

Notice of Meeting:

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

Date: Thursday 26 May 2016
Time: 1:30pm
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Council OPEN AGENDA

Membership

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

Quorum: A majority of members (including vacancies)

Meeting Frequency: Monthly

Jude Pani
Democracy Manager

19 May 2016
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www.hamilton.govt.nz

Terms of Reference:

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

Financial:

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

Procedural Matters:

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

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1 Apologies

2 Confirmation of Agenda

The Council to confirm the agenda.

3 Declaration of Interest

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

4 Public Forum

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

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

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

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

Committee: Council

Date: 26 May 2016

Report Name: Council Minutes - Open - **Author:** Jude Pani
28 April 2016

Status	<i>Open</i>
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Recommendation

That Council confirms and adopts as a true and correct record the Open Minutes of the Council Meetings held on 28 April 2016.

1. Attachments

- Attachment 1 - Council Minutes - Open - 28 April 2016

Council

OPEN MINUTES

Minutes of a Meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 28 April 2016 at 1:30pm.

PRESENT

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

In Attendance:	Chief Executive – Richard Briggs
	General Manager Strategy and Communication – Sean Hickey
	General Manager Community – Lance Vervoort
	General Manager City Growth – Kelvyn Eglington
	General Manager Corporate – David Bryant
	Director H3 and Events – Sean Murray
	Communications Manager – Lee Cowan
	Community Development and Leisure Manager – Deanne Mcmanus-Emery
	Manager Social Development – Andy Mannering
	Manager Swimming and Recreation – Mathew Bayliss
	Programme Manager Strategy – Julie Clausen
	Programme Manager Analysis and Research – Mark Brougham
	Senior Planner – Paul Ryan

Committee Advisors:	Mrs M Birch & Mrs B Brooke.
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1. Apologies

Resolved: (Her Worship the Mayor Hardaker/Cr Chesterman.

That the apologies be received and accepted from Councillors Green and Wilson.

2. Confirmation of Agenda

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

The Council to confirm the Agenda, noting:

- An additional Item would be included in the Public Excluded Agenda: Chief Executive Review;
- Updated documents had been circulated to Elected Members on the following:
 - Draft Founders Theatre Engagement Document;
 - Founders Theatre Engagement Document – Memo;
 - HCC’s Draft 2 Submission to MFE’s Consultation Document ‘Next steps for Freshwater’ - Versions with and without track changes;
 - Appendix 1 for HCC’s Draft 2 Submission to the MFE’s Consultation Document; and
 - Draft Variation of Trust Deed Vibrant Hamilton Trust.

3. Declarations of Interest

No members declared a Conflict of Interest.

4. Public Forum

As per Hamilton City Council’s Standing Orders, a period of up to 30 minutes had been set aside for a public forum.

Margaret Hellyer – Volunteer, Citizens Advice Bureau – Spoke to Item 10 Community Occupancy Leases.

Action Point: *Voting Board - The Chief Executive was asked to report back on the potential options regarding updating the voting board technology.*

5. Council Minutes - Open - 31 March 2016

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

That Council confirms and adopts as a true and correct record the Open Minutes of the Council Meeting held on 31 March 2016.

6. Founders Theatre - Future Options Engagement Report

The General Manager Strategy and Communication and the Director H3 and Events ('the Director') introduced the Report, tabling an updated engagement document. In response to questions and comments the following was noted:

- **Telephone Survey** - The independent telephone survey that would be contacting a representative selection of residents across Waipa, Waikato District and the wider Waikato area had been increased from 400 to 600 participants.
- **New Build Estimate** - The basis for the \$50m was:
 - input received from architects and engineers
 - a comparison with other recent theatre builds
 - the build would be replacing "like for like" on the current location;
- **Refurbishment Estimate** - The Director was confident that the refurbishment costs would remain under the \$20m estimate;
- **Seismic Report** - The seismic review was underway and the report would be available at the end of June 2016; and
- **Impact on Ratepayers** - Additional information was required regarding the financial consequences and its impact on the ratepayer;

During the discussion, the Meeting adjourned (2.50pm to 3.00pm).

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

That:

- a) The report be received;
- b) The Founders Theatre Engagement Document is further improved with the assistance of some Councillors (Macpherson, Chesterman, O'Leary), and reported back to the Strategy and Policy Committee on 3 May 2016;
- c) The process for public engagement as set out in this report is approved;
- d) The engagement period being from the date of the final approval of the engagement document until 30 June 2016, subject to the minimum 4 week consultation period being followed; and
- e) Staff report to the 28 July 2016 Council meeting on the feedback received through the engagement process and provide recommendations for Council to consider on the options for Founders Theatre.

Amendment: (Crs King/Mallett)

That:

- a) The report be received; and
- b) Council wait for the seismic report to be received before any further decisions are made.

The Amendment was then Put.

Those for the Amendment:	Councillors King, Gallagher, Mallett and Macpherson
Those against the Amendment:	Her Worship the Mayor Hardaker, Councillors Forsyth, Pascoe, Chesterman, Yeung, Tooman and O'Leary

The Amendment was declared lost.

The Motion was then Put.

Resolved: Her Worship the Mayor Hardaker/Cr Chesterman

That:

- a) The report be received;
- b) The Founders Theatre Engagement Document is further improved with the assistance of some Councillors (Macpherson, Chesterman, O'Leary), and reported back to the Strategy and Policy Committee on 3 May 2016;
- c) The process for public engagement as set out in this report is approved;
- d) The engagement period being from the date of the final approval of the engagement document until 30 June 2016, subject to the minimum 4 week consultation period being followed; and
- e) Staff report to the 28 July 2016 Council meeting on the feedback received through the engagement process and provide recommendations for Council to consider on the options for Founders Theatre.

Those for the Motion:	Her Worship the Mayor Hardaker, Councillors Gallagher, Forsyth, Pascoe, Chesterman, Yeung, Tooman, O'Leary and Macpherson.
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Those against the Motion:	Councillors King and Mallett.
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The Motion was declared carried.

As agreed during Item 2 – Confirmation of the Agenda, the additional agenda Item was taken next.

Resolution to Exclude the Public

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

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
Extra Item - Chief Executive Review	) 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:

Extra Item to protect the privacy of natural persons Section 7 (2) (a)

The Meeting adjourned (3.30 to 3.45pm).

The Meeting moved into a Public Excluded Session (3.45pm to 4.20pm)

7. Indoor Recreation Centre Heads of Agreement

The General Manager Community and the Manager Swimming & Recreation introduced the report. It was explained that:

- **Heads of Agreement** - The Heads of Agreement was currently being considered by the Ministry of Education legal team;
- **Construction** - Arrow International had been awarded the construction contract;
- **Waikato District Council (WDC)** – WDC was interested in the project and some of their councillors would be visiting the site; possible contributions from WDC were still to be determined.
- **Trust** – A Trust would be established to manage the facility on behalf of the three parties involved; Council would be required to confirm the appointment of trustees.
- **Definitions** – Community and School use would be defined in the Agreement.

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

That:

- a) The Report be received; and
- b) Staff are to report on the agreement with the MOE at the 26 May 2016 Council Meeting.

Councillor Chesterman withdrew from the Meeting (4.35pm) prior to the start of Item 8. He took no part in the discussion and did not vote on the matter.

8. 2016/2017 Remuneration - Elected Members

The General Manager Corporate introduced this Item. Her Worship the Mayor Hardaker tabled a document which provided comparative information on Elected Members' remuneration in the main cities in New Zealand.

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

That Council:

- a) Receives the report;
- b) Notes that the Authority has set the annual base salary for Hamilton City Council elected members as follows: Mayor - \$156,412 and Councillor \$70,441.
- c) Notes that the Authority has set a pool of \$140,882 (i.e. 2 times a Councillor's base salary) to cover Councillors' additional responsibilities.
- d) Approves that the following remuneration for positions with additional responsibilities be submitted to the Remuneration Authority for their approval:
 - Deputy Mayor = base Councillor Salary of \$70,441 + 30% = \$91,573
 - Committee Chairs = base Councillor Salary of \$70,441 + 20% = \$84,529
 - Deputy Committee Chairs = base Councillor Salary of \$70,441 + 10% = \$77,485
 - Sub-committee Chairs = base Councillor Salary of \$70,441 + 10% = \$77,485
- e) Notes that this would leave approximately \$56,354 unallocated and can be used during the year to remunerate additional responsibilities.

Councillors King and Mallett dissenting.

Councillor Chesterman re-joined the meeting (4.50pm) at the start of Item 9.

9. S17A Local Government Act Service Delivery Review

The Chief Executive introduced this item. An update was provided on the reviews required under Section 17A of the Local Government Act 2002 (amended 2014).

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

That:

- a) The Report be received; and
- b) The Planning Guidance and Building Control reviews to be completed in 2016.

Councillor Mallett retired from the Meeting (4.50pm) at the start of the above Item. He was not present when the matter was voted on.

10. Community Occupancy Applications

The Community Development & Leisure Manager and the Manager Social Development introduced this Item.

The future options for the use for the Caro Street Building were discussed.

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

That:

- a) The report be received;
- b) Council approves the granting of a new community group lease to **Raukura Hauora O Tainui in Enderley Park Community Centre on Enderley Park**, being part of Lot 2 DPS 7131, as shown at Attachment 1, subject to the following terms and conditions;
 - (i) Term – 2 years commencing 1 July 2016;
 - (ii) Rent – \$781.25 plus GST per annum (plus maintenance and utility charges) in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- c) Council approves the granting of a new community group lease to **Pukete Neighbourhood House Incorporated in Te Rapa Sportsdrome on Ashurst Park**, being located at Lot 1 DPS 38343, as shown on Attachment 3, subject to the following terms and conditions;
 - (i) Term – 2 years commencing 1 July 2016;
 - (ii) Rent – \$2,033.18 plus GST per annum (plus maintenance and utility charges) in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- d) Council approves the granting of a new community group lease to **Shinjokai Karate-do Incorporated in Frankton Railway Institute Hall at Railway Park**, being located at Lot 1 DPS 37471, as shown on Attachment 5, subject to the following terms and conditions;
 - (i) Term – 2 years commencing 1 July 2016;
 - (ii) Rent – \$1,172.50 plus GST per annum (plus maintenance and utility charges) in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- e) Council approves the granting of a new community group lease to **Age Concern Hamilton for space in the Celebrating Age Centre**, located at Pt Allot 443 TN of Hamilton West, as shown on Attachment 7, subject to the following terms and conditions;
 - (i) Term – 2 years commencing 1 July 2016;
 - (ii) Rent – \$918.56 plus GST per annum (plus maintenance and utility charges) in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.

- f) Council approves the granting of a new community group lease to **Hamilton Grey Power Incorporated for space in the Celebrating Age Centre**, located at Pt Allot 443 TN of Hamilton West, as shown on Attachment 7, subject to the following terms and conditions;
- (i) Term – 2 years commencing 1 July 2016;
 - (ii) Rent – \$135.52 plus GST per annum (plus maintenance and utility charges) in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with Community Occupancy Policy and Community Occupancy Guidelines.
- g) Council approves the granting of a new community group lease to **Hamilton SeniorNet Incorporated for space in the Celebrating Age Centre**, located at Pt Allot 443 TN of Hamilton West, as shown on Attachment 7, subject to the following terms and conditions;
- (i) Term – 2 years commencing 1 July 2016;
 - (ii) Rent – \$409.12 plus GST per annum (plus maintenance and utility charges) in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- h) Council approves the granting of a new community group lease to **Waikato Dance Performance Trust in Old St Peters Hall**, being located at Allot 449 TN of Hamilton West and Allot TN 450 of Hamilton West, as shown on Attachment 12, subject to the following terms and conditions;
- (i) Term – 2 years commencing 1 July 2016;
 - (ii) Rent – \$1,080.63 plus GST per annum (plus maintenance and utility charges) in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- i) That Council approves the granting of a new community group lease to **Citizens Advice Bureau Hamilton Incorporated for space in the Former Reid’s Studio Building** next to St Peter’s Hall on Victoria Street, as shown on Attachment 14, subject to the following terms and conditions;
- (i) Term – 2 years commencing 1 July 2016;
 - (ii) Rent – \$625.00 plus GST per annum in accordance with 5.6 of the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Guidelines.
- j) Chief Executive is to report back to the 26 May Council Meeting on the future options for the Caro Street Building.

11. Gambling Policies Review

The General Manager Strategy and Communication and the Programme Manager – Strategy introduced this Item.

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

That:

- a) The report be received;
- b) The Proposed TAB Board Venue Policy is adopted;
- c) The Proposed Class 4 Gambling Venue Policy (with the inclusion of Option B) is adopted;
- d) The Amended Draft Class 4 Gambling Venue policy and Statement of Proposal are adopted for public consultation using the special consultative procedure;
- e) The consultation period is 16 May 2016 to 17 June 2016; and
- f) A date for hearing of the submissions to be allocated after 17 June 2016.

Amendment: (Crs King/Macpherson)

That:

- a) The Report be received;
- b) The Proposed TAB Board Venue Policy is adopted; and
- c) The proposed Class 4 Gambling Venue Policy (with the inclusion of Option A as detailed in Attachment 3 of the staff Report presented to the Strategy and Policy Committee on 5 November 2015) is adopted.

The Amendment was then Put.

Those for the Amendment: Councillors King, Gallagher, Yeung and Macpherson.

Those against the Amendment: Her Worship the Mayor Hardaker
Councillors Forsyth, Pascoe, Chesterman,
Tooman and O'Leary.

The Amendment was declared lost.

The Motion was then Put.

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

That:

- a) The report be received;
- b) The Proposed TAB Board Venue Policy is adopted;
- c) The Proposed Class 4 Gambling Venue Policy (with the inclusion of Option B) is adopted;
- d) The Amended Draft Class 4 Gambling Venue policy and Statement of Proposal are adopted for public consultation using the special consultative procedure;
- e) The consultation period is 16 May 2016 to 17 June 2016; and
- f) A date for hearing of the submissions to be allocated after 17 June 2016.

Those for the Motion:

Her Worship the Mayor Hardaker
Councillors Forsyth, Pascoe, Chesterman,
Tooman, and O'Leary.

Those against the Motion:

Councillor King, Gallagher, Yeung and
Mapherson.

The Motion was declared carried.

12. Consideration and Approval of HCC's Draft 2 Submission to the MFE's Consultation Document 'Next Steps for Freshwater'

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

That:

- a) The Report be received;
- b) Hamilton City Council's **Draft 2** submission (#462) to the MFE's consultation document 'Next Steps for Freshwater' be considered and approved;
- c) The approved submission #462 be sent to the MFE by 29 April 2016 to meet the new submission closing date;
- d) Subsequent to Council's approval, the submission be uploaded to HCC's website; and
- e) The local Members of Parliament be advised of and encouraged to support Council's approved submission.

Councillor Forsyth retired during the above Item and was not present when the matter was voted on.

13. Recommendations to Council - Finance Committee Meeting 21 April 2016

Riverlea Theatre – Sale and Purchase

Resolved: (Crs Pascoe/Gallagher)

That Council:

- a) accepts the Riverlea Theatre and Arts Centre's request and resolves to vary the Agreement for Sale and Purchase of the land described in the schedule, and sell the land for \$350,000 (plus GST if any), with a purchase settlement on or before 1 September 2016; and
- b) authorises the Chief Executive Officer to execute any instruments required to give effect to the resolution.

SCHEDULE

All that land contained in Certificate of Title SA1031/22 South Auckland Registry legally described as Lot 15 DPS 988 comprising 1.0459 hectares more or less and physically located at 83 Riverlea Road, Hamilton [Riverlea Theatre].

Cr King Dissenting.

14. Council Controlled Organisations Subcommittee - Recommendation to Council: Hamilton Properties Ltd exemption from CCO reporting requirements

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

That:

- a) Hamilton Properties Ltd (HPL) is a non-trading company 100% owned by Council for tax losses that may be able to be accessed should Council have taxable income. There are currently no foreseeable opportunities to access these losses.
- b) HPL has one director Richard Briggs.
- c) HPL has had no transactions since it stopped trading on 30 September 1998. It last prepared an annual report in June 2009.
- d) HPL has exemptions for filing tax returns, but must file annually to the Companies Office an annual return and declaration of non-activity and is currently exempt from CCO requirements of the local government act until 10 May 2016.

15. Council Controlled Organisations Subcommittee - Recommendation to Council: Vibrant Hamilton Trust - Approval of Trust Deed

Resolved: (Crs Pascoe and Yeung)

That:

- a) The Report be received;
- b) Council approve the Variation of Deed Trust for Vibrant Hamilton Trust, inclusive of the following amendments recommended by the Council Controlled Organisations Subcommittee:

5.1 The Trust Board will consist of at least ~~three (3)~~ five (5) but no more than ~~five (5)~~ seven (7) Trustees who will comprise the following...

5.4 In the event that the Trust Board having less than ~~three (3)~~ five (5) Trustees at any time:

- a) Hamilton City Council (or its delegate) will appoint such persons as Trustees as are required to fulfill the minimum number in accordance with clause 5.1;
- b) If Hamilton City Council does not take such appointment action in clause 5.4 (a) within ~~ten working days~~ 60 days of the number of Trustees falling below ~~three (3)~~ five (5)...; and
- c) Trustees must notify the Chief Executive (or their delegate) if the number of Trustees falls below five (5) within five (5) working days. ; and

- c) Paragraph 5.1 b be amended to reflect these amendments:

“5.1(b) At least ~~two (2)~~ four (4) but no more than ~~four (4)~~ six (6) other persons appointed by:”

Cr Macpherson left the Meeting (5.25pm) during the above Item. He was not present when the matter was voted on.

16. Resolution to Exclude the Public

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

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. Council Minutes - Public Excluded - 31 March 2016	) Good reason to withhold information exists under	Section 48(1)(a)
C2. Provisional Local Alcohol Policy - Appeal	) Section 7 Local Government Official Information and Meetings Act 1987)	

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

Item C1.	to protect the privacy of natural persons	Section 7 (2) (a)
Item C2.	on the grounds that a right of appeal lies to any Court or Tribunal against the final decision of the Local Authority in this matter to enable Council to carry out negotiations	Section 7 (2) (a) (i) Section 7 (2) (i)

Councillor Macpherson re-joined the Meeting (5.30pm) at the conclusion of the above Item. He was not present when the matter was voted on.

Councillor King retired from the Meeting (5.30pm) after voting on the above Item.

The Meeting moved into a Public Excluded session (5.30pm to 6.10pm)

The Meeting was declared closed at 6.10pm.

Committee: Council

Date: 26 May 2016

Report Name: Proposed District Plan Minutes
- Open - 23 February 2016

Author: Jude Pani

Status	<i>Open</i>
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Recommendation

That Council confirms and adopts as a true and correct record the Open Minutes of the Proposed District Plan Subcommittee Meeting held on 23 February 2016.

1. Attachments

- Attachment 1 - Proposed District Plan Subcommittee - Open Minutes - 23 February 2016

Proposed District Plan Subcommittee

OPEN MINUTES

Minutes of a meeting of the Proposed District Plan Subcommittee held in Kauri Room, Level 1, Municipal Building, Garden Place, Hamilton on Tuesday 23 February 2016 at 8:00am.

PRESENT

Chairperson	Her Worship the Mayor J Hardaker
Members	Cr G Chesterman Cr R Pascoe Cr L Tooman
In attendance:	Richard Briggs, Chief Executive, Kelvyn Eglinton, General Manager City Growth, Luke O'Dwyer, City Planning Manager, Lachlan Muldowney, City Solicitor, Tompkins Wake.

Democratic Process Coordinator Mrs W Verschaeren

1. Apologies (Her Worship the Mayor Hardaker/Cr Chesterman)

That apologies from Councillor O'Leary be received and accepted.

2. Confirmation of Agenda

Resolved: (Her Worship the Mayors Hardaker/Tooman)

The Subcommittee confirmed the Agenda.

3. Declarations of Interest

No members of the Committee declared a Conflict of Interest in addition to the declarations of interest noted from the Chief Executive and City Solicitor. Details of the conflicts were noted in the Public Excluded Minutes.

4. Proposed District Plan Subcommittee - Open Minutes - 19 November 2015 and 14 December 2015

Resolved: (Cr Chesterman/Cr Pascoe)

That the Subcommittee confirm and adopt as a true and correct record the Open Minutes of the Proposed District Plan Subcommittee Meeting held on 19 November 2015 and 14 December 2015, subject to a change of Item 3. Declarations of Interest, to read:

“No members of the Committee declared a Conflict of Interest in addition to the declarations of interest noted from the Chief Executive and City Solicitor. Details of the conflicts were noted in the Public Excluded Minutes.”

5. Resolution to Exclude the Public

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

Section 48, Local Government Official Information and Meetings Act 1987

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. Proposed District Plan Subcommittee Excluded Minutes of 19 November and 14 December 2015	) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C2. Proposed District Plan Appeals Update)	

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)
Item C2.	on the grounds that a right of appeal lies to any Court or Tribunal against the final decision of the Local Authority in this matter	Section 7 (2) (a) (i)
	to maintain legal professional privilege	Section 7 (2) (g)

The Meeting moved into Public Excluded Session from 8.05am until 8.45am

The Meeting was declared closed at 8.45am

Committee: Council **Date:** 26 May 2016
Report Name: Recommendations to Council - Strategy and Policy Committee Meeting - 3 May 2016 **Author:** Jude Pani

Status	<i>Open</i>
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The recommendations of the Strategy and Policy Committee meetings held on 3 May 2016 are presented.

The 3 May 2016 Committee Agenda is available via the following link:

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

1. Age Friendly Global Network

That:

- a) Hamilton City join the World Health Organisation Age Friendly Global Network;
- b) Council instruct the Older Persons Advisory Panel to appoint an Age Friendly Steering Group to develop an Age Friendly Plan for Hamilton, with the following timeframes:
 - Appointing of steering group members (1 month);
 - Initial scoping of services and facilities available to older people in Hamilton, and identifying gaps (6 months);
 - Development of Age Friendly Plan for Hamilton (6-9 months, including certification process for World Health Organisation);
 - Implementation of plan (ongoing with regular review and updates to the plan);
- c) Council notes the Older Persons Advisory Panel is to report back to the Strategy and Policy Committee at appropriate times during the development of the Plan.

2. Business Improvement District Policy Review

That the draft Business Improvement District Policy is adopted as final.

Note: The following minor change has been made to the draft Business Improvement District Policy compared to the version presented to the Committee on 3 May 2016:

- Two clauses both numbered 6.3 have been amended to be clauses 6.3 and 6.4 respectively.

3. Attachments

4. There are no attachments for this report.

Committee: Council

Date: 26 May 2016

Report Name: Wairere Drive and Huntington Drive (west) intersection safety concerns and improvements

Author: Robyn Denton

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Access Hamilton</i>
Financial status	<i>There is budget available through the discretionary transport fund commencing 1 July 2016 for a project cost of \$300,000 including an NZ Transport Agency subsidy (if available).</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 advise Council of the safety improvement measures proposed for the Huntington/Wairere Drive intersection following receipt of a petition from a group of Huntington residents at the Strategy and Policy Committee meeting on 24 February 2015.

3. Executive Summary

- A Huntington Residents Group (the residents group) presented a petition to Council in November 2014 seeking a safe right turn out intersection at Huntington Drive west intersection with Wairere Drive.
- Strategy and Policy Committee received this petition in February 2015 together with staff advice on medium and long term options based on a crash reduction study report undertaken in January 2015 by Aecom.
- Committee resolved for staff to consult further with the Huntington Community in regard to the short term minor safety management measures recommended.
- Staff developed options for the residents group consideration and the group supplemented these options with two options of their own based on a modified "seagull" type intersection layout.
- Staff believed that the options promoted by the residents group introduced further safety risk and were not prepared to support them at which point the discussions became protracted.
- Staff agreed to commission an independent safety audit of the proposed options including one of the options being promoted by the residents group.

Item 8

10. The independent auditors in their report have recommended 2 alternative options that they believe will provide a safer outcome than the options that they were asked to consider.
11. One of these options is to remove all right turns from the intersection which staff agree will be the safest option but it does not meet a key objective of the residents group which is to retain a safe right turn out of Huntington Drive west. It also introduces the risk of transferring the crash problem to the Huntington Drive east intersection which would need to be considered.
12. Staff accept the other alternative option suggested by the independent auditor which will address the current crash issue at the intersection and still allow a right turn out for the immediate future is the best short term option to implement.
13. The independent audit report supports the staff view that the modified seagull proposed by the residents group will introduce further safety risk.
14. Staff recommend that further work needs to be carried out to determine and implement a longer term intersection strategy for the Huntington community and that this work should have priority consideration for the 2018-28 10-Year Plan.

Recommendations from Management

That:

- a) The report be received;
- b) Improvements be made to the left turn into Huntington Drive (west) based on Opus alternative Option 1 as proposed in this report which is to create a dedicated left turn slip lane with a high entry angle;
- c) Monitoring be undertaken once this work is completed and that a review of the Huntington Residents Group modified seagull option is undertaken once NZ Transport Agency have completed their research project into seagull intersections;
- d) Funding for a long term intersection solution for the Huntington community be considered in the development of the 2018-28 10-Year Plan; and
- e) The Huntington Residents Group be advised of these decisions and that staff hold a public information day to indicate to the wider Huntington Community the actions that are proposed.

15. Attachments

16. Attachment 1 - Short Term Safety Improvement Options
17. Attachment 2 - Huntington Drive (west) / Wairere Drive intersection improvements safety assessment (Opus- April 2016)
18. Attachment 3 - Acceleration Lane Requirements

19. Background

20. The Huntington area has about 700 properties with the main exit points being the two Huntington Drive intersections, Darjon Drive onto Gordonton Road which also has some safety concerns and Stoneleigh Drive (two intersections).



21. A petition was presented to the 24 February 2015 Strategy and Policy meeting from residents within Huntington seeking to get “a safe right turn out of Huntington Drive west onto Wairere Drive”.
22. Staff commissioned a Crash Reduction study by Aecom in January 2015 to inform the advice given to the Committee which was:
 - That short term safety measures identified in the report to Committee should be considered for 2015/16.
 - That consideration should be given to the future development of one high standard intersection in conjunction with the future four laning of Wairere Drive and the removal of any right turn movements from the remaining intersections.
 - That in the medium-term consideration could be given to the installation of traffic signals at one intersection with the 2 lane Wairere Drive, and eliminating the right turn movements at the other intersections if needed
 - There are three intersections with right turn movements on this section of Wairere Drive being Huntington Drive west, Huntington Drive east and Raungawari Drive. Staff believed that the focus of the medium and long-term measures should be on the Huntington east intersection but that this would need to be confirmed through substantive further investigation and consultation.
23. Committee resolved to consult further with the Huntington community in regard to the minor safety management measures recommended by staff and to continue monitoring the safety performance of the intersection. The long term options were considered as part of the 2015-25 10-Year plan but they did not receive a high enough priority to be included.

24. Crash Risk and Crash Patterns

25. The crash statistics for this intersection as at April 2016 were:

Severity of crash	Huntington Drive (West)					Huntington Drive (East)				
	2011	2012	2103	2104	2015	2011	2012	2103	2104	2015
Fatal										
Serious		1								
Minor			2	1	2					
Non-injury	1		1	1				2	1	1

Table 3-1: Crash Data 2011-2015

26. This data is based upon reports completed by the NZ Police when they attend crashes. It is known that there is a degree of un-reporting for any site and near misses that are not recorded.

27. The predominant crash movement (80%) is where vehicles turning right out of Huntington Drive are hit on the right hand side by vehicles travelling eastbound on Wairere Drive. A review of the crash reports indicated some masking of the east bound vehicles by vehicles turning left into Huntington Drive (west). The predominant crash movement is illustrated in the diagram below:



28. Progress Since February 2015

29. Following the resolution of the Strategy and Policy Committee, three short term/medium cost options were developed for consideration by the residents group prior to consultation with the wider Huntington community (Refer Attachment 1), and the residents group have proposed a further option (option 4).

30. Minor Safety Options

31. Option 1 – Left in and left out only. This would be achieved by creating a solid median across the Huntington Drive (west) intersection.

32. Option 2 – remove the left turn slip lane for vehicles turning into Huntington Drive (west).

33. Option 3 – alter the left turn slip lane so that it is set back from Wairere Drive providing better line of sight for vehicles turning right out of Huntington Drive (west).

34. A further Option 4 of a “modified seagull” intersection layout was suggested by the residents group as another way to improve the right turn out of Huntington Drive (west).

35. Option 4 removes the right turn movement into Huntington Drive (west) which is a positive safety measure but this is not a high demand traffic movement and not the cause of the current crashes.
36. Option 4 can also incorporate the intentions of options 2 and 3 which is to deal with the masking of west bound Wairere traffic turning into Huntington, which is also positive from a safety perspective.
37. The right turn out facility proposed by the residents group which takes the form of a protected acceleration lane similar to that used in a seagull type intersection has characteristics that staff believed introduce a new crash risk and as a consequence they do not support this aspect of Option 4.
38. The Option 4 layout is shown below. The residents group also presented another version of this but it only differed in regard to the Wairere/Huntington left turn treatment with the right turn acceleration lane being common to both versions of Option 4.



Option 4

Modified Seagull

39. This option introduces safety concerns:
- In a seagull type treatment the protected right turn lane is normally designed for vehicles to accelerate up to the same or similar speed of the traffic it merges with.
 - If a properly designed acceleration lane is used it then conflicts with the traffic lanes for the roundabout and there will be a significant risk of traffic weaving across other traffic to get into the turning lanes they desire.
 - If the acceleration lane is shortened to avoid this weaving issue then Huntington right turners will not get up to merging speed and may have to stop abruptly in the acceleration lane to wait for a gap causing confusion and potential nose to tail crashes.
 - The residents group has a view that instead of a standard seagull acceleration lane this lane could instead be considered as a right turn stacking lane. Staff believe that it is unsafe for vehicles to be in a parallel position trying to judge an appropriate gap from a stationary position closer to the roundabout.
40. In order to demonstrate that there was no pre-determination by Council staff on one particular treatment over another, and to confirm that appropriate traffic engineering expertise was being applied, it was agreed that independent transport experts (Opus International) would be engaged to review the intersection and the possible minor safety options including the option being promoted by the community.

41. To further satisfy the residents group on the issue of pre-determination and “influence” over Opus, the residents group were given direct access to Opus to set out their concerns directly and a process was set up where Council staff and the residents would get the draft report from Opus and have equal rights to comment on the draft before Opus finalized their report (Attachment 2).

42. Road Safety Audit

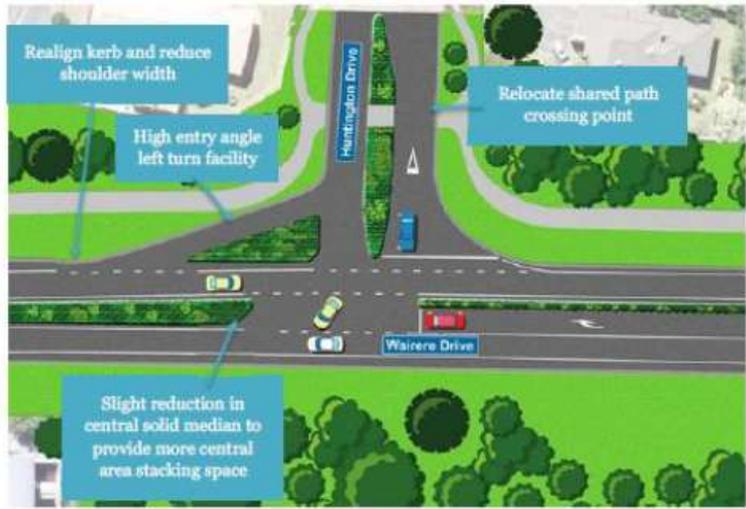
43. Opus were chosen because of their experience in undertaking Crash Reduction Studies and Safety Audits for this type of intersection at other locations throughout the country.

44. Opus were only asked to assess options 2,3 and 4 and not Option 1 to provide for left in and left out as staff knew that the residents group were focused on retaining a safe right turn out option.

45. Opus in their report however chose to include the left in-left out option as alternative Option 2 as they believed it is the safest option and they also identified an alternative option 1 which is a different way to address the left turn into Huntington that they thought would be suitable for the intersection and would address the road safety issues that are being experienced at this site better than the staff options.

46. The Safety Audit has in summary:

- Confirmed that the main crash problem at this intersection that needs to be addressed is right turn out vehicles being hit by eastbound vehicles on Wairere Drive and that the probable cause of this is the vehicles turning left into Huntington are “masking” visibility for the right turn out vehicles.
- The options proposed by council (2 and 3) and the option (4) proposed by the residents group are quite similar in that they all provide small improvements to the intersection and allow some reduction in the masking of vehicles and provision of improved sight distance for those right turn out vehicles.
- Option 4 proposed by the residents group creates other concerns such as westbound merge, rear end and weave issues due to the speed differentials of through traffic and waiting traffic, and the proximity of the merge to the Hukanui Road roundabout which is undesirable. Also drivers will be parallel to the traffic having to look behind them where sight distances would be limited.
- Option 4 eliminates the right turn in which is an improvement but the number of vehicles making this movement is small
- Identified Alternative Option 1, which is a variation of options 2 and 3, providing a shorter left turn slip lane with a higher entry angle which they believe will be more effective in solving the ‘masking’ problem.
- Indicates that their Alternative Option 2, which is to restrict all right turn movements and make the intersection left turn in and left turn out is the safest option. Opus acknowledge that this is unlikely to be satisfactory for the residents and that further consideration would need to be given to a potential crash migration to the Huntington east intersection.
- They have recommended Alternative Option 1 and Alternative Option 2 over options 2, 3 and 4.



Opus Alternative Option 1

47. A diagram of the acceleration lane required for a conventional seagull overlain with the residents group Option 4 is attached (Attachment 3).

48. Staff Recommendations

- 49. Staff agree that Alternative Option 2, to remove all right turns is the safest option but also understand the residents concerns if the right turn movement out of Huntington is taken away.
- 50. Alternative Option 1 proposed by Opus is similar to the original views of staff and staff accept the Opus view that this option is likely to be effective in managing the current dominant crash problem and recommend that this option should now be implemented as quickly as possible.
- 51. Alternative Option 1 does retain the right turn movements that are identified in the petition as being important to the residents and the Opus report indicates that this movement can be made safer by the implementation of Alternative Option 1.
- 52. Staff also recommend that the intersection continues to be monitored after Alternative Option 1 is implemented and that it be noted that if problems continue to occur, the right turn movements may need to be removed.
- 53. The NZ Transport Agency are currently undertaking a research project into the safety of seagull intersections and this may have some future guidance on the suitability of the residents Option 4. Implementing Alternative Option 1 will not compromise the ability to also install the residents right turn stacking lane if this proves to be acceptable through the research work.
- 54. Staff also recommend that long term options for the Huntington Community be investigated and promoted as part of the 2018-28 10-Year Plan.

55. Speeds

- 56. One of the suggestions to improve safety at this intersection is to lower the speed limit on Wairere Drive for the section between Hukanui Road and east of the Huntington Drive west intersection. The current posted speed limit is 80 km/h.
- 57. Travel speeds through this location were monitored over a week and they are generally around the mid 60km/h closer to the Hukanui Road intersection and then increase further away from the Hukanui Road intersection. This is reflective of vehicle accelerating away from the roundabout and braking as they approach it.
- 58. Lowering of the speed limit in this section would require more than just relocating speed limit signs and physical work would be needed to bring the travel speeds lower. Multiple changes to speed limits along a key route such as this are considered undesirable and confusing for the general public and are not likely to achieve the desired outcomes.

59. It is therefore recommended that the safety concerns at this location should be dealt with via improvements to the provisions of the intersection rather than trying to lower the speed limit.

60. Medium and Long Term Options

- 61. Traffic growth on this corridor means that an improved intersection plan for Huntington is required and staff believe that this should be priority work for the 2018-28 10-Year Plan.
- 62. To assist with the discussions a further report was commissioned from Gray Matter to scope out the long term options for the Huntington area. This scoping report is necessary to inform any future advice to Council on development of the 2018-28 10-Year Plan.

63. Financial and Resourcing Implications

- 64. Funding out of the Discretionary Transport Fund was originally set aside for completion of this work in the 2015/16 year, but due to the consultation delays this funding has been otherwise committed.
- 65. Resurfacing of this intersection is programmed and it is proposed to have the preferred option delivered as part of these works to enable the changes to the kerblines to be undertaken prior to the surfacing thereby providing a seamless and tidy end product.
- 66. Due to the safety imperative it is proposed to get the work underway as soon as possible and it is likely that the substantive costs will be funded from the 2016/17 Discretionary Transport Funds.

67. Risk

- 68. There is a significant risk to Council if no action is taken to address this known safety issue and the identified option is believed to be an easy to implement option that could be completed quickly.
- 69. The alternative option proposed by Opus has not been fully investigated and underground services could increase the cost over and above that stated in this report.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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**Huntington Dr (west) and Wairere Dr intersection
Improvement options May 2016**



**Option 1
(Opus Alternative
Option 2)**

Left in and left out only



Option 2

Remove the left slip
lane into Huntington
Dr (west)



Option 3

Alter left slip lane so it
is set back from
Wairere Dr

Huntington Dr (west) and Wairere Dr intersection Improvement options May 2016



Option 4

Modified Seagull

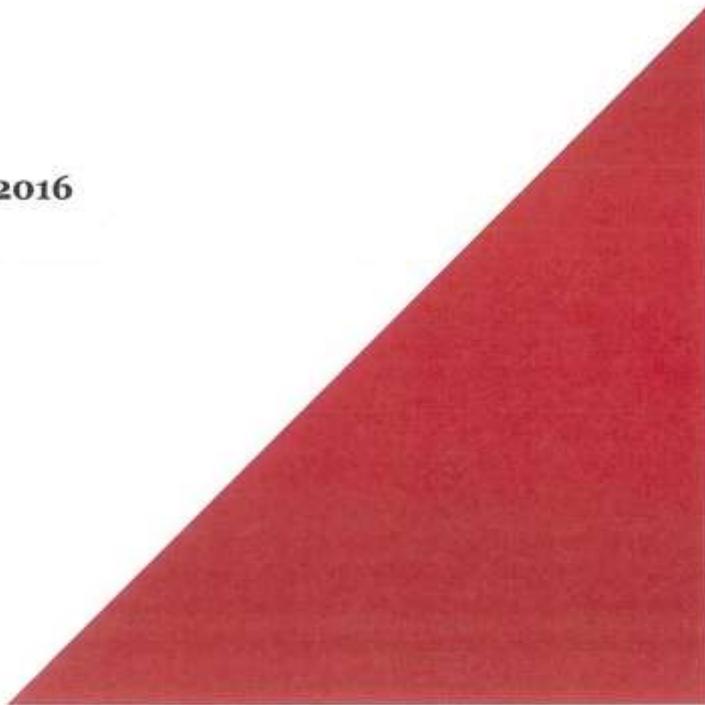


Opus Alternative
Option 1



Huntington Drive (west)/Wairere Drive Intersection Improvements Safety Assessment

April 2016





Huntington Drive (west)/Wairere Drive Intersection Improvements Safety Assessment

Prepared By

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Date: April 2016
Reference: 232499.00/007HC
Status: Final

Cherie Mason
Principal Road Safety

Reviewed and
approved for
Release By

Mike Meister
National Technical Director - Transportation



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Appendix A: Crash Data

1 Introduction and Context

Hamilton City Council (HCC) engaged Opus International Consultants (Opus) to undertake an independent safety assessment of the intersection of Huntington Drive West and Wairere Drive (Figure 1-1). This assessment was requested as a result of an increase in crashes and community feedback mostly related to the masking of through vehicles by left turn vehicles reducing sight distance, speeds, traffic volumes and provision for right turn out vehicles.

As a result of those risk and concerns, HCC had undertaken some preliminary work to determine an appropriate option for this site. HCC provided three options (Options 1, 2 and 3) for the Huntington Drive Residents Group to consider. A fourth option was proposed by the Huntington Drive Residents Group in October 2015 which supplements HCC Options 2 or 3.

This assessment includes two specific tasks:

1. **Safety Audit:** Undertake a safety audit in relation to three concept improvement plans to the intersection. Two of these options were developed by HCC and one by the residents group. This Audit would follow the formal NZ Safety Audit guidelines and assess the concepts with regards to any potential safety issues as a result of the layout. Option 1 from HCC proposed removing the right turn movement out of Huntington Drive West; has been removed at the request of the HCC (for the purposes for formal safety audit) and therefore this safety audit only considers the following:
 - Option 2: Remove left turn slip lane (tapered left turn) into Huntington Drive
 - Option 3: Widen left turn slip lane into Huntington Drive, and
 - Option 4: Remove left turn slip lane (tapered left turn) and right turn into Huntington Drive and form right turn out merge area¹
2. **Safety Review and Option comparison:** - This review would allow Opus to further assess the options against each other in terms of specific traffic movement and risk and provide a recommendation of an alternative option/s which could be assessed. We were not tasked to discuss potential long term options.



Figure 1-1: Existing Intersection of Huntington Drive West and Wairere Drive, Hamilton

¹ Note the Huntington Drive residents group indicated that Option 4 could supplement either HCC Option 2 or Option 3. Given the concept drawing provided we have assumed this is more closely aligned with HCC Option 2 and therefore any assessment of Option 4 is based on that assumption.

1.1 Documents Provided and References

The Opus Road Safety Team utilised the following documents for this assessment:

- Hamilton City Council drawings showing Options 1 to 3
- Email of Residents Option 4
- NZTA CAS reported crash data (2011-2015)
- Crash Intersection Analysis (sites of interest)
- Traffic Operating Speeds and Traffic Volume Counts (Opus - December 2015)
- Traffic Volume Counts (December 2015)
- Traffic Movement surveys (AECOM - November 2015)
- AECOM Memo: Huntington Intersection Safety Considerations, 19/01/2015
- NZTA High risk intersection Guide
- NZTA Safety Audit Guidelines
- Austroads Design Guidelines

2 Safety Audit

2.1 Background

2.1.1 Safety Audit Procedure

A road safety audit is a term used internationally to describe an independent review of a future road project to identify any safety concerns that may affect the safety performance. The audit team considers the safety of all road users and qualitatively reports on road safety issues or opportunities for safety improvement.

A road safety audit is therefore a formal examination of a road project, or any type of project which affects road users (including cyclists, pedestrians, mobility impaired etc.), carried out by an independent competent team who identify and document road safety concerns.

A road safety audit is intended to help deliver a safe road system and is not a review of compliance with standards.

The primary objective of a road safety audit is to deliver a project that achieves an outcome consistent with Safer Journeys and the Safe System approach, that is, minimisation of death and serious injury. The road safety audit is a safety review used to identify all areas of a project that are inconsistent with a safe system and bring those concerns to the attention of the client in order that the client can make a value judgement as to appropriate action(s) based on the risk guidance provided by the safety audit team.

The key objective of a road safety audit is summarised as:

To deliver completed projects that contribute towards a safe road system that is increasingly free of death and serious injury by identifying and ranking potential safety concerns for all road users and others affected by a road project.

A road safety audit should desirably be undertaken at project milestones such as:

- Concept Stage (part of Business Case);
- Scheme or Preliminary Design Stage (part of Pre-Implementation);
- Detailed Design Stage (Pre-implementation / Implementation); and
- Pre-Opening / Post-Construction Stage (Implementation / Post-Implementation).

A road safety audit is not intended as a technical or financial audit and does not substitute for a design check on standards or guidelines. Any recommended treatment of an identified safety concern is intended to be indicative only, and to focus the designer on the type of improvements that might be appropriate. It is not intended to be prescriptive and other ways of improving the road safety or operational problems identified should also be considered.

In accordance with the procedures set down in the "NZTA Road Safety Audit Procedures for Projects Guidelines - Interim release May 2013" the audit report should be submitted to the client who will instruct the designer to respond. The designer should consider the report and comment to the client on each of any concerns identified, including their cost implications where appropriate, and make a recommendation to either accept or reject the audit report recommendation.

For each audit team recommendation, the client shall make the final decision and brief the designer to make the necessary changes and/or additions. As a result of this instruction the designer shall action the approved amendments. The client may involve a safety engineer to provide commentary to aid with the decision.

Decision tracking is an important part of the road safety audit process. A decision tracking table is embedded into the report format at the end of each set of recommendations to be completed by the designer, safety engineer and client for each issue documenting the designer response, client decision (and asset manager's comments in the case where the client and asset manager are not one and the same) and action taken.

A copy of the report including the designer's response to the client and the client's decision on each recommendation shall be given to the road safety audit team leader as part of the important feedback loop. The road safety audit team leader will disseminate this to team members.

2.1.2 The Safety Audit Team

The road safety audit was carried out in accordance with the "NZTA Road Safety Audit Procedure for Projects Guidelines - Interim release May 2013", by:

- Cherie Mason - Opus International Consultants Ltd - Hamilton Office (Team Leader)
- Keith Moyes - Opus International Consultants Ltd - Hamilton Office (Team Member)

The audit was carried out during the afternoon of Friday the 4th March 2016 in sunny conditions and was carried out in accordance with the Stage 1 audit checklists as set out in the NZ Transport Agency's Safety Audit Procedures for Projects document (May 2013). The main audit involved examining the preliminary design drawings, driving through the site a number of times in both directions and then inspecting particular parts of the road.

2.1.3 Report Format

The potential road safety problems identified have been ranked as follows:-

- The expected crash frequency is qualitatively assessed on the basis of expected exposure (how many road users will be exposed to a safety issue) and the likelihood of a crash resulting from the presence of the issue. The severity of a crash outcome is qualitatively assessed on the basis of factors such as expected speeds, type of collision, and type of vehicle involved.
- Reference to historic crash rates or other research for similar elements of projects, or projects as a whole, have been drawn on where appropriate to assist in understanding the likely crash types, frequency and likely severity that may result from a particular concern.
- The frequency and severity ratings are used together to develop a combined qualitative risk ranking for each safety issue using the Concern Assessment Rating Matrix in Table 1 below. The qualitative assessment requires professional judgement and a wide range of experience in projects of all sizes and locations.

Severity (likelihood of death or serious injury)	Frequency (probability of a crash)			
	Frequent 10 or more crashes per 10 years	Common 6-9 crashes per 10 years	Occasional 2-5 crashes per 10 years	Infrequent 1 crash or less per 10 years
Very likely	Serious	Serious	Significant	Moderate
Likely	Serious	Significant	Moderate	Moderate
Unlikely	Significant	Moderate	Minor	Minor
Very unlikely	Moderate	Minor	Minor	Minor

Table 2-1: Concern Assessment Rating Matrix

While all safety concerns should be considered for action, the client or nominated project manager will make the decision as to what course of action will be adopted based on the guidance given in this ranking process with consideration to factors other than safety alone. As a guide a suggested action for each concern category is given in Table 2 below.

Concern	Suggested Action
Serious	A major safety concern that must be addressed and requires changes to avoid serious safety consequences.
Significant	Significant concern that should be addressed and requires changes to avoid serious safety consequences.
Moderate	Moderate concern that should be addressed to improve safety
Minor	Minor concern that should be addressed where practical to improve safety.

Table 2-2: Concern Categories

In addition to the ranked safety issues it is appropriate for the safety audit team (SAT) to provide additional comments with respect to items that may have a safety implication but lie outside the scope of the safety audit. A comment may include items where the safety implications are not yet clear due to insufficient detail for the stage of project, items outside the scope of the audit such as existing issues not impacted by the project or an opportunity for improved safety but not necessarily linked to the project itself. While typically comments do not require a specific recommendation, in some instances suggestions may be given by the auditors.

2.1.4 Disclaimer

The findings and recommendations in this report are based on an examination of available relevant plans, the specified road and its environs, and the opinions of the SAT. However, it must be recognised that eliminating safety concerns cannot be guaranteed since no road can be regarded as absolutely safe and no warranty is implied that all safety issues have been identified in this report. Safety audits do not constitute a design review nor an assessment of standards with respect to engineering or planning documents.

Readers are urged to seek specific technical advice on matters raised and not rely solely on the report.

While every effort has been made to ensure the accuracy of the report, it is made available on the basis that anyone relying on it does so at their own risk without any liability to the SAT or their organisations.

2.1.5 Project Description

This at grade tee intersection is the western end of Huntington Drive and is located within Hamilton City on Wairere Drive approximately 250 m east of the Hukanui Road/Wairere Drive roundabout. Wairere Drive has an 80 km/h speed limit and Huntington Drive has a 50 km/h speed limit at this location. The concept design sketches below show HCC Options 2 (Figure 2-1) and 3 (Figure 2-2) and Huntington Drive residents group Option 4 (Figure 2-3) ² that were investigated.



Figure 2-1: Option 2: Removal of Left Turn Slip Lane and provision of a tapered left turn



Figure 2-2: Option 3: Additional Separation of Left Turn Slip Lane

² Refer also to Section 1 for background information on this option and assumptions in undertaking the safety analysis of this option.



Figure 2-3: Option 4: Removal of Left Turn Slip Lane (provision of tapered turn – (similar to HCC Option 2), No Right Turn In, and Provision of a Right Turn out facility.

2.2 Safety Audit Findings

2.2.1 General

The team felt that there was no one option that was clearly the safest option in terms of a Safe System approach and the issues associated with each option are discussed below. By combining and refining various features of the concept options it may be possible to have a safer at grade intersection than the current intersection layout. The Safety Audit is a review of the concept designs provided and comments on the issues of that concept; however this report also provides an additional safety review discussing the advantages and disadvantages of each option and makes some suggested improvements to the concept options (Section 3).

2.2.2 Option 2: Removal of left turn slip lane

Moderate

This option removes the left turn slip lane altogether and provides a tapered approach for left turn vehicles into Huntington Drive. No other modifications to the intersection are proposed.

If the left turn slip lane is removed the following safety concerns are likely to arise:

1. Cyclists: The design needs to ensure that Wairere Drive shoulder width is consistent between Hukanui Road and Huntington Drive and is wide enough to cater for on road cyclists but is not too wide to be used as a slip lane by general traffic. Although an off road facility is provided cyclists will still use Wairere Drive which may cause safety risks if they are forced out into the traffic lane by a left turning vehicle.

Rear End Risk: Given the high through and turning traffic volumes a tapered left turn design may create a sudden slowing of vehicles surprising following traffic, resulting in the potential for rear end crashes.

2.2.3 Option 3: Separation of left turn slip lane

Moderate

This option separates the current left turn slip lane from the through traffic on Wairere Drive by a 1 m wide flush median and includes a solid island located close to the intersection. The length of the left turn slip lane and other intersection features remain unchanged.

The safety concerns relating to this option are:

1. Whilst more separation has been added between the left turn slip lane and the through traffic lane, this option may still result in some masking of Wairere Drive through vehicles by left turning vehicles resulting in Huntington Drive right turn out crashes continuing to occur. This is due to the intersection geometry and where vehicles on Huntington Drive were observed stopping back from the limit line.
2. This option is safer for eastbound cyclists on Wairere Drive than Option 2 but there is still some risk for Wairere Drive eastbound cyclists at the Huntington Drive left turn splitter island. The shoulder width by the splitter island needs to be sufficient to cater for eastbound cyclists.

2.2.4 Option 4: Remove left turn slip lane and provide right turn out facility

Moderate

This option removes the left turn slip and provides a tapered approach for left turning vehicles into Huntington Drive. The option also provides a right turn out acceleration bay with no right turn in facility. This right turn out is similar to what could be provided within a seagull type arrangement albeit, only half of this would be provided due to removal of the right turn in movement. Concerns relating to this option are:

- Cyclists – the design needs to ensure that Wairere Drive shoulder width is consistent between Hukanui Road and Huntington Drive and is wide enough to cater for cyclists but is not too wide to be used as a slip lane by left turn traffic.
- Rear End Risk: Given high through and turning traffic volumes a proposed tapered left turn design may create a sudden slowing of vehicles surprising following traffic, resulting in the potential for rear end crashes.
- The right turn out facility, whilst providing some stacking room is less than desirable if the intention is to try and provide a form of acceleration lane and merge area. The end of the right turn facility is close to the merge into Hukanui Road and would require right turn out drivers to weave over a relatively short distance if they want to get in to the left hand lane at Hukanui Road which is not desirable.
- Vehicles using this right turn out facility will be parallel to Wairere Drive traffic and may have some difficulty with sight distance and seeing behind them when entering the main road. There will be a significant difference in the speeds between the Wairere Road traffic and those waiting to turn right out of Huntington Drive which will create rear end risk.
- The removal of the right turn in reduces the number of conflicting movements at this intersection which is desirable. There may be some confusion initially as this is not normally a standard configuration or likely expected. Whilst not shown on the plans we

assume that sufficient signs warning of this layout are provided and that the intersection where this increase in right turn traffic will likely occur (Huntington Drive East) is designed appropriately for this movement and the increase in traffic. We would also expect that drivers may choose to use Hukanui Road roundabout to undertake a u-turn movement (additional travelling distance of 620m).

3 Safety Review and Option Comparison

3.1 Data Analysis

An AECOM report dated 19 January 2015 “summarised the findings of a desktop study into the safety performance of the Wairere Drive/Huntington Drive intersections” and concluded that the western end of Huntington Drive intersection with Wairere Drive was high risk³ and the eastern end of Huntington Drive intersection with Wairere Drive was not high risk.

In addition to AECOM’s analysis Opus collected and reviewed the crash data sourced from the Transport Agency’s Crash Analysis System (CAS) for both the western and eastern end of Huntington Drive intersection with Wairere Drive (Table 3-1 and Figure 3-1). An English Crash Listing is provided in Appendix A.

Severity of crash	Huntington Drive (West)					Huntington Drive (East)				
	2011	2012	2103	2104	2015	2011	2012	2103	2104	2015
Fatal										
Serious		1								
Minor			2	1	2					
Non-injury	1		1	1				2	1	1

Table 3-1: Crash Data 2011-2015

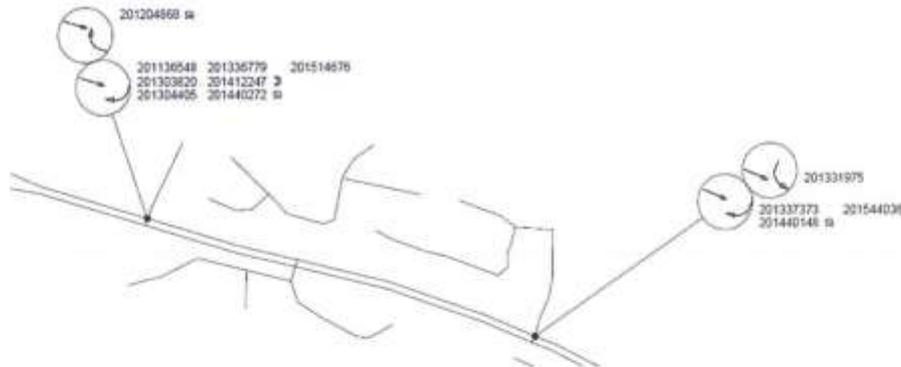


Figure 3-1: Crash Collision Diagram

Over the 5 year period 2011-2015 there were 9 reported crashes reported at the intersection of Huntington Road (west) with Wairere Drive. One serious, 5 minor and 3 non-injury. This analysis also confirmed that 80% of the crashes were the Huntington Drive (west) right turn out traffic being hit by Wairere Drive eastbound traffic. This type of crash is called a JA type (Figure 3-2). A review of the traffic crash reports (TCR’s) indicated some masking of vehicles. The majority of these crashes are occurring during peak traffic conditions. There are no other obvious consistent reported factors that may contribute to the crashes. Given the crash data and traffic volumes collected, we agree with the AECOM findings that this intersection is considered high-risk³. Crash data collected for the Eastern end of Huntington Drive with Wairere Drive shows 4 crashes, all of

³ As defined by the NZTA High-risk intersection guide, 2 013

which were non injury and 75% JA Types. This analysis confirms that this eastern intersection is not high-risk.



Figure 3-2: Picture showing the main crash movement (JA Type) at the intersection

Current traffic volumes were provided which indicate there is approximately 17,000 to 19,000 vpd (Opus traffic counts 30/11/15 – 7/12/15) on Wairere Drive and 2,000 vpd⁴ on Huntington Drive. The morning (AM) and afternoon (PM) peaks at this intersection seem to be similar with normal commuter patterns.

Some traffic movement surveys⁵ were completed which showed:

- The AM (7.30 am - 9.0 am) and PM peak (3.30 pm – 5.30 pm) data shows the highest number of right turn out movement occurs during the AM peak⁶
- Approximately 80% of vehicles were undertaking the right turn out in one movement rather than waiting in the middle of Wairere Drive in both AM and PM peaks
- Where cars were waiting in the middle of Wairere Drive, general observation indicates that the wait time was between 6 - 10 seconds.
- The queuing on Huntington Drive (West) is minimal. The survey showed only one time there was queuing back to the end of the island and this was for a short amount of time.
- The number of vehicles undertaking the right turn into Huntington Drive is very low⁷.

Traffic speeds surveys were undertaken (for a 7 day period) along the corridor in both directions by Opus which indicates that the 85th percentile speeds are between 66.6 km/h to 76.3 km/h (Figure 3-3). This indicates that traffic speeds are well below what would be expected in an 80 km/h posted semi-rural speed environment, and more like that expected in a 60km/h or 70km/h urban environment. The number of vehicles exceeding the posted speed limit is low, with on average, between 0 to 10% of vehicles exceeding 80km/h. This increases at certain times of the day when there is very low traffic volumes.

⁴ AECOM Memo, January 2015

⁵ AECOM traffic survey 12 November 2015

⁶ (Between 7.30am to 9am there were 161 vehicles completing this movement, during 3.30-5.30pm there were 112 vehicles completing this movement.)

⁷ (Between 7.30 am to 9am there were 7 vehicles completing this movement, during 3.30-5.30pm there were 16 vehicles completing this movement)



Figure 3-3: Wairere Drive Traffic Speeds – 85th Percentile (Source HCC)

3.2 Residents feedback

Residents are concerned about the difficulty of Huntington Drive westbound right turn out traffic being able to merge with Wairere Drive westbound traffic during peak times. Whilst on site, we were told by a resident that the provision of more room within the centre of the median would help them with this movement. The Opus safety team understand from a meeting with the residents (17 March 2016) and previous discussions with the council this is the most common concern highlighted by the residents group. In addition, the traffic volumes, speeds, masking by left turn vehicles, accessibility and intersection spacing along the corridor were discussed at the meeting.

At the meeting on 17 March 2016 the residents provided examples of intersections that had a similar seagull layout as proposed with Option 4 e.g. SH29/Cambridge Rd (Tauriko), SH1/Cherry Lane (Tamahere), SH1/Norman Smith Street (Taupo) and SH1/Poihipi Road (Taupo).

The Opus safety team have had input or are familiar with the work that was carried out at all these sites. Whilst we haven't completed a detailed investigation of these sites, we are aware that the measures introduced at these intersections has reduced the incidence of right turn out vehicles being hit by through vehicles on the right side (JA Type) crashes occurring.

We recognise 3 of the 4 sites are rural tee intersections and each site has its own set of unique geometric constraints and treatments added (e.g. painted seagull with plastic bollards, 50, 70 and 80 km/h speed limits, physical left turn splitter island, passing lanes, varying vertical grading and horizontal alignment). For these reasons we do not consider them to be directly comparable to the Wairere Drive/Huntington Drive intersection.

3.3 Site Visit

Our site observations indicated that:

- When there is a vehicle in the Wairere Drive left turn slip lane (destined for Huntington Drive), visibility of eastbound vehicles on Wairere Drive for right turn traffic out of Huntington Drive can be restricted or masked.
- This masking of vehicles is happening very early as vehicles are exiting the Hukanui Road roundabout and entering the left turn slip lane. Due to the layout and geometry, this masking tends to extend throughout the length of Wairere Drive between Hukanui Road and Huntington Drive.

- There is room within the central median of Wairere Drive for a car or two to wait and undertake a two stage movement out of Huntington Drive
- Drivers are stopping back from the limit line on Huntington Drive while waiting to turn out; there was some 'rolling' starts where drivers were making a decision early to pull out due to the available sight distance.
- Sight visibility turning into and out of Huntington Drive is good. The give way is therefore the appropriate type of control.
- Cyclists and pedestrians are provided with an off road shared path facility which greatly improves safety for these road users.
- A check of the eastern end of Huntington Drive shows a similar Tee-intersection layout however the geometry is different in that you are unlikely to get masking of through vehicles and the right turn in sight visibility is restricted to the west due to trees in the central median.

3.4 Option Comparison

As a result of this analysis and the site visit we compared each of the options to each other in terms of safety (Table 3-2).

The Team also discussed two alternative options which could be considered.

3.4.1 Alternative Option (1)

Alternative option (1) (Figure 3-4) provides a shorter left turn slip lane with a higher entry angle. This provides greater separation between the slip lane and the through lane via a physical splitter island on Wairere Drive. Cyclists and pedestrians using the shared path would be catered for by relocating the crossing point further north on Huntington Drive to provide some separation between the slip lane and the crossing point. This option also provides a slightly longer central area on Wairere Drive to allow additional capacity for a two stage crossing.

This option would provide a facility for the left turn in movement (as it does now) but left turning vehicles would depart the Wairere Drive traffic through lane closer to Huntington Drive reducing the potential masking of through vehicles. Part of this option would also be to realign the kerb and reduce the shoulder width between Hukanui Road and Huntington Drive. The realignment of kerb would enable vehicles to merge in to a single line of traffic earlier on departure from the roundabout, thus helping Huntington Drive right turn out traffic to make a decision on which vehicles are the through vehicles they need to give way to. This layout would also encourage lower speeds along the route.

The right turn out angled stacking capacity of Huntington Drive is increased slightly and the refuge facility would allow for another vehicle to stop and then merge with the Wairere Drive traffic when there was a safe gap in the traffic. There are still issues where there is more than one vehicle sitting in this right turn out facility as some vehicle sitting behind others may enter the traffic stream before those in front; in addition, as a result of community feedback we understand this already occurs.

This option makes no other changes to the intersection.



Figure 3-4: Alternative Option (1): High Entry Angle Left Turn Bay and Right Turn Out Facility ⁸

3.4.2 Alternative Option (2)

Alternative option (2) is to remove the right turn movements altogether by providing a left turn in/left turn out layout. This therefore completely removes the right turn out risk which significantly improves safety and is better than all other low cost options in terms of addressing safety. There may be some masking of vehicles for left turn out movements resulting in rear end risk and u-turning of vehicles may occur due to frustration of increased travel times.

We understand that the long term proposed option along this corridor is the inclusion of a roundabout but it is still to be determined by HCC. If this is the case it is also proposed to be located further along Wairere Drive and may involve restricting any right turn movements at the western end of Huntington Drive. We also understand that the long term option still requires investigation and consultation to ensure that the form and location is appropriate to the function of road in the context of the overall roading network.

⁸ Note this is concept only and needs to be further investigated.

The table below compares various issues between each option and offers an alternative option and comparison with the long term option against what currently exists:

The following key has been used when compared to what currently exists.

	No change
	Slightly better
	Better
	Significantly better
	Slightly worse
	Worse
	Significantly worse

3.5 Discussion

It is important that any recommended option needs to address the right turn out crashes which are being caused by vehicles turning left into Huntington Drive West masking through vehicles on Wairere Drive. Traffic movement data and findings from our site inspection didn't necessarily justify the need for additional right turn out stacking room or an acceleration lane, however conversations with the regular users of this intersection highlighted otherwise. In addition the traffic volumes are in the order of 17,000 - 19,000 vpd making gap selection increasingly difficult. In this respect it may be better to provide a slightly longer 'waiting' area where drivers can sit on an angle and make a two stage movement rather than straight across at peak times. Currently the right turn stacking area caters for one or two vehicles to sit in the middle of Wairere Drive and when a suitable gap is available accelerate into the westbound traffic lane.

Options 2, 3 and 4 are quite similar in that they provide small improvements to the intersection which will allow some reduction in masking of vehicles and provision of improved sight distance for those right turn out vehicles however they don't directly address the right turn out crash problem. Provision of just a taper rather than a left turn facility in option 2 and 4 allows left turn drivers to turn later and therefore reduce masking, but there may be vehicles that enter the shoulder early therefore negating this effect. Option 2 provides an offset for left turn vehicles but given the geometry may still create masking along the route.

Option 4 proposes the use of a right turn out acceleration lane which provides for a more formal two stage movement. The use of this right turn out facility creates other concerns such as drivers being parallel to the traffic and having to look behind them where sight distance would be very restricted. This option also creates westbound merge, rear end and weave issues due to the significant speed differentials of the through traffic and the waiting traffic, and the proximity of the merge to the Hukanui Road roundabout which is undesirable. Option 4 also removes the right turn in conflict which is very good from a safety perspective although the number of drivers undertaking this movement are very low. If this option were to proceed further consultation would be required to determine the operational impacts.

The Alternative option (1) (Figure 3-4) is a mixture of the other options in terms of providing a high entry angle left turn slip lane and a little more room in the central median for right turning out vehicles to stop and undertake a two stage crossing. This option may also reduce masking and reduce speeds given the intention to narrow up the road and reduce the shoulder width. This option still includes the potential for right turn out conflicts, however this is reduced due to improved sight visibility and lower through speeds on Wairere Drive and would be slightly better than Options 2, 3 and 4.

Alternative Option (1) provides a little more stacking room (by cutting back the central solid median) and still allows a driver to sit on an angle rather than parallel (as would occur in Option 4) to the Wairere Drive Traffic which is safer. When vehicles are angled in the central area as shown in Alternative option (1), this provides better visibility and would not likely have the rear end risk that Option 4 could have. Although more room has been provided there is still a risk of right turn vehicles turning out overtaking other stopped vehicles in the median and this would need to be monitored. We understand this currently occurs now but not often.

Alternative option (2) considers completely removing right turn movements which is the safest option. These right turn out movements would therefore have to be undertaken at the eastern end of Huntington Drive which is a much safer intersection based on current reported crash records;

however the potential for crash migration would need to be thoroughly investigated given the likely increase in turning traffic at this intersection and the fact that 75% of the crashes at this site are JA Types. In addition, with any option that removes the ability to undertake a particular movement, further consultation with the affected community would be required. Even though Alternative Option (2) is the safest option compared to Options 2, 3, 4, and Alternative option (1) there are likely to be other concerns that need to be considered. This includes community support, operational issues, increased journey times, and impact on future infrastructure plans and adjacent intersections. There would need to be further investigation of these other concerns to determine whether this would be a viable option in the short term and as part of a longer term solution.

3.6 Recommendation

The main concern that needs to be addressed is the right angle (JA type) crash which contributes to 80% of all crashes at the intersection of Huntington Drive West and Wairere Drive. These crashes are being caused by vehicles turning left into Huntington Drive West masking through vehicles on Wairere Drive.

Given this fact, any interim solution needs to address the JA type crash safety problem.

Whilst Alternative (1) will not totally remove the potential for right angle crashes, the intersection safety can be improved with no adverse operational impacts to local residents.

Although Alternative (2) removes the main safety risk at this junction it may create additional safety concerns at the Huntington East intersection with Wairere Drive and may not be favoured by the local residents.

Based on this investigation, our recommendation is that Alternative option (1) and (2) are both subjected to further investigation and consultation with local residents.

APPENDIX – Crash Data

File#	Street	IN Seconds	Crash	Date	Day	Time	Description of Events	Crash Factors	Road	Weather	Junction	Chczt	Wet Inj	
		(1) of	Member					(ENV - Environmental factors)	Light				F B M A E I T R D	
		Distance (ft)		ICD/NEI/TIFF	DDU	HEB#1								
WA1828E	DRIVE	I	HUNTINGTON DRIVE	201136548	10/08/2011	Wed	0738	CAR1 END ON WA1828E DRIVE hit CAR2 turning right onto WA1828E DRIVE from the left, CAR1 hit traffic island	CAR2 failed to give way At a priority traffic control. Did not check / notice another party. visors/goggles/glasses/mistred dirty/windscreen wipers	Dry	Overcast	Fine	T Type Junction	Give Way Sign
WA1828E	DRIVE	I	HUNTINGTON DRIVE	201204668	12/11/2012	Mon	1300	CAR2 turning right hit by oncoming CAR1 END on WA1828E DRIVE	CAR2 failed to give way when turning to non-turning traffic. Did not check / notice another party. ENV, road slippery (rain)	Wet	Overcast	Light Rain	T Type Junction	Give Way Sign
WA1828E	DRIVE	I	HUNTINGTON DRIVE	201303820	08/08/2013	Thu	0813	SUV1 END ON WA1828E DRIVE hit CAR2 turning right onto WA1828E DRIVE from the left	CAR2 Failed to give way At a priority traffic control. Didnt see/look when visibility obstructed by other vehicles. ENV: fog or mist	Dry	Overcast	Misc	T Type Junction	Give Way Sign
WA1828E	DRIVE	I	HUNTINGTON DRIVE	201304405	09/09/2013	Mon	1220	CAR1 END ON WA1828E DRIVE hit BUS2 turning right onto WA1828E DRIVE from the left	BUS2 Failed to give way At a priority traffic control	Dry	Bright	Fine	T Type Junction	Give Way Sign
WA1828E	DRIVE	I	HUNTINGTON DRIVE	201519280	09/10/2015	Fri	1323	TRUCK1 END ON WA1828E DRIVE hit TRUCK2 turning from same direction of travel	TRUCK2 Did not check / notice another party behind	Dry	Bright	Fine	T Type Junction	Give Way Sign
WA1828E	DRIVE	I	HUNTINGTON DRIVE	201412287	20/04/2014	Tue	1650	CAR1 END ON WA1828E DRIVE hit CAR2 turning right onto WA1828E DRIVE from the left	CAR2 Failed to give way At a priority traffic control. Did not check / notice another party	Dry	Twilight	Fine	T Type Junction	Give Way Sign
WA1828E	DRIVE	I	HUNTINGTON DRIVE	201400272	01/07/2014	Tue	0855	VAN1 END ON WA1828E DRIVE hit CAR2 turning right onto WA1828E DRIVE from the left, VAN1 hit traffic island	CAR2 failed to give way At a priority traffic control. Did not check / notice another party. ENV: fog or mist	Wet	Overcast	Misc	T Type Junction	Give Way Sign
WA1828E	DRIVE	I	HUNTINGTON DRIVE	201514676	04/06/2015	Thu	1727	CAR1 END ON WA1828E DRIVE hit CAR2 turning right onto WA1828E DRIVE from the left	CAR2 Failed to give way At a priority traffic control. Did not check / notice another party	Dry	Bright	Light Rain	T Type Junction	Give Way Sign
WA1828E	DRIVE	I	HUNTINGTON DRIVE	201336779	12/08/2013	Tue	0745	CAR1 END ON WA1828E DRIVE hit CAR2 turning right onto WA1828E DRIVE from the left	CAR2 Failed to give way At a priority traffic control	Dry	Bright	Fine	T Type Junction	Give Way Sign

Plain English report, run on 29-Apr-2016 Page 1

First Street	DI Second street II of landmark III of landmark	Crash Number	Date DD/MM/YYYY	Day Time DD HHMM	Description of Events	Crash Factors	Road Light	Weather Junction	CALLI	Loc In)
WAIKERE DRIVE	I HUNTINGTON DRIVE	201544036	20/08/2015	Thu 1609	CAR1 END on WAIKERE DRIVE hit CAR2 turning right onto WAIKERE DRIVE from the left	(ENV = Environmental factors) CAR2 Failed to give way At a priority traffic control. Did not check / notice another party.	Dry	Bright	Flare	Roundabout Give Way Sign
WAIKERE DRIVE	I HUNTINGTON DRIVE	201440148	18/06/2014	Wed 0735	CAR1 END on WAIKERE DRIVE hit CAR2 turning right onto WAIKERE DRIVE from the left	None	Met	Overcast	Light Flare	T Type Junction Give Way Sign
WAIKERE DRIVE	I HUNTINGTON DRIVE	201331975	20/03/2013	Wed 1541	MOTOR CYCLE1 END on WAIKERE DRIVE hit CAR2 merging from the left	None	Dry	Bright	Flare	T Type Junction Give Way Sign
WAIKERE DRIVE	I HUNTINGTON DRIVE	201333773	10/09/2013	Tue 1340	CAR1 END on WAIKERE DRIVE hit CAR2 turning right onto WAIKERE DRIVE from the left	CAR2 Failed to give way At a priority traffic control, did not see/look when visibility obstructed by other vehicles	Dry	Bright	Flare	T Type Junction Give Way Sign



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Acceleration Lane Requirements

For right turn vehicles out of Huntington Dr (west) into Wairere Dr.



Committee: Council

Date: 26 May 2016

Report Name: Waiwhakareke Land -
Declaration as Reserve

Author: Jamie Sirl

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Waiwhakareke Natural Heritage Park Operative Reserves Act Management Plan 2011 Open Spaces Plan</i>
Financial status	<i>There is not budget allocated</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- To seek Council's approval to declare the Waiwhakareke Smart Subdivision land (Waiwhakareke Land) immediately bordering Waiwhakareke Natural Heritage Park as Local Purpose (Natural Heritage Park) Reserve.

3. Executive Summary

- Finance Committee at its meeting of [18 February 2016](#) resolved that Council declares the Waiwhakareke Land (Lot 2 DP 425316, see Attachment 1 - Certificate of Title), shown in red on Attachment 2, to be reserved and included within the Waiwhakareke Natural Heritage Park (Lot 1 DP 425316), shown in green on Attachment 2.
- The resolution contained in this report gives effect to Council's instruction above and will complete Reserves Act 1977 (Act) declaration and classification of the land as Local Purpose (Natural Heritage Park) Reserve.

Recommendations from Management

That:

- The report be received;
- Pursuant to Section 14 of the Reserves Act 1977 Council resolves to declare the land described in the Schedule to be Local Purpose (Natural Heritage Park) Reserve; and
- Council authorises the Chief Executive Officer to prepare and execute any instruments that may be required to give effect to this resolution.

SCHEDULE

All that land contained in Computer Freehold Register 499858 South Auckland Registry legally described as Lot 2 Deposited Plan 425316 comprising 5.1385 hectares more or less and physically located at Rotokauri and Baverstock Roads.

6. Attachments

- 7. Attachment 1 - Waiwhakareke Land - Certificate of Title
- 8. Attachment 2 - Waiwhakareke Land Map
- 9. Attachment 3 - Submission Analysis Report - Waiwhakareke Land Declaration as Reserve
- 10. Attachment 4 - Classification of Land Waiwhakareke Natural Heritage Park - Tainui email in support dated 28 April 2016

11. Key Issues

12. Background

- 13. A comprehensive summary of the history of Council’s decision-making regarding the Waiwhakareke Land was included in a report to the Finance Committee on the [18 February 2016](#), item 13 page 93.

14. Strategic alignment

- 15. Waiwhakareke Natural Heritage Park is managed under the Waiwhakareke Natural Heritage Park Reserves Act Management Plan 2011 (management plan). Subject to the Waiwhakareke Land being declared reserve held under the Act, the next step will be to include this land within the management plan as part of its next review.

16. Legislative requirements or legal issues

- 17. The land is to be declared as Local Purpose (Natural Heritage Park) in accordance with Section 14 of the Act.

18. Consultation

- 19. Council’s intention to declare the land as Local Purpose (Natural Heritage Park) Reserve was publicly advertised from 7 March until 7 April 2016. No objections were received. 19 formal submissions supporting the classification were received. A summary of submissions is included within Attachment 3.

- 20. Waikato Tainui supports classification as reserve. In correspondence received from Waikato Tainui they state that they have supported the lands in question to be declared a reserve in the past and maintain this position.

21. Options

- 22. The only option under consideration is to declare the land as Local Purpose (Natural Heritage Park) Reserve.

23. Financial and Resourcing Implications

24. Implementation

- 25. The remaining process for declaring land as reserve is as follows:

- Council resolution to declare land as reserve;
- Gazettal of the land as reserve.

- 26. The cost of the Gazettal process will be \$1,250 plus GST. Staff time is within existing budgets, estimated to be \$400.00.

27. Risk

- 28. There is potential risk of criticism from public and supporters of the declaration of the Waiwhakareke Land as reserve, if Council were to resolve not to declare the land as reserve.

Signatory

Authoriser	Lance Vervoort, General Manager Community
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COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952



Search Copy

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

Prior References
117981 SA352/121

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

Proprietors
Hamilton City Council

Interests



Attachment 1: Waiwhakareke Land Map – Waiwhakareke Natural heritage Park = Green Waiwhakareke Smart Subdivision Land = Red

SUBMISSION ANALYSIS REPORT

Inclusion of land into Waiwhakareke Natural Heritage Park

This report:	This report provides a summary of the main themes and points included in submissions to the inclusion of land into Waiwhakareke Natural Heritage Park
Submission Period:	7 March to 7 April 2016
How consultation was undertaken	<ul style="list-style-type: none"> Notice published in two newspapers
Total Submissions:	19

1. PART 1 – summary of submissions

To declare the 'Waiwhakareke Land' as reserve land and include into the Waiwhakareke Natural Heritage Park, a notice was published calling for any objections.

Of the 19 submissions received

- 19 submitters support the proposal.

Main reasons for supporting the proposal were as follows

SUPPORT THE PROPOSAL	
Reasons	Number of submissions commenting on this topic
Great asset for future generations	4
Enhance the buffer between lake and existing residential area	8
Enhance the existing park and conservation project	3
Increase habitat for animal and bird populations	12
Increase the area of the lake's catchment in natural vegetation, with consequent water quality benefits	7
Reduce the risk of contamination to the lake	7
Offer unique natural, green space for the City	8

From: Tim Manukau [<mailto:Tim.Manukau@tainui.co.nz>]
Sent: Thursday, 28 April 2016 7:59 PM
To: Jamie Sirl
Cc: Kevin O'Shannessey
Subject: Re: Classification of land: Waiwhakareke Natural Heritage Park

Hi Jamie,

We have supported the lands in question to be declared a reserve in the past and we maintain this position.

Nga mihi,

Tim

Committee: Council

Date: 26 May 2016

Report Name: Community Occupancy Applications

Author: Karen Kwok

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Community Occupancy Policy, Operative Sports Park Management Plan 2009</i>
Financial status	<i>There is revenue of \$126,892.02 annually and approximately \$71,724 cost to administering these leases.</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

This report seeks Council approval to grant two new community occupancy lease agreements, a new licence to occupy and a variation to an existing lease to the following community groups:

- Resthills Sports Centre Incorporated - new lease
- Te Kohao Health Limited - new lease, new licence to occupy and s53(F) agreement
- Waikato Kindergarten Association - Variation to existing lease

Recommendations from Management

That:

- a) The report be received;
- b) Council approves the granting of a new community group lease under s54(1)(B) of the Reserves Act 1977, to **Resthills Sports Centre Incorporated** for premises at Resthills Park as shown in Attachment 1, being part of Lot 2 DPS 9219, CFR 175538 subject to the following terms and conditions:
 - (i) Term – 15 years;
 - (ii) Rent – \$314.38 plus GST per annum in accordance with the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.

- c) Council approves a variation to lease to extend the leased area under s54(1)(B) of the Reserves Act 1977, of the **Waikato Kindergarten Association** for premises at Hillcrest Park, as shown in Attachment 2, being part of Lot 18 DPS 8212, CFR 248584 subject to all terms and conditions being as per their current lease. The new rental rate to account for the increase in leased area to be as follows:
 - (i) Rent – \$605.88 plus GST per annum in accordance with the Community Occupancy Policy;
 - (ii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- d) Council approves the granting of a community group lease to **Te Kohao Health Limited** under section 61(2A) of the Reserves Act 1977, over part of Enderley Park classified local purpose (off-street parking) reserve, for car parking purposes - being a lease over that part of the land comprised in Lot 109 DPS 7131, CFR 173204, and as shown on Attachment 3, subject to the following terms and conditions:
 - (i) Term – five years;
 - (ii) Rent – \$42.00 plus GST per annum in accordance with the Community Occupancy Policy;
 - (iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.
- e) Council approves:
 - (i) the granting of a community group licence to **Te Kohao Health Limited** under section 61(1) of the Reserves Act 1977, over that part of Enderley Park classified local purpose (off-street parking) reserve, for car parking purposes – being a non-exclusive licence to occupy that part of the land comprised in Lot 109 DPS 7131, CFR 173204, and as shown on Attachment 3, subject to the terms and conditions set out in paragraph e) (iii);
 - (ii) entering into an agreement with **Te Kohao Health Limited** under section 53(1)(F) of the Reserves Act 1977, to use part of Enderley Park classified recreation reserve for car parking purposes – being a non-exclusive agreement to use that part of the land comprised in Lot 2 DPS 7131, CFR 175536, and as shown on Attachment 3, subject to the terms and conditions set out in paragraph e) (iii);
 - (iii) The above licence and agreement are approved subject to the following terms and conditions:
 - i) Term – five years (during normal business hours, Monday to Friday);
 - ii) Rent – \$76.25 plus GST per annum in accordance with the Community Occupancy Policy ('Rent' being the sum payable for both the licence and agreement);
 - iii) All other terms and conditions in accordance with the Community Occupancy Policy and Community Occupancy Guidelines.

2. Attachments

- 3. Attachment 1 - Resthills Sports Centre Incorporated - Proposed lease area
- 4. Attachment 2 - Waikato Kindergarten Association - Proposed extended lease area
- 5. Attachment 3 - Te Kohao Health - Proposed lease, licence and agreement area

6. Key Issues

7. Resthills Sports Centre Incorporated (Resthills)

8. Resthills has held a lease at Resthills Park since 1994 for clubrooms and social centre activities associated with rugby league and softball. Their lease commenced on 1 November 1994 for a term of 20 years and expired on 31 October 2014. Since expiry, their occupancy has been on a monthly basis.
9. Resthills applied for a new lease in October 2015 for the area shown in Attachment 1, comprising the footprint of their building on Resthills Park, which is the same area as their previous lease.
10. Resthills primary purpose is to provide and manage a building for Waikato Rugby League (WRL) and Waikato Softball Association (WSA) to conduct sporting activities in their respective codes.
11. Resthills is made up of a voluntary committee of 10 from members of WRL and WSA which has recently had a change of members. WRL and WSA report having a current total membership of 1,200.
12. The two sports codes share the premises to optimise use. The building and adjacent Resthills sports grounds meet the needs of the groups. Resthills Park is seen as the home of rugby league and softball in the region.
13. Resthills meet the eligibility criteria for community occupancy as set out in the [Community Occupancy Policy](#) (Policy).
14. The application has been assessed against the assessment criteria for community occupancy as set out in the [Community Occupancy Guidelines](#) (Guidelines).
15. The proposed rent is \$314.38 per annum based on a land area of 483m², calculated in accordance with 5.1 of the Guidelines. Resthills has not applied for a further rental subsidy.
16. The lease area (part of Lot 2 DPS 9219) is classified for the purpose of recreation reserve under the Reserves Act 1977 (Act). Resthills Sports Centre is contemplated by the Operative Sports Park Management Plan 2009. On this basis, public notification of the proposed lease is not required.
17. Staff recommend granting a community group lease to Resthills Sports Centre for a term of 15 years in accordance with section 8 of the Guidelines.

18. Waikato Kindergarten Association – Hillcrest (WKA)

19. WKA has a current lease at Hillcrest Park which commenced on 1 April 2002 for a term of 20 years expiring on 31 March 2022, for kindergarten activities and administration.
20. WKA has a long standing relationship with Council holding three existing community leases; at Hillcrest Park, Storey Avenue and Beetham Park, where they provide care and education to pre-school children. WKA meet the eligibility criteria for community occupancy as set out in the Policy.
21. The current leased area includes 1,141m² of land encompassing the WKA owned childcare building and adjacent outdoor play area. WKA approached Council to extend their leased area into the grassed medium strip of the car park situated at the back of shops. The proposed extension, as shown in Attachment 2 is 105.6m² (12 x 8.8m), incorporates a large tree which would provide a shaded play area and add to their environmental and sustainability education.

22. Staff consider that the addition of this area will have a negligible adverse effect on the public's use and enjoyment of Hillcrest Park. The design for any proposed improvements to this space will need to be approved by Council staff as land owner and any required consents obtained by WKA, as per the conditions of their lease.
23. In order to assign exclusive use of this land to WKA, a variation to their lease is required.
24. The proposed adjusted rent is \$605.88 plus GST per annum, based on a land area of 1,247m² due to the increase in leased area, has been calculated in accordance with section 5.1 of the Guidelines. The current rental is \$592.63 plus GST per annum based on a land area of 1,141m².
25. The lease area (part of Lot 18 DPS 8212 Town of Hamilton West) is reserve land classified for the purpose of recreation reserve under the Act. WKA's Hillcrest lease is contemplated by the Operative Sports Park Management Plan 2009. On this basis, public notification of the proposed variation to lease is not required.
26. Staff recommend granting a variation to lease, subject to all terms and conditions being as per their current lease.
27. **Te Kohao Health Limited (TKH)**
28. TKH does not have a community occupancy agreement with Council. TKH is a health, social, education and justice service provider, established in 1994.
29. TKH approached Council seeking use of part of Enderley Park car park, to enable TKH to meet their car parking requirements for a proposed childcare and early learning centre facility (childcare) to be located on TKH owned land as shown in Attachment 3.
30. Staff provided support in principle, subject to Council approval as; the application is considered consistent with the classification of the car park (local purpose (off street parking) reserve), the car park having available capacity without impacting on provision for activities related to the park and Enderley Community Centre, and the nature of TKH's activities providing benefits to the park and wider Enderley community.
31. Legal advice has been obtained by staff on the matter with particular regard to the Act.
32. If the proposed use is granted, it should take the form of a lease (exclusive use for staff parking) and a licence to occupy and agreement (non-exclusive use for drop off/pick up and visitor parking). The proposed lease, licence and agreement areas, form part of Enderley Park car park as shown in Attachment 3.
33. TKH have indicated that the opening hours of the proposed proposed childcare will be from 7.30am to 5.30pm, Monday to Friday.
34. Staff consider the proposed use of this area will have a negligible effect on the public's use and enjoyment of the park.
35. TKH is registered as a charitable entity under the Charities Act 2005 and incorporated under the Companies Act 1955. Based on TKH's application, their organisation meets the eligibility criteria for community occupancy as set out by the Policy.
36. The application has been assessed against the assessment criteria for community occupancy as set out in the Guidelines.
37. The proposed rental, calculated in accordance with section 5.1 of the Guidelines, is as follows:
 - Lease - \$42.00 plus GST per annum, based on a land area of 56m² encompassing four car parks
 - Licence to occupy and agreement - \$76.25 plus GST per annum, based on a land area of 102m² encompassing eight car parks

- 38. The lease area is reserve land classified for the purpose of off street parking (Lot 109 DPS 7131) under the Act.
- 39. The licence area (being part of Lot 109 DPS 7131) is reserve land classified for the purpose of off street parking (Lot 109 DPS 7131) under the Act.
- 40. The agreement area is classified recreation reserve (Lot 2 DPS 7131) under the Act. As this part of the car park is not in the local purpose reserve, it is considered appropriate for Council to exercise its powers under section 53(1)(F) to enter into an agreement for use of the land on a non-exclusive basis, for a 'specified number of days'.
- 41. The proposed lease and licence is not contemplated by the Operative Sports Park Management Plan 2009 that Enderley Park is managed under.
- 42. Public notification is not required if an approved lease and licence over the local purpose (off street parking) reserve is granted for a term not exceeding 5 years or for a term determinable at any time by Council by 6 month's notice or any shorter notice, in accordance with the public notice exception provided by section 8(6) of the Public Bodies Leases Act 1969.
- 43. Public notification of the proposed agreement under s53(1)(F) of the Reserves Act 1977 to use the small portion of Recreation Reserve is not required, as the use of this small portion of land is considered to be of minor significance.
- 44. On this basis, staff recommend the granting of a community group lease, licence to occupy, and agreement each for a term of 5 years.
- 45. Options**
- 46. Option 1 is to approve the community occupancy agreements to the groups covered in this report.
- 47. Option 2 is to not approve any one or all of the community occupancy agreements to the groups covered in this report.

48. Financial and Resourcing Implications

- 49. Legal costs associated with the preparation of agreements will be met by the community groups.
- 50. The rent payable by the community groups is in accordance with the Policy.
- 51. On adoption of the Policy and Guidelines, projected annual income from Community Occupancy was \$139,242.16.
- 52. Subject to the agreements outlined in this report being approved, the actual income from community occupancy is estimated to be \$126,892.02. Since adoption of the policy, 32 new agreements will have been granted.

53. Risk

- 54. There is minimal risk to Council in granting new community group leases to the three community groups covered in this report.

Signatory

Authoriser	Lance Vervoort, General Manager Community
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Committee: Council

Date: 26 May 2016

Report Name: Brywood Rise - Road Stopping

Author: Ken Cunningham

Report Status	<i>Open</i>
Strategy, Policy or Plan context	Urban Growth
Financial status	There is not budget allocated. Costs to be met by Brywood Development Co Ltd.
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- The purpose of this report is to request Council's approval to the stopping of part of Brywood Rise and selling the land to Brywood Development Co Ltd (BDC), an adjacent property owner that has subdivision consent for its adjoining land.

3. Executive Summary

- BDC has requested part of Brywood Rise be stopped and included in its proposed subdivision of the adjoining properties, which are owned by BDC or its shareholders.
- Subdivision Consent has been granted to BDC for the adjoining properties.
- The road stopping can be completed under the Public Works Act 1981 (PWA), provided the consent of the adjacent property owners is obtained.
- If the PWA process is not able to be complied with then the stopping under the Local Government Act 1974 process will be followed.
- The stopped road area is to be transferred to BDC at market value and will be supported by an independent registered valuation obtained by Council.

9. Recommendations from Management

That:

- the report be received;
- an area of Brywood Rise totalling approximately 664m² (subject to confirmation by a survey plan) as shown highlighted red on Attachment 1, be stopped in terms of the Public Works Act 1981;
- should the Public Works Act 1981 process not be completed then the requirements of the Local Government Act 1974 be complied with;

- d) the area of Brywood Rise stopped, as detailed in (b) above, be sold to Brywood Development Co Ltd at current market value, subject to the value being supported by an independent registered valuation report obtained by Council;
- e) all costs associated with the road stopping process and sale and purchase of the land is the responsibility of Brywood Development Co Ltd; and
- f) the Chief Executive is delegated authority to sign all documentation relating to the road stopping and sale of the land.

10. Attachments

- 11. Attachment 1 - Brywood Rise Plan for area of proposed stopped road
- 12. Attachment 2 - Subdivision Consent plan for Brywood Development Co Ltd
- 13. Attachment 3 - Brywood Rise, Aerial overview of location of proposed stopped road

14. Key Issues

- 15. Background
- 16. BDC has requested the road area of Brywood Rise indicated on Attachment 1 be stopped.
- 17. BDC has obtained subdivision consent for the properties adjacent to Brywood Rise (refer Attachment 2). Should the road stopping request be successful, BDC intends to incorporate the stopped road land into their subdivision.
- 18. The properties adjacent to the proposed stopped road land, which are highlighted in yellow on Attachment 3, are owned by either BDC or its shareholders.
- 19. The area of road proposed to be stopped is part of an old country road that is not formed road, or required for roading purposes.
- 20. Council's City Transportation and City Development Units confirm that this section of Brywood Rise can be stopped and is not required for other roading purposes.
- 21. Strategic alignment
- 22. The proposed road stopping will not affect the use of Brywood Rise as the land proposed to be stopped is in part a steep embankment not used by vehicles or pedestrians and would require major earthworks to enable it to be used for roading purposes.
- 23. Legislative requirements or legal issues
- 24. The road stopping is able to be completed in terms of the Public Works Act 1981 (PWA) that allows for road to be stopped provided:
 - i. The consent of Council is obtained
 - ii. Adequate road access to land adjoining the road is left or provided
 - iii. Consent is obtained of adjoining land owners to the part of the road proposed to be stopped.
 - iv. A survey plan is to be provided for the area proposed to be stopped, which is to be approved by Land Information New Zealand, and a Certificate of Title issued.
 - v. Gazette Notice declaring the road stopped is published.
- 25. If the consent of the adjoining land owners is not obtained the Local Government Act (LGA) road stopping process will be followed, requiring wider public consultation.

26. The LGA road stopping process consists of:
- i. Obtaining the Consent of Council
 - ii. Obtaining a survey plan for the area proposed to be stopped
 - iii. Proposed road stopping to be advertised twice in the local newspapers, with the adjoining land owners and occupiers advised directly.
 - iv. Any objection to be received within 40 days of the first advertisement.
 - v. Any objection received and not resolved will be reported to Council prior to being referred to the Environment Court for determination.
 - vi. If there is no objection received then the road stopping can be legalised by a Gazette Notice being published and a Certificate of Title issued for the stopped road land.

27. Consultation

28. Consultation with adjoining land owners will be completed in terms of the PWA by BDC, with the assistance of Council as required.
29. If adjoining land owners consent is not obtained then public consultation will be completed in terms of the LGA.

30. Options (if applicable)

31. To approve, or decline, the road stopping of part of Brywood Rise.
32. To approve, or decline, the sale & purchase of the proposed road stopping land to BDC.

33. Financial and Resourcing Implications

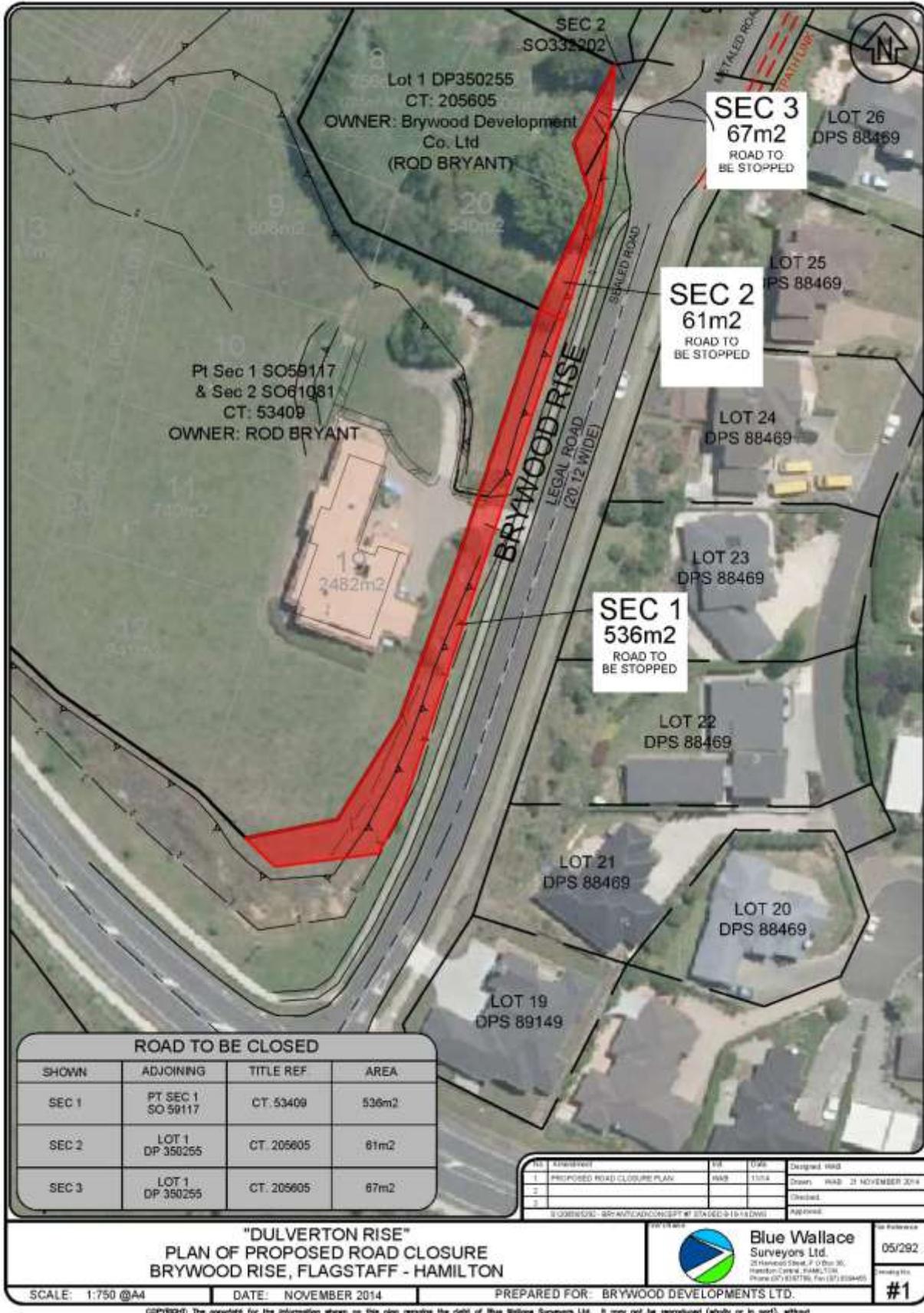
34. All costs associated with the road stopping and transfer will be the responsibility of BDC.
35. Sale of the land will be at current market value, supported by an independent registered valuation report obtained by Council.

36. Risk

37. There is minimal risk in the stopping the part of Brywood Rise referred to in this report as the land is not, and will not, be used for roading purposes.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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ROAD TO BE CLOSED			
SHOWN	ADJOINING	TITLE REF	AREA
SEC 1	PT SEC 1 SO 59117	CT: 53409	536m2
SEC 2	LOT 1 DP 350255	CT: 205605	61m2
SEC 3	LOT 1 DP 350255	CT: 205605	67m2

No.	Amendment	Date	Drawn	Designed	Revised
1	PROPOSED ROAD CLOSURE PLAN	11/04	Drawn	11/04	23 NOVEMBER 2014
2					
3					

"DULVERTON RISE"
PLAN OF PROPOSED ROAD CLOSURE
BRYWOOD RISE, FLAGSTAFF - HAMILTON

SCALE: 1:750 @A4 DATE: NOVEMBER 2014 PREPARED FOR: BRYWOOD DEVELOPMENTS LTD.


Blue Wallace Surveyors Ltd.
 25 Hanwood Street, P.O. Box 30,
 Hamilton, Ontario, L8M 1T3
 Phone: (905) 637-7190, Fax: (905) 639-4405

Drawing No: 05/292
 #1

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Committee: Council

Date: 26 May 2016

Report Name: Preparation of a Plan Change
in Temple View.

Author: Alice Morris

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Proposed District Plan</i>
Financial status	<i>There is budget allocated the 2016/17 Economic Growth and Planning budget</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 obtain Council's approval to consult with stakeholders and prepare the documentation and draft plan planning provisions for a plan change to the Hamilton City Proposed District Plan (PDP). The plan change would introduce new planning provisions for the land that was brought into the City from Waipa District via a boundary alteration at Temple View in 2014.

3. Executive Summary

- A boundary alteration was gazetted by the Local Government Commission on 10 July 2014. (Attachment 1 locality plan).
- The Resource Management Act (RMA) requires, within 2 years of the boundary alteration occurring, that Council amends its district plan to cover the new land area.
- The preparation of the proposed plan change will ensure Council is operating within the requirements of the RMA.
- The proposed plan change is considered to be minor due to the nature of the land, its total land area (14ha) and the small number of potential stakeholders.
- Staff will bring back to Council the consultation outcomes and the draft plan change for full review prior to any statutory notification.

9. Recommendations from Management

That:

- the report be received; and
- staff prepare the District Plan change documentation, required under the Resource Management Act, for the Temple View Alteration Area.

10. Attachments

- 11. Attachment 1 - Temple View Boundary Change (final) - Locality Plan

12. Key Issues

13. Background

- 14. At the 30th April 2014 meeting the Strategy and Policy Committee resolved to support the Church of Jesus Christ of Latter-day Saints Trust Board’s (the “Trust”) proposal for a minor boundary alteration at Temple View to bring into the City’s boundary an additional 14.1 hectares from Waipa District - [Strategy and Policy Committee - Confirmed Open Minutes - 30 April 2014](#)

- 15. The 14 hectares is presently zoned Rural under the Operative and Proposed District Waipa District Plans, and is highlighted pink on Attachment 1.

- 16. On the 10th July 2014 the alteration was approved and gazetted by the Local Government Commission.

- 17. To achieve compliance with the requirements under the Resource Management Act (‘RMA’), Council is required to undertake a plan change to anchor a planning framework over the 14 hectares that aligns with the adjoining planning provisions under the City’s District Plan.

- 16. Since 2014 this area has been managed by Hamilton City Council using the relevant sections of the Waipa District Plan.

17 Legislative requirements or legal issues

- 18. Section 81 of the RMA, sets out the requirement for Council to undertake the necessary changes to its District Plan to include this new area. These changes are required to happen as soon as practicable but within 2 years of the boundary changing.

19. Environmental sustainability

- 20. Undertaking the plan change preparation and application will ensure that all land under the City’s jurisdiction aligns with its planning direction as set out in the Proposed District Plan.

- 21. Leaving this 14 hectare area as rurally zoned would create a “land locked” area between the City’s boundary with Waipa and the existing Special Character zoning of the former College site.

- 22. At this time, it is the intention of staff to promote a set of planning provisions that reflect the existing Special Character zoning primarily for residential purposes while placing an emphasis on the area’s character and historic heritage.

23. Consultation

- 24. A full communications plan will be formulated as part of the development of the plan change. Consultation will be undertaken with Temple View residents and key stakeholders.

25. Financial and Resourcing Implications

- 26. Council staff and Trust representatives have agreed to work jointly to prepare the Plan change documentation.

- 27. The Trust will provide relevant studies and technical investigations as much of the necessary work has already been undertaken as part of the background information that was needed to support resource consent applications for new development on the land already zoned under the City’s district plan.

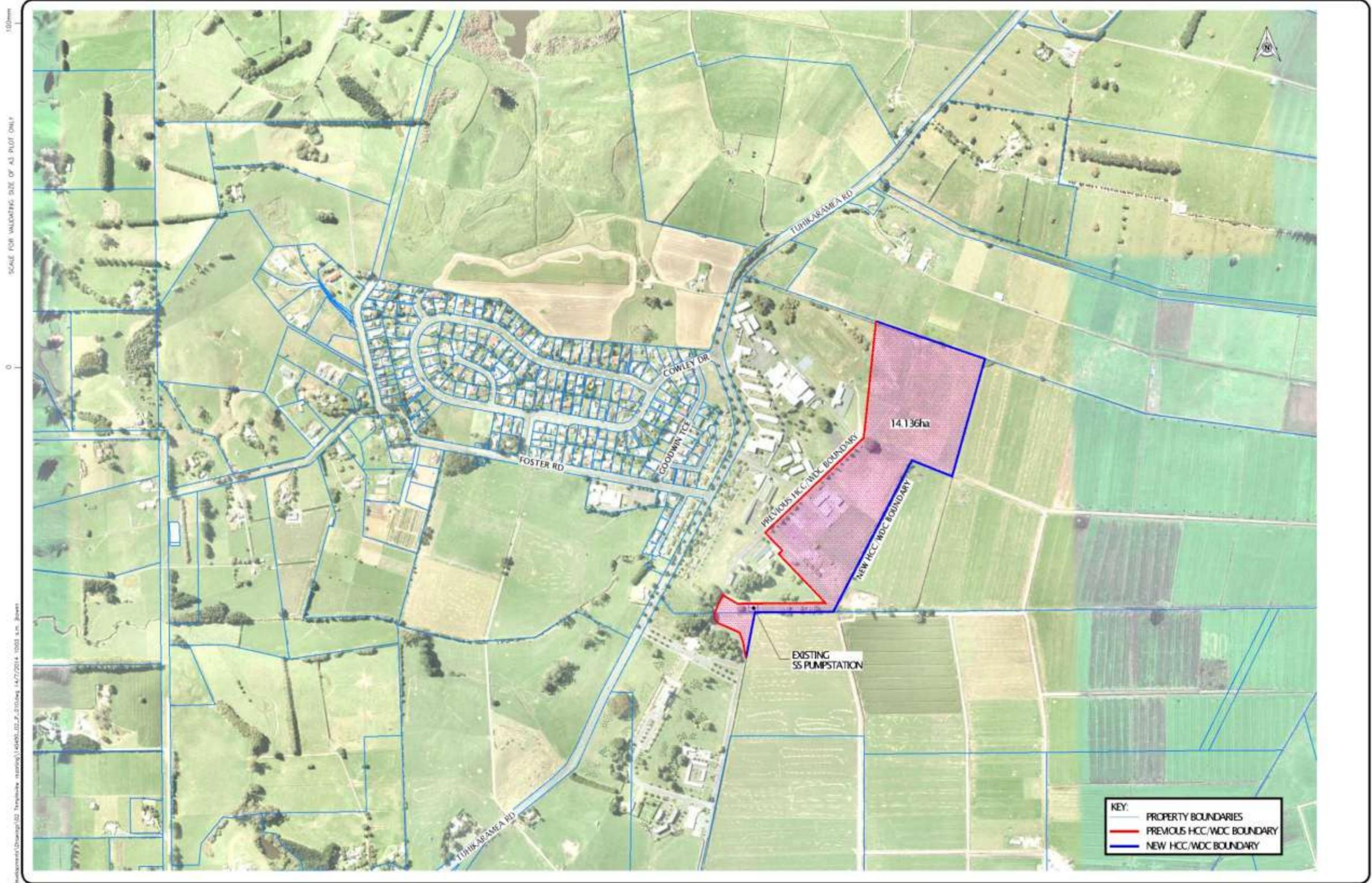
- 28. This analysis, once peer reviewed, will form the bases for the plan change documentation, a cost and benefit assessment (section 32 evaluation) and the direction for the writing of relevant planning provisions to be undertaken by staff.
- 29. The costs relating the statutory processes required under the RMA fall to Council as promoter of the plan change as required under section 81 of the RMA and by virtue of the fact that Council supported the boundary change in the first instance.
- 30. The preparation of plan provisions and the finalisation of necessary documentation will be undertaken by Council staff. The notification of the final plan change can only occur with the approval of the Council.
- 31. There is budget allocated for this project in the existing budget for 2016/17.
- 32. A rough order estimate for the peer reviewing of technical reports by external consultants and staff costs to undertake consultation, section 32 analysis and plan provision preparation is expected to be approximately \$40 - \$45,000.
- 33. Approximately \$25,000 of this would be used for external peer review services, with the remained of the costs estimated as being internal costs of staff preparing the necessary documentation.

34. Risk

- 35. Not preparing the plan change would result in Council being in breach of its obligations under section 81(3) of the RMA.
- 31. It is important that the plan change is prepared at a minimum with input from key stakeholders such as the Trust, adjoining landowners, the New Zealand Temple View Historical Society, Heritage NZ, Waikato Regional Council, Waipa District Council and iwi.

Signatory

Authoriser	Kelvyn Eglinton, General Manager City Growth
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A 13.07.2014 FINAL ISSUE Date Issue/Revision 13.07.2014 01/01		Design CD Drawn JB Approved CD	 Phone 64-7-638 0144, Fax 64-7-638 0431	Client THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS	Project NEW HAMILTON CITY COUNCIL/ WAIPA DISTRICT COUNCIL BOUNDARY	Drawing SITE PLAN	Status FINAL
Date 13.07.2014 Issue/Revision 01/01		Design CD Drawn JB Approved CD	 Phone 64-7-638 0144, Fax 64-7-638 0431	Client THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS	Project NEW HAMILTON CITY COUNCIL/ WAIPA DISTRICT COUNCIL BOUNDARY	Drawing SITE PLAN	Status FINAL Date 13.07.2014 Scale (Original Size A3) A3 = 1:8000 Drawing Number 140450/02/P/010 Revision A

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. Chief Executive Review	) Good reason to withhold	Section 48(1)(a)
C2. Council Minutes - Public Excluded - 28 April 2016	) information exists under) Section 7 Local Government) Official Information and	
C3. Proposed District Plan Subcommittee Minutes - Public Excluded - 14 December 2015 and 23 February 2016	) Meetings Act 1987)	
C4. Proposed District Plan Appeals Update - A&A King Family Trust		

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

Item C1.	to protect the privacy of natural persons	Section 7 (2) (a)
Item C2.	to protect the privacy of natural persons	Section 7 (2) (a)
Item C3.	to protect the privacy of natural persons	Section 7 (2) (a)
Item C4.	to maintain legal professional privilege	Section 7 (2) (g)