Local Government and Environment Committee on 3/12/15.</p> <p>The report of the Local Government and Environment Committee is due on 16/3/16.</p>
454	Ruakura Variation to Hamilton City's Proposed District Plan (Hamilton City Council) www.hamilton.govt.nz/ruakura	Hamilton City Council	18/12/15	Not applicable. Submission made under the Chief Executive's delegated authority for RMA submissions.	<p>The submission identifies a number of minor errors or omissions for various sections of the Ruakura Variation and the relief sought for each submission point. It also includes matters relating to administration of the plan and clarity for plan users.</p> <p>Next steps include hearings to be convened for submissions received which will be heard by independent Commissioners in mid 2016.</p>

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455	Shop Trading Hours Amendment Bill http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL66378_1/shop-trading-hours-amendment-bill	Commerce Committee	Submissions closed on 21/1/16	Draft submission considered and approved at the 15/12/15 Council meeting.	<p>The Bill received its first reading on 3/11/15. If enacted, the Bill will allow councils to adopt bylaws to permit shops to trade in all or parts of their districts. This is a significant change to the current situation where only a few areas have permission to trade on Easter Sundays and there is no process for increasing that number.</p> <p>The final revised submission was uploaded to Parliament's website on 22/12/15. Parliament acknowledged receipt of HCC's submission on 14/1/16.</p> <p>The report of the Commerce Committee is due on 3/5/16. If enacted, the new powers will take effect in time for changes to be made prior to Easter 2017.</p>
456	Developing the Proposed National Policy Statement on Urban Development https://www.mfe.govt.nz/more/towns-and-cities/managing-urban-development-nz/developing-proposed-national-policy-statement	Ministry for the Environment	Submissions closed on 9/2/16	Submission to be considered and retrospectively approved on 23/2/16	<p>A NPS on Urban Development could provide local authorities with guidance on how to assess demand for residential and business development capacity, and then respond to this through more effective urban planning.</p> <p>Development of a NPS requires two phases of consultation under Section 46 of the RMA. The initial consultation will obtain feedback from relevant iwi authorities and stakeholders - this phase began in early December 2015. The Minister for the Environment will consider all initial consultation feedback, and depending on the outcome of this, there could be further consultation on what a draft proposed NPS will involve. If there is further public consultation on a draft NPS, this is expected to commence in mid-2016.</p> <p>Feedback for phase 1 was sought on the following questions:</p> <ul style="list-style-type: none"> • 1) Is your area experiencing high levels of population growth and challenges in planning for this growth? • 2) How could a NPS and supporting guidance help to address these issues? • 3) What could a NPS and supporting guidance contain? <p>Elected Members were advised of this submission on 21/12/15. Draft 1 was circulated to Elected Members on 29/1/16 for feedback.</p> <p>Comments were incorporated into a final version sent to MFE to meet the 9/2/16 submission closing date. The submission is to be considered and retrospectively approved at the 23/2/16 Strategy and Policy Committee meeting.</p>

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457	Vehicle Dimensions and Mass Rule 2002 Review http://www.transport.govt.nz/land/vdam	Ministry of Transport/NZ Transport Agency	Submissions close on 24/2/16	Draft 2 submission to be considered and approved on 23/2/16	<p>The Land Transport Rule: Vehicle Dimensions and Mass 2002 specifies requirements for dimensions and mass limits for vehicles operating on New Zealand roads.</p> <p>The VDAM Rule also balances the risks that heavy vehicles present to other road users and their impact on the road infrastructure, against the need to allow the heavy vehicle fleet to optimise operations.</p> <p>Proposed changes to the VDAM Rule were announced on 9/12/15. These would encourage trucking and bus companies to import newer, safer, more innovative and environmentally responsible vehicles, while maintaining safety for all road users.</p> <p>The discussion document outlines a number of proposed changes to the VDAM rule:</p> <ul style="list-style-type: none"> • Increases to some axle and total vehicle mass limits. • Increases to the allowed permitted width and height limits. • Allowing '50 MAX' vehicles operating within the HPMV framework to work without permits. • Allowing Road Controlling Authorities, such as local councils, more authority to approve heavier vehicles and specialised loads. <p>Elected Members were advised of the MOT/NZTA discussion paper in the 2/2/16 Executive Update, with a request for feedback by 9/2/16 as to what they feel the key messages in Council's submission should be.</p> <p>Draft 1 was circulated to Elected Members for feedback on 12/2/16. Initial feedback resulted in a revised submission (Draft 2), which will be included as part of a separate report to be considered and approved at the 23/2/16 Strategy and Policy Committee meeting. An extension to the submission closing date was obtained from the MOT/NZTA i.e. from 17/2/16 to 24/2/16.</p> <p>Submissions will be used to develop recommendations for the Government to consider. Public submissions will then be sought on a draft Rule that adopts agreed proposals.</p>

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458	Better Urban Planning (Issues Paper, December 2015) http://www.productivity.govt.nz/inquiry-content/2682?stage=2	New Zealand Productivity Commission	Submissions close on 9/3/16	Draft 2 submission to be considered and approved on 23/2/16.	<p>The NZ Productivity Commission will look at ways of improving New Zealand's urban planning system. This Inquiry follows on from the Commission's investigation of how councils make land available for housing, which found that New Zealand's urban planning laws and processes were unnecessarily complicated, slow to respond to change and did not meet the needs of cities.</p> <p>The Commission began the Inquiry with release of an Issues Paper on 9/12/15 outlining its proposed approach to the Inquiry, the context for the Inquiry, and a preliminary list of key questions to be addressed via a broad consultation process. The Productivity Commission will release its draft report in July 2016 for submissions, with the final report to Government due on 30/11/16. Elected Members were advised of this Inquiry in the 24/11/15 Executive Update.</p> <p>Draft 1 was circulated to Elected Members on 29/1/16 for feedback. As no feedback was received, Draft 2 remains unchanged from Draft 1 and will be considered and approved at the 23/2/16 Strategy and Policy Committee meeting.</p>
459	Resource Legislation Amendment Bill http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL67856_1/resource-legislation-amendment-bill	Local Government and Environment Committee	Submissions close on 14/3/15.	Draft 2 submission to be considered and approved on 23/2/16.	<p>The Resource Legislation Amendment Bill was introduced to Parliament on 26/11/15. The overarching purpose of this Bill is to create a resource management system that achieves the sustainable management of natural and physical resources in an efficient and equitable way. Elected Members were advised of this Bill in the 1/12/15 Executive Update.</p> <p>In September 2015, LGNZ established a cross-sector group of experts and practitioners to undertake a first principles review of New Zealand's environmental management framework. Their 'Blue Skies' discussion document on the review of the resource management system was released in December 2015 http://www.lgnz.co.nz/assets/Uploads/LGNZ-blue-skies-thinkpiece-Dec-2015.pdf</p> <p>LGNZ's final report will be published during 2016. The Local Government and Environment Committee's report is due on 3/6/16.</p> <p>HCC's Draft 1 submission was circulated to Elected Members on 29/1/16 for feedback. Feedback was incorporated into Draft 2, which will be considered and approved at the 23/2/16 Strategy and Policy Committee meeting.</p>

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460	<p>Watercare's December 2013 Application for a Water - Take Resource Consent from the Waikato River</p> <p>https://www.watercare.co.nz/about-watercare/our-services/waikato-river-water/Pages/default.aspx</p> <p>https://www.watercare.co.nz/SiteCollectionDocument/s/AllPDFs/Watercare_Waikato_River_take_resource_consent_application_December_2013.pdf</p>	Waikato Regional Council	TBC	TBC	<p>SLT discussed the Watercare application (amongst other strategic water issues) on 8/9/14. An update on strategic water issues, including the Watercare application, was outlined in the 'Strategic Round Up Report' discussed at the 24/2/15 Strategy and Policy Committee meeting (Item 18 of the agenda).</p> <p>The 24/2/15 Strategy and Policy Committee report noted that:</p> <ul style="list-style-type: none"> • "Watercare has made an application to the Waikato Regional Council to take a further 200,000 m³ of water per day from the Waikato River to supply Auckland's growing water need. • Future Proof is currently looking at whether HCC, Waipa and Waikato District Councils have enough consented water to support current and projected populations. • The findings of this work will inform our position on the Watercare consent, should the application be publicly notified". <p>The Waikato Regional Council (WRC) is still to assess the application and has indicated that they are unlikely to do so until 2016. Through Future Proof, WRC has an action to update the Group on the allocation status of the Waikato River and determine a process to enable understanding of water take applications currently in the queue. This action is still uncompleted.</p> <p>Also under Future Proof in May 2015, a combined Chief Executive and Strategic Implementation Management Group meeting was held. At that meeting, a number of recommendations were made. Two of particular relevance are:</p> <ul style="list-style-type: none"> • That there is no technical case for Future Proof to oppose the Watercare application. • That noting HCC's concerns, Future Proof defers making a decision on lodging a submission on the Watercare application, which is likely to be 12-18 months away. This decision will still need to be evidence-based when it is taken and will need to assess the quantum of the take and whether it may adversely impact the prospects of municipal supply authorities within the Waikato Region. <p>The HCC concerns (formally minuted during the May 2015 meeting) are: <i>Comments and issues from HCC:</i></p> <p>➤ <i>What happens if we support Watercare and our projections are wrong?</i></p>

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					<ul style="list-style-type: none"> ➤ <i>The issue is if growth occurs faster than expected. The information being received now is that this is starting to happen.</i> ➤ <i>The Watercare application is not a stepped take.</i> ➤ <i>The cumulative effects are unknown.</i> ➤ <i>HCC supports prudent monitoring.</i>

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. Strategy and Policy Committee Public Excluded Minutes 8 December 2015) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987))))	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1.	to maintain legal professional privilege	Section 7 (2) (g)
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