

Notice of Meeting:

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

Date: Tuesday 19 July 2016
Time: 10:30am
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Strategy & Policy Committee OPEN AGENDA

Membership

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

Quorum: A majority of members (including vacancies)

Meeting Frequency: Six weekly

Brendan Stringer
Committee Advisor

13 July 2016

Telephone: 07 838 6768
Brendan.Stringer@hcc.govt.nz
www.hamilton.govt.nz

Terms of Reference:

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

Power to act:

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

Power to recommend:

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

Sub-committees:

This Committee will be supported in its work by the:

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

Matters may be referred to this Committee from the:

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

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1 Apologies

2 Confirmation of Agenda

The Committee to confirm the agenda.

3 Declaration of Interest

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

4 Public Forum

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

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

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

If you have any questions regarding Public Forum please contact Democracy by telephoning 07 838 6772.

Committee: Strategy & Policy Committee **Date:** 19 July 2016
Report Name: Submissions Report - Amendment to Class 4 Gambling Venue Policy **Author:** Julie Clausen

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Class 4 Gambling Venues Policy</i>
Financial status	<i>The budget for the additional consultation of \$2,000 has been absorbed within existing operational budgets.</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance.</i>

1. Purpose of the Report

2. To provide Elected Members with the submissions received from the consultation on the proposed amendment to the Class 4 Gambling Venue Policy.

3. Recommendations from Management

- a) That the report be received.
- b) That a report on the Proposed Amended Class 4 Gambling Venue Policy is submitted to the Strategy & Policy Committee on 30 August 2016.

4. Attachments

5. Attachment 1 - Proposed Amended Class 4 Gambling Venue Policy
6. Attachment 2 - Submissions Report - Proposed Amended Class 4 Gambling Venue Policy

7. Key Issues

8. Background
9. Council resolved on [28 April 2016](#) to consult on an amendment to make two changes to the Class 4 Gambling Policy
 - i. The Class 4 Gambling Venue Policy does not allow any relocation, even for existing operators within permitted areas. Inclusion of a new clause s4(b) to allow any venue within the permitted area to be able to relocate within the gaming permitted area.
 - ii. The removal of the word “existing” from section 4a relating to club mergers. The Class 4 Gambling Venue Policy s4(a) requires that any private clubs who merge and consolidate their existing activities must use one of the existing venues. The removal of the word “existing” would allow merged clubs to relocate to an alternative venue.

Item 5

- 10. The proposed Amended Class 4 Gambling Policy is attached.
- 11. Consultation Process
- 12. The consultation period was from the 16 May 2016 to 17 June 2016 with hearings on 19 July 2016
- 13. Submitters who provided contact details to the original Class 4 Gambling Policy were sent a letter advising them of the proposed amendment.
- 14. The consultation was available through Council’s “Have your say” website or in paper form.
- 15. Submission Summary
- 16. 14 submissions were received, 7 in support of the amendment and 7 against the amendment.
- 17. The full submissions are attached.
- 18. In Support of the Amendment:
 - New Zealand Racing Board
 - 2 Gambling Trusts
 - The Lion Foundation
 - Grassroots Trust
 - 1 business – Eastside and Hillcrest Tavern
 - 3 Individuals
- 19. Against the Amendment:
 - Problem Gambling Foundation of NZ
 - Population Health, Waikato District Health Board
 - Social Agencies
 - Social & Ecumenical Action Committee – Parish Council of St Andrew’s Presbyterian Church
 - Voice Waikato
 - 3 Individuals

Signatory

Authoriser	Kelvyn Eglinton, General Manager City Growth
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First adopted:	8 March 2004
Revision dates/version:	July 2016 Revision 8
Next review date:	July 2019
Engagement required:	SCP
Document number:	D-2050478
Associated documents:	Gambling Act 2003
Sponsor/Group:	City Growth

CLASS 4 GAMBLING VENUE POLICY

Purpose and Scope

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

Definitions

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

Policy

3. To be considered for a venue consent under this Policy, the primary activity of a venue must be either for:
 - a. the sale of alcohol or, the sale of alcohol and food where the venue is subject to an on licence (but not being a bring-your-own licence) or club licence; or
 - b. the conducting of race and sports betting in standalone, alcohol free New Zealand Racing Board venues under the Racing Act, 2003 subject to compliance with s 33(3) of the Gambling Act 2003..
4. Council will not grant consent for the establishment of any new Class 4 gambling venues or machines except in the following circumstance(s):
 - a. Where two or more private clubs merge and consolidate the operation of their Class 4 gambling activities at a single gambling venue that is located within a Gambling Permitted Area (Schedule 1); or
 - b. [Where a society undertakes to permanently close an existing Class 4 gambling venue located inside of a Gambling Permitted Area as part of an application for new venue consent and the proposed new Class 4 gambling venue is located within a Gambling Permitted Area \(outlined in Schedule 1\).](#)
 - c. Where a society undertakes to permanently close an existing Class 4 gambling venue located **outside** of a Gambling Permitted Area as part of an application for a new Venue Consent and the proposed new Class 4 gambling venue is located within a Gambling Permitted Area (outlined in Schedule 1).
5. This relocation policy only applies:
 - a. where the applicant surrenders the existing venue licence (with the Department of Internal Affairs) for the existing venue, and
 - b. the application meets all other provisions of this Policy.

Location restrictions

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

Number of machines

8. On the relocation of a Class 4 gambling venue, the maximum number of machines permitted to operate at the new Class 4 gambling venue at the time when the new Class 4 [gambling](#) venue licence takes effect is the same as the maximum number of gaming machines permitted to operate at the old venue immediately before the licence relating

to the old venue is cancelled (as prescribed in Section 97A of the Gambling Act 2003).

9. Two or more private clubs which merge may consolidate the number of gambling machines being operated at the merged private club venue to the lesser of:
 - a. 24 gambling machines or
 - b. the sum of the number of gambling machines previously operated by each private club individually.

Application and fees

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

Exemptions from meeting parts of the Policy

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

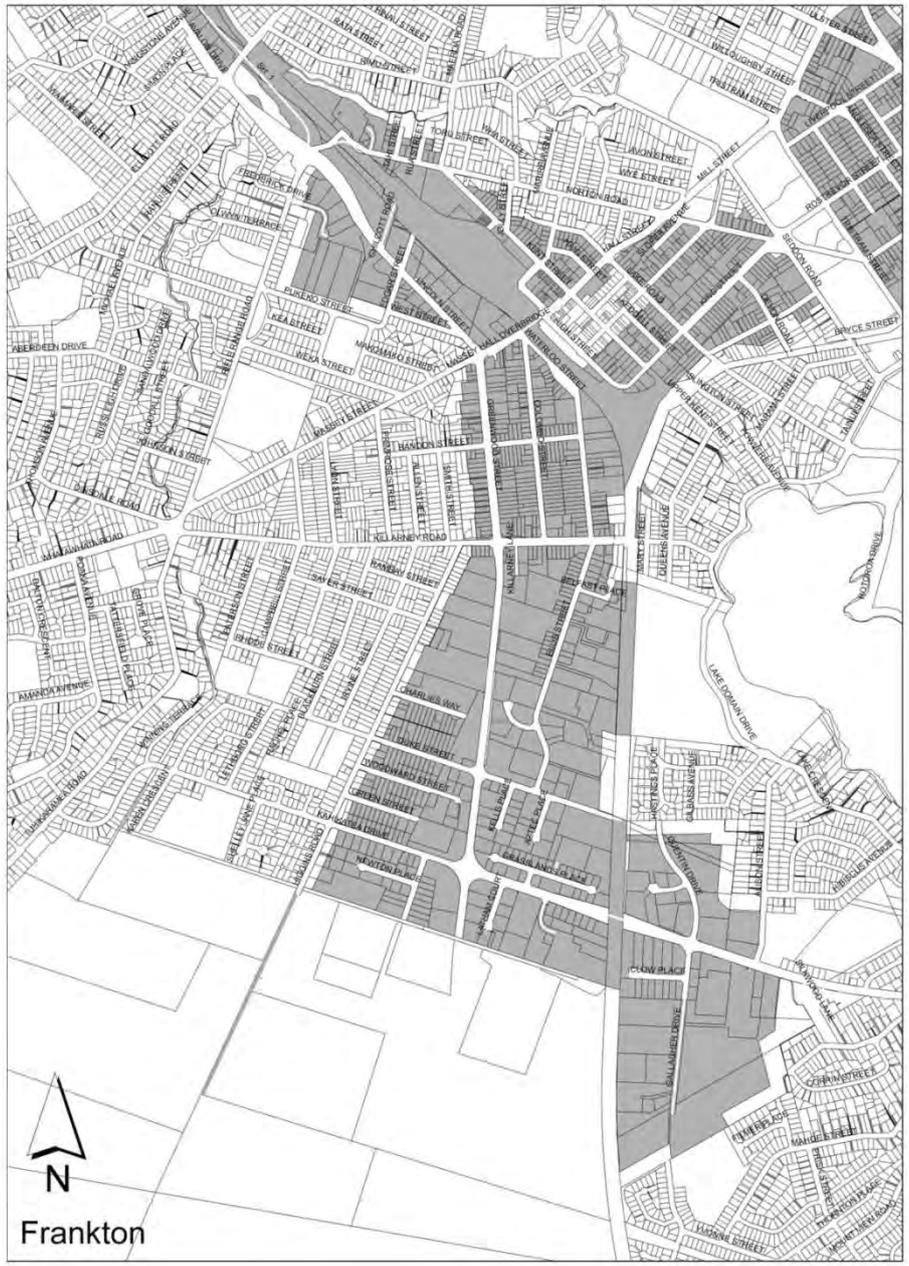
SCHEDULE 1 – GAMBLING PERMITTED AREAS

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

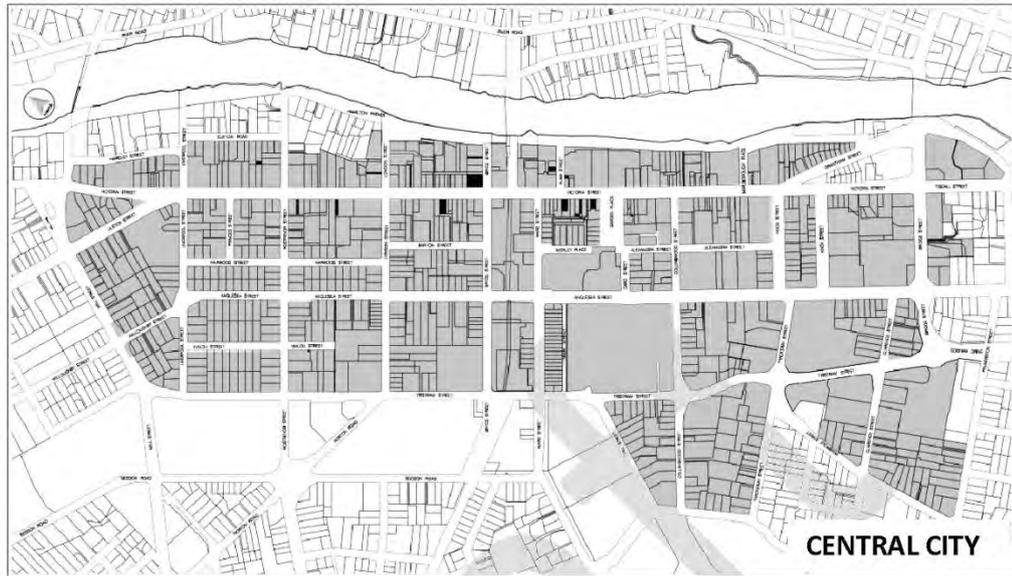
- Map 1 - Gambling Permitted Area Northern Te Rapa
- Map 2 - Gambling Permitted Area Southern Te Rapa
- Map 3 - Gambling Permitted area Frankton Industrial
- Map 4 - Gambling Permitted Area Central City
- Map 5 - Gambling Permitted Area Hamilton East
- Map 6 - Gambling Permitted Area Frankton Commercial
- Map 7 - Gambling Permitted Area Dinsdale
- Map 8 - Gambling Permitted Area Claudelands
- Map 9 - Gambling Permitted Area –Chartwell

MAP 1
Gambling Permitted Area, Northern Te Rapa





MAP 4
Gambling Permitted Area, Central City



MAP 5
Gambling Permitted Area, Hamilton East



MAP 6
Gambling Permitted Area, Frankton Commercial



MAP 7
Gambling Permitted Area, Dinsdale



MAP 8
Gambling Permitted Area, Claudelands



MAP 9
Gambling Permitted Area, Chartwell



Class 4 Gambling Venue Policy 2016

Please click on the submission reference of the submission you wish to view.

Sub #	Name	Organisation (if applicable)	Page
001	Peter Karl		1
002	Dave Doggart		2
003	Aaron Wong		3
004	Jocelyn Brazier		4
005	Stewart Best		5
006	Bert Jackson	Voice Waikato	6
007	Jarrold TRUE	Harkness Henry Solicitor for New Zealand Racing Board	7
008	Edwin Mercer	Private Individual	10
009	Emma Lamont-Messer	The Lion Foundation	11
010	Nick Field	Eastside and Hillcrest taverns	12
011	Lance Kendrick	Social & Ecumenical Action Committee, Parish Council of St Andrew's Presbyterian Church Hamilton	13
012	Eru Loach	Problem Gambling Foundation of NZ	14
013	Dr Richard Wall	Population Health	17
014	Kate Muggeridge	Grassroots Trust	21

Name: Mr Peter Karl
Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

No

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

Yes

Comments:

Gamblers will find a location to gamble. Let clubs etc get on with their business.
Note .I am not a gambler

Name: Mr Dave Doggart
Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

No

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

Yes

Comments:

Name: Mr Aaron Wong
Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

No

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

No

Comments:

All gambling policies should work as a sinking lid. A relocation is a good opportunity to reduce gambling venues in the city.

Name: Mrs Jocelyn Brazier
Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

No

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

No

Comments:

There should be a sinking lid policy on gambling venues and machine numbers.

Name: Mr Stewart Best

Organisation (if applicable):

Do you wish to speak about your submission at a Council hearing?

No

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

No

Comments:

Gambling causes serious harm in our communities and having worked with addicted gamblers for a number of years I would like to see the rules further tightened to decrease the number of venues available.

Name: Mr Bert Jackson
Organisation (if applicable): Voice Waikato

Do you wish to speak about your submission at a Council hearing?

No

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

No

Comments:

Our view is based on the well-documented and extensive harm which gambling machines do, through excessive gambling and addictions, within families and the wider community. For information about this, please see our submissions and those of other organisations in earlier years. We also have never been persuaded by the argument that some machine operators seek to reduce the harm this excessive gambling causes, as individuals and families have to be already in trouble before these measures commence.

Concern about harmful excessive pokies gambling was a main reason Council adopted a sinking lid policy on the numbers of these machines in the first place. The present proposed change would significantly weaken this policy.

While we sympathise with the need which sports and other clubs, in particular, have for operating finances, we believe this particular source of funds is too socially harmful. It was always realised there would, unfortunately, be a certain amount of pain involved, but we believe these organisations need to transition to other sources of finance.

The New Zealand Racing Board's Feedback on Hamilton City Council's Class 4 Gambling Venue Policy



Contact Person:

Jarrod True
Mobile: 0274 527 763
Email: Jarrod.True@harkness.co.nz



**The New Zealand Racing Board's Feedback on Hamilton City Council's
Class 4 Gambling Venue Policy**

Summary

1. The New Zealand Racing Board supports the proposal to expand the existing policy to allow relocation of gaming venues within gambling permitted areas.

Expanding the Relocation Provision is Positive

2. Having a flexible policy that enables existing venues to move within gambling permitted areas is positive.
3. Enabling flexible relocation removes the entrenchment and gives venue owners the ability to move from undesirable areas such as residential areas to more desirable areas such as the CBD and commercial zones without losing their ability to host the same number of gaming machines. Allowing relocation enables venues to move away from high deprivation areas.
4. Allowing relocation enables gaming venues to move to new, modern, refurbished premises. Allowing local businesses to upgrade their premises and provide a more modern, attractive offering to the public helps to revitalise the business districts, improves the local economy and encourages tourism.
5. The first venue to relocate under the relocation amendments made to the Gambling Act 2003 was the Te Rapa Tavern in Hamilton. The photos below show the old rundown premises and the new modern premises. The redevelopment cost \$3,000,000.00.



The old Te Rapa Tavern

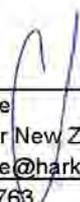


The new Te Rapa Tavern

6. If the policy is not amended to allow venues to relocate within gambling permitted areas, venues such as the Te Rapa Tavern could not relocate in the future.
7. A venue is sometimes required to relocate to adjacent premises due to its fixed lease coming to an end or public works acquisition. When it is clear that the same business exists but has simply relocated a short distance, it is fair and reasonable for the policy to permit the venue to continue its current gaming machine operation.
8. Enabling relocation enables venues to move out of buildings that may be earthquake prone.
9. Currently, once a venue has obtained a licence to host gaming machines its value is artificially increased. This often leads to landlords demanding higher than normal rentals. Allowing relocation prevents landlords demanding unreasonable rentals as it gives the venue operator the ability to relocate to an alternative venue.
10. Enabling relocation enables venues to re-establish after a natural disaster or fire.

Oral Hearing

11. We wish to speak to our submission at the upcoming oral hearing.



Jarrod True
Solicitor for New Zealand Racing Board
Jarrod.True@harkness.co.nz
0274 527 763

20 May 2016

Name: Mr Edwin Mercer
Organisation (if applicable): Private Individual

Do you wish to speak about your submission at a Council hearing?

Yes

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

No

Comments:

The proposed amendment does not meet either of the policy objectives of minimising harm from gambling and limiting the growth of class 4 gambling venues.
It will achieve exactly the opposite outcomes, as it can serve to make operations more viable where they might otherwise fail.
"Growth" means more than machine numbers, it also means the amount of money put through machines.

Name: Ms Emma Lamont-Messer

Organisation (if applicable): The Lion Foundation

Do you wish to speak about your submission at a Council hearing?

No

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

Yes

Comments:

In its September 2015 submissions filed for the last review (supporting the restricted relocation option), The Lion Foundation noted that there was no provision for relocation in the case of venues already located within a Gambling Permitted Area. We think it is an important that those venues should have an equal ability to relocate as venues currently outside a Gambling Permitted Area.

Name: Mr Nick Field
Organisation (if applicable): Eastside and Hillcrest taverns

Do you wish to speak about your submission at a Council hearing?

No

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

Yes

Comments:

If for any reason a business needs to relocate, they should be able to relocate all facets of the operation. Also by not allowing this it gives landlords too much power knowing their tenant can't move to another premise.

Name: Mr Lance Kendrick
Organisation (if applicable): Social & Ecumenical Action Committee, Parish Council of St Andrew's Presbyterian Church Hamilton

Do you wish to speak about your submission at a Council hearing?

No

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

No

Comments:

These proposed amendments (loosening the March 2016 policy) facilitate further comfortable accommodation of a vigorous class 4 gambling machine industry in Hamilton. This is despite the stated aim of the Venue Policy: "To minimise the harm caused by Class 4 gambling". The location of venues is part of a bigger picture.

Most of all it is people we need to care about, not gaming trusts. There are many issues around problem gambling and its impact on people, families, and community stability. Problem gamblers increase the requirements for expensive social services, and the latter are not always effective in overcoming people's dysfunction.

In relation to Class 4 gambling machines, it is the "continuous play" aspect of the gambling which is most dangerous – unlike, say, lottery tickets or housie. Pokie machines are designed to be addictive and take advantage of the way the human brain is wired. The "largesse" of the gaming trusts has been extracted from the vulnerable - and that price is too high. There can be no "win-win" with pokies and a responsible city should not encourage them.

The ease of access to gambling facilities enhances risk: relocation of venues to more target-market locations would exacerbate impact. Not adopting these May 2016 proposed amendments would, to some extent, decrease the geographical spread of machines and so assist with reducing harm. These comments are made in the absence of a true sinking lid policy on machine numbers, which Hamilton remains in need of.

The proposed insertion of clause 4.b. would allow greater concentration of venues (regardless of clauses 6 and 7): a gambling society closing an existing venue could move to any of the nine Permitted Areas in the city. It does not say that it would have to be established in the same Permitted Area. This would be a backward step.

Similarly, to prevent the growth of Class 4 gambling it is important to reduce the number of venues over time by operator-inconvenient attrition, and so the proposed deletion of the word "existing" in clause 4.a. should not proceed.

Thank you for this opportunity to explain why we do not support these proposals to relax the March 2016 policy.

Name: Mr Eru Loach
Organisation (if applicable): Problem Gambling Foundation of NZ

Do you wish to speak about your submission at a Council hearing?

Yes

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

No

Comments:

see attachment

SUBMISSION

Electronic gambling machines (pokies) are not a harmless product that a few “weak willed” individuals need help with. They are the major cause of gambling harm in New Zealand. Pokie machines are designed to addict and cause substantial losses to users. Used as designed, they cause significant harm, which is why 2 in 5 regular gambling machine users develop a problem at some point. The 2.5% of our population experiencing direct—and often severe—harm from gambling is just the tip of the iceberg.

Each person with a gambling problem affects about 5-10 others. This means around 17,000 Hamiltonians are affected by the significant economic, health, personal, and social costs that gambling problems cause. The harms caused by pokies extend beyond individuals, affecting their families, friends, workmates, businesses and our community. For example, a study of gambling machines in Christchurch suggested that gambling machines in the region resulted in lost economic output of \$13 million, lost household income of \$8 million, and lost employment for 630 full-time equivalents. Economic losses in Hamilton are likely to be substantial.

We know that gambling machines are the major cause of gambling harm in New Zealand and have been identified as the main gambling mode of problem gambling clients seeking help. We know that a significant amount of the money lost in gambling machines—about 40-60%—is lost at the expense of people with gambling problems.

Two decades of working with NZ’s gamblers has shown that availability makes the difference, and this is what Hamilton City Council is successfully regulating. “Sinking lid” policies have helped reduce Hamilton’s gambling machine venue numbers over time, reducing availability and accessibility to gambling machines, and therefore reducing gambling harm. Hamilton is among seventeen councils around New Zealand have taken the lead and introduced “sinking lid” policies, backed by majority public opinions that these machines are socially undesirable and that there should be fewer of them.

Hamilton’s “sinking lid” policy is a popular and simple policy that only prevents new venues being allowed gambling machines. The strongest sinking lid policies state that when venues close those machines can’t be moved elsewhere.

Allowing relocations would weaken Hamilton’s sinking lid policy substantially, by allowing operators to maintain pokie numbers. Rather than allowing venues to close organically, this would allow failing venues to relocate their machines to busier areas and target new gamblers. For this reason we ask that the current policy be maintained with a ban on relocations.

Recommendations

- The Problem Gambling Foundation **recommends that the Hamilton City Council adopts Option 1, and does not allow relocations within the permitted area.**
- Allowing venues to relocate within the permitted area will not reduce the number of venues, nor Electronic Gambling Machines (pokies) and therefore will not reduce harm from gambling in the way that a strong "sinking lid" policy would.
 - A relocation policy will allow venues with **more** than 9 machines to maintain the same number of machines when relocating to a new location.
 - A Relocation Policy is **not a harm-reduction measure.**

The Problem Gambling Foundation would like to thank the Hamilton City Council for the opportunity to provide this submission on the amendment.

Please do not hesitate to contact us if you have any questions.

I would like to be heard in support of this submission.



SUBMISSION ON:

**Hamilton city's class 4 gambling venue policy
June 2016**

1. Introduction

- 1.1. The Waikato District Health Board (Waikato DHB) serves a population of nearly 360,000 people within 10 territorial authorities and two regional councils, stretching from the northern tip of Coromandel Peninsula to south of National Park and from Raglan and Awakino in the west to Waihi in the east. About 20% of its population lives in rural areas (NZ Census 2013).
- 1.2. The Waikato DHB has five hospitals and two continuing care facilities; community services, older persons and rehabilitation service, population health service and mental health and addiction services (collectively known as its provider arm Health Waikato). It directly employs around 6083 doctors, nurses, allied health professionals and support staff.
- 1.3. The Waikato DHB also funds and monitors (through contracts) a large number of other health and disability services that are delivered by independent providers such as GPs and practice nurses, rest homes, community laboratories, dentists, iwi health services, Pacific peoples' health services, and many other non-government organisations and agencies.
- 1.4. The Waikato DHB is extensively engaged in providing services in the region both directly through the provider wing of the organisation and indirectly through other providers. These include personal health services and public health or population based health services
- 1.5. Waikato DHB Population Health is focused on providing early intervention services that improve, promote and protect the health of population groups within the Waikato DHB region.

2. Acknowledgement

- 2.1 Thank you for the opportunity to comment on the class 4 venues policy. Population Health recognises that considerable consultation and collaboration has already occurred in developing this document. Population Health has taken this opportunity to strengthen the public health perspective where applicable.
- 2.2 Hamilton City Council's class 4 venues policy has been reviewed by Population Health and the following comments are provided:

3. Submission

- 3.1 Population Health **strongly advocates** for Hamilton City Council to adopt a true sinking lid policy where neither machine nor venue is replaced as surrendered.
- 3.2 Population Health **strongly opposes** all circumstances that allow clubs to merge and societies to relocate.

4. Submission points

- 4.1 Population Health recognises that gambling behaviour is complex. Those adversely impacted by gambling are far greater than the numbers accessing services. The extent of gambling harm, its causes and solutions often evokes polarised views and debates that can make robust decision making difficult. The over-reliance on gambling industry profits also conflicts with meaningful progress in reducing harm caused by gambling.
- 4.2 As at March 2016 Hamilton city had 30 venues and 443 pokie machines¹. The gaming machine proceeds for the quarter to March 2016 was \$5,517,602. The estimated annual spend is over \$22m². It was unclear at the time of writing this submission the amount of gambling funds returned to Hamilton for this period.
- 4.3 The prevalence of problem gambling is estimated at between 1% and 3% of the adult population. It is estimated a further 20% of people are negatively impacted by gambling either by having arguments related to gambling or going without something they needed because of gambling such as unpaid bills³. In Hamilton for example, this equates to around 30,000 people negatively impacted by gambling.
- 4.4 Pokies are the major cause of gambling harm in New Zealand⁴. Local authorities responsible for class 4 gambling and for urban planning and zoning have a number of options available

¹ Department of Internal Affairs. Gaming Machines venues and numbers by region at 31 March 2016

² Department of Internal Affairs. Gaming Statistics. <http://www.dia.govt.nz/Resource-material-Information-We-Provide-Gaming-Statistics>

³ New Zealand 2012 National Gambling Study: Gambling harm and problem gambling. Gambling and Addictions Research Centre, Auckland University of Technology. Final Report Number 2, 1 July 2014

⁴ Gray, R. 2011. *New Zealanders' Participation in Gambling: results from the 2010 Health and Lifestyles Survey*. Wellington: Health Sponsorship Council.

to them with regard to class 4 gambling venues and can exercise this responsibility to prevent and minimise gambling-related harm. Council has the statutory ability to influence the outcomes of gambling on the community.

4.3 If Hamilton City Council adopts a relocation policy, the maximum number of gaming machines permitted at the new venue is the same as the number permitted at the original venue i.e. up to 18 gaming machines⁵.

4.4 Under the Gambling Act 2003 a statutory cap of nine machines was imposed for new venues. The new Amendment Act overrides this aspect of existing relocation policies under the Gambling Act 2003 by allowing up to 18 gaming machines⁶.

4.6 The prevalence of problem gambling is thought to increase with the increasing density of electronic gaming machines at a rate of 0.8 problem gamblers for each additional pokie machine. Restricting the per capita density of pokies has the potential to lead to reduced gambling opportunity and subsequent harm⁷.

4.7 As a policy option, Hamilton City can simply not allow any relocation, even within permitted areas. This would increase the likelihood of a reduction in the number of venues and gaming machines over time.

Population Health wishes to be heard in support of this submission.

⁵ Gambling (Gambling Harm Reduction) Amendment Act 2013. Retrieved from <http://www.legislation.govt.nz/act/public/2013/0071/latest/whole.html>

⁶ Gambling (Gambling Harm Reduction) Amendment Act 2013. Retrieved from <http://www.legislation.govt.nz/act/public/2013/0071/latest/whole.html>

⁷ Storer, J., Abbot, M., Stubbs, J. (2009). Access or adaption? A meta analysis of surveys of problem gambling prevalence in Australia and new Zealand with respect to concentration of electronic gaming machines. *International Gambling Studies* VI.9, No 3, December 2009, 225-244.

5 Contact details

5.1 Any comments on this submission or requests for further information can be addressed to:

Dr Richard Wall
Medical Officer of Health
Population Health, Waikato District Health Board
PO Box 595
Hamilton

T: 07 838 2569

E: richard.wall@waikatodhb.health.nz



**SUBMISSION TO HAMILTON CITY COUNCIL
IN RESPONSE TO THE
PROPOSED GAMBLING VENUE POLICY**

JUNE 2016

ADDRESS FOR CONTACT:

Grassroots Trust

PO Box 9019, Hamilton | 0800 957 960

Grassroots Trust wishes to take the opportunity to make a supporting presentation of our submission on the proposed changes to gambling venue policy.

INTRODUCTION

This submission to Hamilton City Council provides an overview of Grassroots Trust and outlines our response to the proposed changes to the Gambling Venue Policy 2016.

Grassroots Trust Limited is a Class 4 Gaming Trust licensed under the Gambling Act 2003 that generates funding for the community through the supply and operation of gaming machines in bars and pubs. Based in Hamilton, Grassroots Trust is one of the primary gaming trusts within the region and currently operates 34 venues across the Waikato, Bay of Plenty, Auckland, Taranaki and Thames regions.

Many organisations throughout New Zealand and in particular, the Hamilton City region have benefited from a Grassroots Trust grant. In the year ended March 2016, Grassroots Trust distributed \$9,237,064 to various sport, education and community groups. This represents over 42% of Gaming Proceeds returned to the community.

It is Grassroots Trust's intention to distribute funds back to the community that it was generated across the sport, community and education sectors.

The Grassroots Trust Board of Directors are responsible for assessing the grant applications individually. The Grassroots Trust Limited Board of Directors are Chairman, Martin Bradley (Lawyer); and Directors, Kevin Burgess (Pharmacist); Craig Sanders (Accountant); Jeff Freeman (Principal); Jeremy O'Rourke (Managing Director); and Tracey Gunn (Barrister).

Grassroots Trust is supportive of positive legislation changes within the industry and supports Council's proposed change to allow operators that currently operate within a gambling permitted area to be able to relocate to an alternative venue within the permitted area.

RATIONALE

The Grassroots Trust supports the change to allow existing venues within the permitted gambling area to another venue within the permitted gambling area.

We outline our reasons to support the proposed change to the Class 4 Gambling Venue Policy below:

1. Retention Of Funds To Sport, Community & Education Groups

Grassroots Trust currently has 8 venues situated in Hamilton City which generate funds for the Hamilton City region:

- Yardhouse
- Homestead Bar and Eatery
- Bar 101
- Smokey's Pool And Gaming Lounge
- Smith & McKenzie Chophouse
- The Cook Café & Bar
- The Dinsdale Office
- The Riv

Each month, Grassroots Trust approves many grant applications for various organisations. Our recipients in Hamilton City for the year end March 2016 is included with this submission. In this financial year, we were able to support many smaller Hamilton City organisations as well as large community organisations and key community events including:

- Hamilton City Council
- Balloons Over Waikato Charitable Trust
- Child Matters
- Hamilton City Christmas Parade Charitable Trust
- Waikato Community Hospice
- Netball Waikato Bay of Plenty Zone
- Waikato Youth Empowerment Trust
- Home of Cycling Velodrome Project
- Hamilton Gardens Arts Festival
- True Colours Charitable Trust
- The Order of St John – Central Region Trust and Hamilton Area Committee
- Alzheimers Waikato Charitable Trust
- Sport Waikato Education Trust
- Swim Waikato Inc.

Grassroots Trust estimates that if one Hamilton venue with 18 gaming machines and an average weekly Gaming Machine Proceeds (GMP) of \$17,308.80¹ (based on current Department of Internal Affairs statistics) were to close and not replaced with another venue, there would be an approx. loss of \$313,063.51 (based on the required 40% return to community) per annum in funds to be contributed back to the local community, sports and education groups. There would also be an approx. loss of \$180,011.52 per annum in gaming duty to the government.

¹ Gaming Machine Proceeds by District and Society, Department of Internal Affairs, April-June 2015, www.dia.govt.nz

Current statistics from the Department of Internal Affairs shows that the number of venues within Hamilton City since 2010 has decreased by 3 and a reduction of gaming machine proceeds of approx. \$1,100,487.75². This represents an approximate total of \$382,778.35 (based on 40% RTC) reduction of funds available to the Hamilton City community so far based on the current average machine banking in Hamilton.

In 2014, Grassroots Trust was able to relocate the Class 4 18 machine venue licence from one Hamilton City venue situated in a Gambling Permitted Area to another venue located in the same gambling permitted area. This venue generates approx. \$23,000 a month or \$276,000 per annum (based on 40% RTC) to return to the Hamilton City community. This funding would have been lost under Council's current relocation policy.

2. Problem Gambling In Perspective

Grassroots Trust supports any measures that prevent harm caused by gaming machines however believes that restricting the relocation policy to outside is not likely to have an effect on problem gambling. There has never been a question that problem gambling is an issue for those that it affects and those around them; however we must put the issue of problem gambling in perspective.

New Zealand has almost the lowest rate of problem gambling prevalence in the western world – even the Ministry of Health ranks problem gambling as one of the least prevalent mental health issues affecting New Zealanders, reporting³:

- That between 98.2% and 99.7% of adults are not engaged in problem gambling;
- 99.5% of New Zealanders did not seek help for problem gambling issues last year, and
- Of those who played gaming machines 99.78% did not seek help.

All machines are fitted with PID's (Player Information Displays) these displays interrupt the player every 25-30 minutes of continuous play and advise the player how much they have spent and lost, and how long they have been playing for.

The current Ministry of Health "Preventing and Minimising Gambling Harm Six Year Strategic Plan (2010/11-2015/16)" has a range of objectives and actions to support the reduction of problem gambling and harm from gambling and includes the capture of data and trend analysis. We believe that these strategies need time to provide good data and strategic solutions to the problem gambling issue to see whether they are having a beneficial impact.

A full sinking lid policy in Hamilton is unlikely to have any effect on the number of problem gamblers in the city. By reducing the number of class 4 gaming venues, may actually drive gamblers away from the controlled environment of a gaming lounge, to an uncontrolled environment of online gambling which cannot be monitored at all; or other forms of gambling (TAB, Lotto, Casino).

² Summary of Expenditure by Territorial Authority/District, Department of Internal Affairs, June 2010-June 2015. www.dia.govt.nz

³ Problem Gambling in New Zealand, Ministry of Health, August 2012, www.health.govt.nz

3. Problem Gambling Support & Systems

Grassroots Trust and our venues understand the harmful effects of Problem Gambling and that problem gambling has a social, economic and health impact on individuals, their families and their work place.

There is already a regulatory requirement for staff and managers of Class 4 gaming venues to be trained in how to recognise problem gamblers and how to intervene appropriately to ensure that they seek help and support for their problem. This, in our view, is the most effective way of helping the very small proportion of people who have a problem to manage that, whilst leaving the greatest proportion of people to fulfil their legitimate desire to gamble responsibly.

Grassroots Trust provides significant funding to the Ministry of Health through an annual levy (\$324,564.00 in the year end March 2016). This funding helps problem gambling providers in Hamilton, including the Problem Gambling Foundation, the Salvation Army Oasis Centre and Gambling Helpline.

Grassroots Trust provides significant on-going training to venues on how to identify and support problem gamblers. We also provide the following resources to venues:

- Grassroots Trust Harm Minimisation Policy
- Quick Reference Guides to help identify problem gamblers
- Harm Minimisation Incident Diary to record any problem gambling issues
- Problem Gambling pamphlets
- Ministry of Health Problem Gambling pamphlets and posters
- Valued Customer Letter with information for problem gamblers
- Exclusion orders and an exclusion order process
- Signage to display in and around the gaming room



Venue resources to assist with problem gambling provided by Grassroots Trust

Grassroots Trust's venues also partake in the multi-venue exclusion (MVE) program which currently operates across all Class 4 and casino venues in Hamilton which provides Problem Gamblers with the option to exclude themselves from other venues within city boundaries. Problem Gambling Foundation currently administers this program in Hamilton.

Grassroots Trust believes the most effective way to identify and treat problem gambling is by human interaction. We are focusing on delivering better systems at a venue level to ensure we identify any persons who may be having difficulty with gambling.

4. Gaming Machine Gambling as an Entertainment Option

The hospitality industry is a key component to the economic development of Hamilton City and a reduction in class 4 venues and gaming machines could have an impact on the variety of entertainment options within the industry available to local residents and tourists to Hamilton City.

We recognise that 'playing the pokies' is indeed a form of entertainment for many people. Not all players are problem gamblers, current research shows that between 98.2% and 99.7% of adults are not engaged in problem gambling⁴.

Recent documentation from the Ministry of Health also identifies that gambling can be a harmless entertainment activity from which people derive personal enjoyment and positive social effects. For example, a Department of Internal Affairs survey, People's Participation in, and Attitudes to, Gambling, 1985-2005 found, in the 2005 study, that 60% of participants said they gambled on class 4 gaming machines as a form of entertainment, and 16% as a way to be with people or to get out of the house⁵.

RECOMMENDATION

Grassroots Trust agrees with Council's proposed change to allow operators that currently operate within the gambling permitted area to be able to relocate to an alternative venue within the gambling permitted area.

⁴ Problem Gambling in New Zealand, Ministry of Health, August 2012, www.health.govt.nz

⁵ Problem Gambling Resource of Local Government, Ministry of Health, 2010, www.health.govt.nz

GRANT RECIPIENTS – HAMILTON CITY

Grassroots Trust Limited
1 April 2015 – 31 March 2016

Grant Total: \$4,308,267.77

Recipient	Amount
ACE Swimming Club Inc	\$24,858.16
Alzheimers Waikato Charitable Trust	\$35,000.00
Asthma Respiratory Services (Waikato) Inc	\$2,219.00
Balloons Over Waikato Charitable Trust	\$70,000.00
Barnardos New Zealand	\$7,500.00
Career Moves Trust	\$20,000.00
Child Matters	\$104,820.00
Claudlands Rovers Football Club	\$6,121.00
Community Development Trust	\$1,500.00
Deanwell School	\$15,000.00
Decision Reachout Toro Mai Trust	\$4,100.01
Dinsdale Playcentre	\$2,979.41
Dynamo Cycling & Sports Club	\$17,000.00
Fairfield College	\$25,653.00
Fairfield Otorohanga United Inc	\$5,000.00
Forest Lake Primary School	\$4,000.00
Fraser Tech Netball Club Inc	\$18,298.50
Fraser Tech RFC Inc	\$85,334.32
Glenview Primary School PTA	\$15,000.00
Hamilton Boys High School	\$100,000.00
Hamilton Christian Nightshelter Trust	\$2,500.00
Hamilton City Christmas Parade Charitable Trust	\$10,000.00
Hamilton City Council	\$80,000.00
Hamilton City Netball Centre	\$67,500.00
Hamilton Cricket Assn Inc	\$9,769.00
Hamilton Gardens Summer Festival Foundation	\$75,000.00
Hamilton Girls High School	\$15,000.00
Hamilton Golf Club Incorporated	\$10,000.00
Hamilton Inline Hockey Club Inc	\$5,000.00
Hamilton Junior Naturalist Club Inc	\$4,000.00
Hamilton Marist RFC	\$87,981.33
Hamilton Mountain Bike Club Inc	\$1,952.50
Hamilton Old Boys Cricket Club Inc	\$10,000.00
Hamilton Old Boys Rugby and Sports Club Inc	\$85,568.86
Hamilton Star University Cricket Club	\$9,077.40
Hillcrest Amateur Swim Club Inc	\$20,000.00
Hillcrest High Cricket Club	\$4,000.00
Hillcrest High Rugby Club Inc	\$1,339.08

Hillcrest Normal School	\$4,500.00
Hukanui Golf Club	\$5,000.00
Hukanui Primary School	\$5,400.00
Huntly West Primary School	\$3,500.00
Laura Fergusson Trust Inc	\$2,097.60
Life Community Services	\$5,000.00
Marian School - Hamilton	\$16,630.00
Melville AFC	\$7,500.00
Melville Cricket Club	\$5,000.00
Melville Intermediate School	\$5,960.00
Melville Rugby Sports Club	\$30,325.00
Midlands Hockey Inc	\$20,000.00
MS Waikato Trust	\$2,000.00
N Z Suicide Prevention Trust	\$3,000.00
N Z Water Ski Racing Assn	\$30,000.00
Nawton Primary School	\$27,144.50
Netball Waikato Bay of Plenty Zone	\$113,336.27
New Zealand Billiards & Snooker Association Inc	\$10,000.00
New Zealand Marist Rugby Football Federation Inc	\$17,925.00
New Zealand Wheelchair Tennis	\$3,660.00
Northern Districts Cricket Assn	\$343,600.00
NZ Council of Victim Support Groups Inc	\$1,000.00
NZ Harlequin Rugby Club	\$11,695.64
NZ Olympic Wrestling Union Inc	\$5,000.00
Peachgrove Intermediate School	\$17,835.00
Perry Outdoor Education Trust	\$20,000.00
Phoenix Netball Club	\$1,000.00
Pukete School	\$11,625.00
Royal NZ Plunket Society Waikato Area Inc	\$11,088.00
Sacred Heart Girls College - Hamilton	\$12,500.00
Silverdale Normal School	\$5,000.00
Sport Waikato Education Trust	\$45,999.20
St Columbas School Board of Trustees	\$2,700.00
St Johns College - Hamilton	\$29,613.15
St Josephs Catholic School Fairfield Parent Teacher & Friends	\$5,000.00
St Pauls Collegiate Old Collegians Assn Inc	\$20,000.00
Stroke Foundation - Hamilton	\$5,750.00
Tainui Waka Rugby Incorporated	\$15,294.95
Te Rapa Rugby Sports Club Inc	\$9,487.53
Te Rau Aroha Papakainga Trust	\$25,000.00
Te Whakaruruhau Inc	\$6,782.61
The Adastra Foundation	\$50,000.00
The Flagstaff Club Inc	\$50,768.00
The Heart Trust	\$3,684.00
The House of Grace Trust	\$4,500.00

The Order of St John Central Region Trust	\$10,000.00
The Order of St John Hamilton Area Committee	\$14,923.88
Toughlove Waikato Trust	\$934.00
True Colours Charitable Trust	\$61,080.00
Vardon School	\$4,000.00
Waikato Badminton Assn Inc	\$20,000.00
Waikato Basketball Council Inc	\$16,669.16
Waikato Breast Cancer Trust	\$8,688.00
Waikato Community Hospice Trust	\$52,682.12
Waikato Diocesan School Rowing Club Inc	\$17,660.00
Waikato Family Centre Trust	\$40,000.00
Waikato Golf Assn Inc	\$25,000.00
Waikato Indoor Sports Club Inc	\$4,144.23
Waikato Medical Research Foundation Inc	\$19,720.00
Waikato Paraplegic & Physically Disabled Assn Inc	\$2,000.00
Waikato Rugby Referees Association	\$39,200.00
Waikato Rugby Union	\$1,630,963.29
Waikato Seniors Tennis Club Inc	\$3,445.00
Waikato Society of Arts Inc	\$3,000.00
Waikato SPCA	\$5,000.00
Waikato University Hockey Club Inc	\$12,500.00
Waikato University Rugby Football Club Inc	\$40,000.00
Waikato Valley Cricket Assn Inc	\$30,000.00
Waikato Youth Empowerment Trust	\$65,000.00
Wanderers Sports Club Inc	\$40,000.00
West Hamilton United Football Club Inc	\$20,063.07
Western Community Assn	\$5,000.00
Whatawhata Rugby Sports Club	\$8,000.00
Wolves Netball Club	\$2,622.00
Woodstock Primary School	\$7,000.00
YWCA of Hamilton	\$3,000.00

Committee: Strategy & Policy Committee

Date: 19 July 2016

Report Name: Chairperson's Report

Author: Brendan Stringer

Status	<i>Open</i>
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The Chairperson's report is attached as Attachment 1.

Recommendations:

That the Committee:

- a) receives the report.
- b) requests that a report on the costs of providing free Wi-Fi for visitors to the Municipal Building be presented to the 30 August 2016 Strategy & Policy Committee meeting.

1. Attachments

2. Attachment 1 - Chairperson's Report - Strategy and Policy Committee 19 July 2016



Chairperson's report

Municipal Building Wi-Fi

I attended the Older Persons Advisory Panel meeting on 17 June 2016 to update them on the work the Committee has done this triennium and what is remaining on the work plan until the end of the current term.

The Panel wanted to thank this Council on the work achieved this term.

Within the Panel's Minutes of the 15 April 2016, accepted at the June meeting, was a request from the Panel for Council to consider providing free Wi-Fi for public members within the Municipal Building. I support this initiative.

Council has working group and advisory panel meetings where participants of those groups volunteer their time for free to contribute to Council's plans and the future of the city. Those volunteers are currently required to use their own data plans if mobile access is required, sometimes at a cost.

RECOMMENDATIONS

That the Committee:

- a) receives the report; and
- b) requests that a report on the costs of providing free Wi-Fi for visitors to the Municipal Building be presented to the 30 August 2016 Strategy & Policy Committee meeting.

Councillor Angela O'Leary
Chair, Strategy & Policy Committee

Committee: Strategy & Policy Committee **Date:** 19 July 2016
Report Name: Strategy and Policy Committee **Author:** Brendan Stringer
 Open Minutes 7 June 2016

Status	<i>Open</i>
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Recommendation

That the Committee confirm and adopt as a true and correct record the Open Minutes of the Strategy and Policy Committee Meeting of 7 June 2016.

1. Attachments

2. Attachment 1 - Strategy and Policy Committee Open Minutes - 7 June 2016

Strategy & Policy Committee

OPEN MINUTES

Minutes of a meeting of the Strategy & Policy Committee held in Council Chamber, Municipal Building, Garden Place, Hamilton on Tuesday 7 June 2016 at 1:30pm.

PRESENT

Chairperson	Cr A O’Leary
Members	Her Worship the Mayor J Hardaker Cr G Chesterman Cr M Forsyth Cr M Gallagher Cr K Green Cr D Macpherson Cr G Mallett Cr R Pascoe Cr L Tooman Cr E Wilson Cr P Yeung
In Attendance	Sean Hickey – General Manager Strategy & Communications Lance Vervoort – General Manager Community Blair Bowcott – Executive Director Special Projects Kelvyn Eglinton – General Manager City Growth Chris Allen – General Manager City Infrastructure Deanne McMannus-Emery – Community Development & Leisure Manager Luke O’Dwyer – Economic Growth & City Planning Unit Manager Robyn Denton – Operations Team Leader Andy Mannering – Manager Social Development Judy Small – Disability Advisor Nick Chester – Social Development Advisor
Committee Advisors	Mr B Stringer and Mrs J Pani

1. Apologies

Resolved: (Crs O'Leary/Yeung)

That the apologies from:

- a) Councillor King; and
- b) Her Worship the Mayor Hardaker and Councillor Macpherson (for lateness),

be received and accepted.

2. Confirmation of Agenda

Resolved: (Crs O'Leary/Chesterman)

The Committee to confirm the Agenda.

3. Declarations of Interest

No members of the Council 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.

- **Gerri Pomeroy**, representing CCS Disability Action, spoke in support of Item 7 – *2016 Disability Policy Review* and the strategic and collaborative approach required to remove barriers for the disabled community to fully participate in society. The successful work of Council's Disability Advisor was noted.
- **Paul Burroughs**, representing Stroke Foundation Hamilton, spoke in support of Item 7 – *2016 Disability Policy Review* and Council's Disability Advisor position.

Councillor Macpherson arrived (1:34pm) during Item 4.

5. Chairperson's Report

Resolved: (Crs O'Leary/Wilson)

That the Committee:

- a) receives the report.
- b) notes the letter from the Minister of Senior Citizens, Honourable Maggie Barry.

6. Strategy and Policy Committee Open Minutes 3 May 2016

It was noted that Councillors King and Mallett were to be added as Mover and Seconder (respectively) to the Amendment for Item 6 – *Business Improvement District Policy Review*.

Resolved: (Crs O'Leary/Wilson)

That the Committee confirm and adopt as a true and correct record the Open Minutes of the Strategy and Policy Committee Meeting of 3 May 2016.

7. 2016 Disability Policy Review

At the invitation of the Chairperson, Councillor Gallagher, Chairperson of the Community Forum Subcommittee, highlighted the key discussion issues at the Subcommittee's meeting of 17 February 2016 in relation to the Disability Action Plan and the review of the Disability Policy.

The Community Development & Leisure Manager and Disability Advisor noted, and responded to questions on, the following points:

- **Changes to the Disability Policy**

- i. Staff recommended the draft Disability Policy 2016 ('the 2016 Policy') to reflect updated language and changes in the National Disability Action Plan, and to ensure there was consistency across Council policies.
- ii. The revision of the New Zealand Disability Strategy would commence in July 2016. While staff were confident that no significant changes would be required to the 2016 Policy as a consequence of that review, it was acknowledged that there would be no adverse effects should Council prefer to delay adoption of the 2016 Policy until the national project was completed.
- iii. Staff would amend the final sentence of the 2016 Policy to read:

"Performance against agreed actions and targets in the Disability Action Plan will be monitored and reported annually to the appropriate Committee."

- **Risk**

Staff acknowledged that the absence of a Disability Policy would be a risk that should have been highlighted in the report.

- **Accessible Bus Shelter and Kerb Programme**

Staff were asked to provide an update, in the next Regional Roundup Report, on this programme and the numbers of wheelchair users accessing Hamilton bus services.

- **Disability Action Plan**

- i. The audit of two city facilities for accessibility and upgrade (Action 5.1 in the Action Plan) was not time-critical, and was expected to be completed within six to twelve months.
- ii. Waikato Regional Council ('WRC') was responsible for implementing an audio announcements system at the Transport Centre, which would be considered after a current capital work programme was completed.

- **Financial Considerations**

- i. The draft 2016 Policy advocated for Council facilities to meet best practice standards within financial constraints.
- ii. Elements of the budget for monitoring and implementing the Disability Policy and Disability Action Plan (for example, Large print and e-book collections) were also used for other projects, including the implementation of the Older Persons Plan. It was too difficult to separately identify costs incurred for each project given the cross-team support provided by Community staff.
- iii. No additional funding had been requested by key stakeholders.

- **Total Mobility Programme**
Staff were aware of the difficulties encountered by the disabled community in accessing Total Mobility vans on Sundays. This was the subject of ongoing conversations with WRC and would be discussed under Item 10 – *Regional Operational Roundup*.
- **Social Housing**
Social housing needs for disabled people were funded and monitored through Housing New Zealand. The Social Housing Strategic Plan, from the third sector community, would provide a high-level strategy for Hamilton; it was expected to be presented at the Committee's Meeting on 19 July.

Her Worship the Mayor Hardaker arrived (2:25pm) during discussion on Item 7 and took part in the voting.

Resolved: (Crs Wilson/Pascoe)

Recommendation to Council

That:

- a) the report be received; and
- b) the draft Disability Policy 2016 and revised Disability Action Plan 2016/17 are recommended to Council for approval.

8. Older Persons Plan Annual Report

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

- **Older Persons Advisory Panel**
The Older Persons Plan, and its actions, were the responsibility of Council. The Advisory Panel had visibility of this matter.
- **New Actions**
Once the existing actions had been substantially achieved, it would be an appropriate time for the Plan to be reviewed and updated, with input from the Advisory Panel.
- **Social Housing and Health**
 - i. It was expected that social housing and health issues would be considered under the wider scope afforded to the Age Friendly Plan, as discussed at the last Committee meeting.
 - ii. The contract for the sale of Council's pensioner housing required reports from Accessible Properties New Zealand Limited, monitoring the post-sale process and environment, which would be presented to the Finance Committee.
- **Older Persons Communications Plan**
The Advisory Panel had provided advice on communication channels and processes used by Council for sending information to, and receiving information from, older people.

Resolved: (Crs Gallagher/Yeung)

Recommendation to Council

That:

- a) the report be received.
- b) the following completed actions from the Older Persons Plan and Older Persons Plan Annual Implementation report be removed:
 - i. Action 5 – Develop guidelines for council information in formats more accessible to older people;
 - ii. Action 13 – Deliver six mobile technology workshops to Hamilton Rest Homes; and
 - iii. Action 19 - The Older Persons Advisory Panel will develop a plan for communicating with and obtaining the views of older people by June 2016.

Councillor Macpherson dissenting.

Councillor Mallett left the Meeting during debate on Item 8 (3:05pm) and did not take part in the voting.

The Meeting adjourned from 3:10pm to 3:30pm.

9. Future Proof Update

The Executive Director Special Projects ('Executive Director') and Economic Growth & City Planning Unit Manager ('CP Unit Manager') introduced the report and noted that the Future Proof Strategy was proceeding through an update process, following which it would be subject to public consultation in 2017. The Executive Director and CP Unit Manager suggested the Committee consider, and staff respond to questions in relation to, the issues section-by-section.

Established Settlement Pattern

Staff recommended the status quo, as detailed in the Hamilton Urban Growth Strategy ('HUGS') and Regional Policy Statement ('RPS'), as Hamilton had sufficient land to accommodate urban growth even with a high growth projection.

- **Statistics**

- i. Statistics New Zealand's medium growth data, used by staff, was regularly updated. However, different growth models were favoured by each of the three territorial authorities that were represented at the Future Proof Implementation Committee ('the Implementation Committee'). It was suggested that the Future Proof Strategy should be aligned to the National Policy Statement on Urban Development ('NPS') in terms of the statistical model used.
- ii. The models used by Future Proof did not detail the variance of growth within Hamilton's boundaries; which was considered under HUGS.

- **Infill**

- i. The target that infill would provide 50% of ongoing development capacity was incentivised in the RPS and Council's Proposed District Plan ('PDP'). Hamilton currently achieved 40-60%; whether this was sustainable after the next 10 years remained uncertain.
- ii. Staff were not aware of any planning impediments to achieve the infill target.

iii. The Central City Transformation Plan contemplated an opportunity for residential development in the central city, implementation of which was at an early stage.

- **Competition**

Future Proof would consider competition for land use, both within and outside Hamilton's boundaries, at upcoming meetings of the Implementation Committee.

- **Timeframes**

Council could alter the sequencing or timing of the development of land within the city boundaries, which was held for urban growth, if required.

Strategic Agreement with Waikato District

The Executive Director referred to the three sections of land that were the subject of Council's strategic agreement with Waikato District Council ('WDC'), identified as HT1, R2 and WA on Attachment 4 in the staff report. That agreement allowed Council and WDC to review and amend the timing at which those cells of land would be brought within Hamilton's boundaries. While staff's assessment was finely balanced, staff recommended that the highlighted land remain within WDC's jurisdiction until such time as it was needed for urban development.

- **Sequence and Timeframes**

i. Section 81 of the Resource Management Act required an authority to make such changes to its District Plan as is necessary within two years from the time additional land was included within its jurisdiction.

ii. The development of such additional land could occur at a later point in time. However, changes to Council's District Plan as a result of boundary changes would be fully contestable.

- **Community of Interest**

A number of factors were relevant when boundary changes were negotiated and consulted on; community of interest being one of them. There had been no discussion with local communities in the affected areas at this stage.

Potential strategic agreement with Waipa District Council ('Waipa DC') – Southern Links

Staff proposed that Council enter into an agreement with Waipa DC for the land, identified as 'Southern Links Land Extension' on Attachment 5 in the staff report ('the Extended Area'), to be transferred to Hamilton City Council's jurisdiction at a future point in time.

- **Proposed Boundary**

Use of the Waikato Expressway as a boundary was not recommended by staff in this situation, as a significant part of the land, highlighted yellow on Attachment 5, was already developed. It would be difficult to include such land with the Extended Area that would be signalled for new urban residential development. The focus was to have land that could be used for future urban growth in Hamilton.

Growth in Neighbouring Districts

The Executive Director highlighted the key issues of this section as:

- Growth in WDC and Waipa DC towns, as listed in paragraphs 72 to 78 of the staff report;
- Growth in WDC and Waipa DC villages; and
- Large-scale industrial growth, with concern expressed at any proposed development beyond that already included within the RPS.

- **Infrastructure Costs**

Staff recommended that Council should adopt a flexible approach regarding requirements for

future growth of neighbouring villages and town; to impose restrictive terms on other authorities could be counter-productive. Such a position did not preclude robust debate with other Future Proof partners. The Future Proof Strategy did not imply that Hamilton would contribute or cover the costs for other authorities' infrastructure requirements.

- **Villages**

Villages are distinguished from towns in the Future Proof Strategy to provide certainty for regional infrastructure requirements, for example for the New Zealand Transport Agency ('NZTA'). The strategy did not prevent WDC or Waipa DC making decisions on growth for such villages or towns.

- **Hamilton Zone**

The area identified as the Hamilton Zone in the National Policy Statement was clarified, which differed from the territorial boundaries of Hamilton.

During discussion on Item 9:

- Councillors Wilson (3:55pm), Tooman and Forsyth (both 5:15pm) retired from the Meeting;
- Councillor Mallett returned to the Meeting (4:00pm), and then retired from the Meeting (5:20pm); and
- the Meeting adjourned from 5:20pm to 5:30pm.

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

Recommendation to Council

That:

- a) the report be received;
- b) Council confirm the following position as a basis for advocacy by Council's representatives at the Future Proof Implementation Committee in relation to the update of the Future Proof Growth Strategy and Implementation Plan 2009:
 - i. That the established Hamilton Urban Growth Strategy (HUGS) settlement pattern remains Council's strategic position and that growth cell staging will continue to occur in accordance with planned HUGS sequencing, noting that changes in sequencing remains Council's decision. This includes the 50% Infill:Greenfield targets and progressing Peacocks Stage 2 as the next major residential growth cell.
 - ii. That the City has an adequate allocation and appropriate staging of industrial land within the Ruakura, Te Rapa North and Rotokauri areas to provide for future growth needs.
 - iii. That Council acknowledges and supports the growth planned in existing towns in the Waikato and Waipa Districts, in line with the existing Future Proof strategy, provided they are developed with appropriate community and social infrastructure, not just 'core services', while ribbon growth along the Waikato Expressway is resisted and that further connections to the Waikato Expressway are kept to a minimum.
 - iv. That growth of the villages around Hamilton should be generally aligned with what is anticipated in the existing Future Proof Strategy, including the use of clear urban limits and allowing for gaps between the City/towns and villages.
 - v. That any large scale residential, commercial or industrial development in the Waikato and Waipa Districts above and beyond that already anticipated by the existing Future Proof Strategy or the Regional Policy Statement will be of potential concern.
 - vi. That an implementation action be included in the Future Proof update to negotiate a Strategic Agreement with Waipa District Council in relation to the Waipa District land on the City-side of the Southern Links designation, and with Waikato District in relation to land bordered by Southern Links, east side of the Waikato River and the Waikato Expressway for the purposes of a long term urban land resource for the City beyond the current HUGS cells.
 - vii. That Council supports the use of population growth statistics that align with the National Policy Statement on Urban Development.
 - viii. That Council is to advance negotiations with Waikato District Council to bring HT1, R2 and WA into the City boundary ahead of the current dates in the Strategic Agreement as part of the Future Proof Review.
 - ix. That Council supports an independent assessment to validate growth projections (sequencing, area and timing) which is currently proposed by each Future Proof partner.

10. Regional Operational Roundup

The General Manager City Infrastructure ('GM City Infrastructure'), supported by the Operations Team Leader, responded to questions on the following points:

- **Total Mobility Scheme**

- i. It was clarified that the reference to 'the next committee meeting' in paragraph 51 of the staff report was in relation to the Hamilton Public Transport Joint Committee.
- ii. Staff would provide an update on the Total Mobility Scheme in the next Operational Roundup report.

- **Speed Management Demonstration Project**

The Speed Management Guide was due for release on 1 July 2016. As part of this, NZTA had undertaken significant data analysis to determine safe and appropriate speeds on specified routes. This would provide consistency as to speed limits across territorial boundaries. A regional implementation programme of the Speed Management Guide would then commence; the decisions on which would remain with each respective territorial authority.

- **Passenger Rail**

- i. The Land Transport Strategy considered future passenger rail requirements. Staff expected this to be a point of discussion at the next Waikato Regional Transport Committee workshop, and a more regular agenda item at that Committee's meetings.
- ii. The Frankton Rail Station and land near The Base in Te Rapa had been signalled as potential sites for passenger rail transport services in the future. Committee Members suggested staff should also consider 'greenfield' areas for passenger rail bases in Hamilton, given there was no guarantee as to the availability or accessibility of the two locations noted.

Staff were requested to keep Committee Members updated in terms of this issue and that it be addressed in future reports.

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

That the report be received.

11. Action List for 7 June 2016: and Actions Still Underway or Pending for HCC submissions to External Organisations

The General Manager City Growth updated the Committee in relation to Action 43, noting the BID Policy was updated to clarify 'business occupier' in terms of a separately used or inhabited part of a property.

Resolved: (Crs Pascoe/Chesterman)

That:

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

Item and Resolution Date	Original Due Date	Deferred To
Wairere Drive/Cobham Drive Overbridge (22 March 2016)	3 May 2016 Deferred to: 7 June 2016	19 July 2016 <i>Item will now be presented to a further Council Briefing to address additional information prior to reporting back to the Committee.</i>
Sustainability Principles and Stocktake (22 March 2016)	7 June 2016	19 July 2016 <i>Following constructive feedback on 24 May from members of the Sustainability Panel, further work is required to refine the Sustainability Principles.</i>
Sustainability Principles and Stocktake – Terms of Reference (22 March 2016)	7 June 2016	31 December 2016 <i>Any new Terms of Reference for the Sustainability Advisory Panel to be deferred until the Governance Structure is determined in the next Council term.</i>
Hamilton East Neighbourhood Plan (8 December 2015)	7 June 2016	19 July 2016 <i>Working Group continuing to collate information to report back to the Committee with a draft Plan.</i>
Beale Cottage Historic Reserve Management Plan (22 March 2016)	7 June 2016	19 July 2016 <i>Item to be deferred at the request of the Chair of the Working Group, as he will be absent from the June Committee meeting.</i>
Policy and Bylaw Review – Citizens Initiated Referenda Policy (3 May 2016)	7 June 2016	19 July 2016 <i>Additional work is required to complete the review.</i>
Hamilton Lake Domain – Reserve Management Plan Review (8 April 2015)	3 May 2016 Deferred to: 19 July 2016	30 August 2016 <i>Staff to present draft management plan to Council Briefing in July prior to reporting to the Committee on 30 August.</i>

The Meeting was declared Closed at 5:58pm

Committee: Strategy & Policy Committee

Date: 19 July 2016

Report Name: Hamilton Central City Safety Plan Annual Report

Author: Deanne McManus-Emery

Report Status	<i>Open</i>
Strategy, Policy or Plan context	
Financial status	<i>There is a budget allocated: Amount \$314,000</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is/is not considered to have a high degree of significance</i>

1. Purpose of the Report

2. To provide an annual update on the implementation of the Hamilton Central City Safety Plan.

3. Executive Summary

4. Delivery of the Safety Plan remains on track.
5. There continues to be improvement in the public's and business community's perception of safety in the central city.
6. The Peoples Project has been operating for 2 years and continues to deliver excellent outcomes in addressing issues for the city's homeless population.
7. The Police presence and patrols in the central city continues to have a positive impact on crime in the city.
8. The Plan was a finalist at the SLOGM Gala Awards earlier this year, and is also a finalist in the Community Engagement category of the GNZ Excellence Awards.
9. The Plan is being delivered within the budget set by Council.

10. Recommendations from Management – Recommendation to Council

- a) That the report be received.
- b) That Council acknowledges and thanks the stakeholders assisting with the implementation of the Plan and in particular the Hamilton Central Business Associations, the Police and the Peoples' Project.
- c) That the Hamilton Central City Safety Plan be changed to annual reporting in line with other Council Plans.
- d) That the following new action is included in the status report on the actions in the Hamilton Central City Safety Plan:

- (i) City Safe and central Library to work together to ensure library staff have strategies and training appropriate for dealing effectively with incidences of anti-social behavior.

11. Attachments

- 12. Attachment 1 - Hamilton Central Safety Plan
- 13. Attachment 2 - City Safe Actions 2016
- 14. Attachment 3 - Central Safety Success Indicators 2016
- 15. Attachment 4 - City Safety - Community Safety Survey - May 2016
- 16. Attachment 5 - City Safety - HCBA Safety Perception Survey - May 2016
- 17. Attachment 6 - City Safe 0800 calls 2016

18. Key Issues

19. Background

20. The Hamilton Central Safety Plan was adopted by Council in September 2014. The last 6 monthly reports were received by Strategy and Policy Committee on 24 February 2015 and 3 November 2015.

21. The 3 November 2015 Strategy and Policy Committee resolved that the following changes be made to the status report on the actions in the Hamilton Central City Safety Plan:

- Remove the 12 completed actions that have been previously reported on from the action list;
- Remove the 3 “no longer required” actions from the action list;
- Remove the 1 success indicator that is no longer required; and
- Report on trend comparative data for the 0800 calls in the next 6 monthly report.

22. The Hamilton Central City Safety Plan has been updated and is Attachment 1.

23. Status Report on the Actions

24. A status report on the actions contained in the Plan is Attachment 2. In summary;

- There are a total of 26 actions.
- 3 actions have been completed since the last report, with a total of 15 actions completed.
- 8 actions are on track to be delivered and are ongoing for continued monitoring.
- 1 new action to be included.

25. Status Report on the Success Indicators

26. The Plan has been updated and now has eight success indicators. The status report on achievements is Attachment 3.

- There are 8 success indicators.
- 2 success factors have been completed and are ongoing and will be regularly monitored.
- 6 success factors are on track to be delivered and are ongoing for continued monitoring.

- In preparation for this report Hamilton City Safety Perception Surveys were undertaken by the Council and the Hamilton Central Business Association (HCBA). To maintain consistency the same questions and methodology of surveying was used as in 2014, providing the benchmark for subsequent reporting.
27. The Community Survey Report is Attachment 4. The Business Survey report is Attachment 5. Both surveys compare the 2014, 2015 results with the 2016 results. In summary these surveys both show that there has been an increase in people’s perception of feeling safe particularly during the day and a marked improvement during the night time and early hours.
 28. Police targeted prevention activity continues in the Hamilton CBD, supported by HCC City Safe efforts, continues to demonstrate a significant reduction in offending and victimization. Increased foot patrols and targeted patrolling in the right places at the right times have contributed to a further 2.5% reduction in crime since the last report in 2015. There continues to be positive feedback from business and visitors to the city. Police will be available to respond to questions from the Committee.
 29. City Safe monitoring and report 0800 calls. Attachment 6 provides a summary of the calls for the period 1 July 2015-30 June 2016.
 30. There have been no infringements or prosecutions under the Safety in Public Places Bylaw or under the Litter Infringement Policy. City Safe continues to work with people to change behaviour and the continued presence of City Safe has vastly improved behaviour.
 31. The Peoples Project has been operating for nearly two years, and has assisted 211 people into housing, with 93% still in sustainable housing. Julie Nelson CEO Wisers Group will be available to respond to questions from the Committee.
 32. Zeal opened it door in March 2015, and since then 2015 has implemented 35 youth events with a total of 2,400 attendees, 100 creative workshops with a total of 46 recipients, and has provided 30 weeks of after-school hang outs with an average of 49 visits per week. Staff are working with Zeal to increase Youth engagement in the CBD.
 33. It is proposed to include an additional action to the Plan to support the Library staff to develop strategies to effectively deal with anti-social behaviour. This work has commenced and will be supported by the City Safe team.
 34. The Plan is a finalist in Local Government New Zealand (LGNZ) Excellence Awards, Community Engagement category. The winner will be announced at the LGNZ conference in July 2016. The Plan was also a finalist and recognised at the SOLGM Gala Awards earlier this year.

35. Financial and Resourcing Implications

36. The Plan is being delivered within budget set by Council. The budget that supports safety in the city is \$314,000 per year allocated as follows:

City Safe Ambassador Patrols	\$94,000
Bylaw monitoring and enforcement	\$80,000
Vegetation management	\$75,000
Litter collection and cleaning	\$65,600

There was also a one off capital cost to extend the CCTV Camera Network:

Extension of CCTV Camera Network	\$48,000
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The Council also approved a 3 year Multi-Year Grant of \$180,000 to Zeal to support young people in the central city.

Item 8

37. **Risk**

- 38. If Council did not support the Hamilton Central City Safety Plan, there is a risk that crime would increase and potentially impact Council’s reputation.

Signatory

Authoriser	Lance Vervoort, General Manager Community
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HAMILTON CENTRAL CITY SAFETY PLAN 2014 - 2017

PLAN PURPOSE
PEOPLE'S PERCEPTION OF SAFETY IS IMPROVED

OUTCOMES

SAFE
People feel safe in the central city

ATTRACTIVE
People enjoy being in central city spaces

FOR EVERYONE
People feel pride in the central city

GOALS

Reported crime is reduced

Reported nuisance behaviours is reduced

Hamilton will not have a homeless population by 2016

Young people engaged in a safe and responsible way

People use and enjoy public spaces

2014 - 2017 ACTIONS

- Expand the CCTV Network to provide 360 degree coverage including the river pathway by 2017
 - Review the role of the Alcohol Accord to deliver more effective support to the hospitality sector by June 2015
 - Review the Public Places Liquor Control Bylaw
 - Approve and implement the Local Alcohol Policy
 - Explore expanding the Smoke-free Environments Policy to include the whole CBD with designated smoking areas by November 2014
 - Implement the Local Approved Products Policy
 - Monitor the effectiveness of the increased level of litter collection approved in the 2014 Annual Plan
 - Investigate installing more effectively designed rubbish bins by June 2015
 - Continue the current level of service for graffiti removal
 - Monitor the effectiveness of the Alliance Contract delivery in the central city delivery in the central city
 - Increase vegetation management in key planting sites to improve central city appearance
 - Support the HCBA's initiatives: "Lick of Paint" and "Steam Clean"
 - City Safe and the central Library to work together to ensure library staff have strategies and training appropriate for dealing effectively with incidences of anti-social behaviour
- ✓ Develop a Communications and Engagement Plan by December 2014
 - ✓ Develop and produce effective reporting on key data by October 2014
 - ✓ With HCBA, support the People's Project in delivering self help training for businesses by October 2014
 - ✓ Increase Police foot patrols by September 2014
 - ✓ Complete a review of City Safe and implement any changes and new KPIs by December 2014
 - ✓ Provide Maori Warden patrols during weekday afternoons
 - ✓ Adopt the Safety in Public Places Bylaw by December 2014
 - ✓ Adopt a Litter Infringement Policy and the appropriate enforcement sections of the Litter Act by November 2014
 - ✓ Bylaw Enforcement Officers and Litter Control Officers by December 2014
 - ✓ Provide clear and effective signage by December 2014
 - ✓ The People's Project is implemented
 - ✓ Work with HCBA to develop a Truancy Free "no sale" zone
 - ✓ Monitor the effectiveness of truancy programmes delivered by other organisations (including Whai Marama Youth Services and schools)
 - ✓ Continue to support Zeal
 - ✓ Youth Advisory Panel to review the Youth Action Plan and recommend actions that contribute to the goals in this safety plan by June 2015
 - ✓ Review the Public Places Liquor Control Bylaw
 - ✓ Explore expanding the Smoke-free Environments Policy to include the whole CBD with designated smoking areas by November 2014
 - ✓ Review the role of the Alcohol Accord to deliver more effective support to the hospitality sector by June 2015

✓ = completed

SUCCESS INDICATORS

- Reported satisfaction levels for safety amongst central city users is 80% or higher by 2017
- 15% reduction in specified crimes in the central city by 2017, in line with the police target. Specified crimes: assault; offences against a person; burglary; theft (including shoplifting); property damage and environmental pollution; public order offences
- 25% reduction on 2014 reported nuisance behaviours by 2017
- Homeless population is zero by 2016
- Youth Action Plan is implemented
- ✓ Safety in Public Places Bylaw is implemented and enforced
- Central city safety and amenity data is available and publicly reported
- ✓ Litter Infringement Policy is implemented and enforced

ACTIONS	Timeframe	Status	Comments
City Safe and the central Library to work together to ensure library staff have strategies and training appropriate for dealing effectively with incidences of anti-social behaviour.		New action On Track	<ul style="list-style-type: none"> • City Safe has conducted role specific training with Library staff on three separate occasions. • City Safe and Library staff has teamed up for joint patrols. • The library has been added to City Safe patrol routes as a priority destination resulting in enhanced visibility. • City Safe have undertaken a security and crime reduction review and made recommendations to the Library to lessen opportunity for such to occur.
Expand the CCTV Network to provide 360 degree coverage including river pathway	Dec-17	On Track	<ul style="list-style-type: none"> • Ten additional CCTV cameras purchased as a result of CAPEX bid. Locations for camera installations were selected based on situational data, crime reporting and infill coverage requirements. • Three other cameras focussing on risk areas (2 at I Site and 1 at new 'Tongue of the Dog' sculpture • Discussions around accessing the existing external CCTV footage of various firms and businesses in a public/ private sharing arrangement that will enhance the CCTV network across the City continue. Connectivity issues and private firewall protections remain an on going challenge • A further 7 CCTV cameras were either upgraded or their location changed during the year in response to demand • CAPEX funding for additional camera purchases in the 2016/17 year have been approved in the LTP.
Review the role of the Alcohol Accord to deliver more effective support to the hospitality sector	Jun-15	Completed	<ul style="list-style-type: none"> • The Alcohol in CBD Group has effectively replaced the Alcohol Accord and continues to meet regularly (chaired by Police and involving Police, Council, ACC, Population Health, Bar Owners, Hospitality NZ, HCBA and Waikato University Student Union. • The Hamilton Alcohol in CBD Group is supported by a Licensees Network – that gathers and share information across the alcohol industry. • The big achievement of the year was the very successful four week 'Safe Zone' operated in Embassy Park during the lead up to the University Orientation Week and for the two week period

HAMILTON CENTRAL SAFETY PLAN – Action

ACTIONS	Timeframe	Status	Comments
			<p>following. Although the formal evaluation results have yet to be received, there is strong support for repeating the Safe Zone next year.</p> <ul style="list-style-type: none"> Other achievements include on going police training with staff working in the alcohol industry and introduction of shared communications equipment across facilities.
Review the Public Places Liquor Control Bylaw (renamed Alcohol Control Bylaw 2015)	Sept -15	Completed	<ul style="list-style-type: none"> The Alcohol Control Bylaw 2015 was approved by Council resolution on 16 December 2015 and came into force on 20 January 2016. This matter is now complete.
Approve and implement the Local Alcohol Policy		On Track	<ul style="list-style-type: none"> On 8 December 2015 the Provisional Local Alcohol Policy was adopted by Council. The Provisional Local Alcohol Policy was publically notified on 27 January 2016 and there was a 30 day appeal period for submitters. Three submitters have lodged appeals and until such time as they are finalised byway of negotiated settlement or decision from the Alcohol Regulatory Licensing Authority, the Proposed LAP will sit in abeyance.
Explore expanding the Smoke-free Environments Policy to include the whole CBD with designated smoking areas	Nov-14	Completed	<ul style="list-style-type: none"> A significant reduction in prevalence of smoking in Garden Place within the area covered by the Smoke Free Policy has been noted. Due to the potential implications for business owners as identified by HCBA, it was considered not practical to expand the area covered by policy at this time. Noting that the policy is educational and self-policing and is supported by persuasion rather than punitive enforcement. Staff will continue to encourage adherence with the existing policy via City Safe in an attempt to improve compliance. The recommendation is to retain status quo at this time.
Implement the Local Approved Products Policy		On Track	<ul style="list-style-type: none"> The Hamilton Local Approved Products Policy was adopted by Council on 27 February 2014. New regulations were introduced in 2014 revoking prior approval

HAMILTON CENTRAL SAFETY PLAN – Action

ACTIONS	Timeframe	Status	Comments
			<p>granted to a range of products. The intention of the regulations was to introduce a pre-market national assessment of these substances for safety and quality and would only allow low risk products to be sold.</p> <ul style="list-style-type: none"> • Potential importers and manufacturers need time to develop their systems in order to meet the new requirements. • There has been no new product approval to date. • Hamilton maintains an LAPP sensitive sites map and their wider buffer zones which identify where retail stores may be located. There have been no applications received for a retail licence to date.
Monitor the effectiveness of the increased level of litter collection approved in the 2014 Annual Plan		On Track	<ul style="list-style-type: none"> • The increased litter collection continues to be effective. To date there have no complaints received relating to the cleanliness of the CBD during the day, and only five requests to pick up litter during the 2015/16 financial year. • Litter in the CBD is an activity that the Infrastructure Alliance closely monitors.
Continue the current level of service for graffiti removal		On Track	<ul style="list-style-type: none"> • The Graffiti removal programme for the year end completed 5859 jobs, removing a total of 45,701 square metres of graffiti. • The end of year KPI of reported jobs completed within 2 working days was exceeded by 2% achieving 97%.
Monitor the effectiveness of the Alliance Contract delivery in the central city		On Track	<ul style="list-style-type: none"> • Regular co-ordination meetings involving the IA and Business Association have been occurring Bi monthly and positive feedback has been received around increased litter collection, recent sealing and gardening works.
Increase vegetation management in key planting sites to improve central city appearance		On Track	<ul style="list-style-type: none"> • Central City Planting in Civic Square and Victoria Street are completed with on-going maintenance of key sites being proactively managed. • Positive feedback received from the public. • Tree pruning work has occurred behind Sky City, Embassy Park and between Sapper-Moore Jones Place and south of the Museum to improve the views to the river.

HAMILTON CENTRAL SAFETY PLAN – Action

ACTIONS	Timeframe	Status	Comments
			<ul style="list-style-type: none"> The IA has increased service levels for the new Victoria Street planting. Only four requests with regards to landscaping in the CBD were received in the 2015/16 financial year.
Support the HCBA's initiatives: "Lick of Paint" and "Steam Clean"		Completed	<ul style="list-style-type: none"> The Lick of Paint initiative concluded in 2015 and has had positive outcomes for other business owners, who have taken part in the initiative, a total of 8 properties were completed in 2015. HBCA Board have approved a new initiative called the "Spruce Up" programme that will be part of their 3 year Strategic plan 2016-19

The actions under the Hamilton Central Safety Plan will be reviewed annually.

HAMILTON CENTRAL SAFETY PLAN – Action

Success Indicators	Timeframe	Status	Comments
Reported satisfaction levels for safety amongst central city users is 80% or higher by 2017	June- 2017	On Track	<ul style="list-style-type: none"> 79% of people feel reasonably safe or very safe during the daytime, which remains the same as reported in 2015 and 59% of people feel safe or very safe at night, (up from 57% to 59%).
15% reduction in specified crimes in the Central City by 2017, in line with the police target. <ul style="list-style-type: none"> Specified crimes: assault; offences against a person ; theft (including shoplifting); property damage and environmental pollution; public order offences 	June-2017	On Track	<ul style="list-style-type: none"> Unofficial Police statistical data indicate a further 2.5% reduction in crime since last reported in 2015. The data will continue to be collected and monitored over a 3 year period.
25% reduction in 2014 reported nuisance behaviours By 2017.	June - 2017	On Track	<ul style="list-style-type: none"> Unofficial Police statistical data indicate a 24% reduction in reported nuisance behaviours.
Homeless population is zero by 2016	Dec 2016	On Track	<ul style="list-style-type: none"> The People's Project has housed 103 additional people since August 2015, with a total of 211 since 2014. 93% remain housed. Of those housed, 80% have gone into private rentals, 13% HNZ, 6% other and 1% Hamilton City Council (prior to the sale of Pensioner Housing) The People's Project Governance Group continues to monitor the performance against the success indicator.
Youth Action Plan implemented	June 2016	On Track	<ul style="list-style-type: none"> Youth Action Plan commenced implementation in August 2015 and is achieving good results. The Annual Youth Action Plan report will be presented at the August 2016 Strategy and Policy Committee.
Safety in Public Places Bylaw is implemented and enforced	Dec- 2014	Completed (on going)	<ul style="list-style-type: none"> Embedded as business as usual. Regularly monitored.
Central city safety and amenity data is available and publicly reported	June – 2017	On Track	<ul style="list-style-type: none"> A set of reporting measures has been established to measure performance against the success indicators in the Plan, and is reported through Strategy and Policy Committee annually. This is the third progress report to Strategy and Policy.

HAMILTON CENTRAL SAFETY PLAN – Success Indicators

Litter infringement Policy is implemented and enforced.	Dec- 2014	Completed (on going)	<ul style="list-style-type: none">• Embedded as business as usual.• Regularly monitored.
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Hamilton City Safety Perception Survey - Community May 2016

This report provides an overview of key findings from the third Hamilton City Safety Perception Survey. This was carried out between 3 and 16 May 2016. Results have been compared with the original survey carried out in September 2014, and the second survey conducted in July 2015.

A total of 513 responses were collected, which compares to 584 collected in September 2014 and 337 collected in July 2015.

1. Methodology

Information collection was carried out in a consistent manner and the same questions were asked in all three surveys to ensure comparisons could be made.

The Community Development Advisors used iPads and were located within the CBD approved boundary over several days, during both daytime and night time to enable the community to complete the survey.

The Survey was also placed on the Hamilton City Council intranet.

2. Summary of Findings

General Perceptions of safety have improved in the May 2016 Survey, continuing trends seen in July 2015.

- A slight increase in respondents who consider they feel either very or reasonably safe in the central city. There was a particularly high increase in those feeling "very safe" during the day.
- The main movement in night time safety since July 2015 was from "somewhat unsafe" to "reasonably safe" – the extreme response rates remained unchanged but this shows a gradual shift to improved perceptions of safety overall.
- In terms of specific concerns in the central city, the level of concern generally remained unchanged, although there were some decreases around perceptions of crime as an issue.
- Just under 80% of survey respondents lived in Hamilton, similar to previous results.
- There was a significant increase of responses from those aged under the age of 30.

In terms of main concerns within the central city, respondents were asked to rate how concerned they were in terms of safety. The results are detailed in the figures below. The scale used in the survey was:



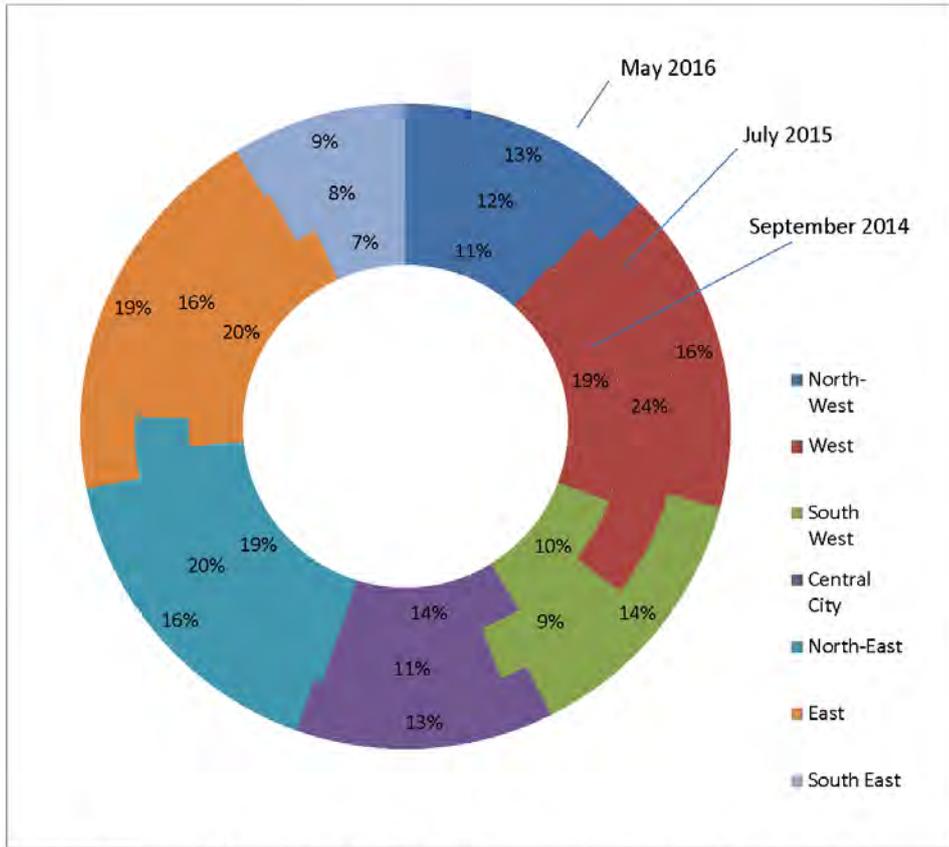


Figure 1: Responses to Question 2: Whereabouts do you live in Hamilton, September 2014 July 2015 and May 2016.

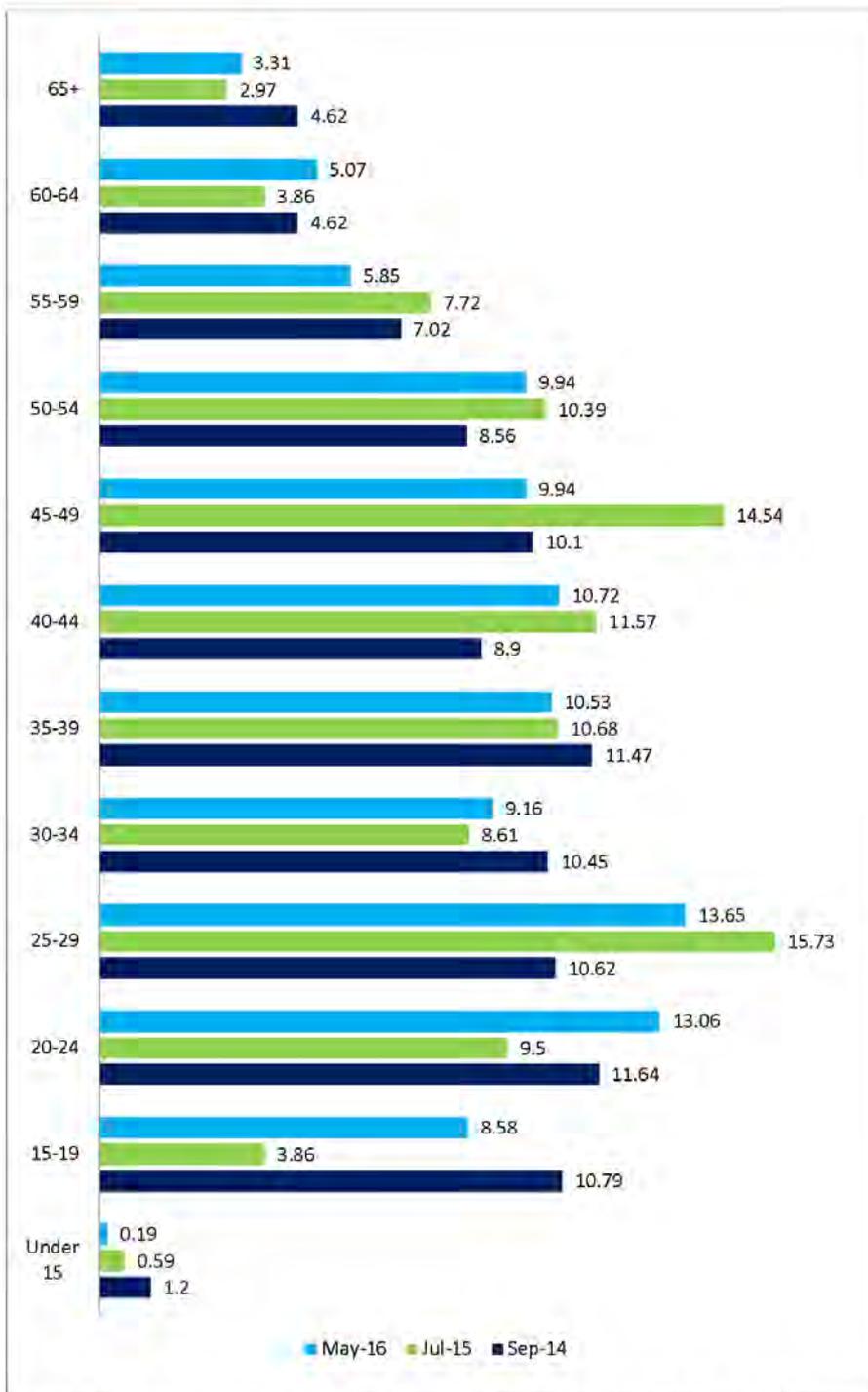


Figure 2: Response to Question 3: What is your age, September 2014, July 2015 and May 2016

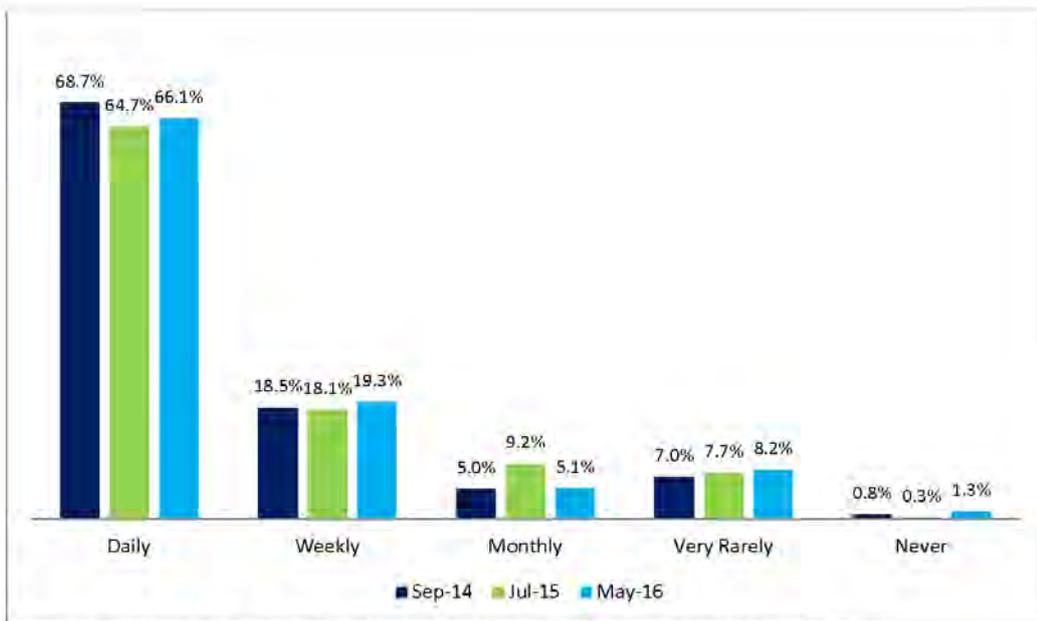


Figure 3: Responses to Question 5 – How often do you visit the central city during the day, September 2014, July 2015 and May 2016

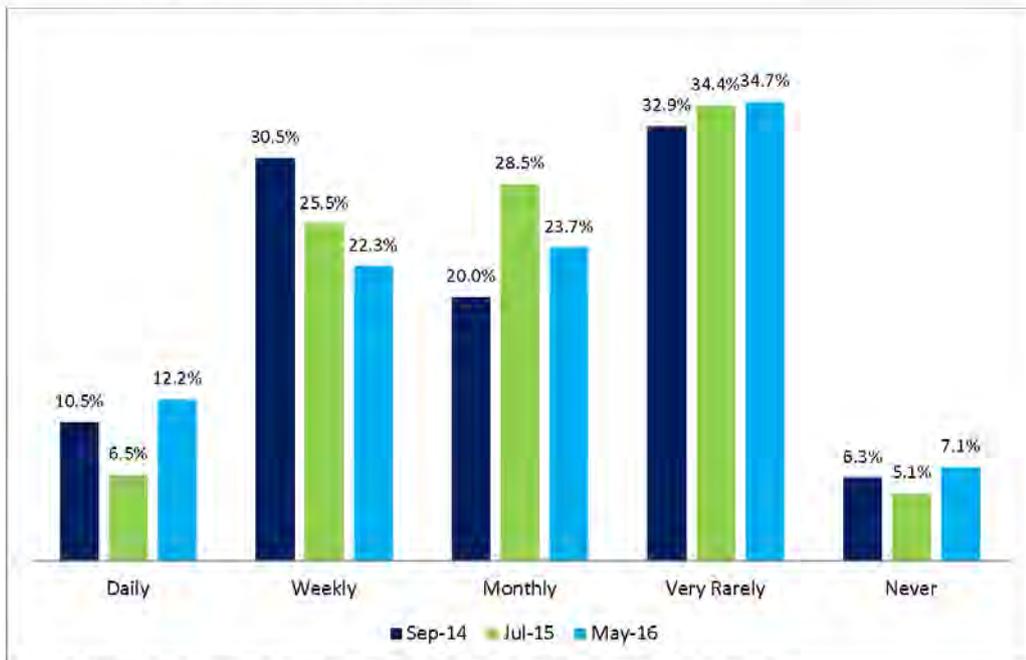


Figure 4: Responses to Question 10 – How often do you visit the central city in the evening/night, September 2014, July 2015 and May 2016

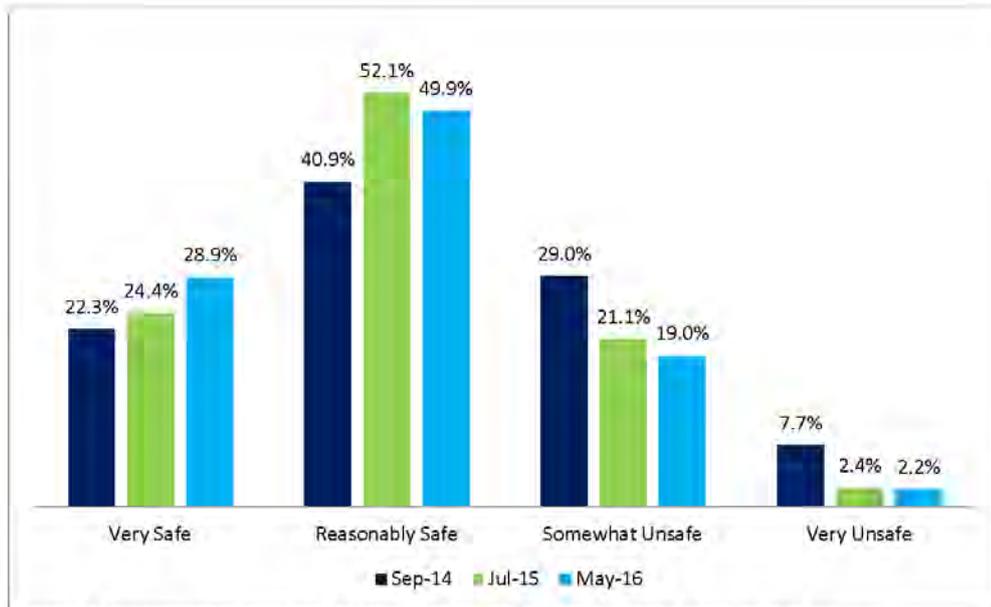


Figure 5: Responses to Question 8: How safe do you feel in the central city during the daytime, September 2014, July 2015 and May 2016

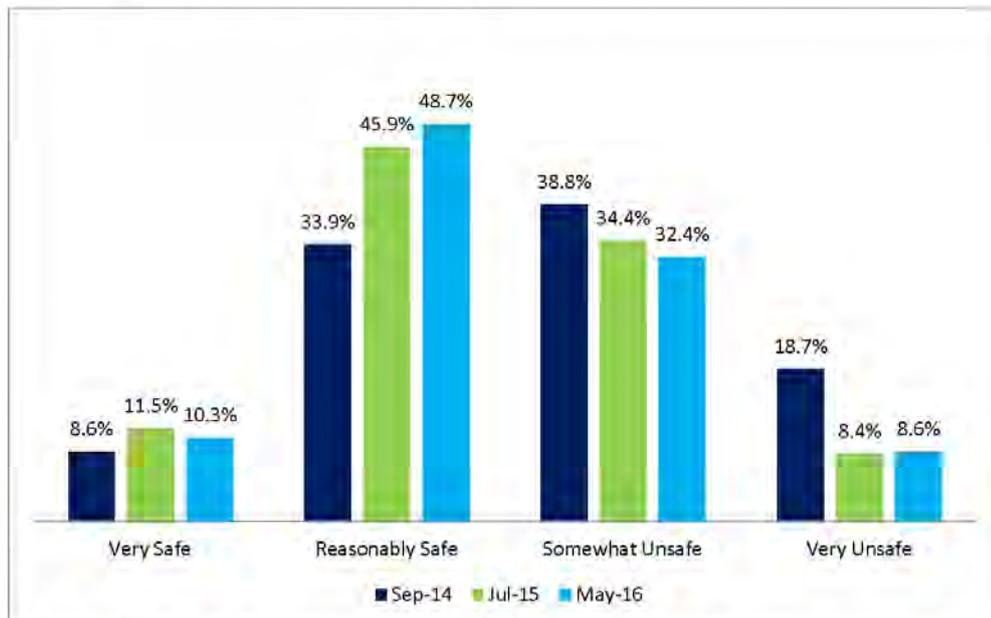


Figure 6: Responses to Question 13: How safe do you feel in the central city in the evening/at night, September 2014, July 2015 and May 2016

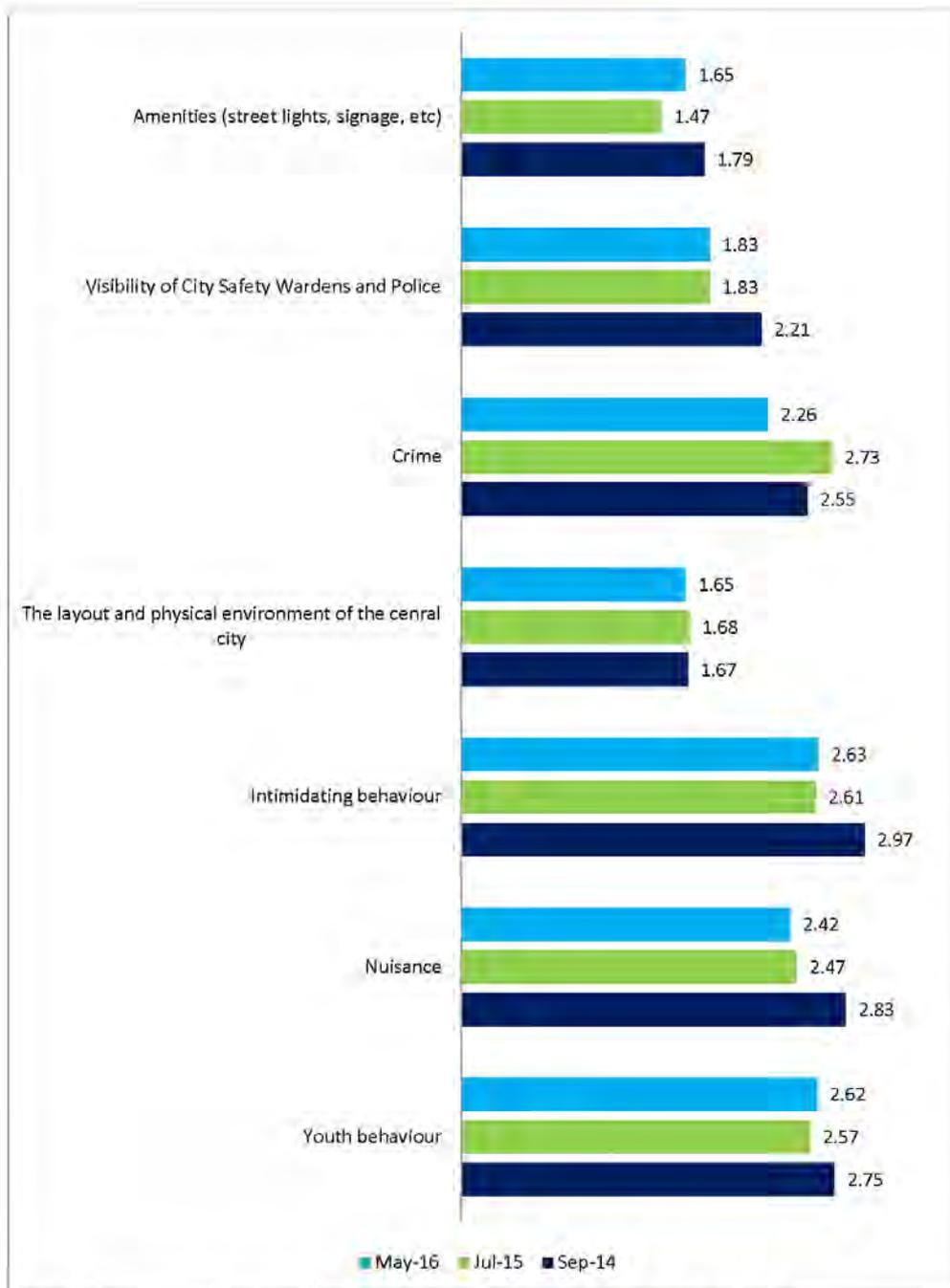


Figure 7: Responses to Question 9 – what are your main concerns about safety, in the central city during the day, September 2014, July 2015 and May 2016

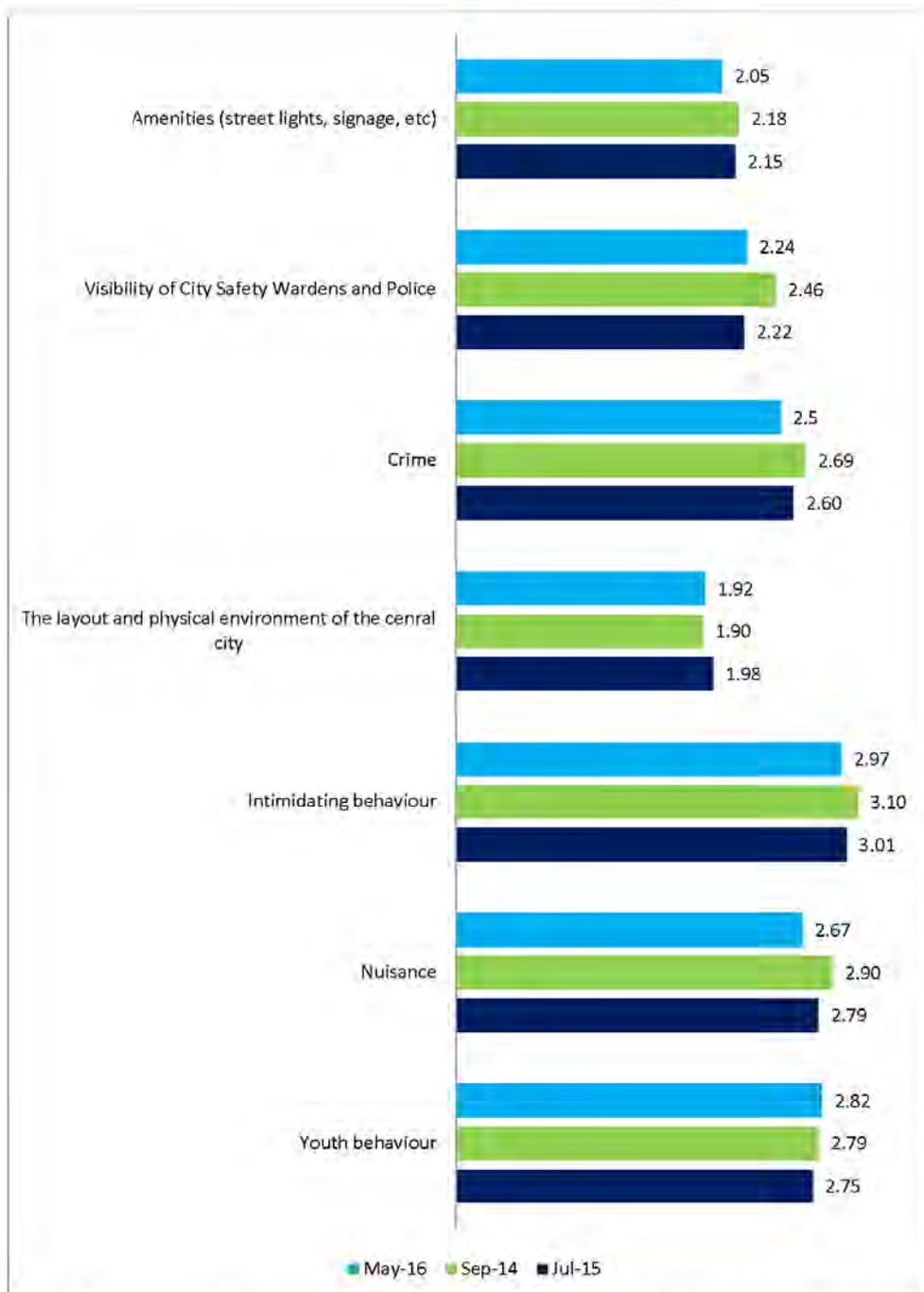


Figure 8: Responses to Question 14 – what are your main concerns about safety, in the central in the evening/at night, September 2014, July 2015 and May 2016

Hamilton City Safety Perception Survey - Business May 2016

This report provides an overview of key findings from the Hamilton Central Safety Perception Survey for Businesses. This survey was carried out in May 2016 by the Hamilton Central Business Association. Results have been compared with earlier surveys carried out in October 2014 and July 2015.

A total of 89 businesses participated in the survey. Of this group, 65 businesses filled out the majority of questions. This is an increase from 54 in the July 2015 survey.

1. Methodology

Information collection was carried out in a consistent manner to ensure comparisons could be made. Surveys were distributed by the Hamilton Central Business Association (HCBA) to businesses based in Hamilton Central. Results were provided to Hamilton City Council by HCBA.

2. Key Findings

- Generally speaking, changes between the July 2015 and May 2016 results are minimal. Both show significant improvements on the original survey responses from September 2014.
- Perceptions of Safety during various times over the 24 hour time period show a marked improvement during night time and early hours, but an increase in safety concerns during the daytime.
- Begging and people sleeping rough have increased as perceived safety issues for businesses, but other issues have seen a decrease in concern.
- The perception that layout features and amenities contribute to nuisance behaviour has increased slightly.
- Business noted a generally increased satisfaction with the agencies they contacted when they had safety concerns. However, satisfaction with Hamilton City Council decreased significantly in a further question*.
- There has been a decrease in the number of businesses feeling the need to contact other agencies for support in terms of safety.

3. Business Details

Businesses that completed the survey were of a similar nature to those that completed the earlier surveys. There was an increase in participating hospitality businesses from previous surveys (Fig.1). An increased number of medium sized businesses participated in the May 2016 Survey (Fig.2).

*It is worth noting that few businesses answered this question, leaving a very small sample size for answers to this question.

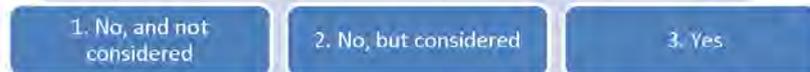
4. Frequency of Visits to the Central City

Businesses were asked to rate a number of factors and how much these were a problem for them. These included behaviours, times of day, layout and groups of people. Generally, results for May 2016 are similar to July 2015. Results are an average of all responses and are reported on the following scale. The lower the result, the less the factor was seen as a problem (Figs. 3-6).



5. Considerations

Businesses were asked what actions and approaches they had considered to address any safety concerns. These included responses, business considerations and agencies. Responses were similar to those reported in previous surveys (Figs. 7-8). Average response rates were assessed on the following scale:

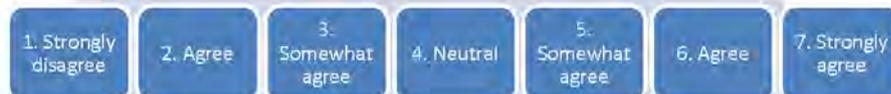


6. Satisfaction

Businesses were asked a number of questions to gauge satisfaction in terms of safety. July 2015 results showed some differences from previous surveys. However, for many of these questions, only a small number of responses were received, which may have an impact on how the results are interpreted (Fig. 9). Average responses were assessed on the following scale:



Businesses were also asked to assess their agreement with a number of statements to do with safety, police and City Safe presence (Fig. 10). Generally, May 2016 responses matched those of the July 2015 survey, although there were some differences. Average responses were assessed on the following scale:



7. Priorities

Survey respondents were asked to identify priority areas in terms of safety. There were significant differences between October 2014 and July 2015 (Fig. 11)

8. Survey Results (11 Figures)

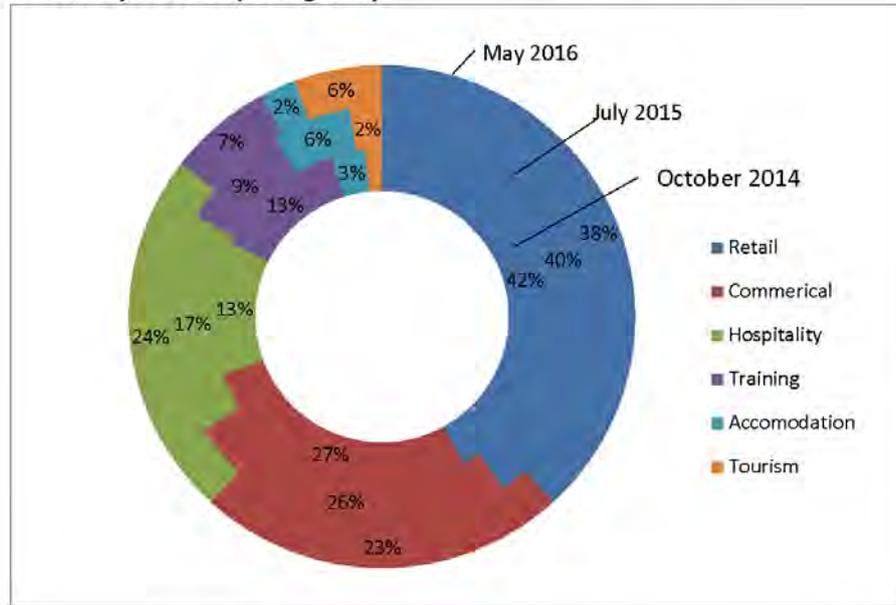


Figure 1: Responses to Question 4: Business Type, October 2014, July 2015 and May 2016

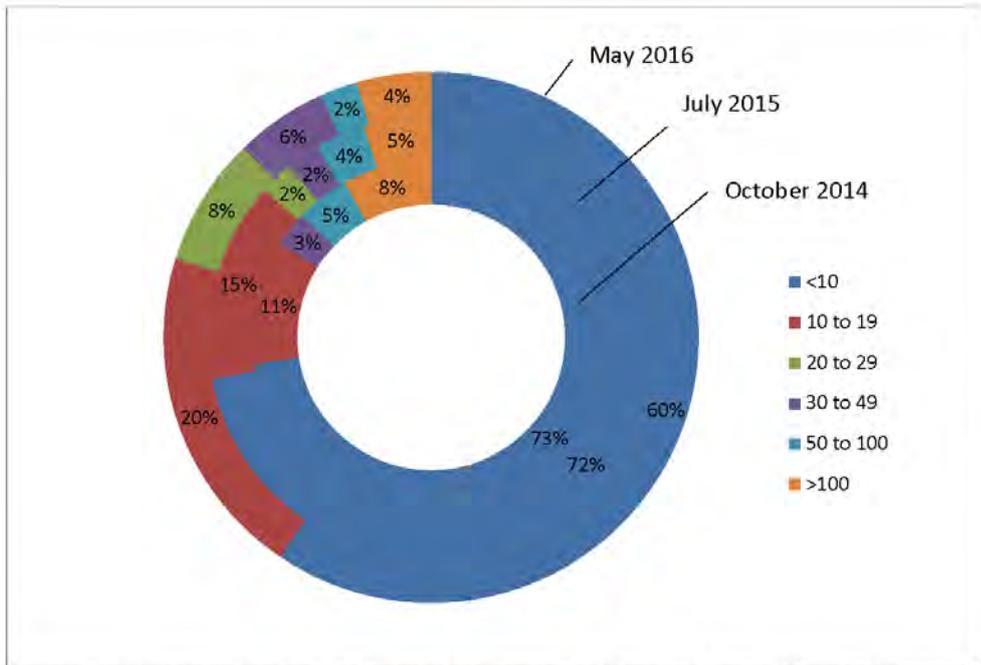


Figure 2: Responses to Question 2: Number of Employees, October 2014, July 2015 and May 2016

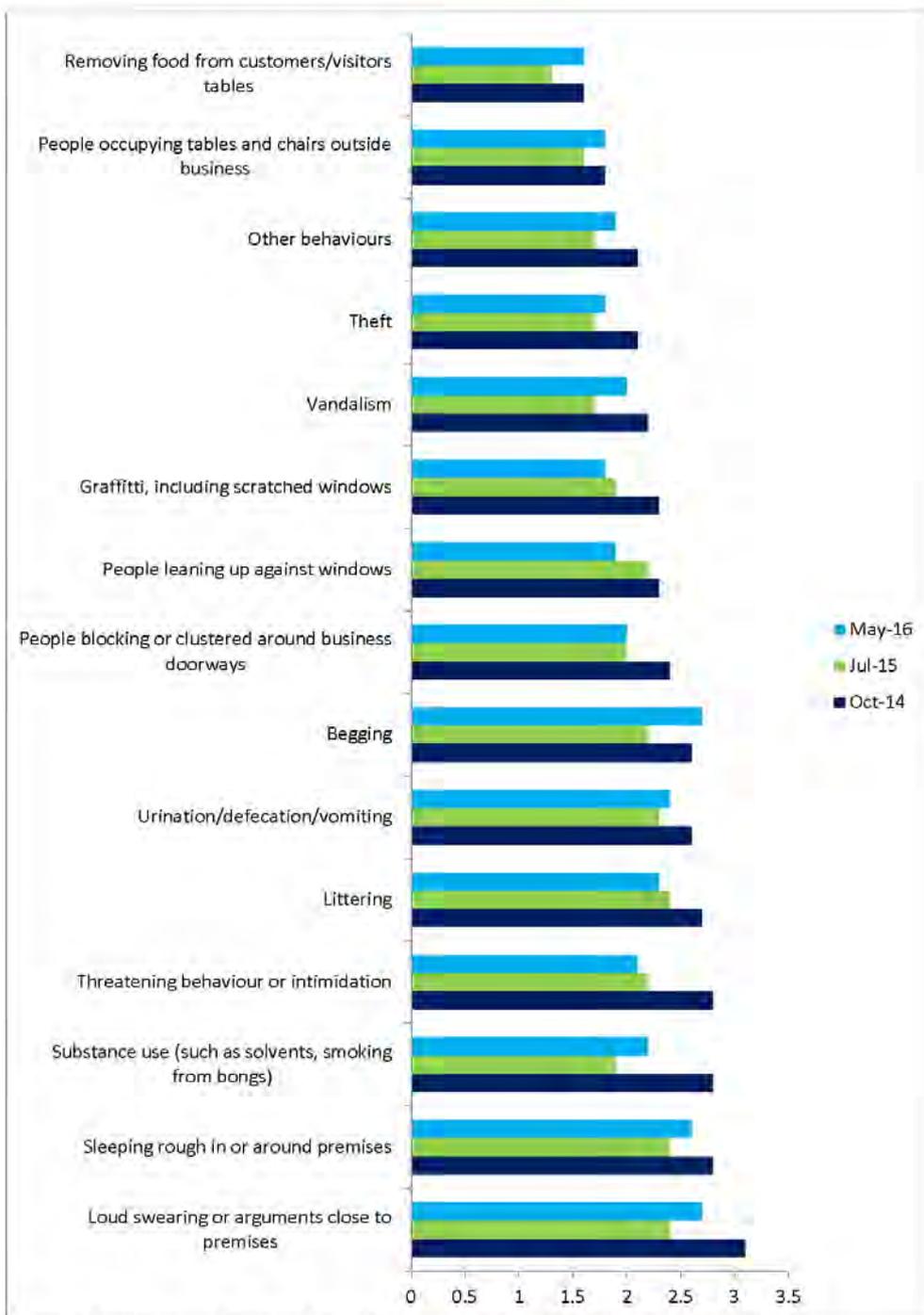


Figure 3: Responses to Question 5: "In the last six months, how problematic have the following behaviours been for your business?" October 2014, July 2015 and May 2016

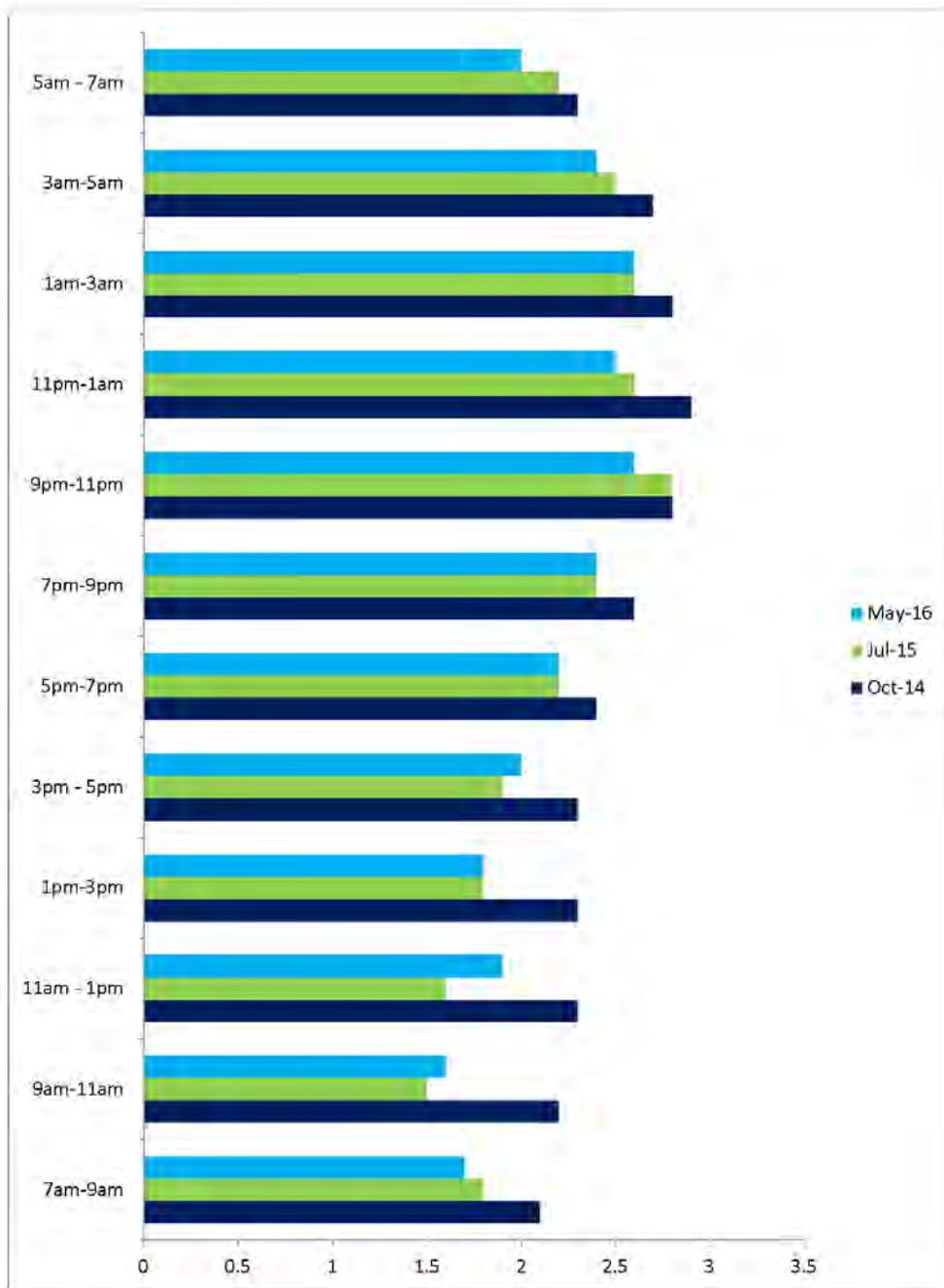


Figure 4: Responses to Question 8: "In the last six months, what is your perception of safety at different times of the day?" October 2014, July 2015 and May 2016

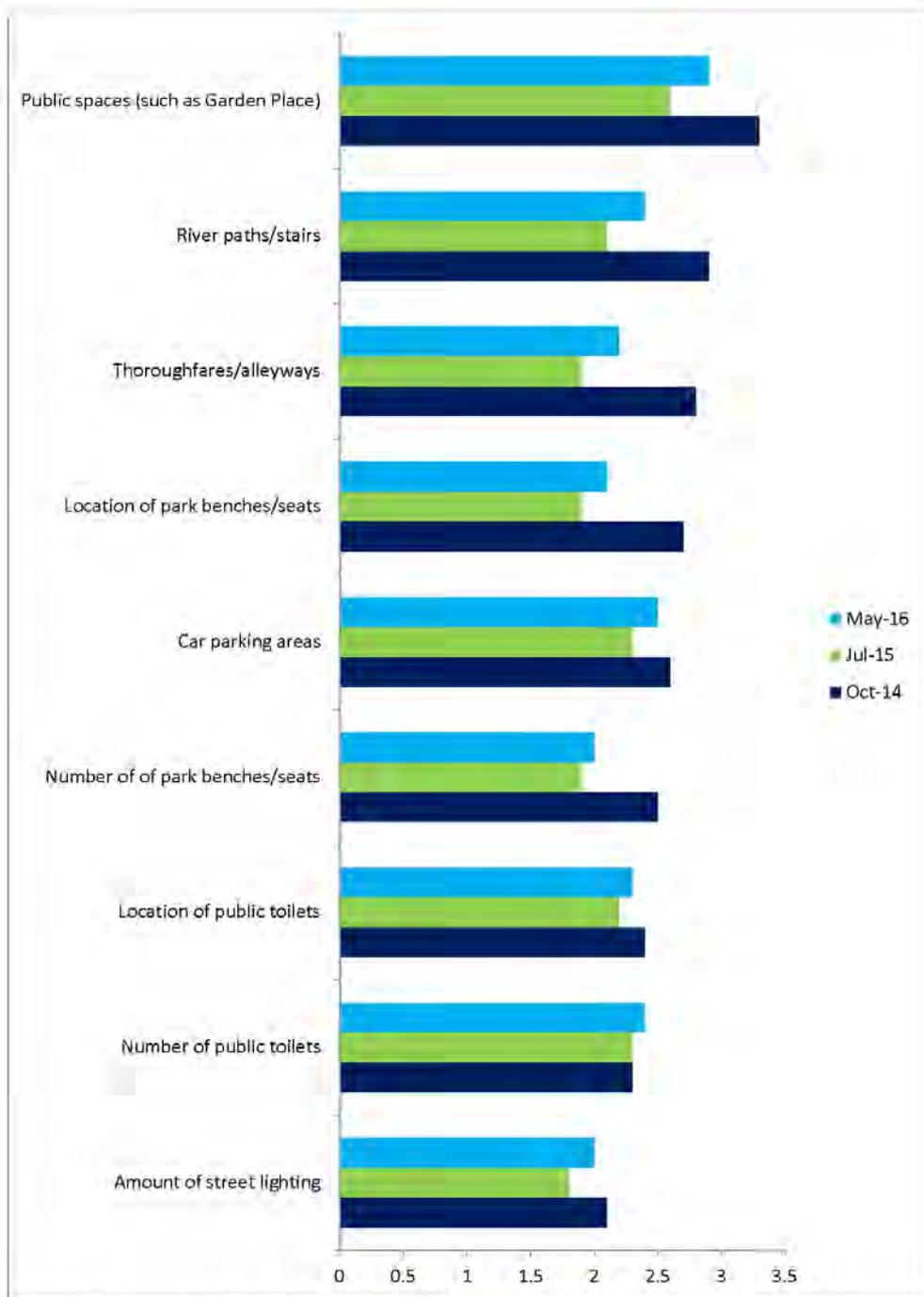


Figure 5: Responses to Question 9: "In the last six months, in terms of contributing towards nuisance behaviours, how problematic are the following Hamilton CBD layout features and amenities?" October 2014, July 2015 and May 2016.

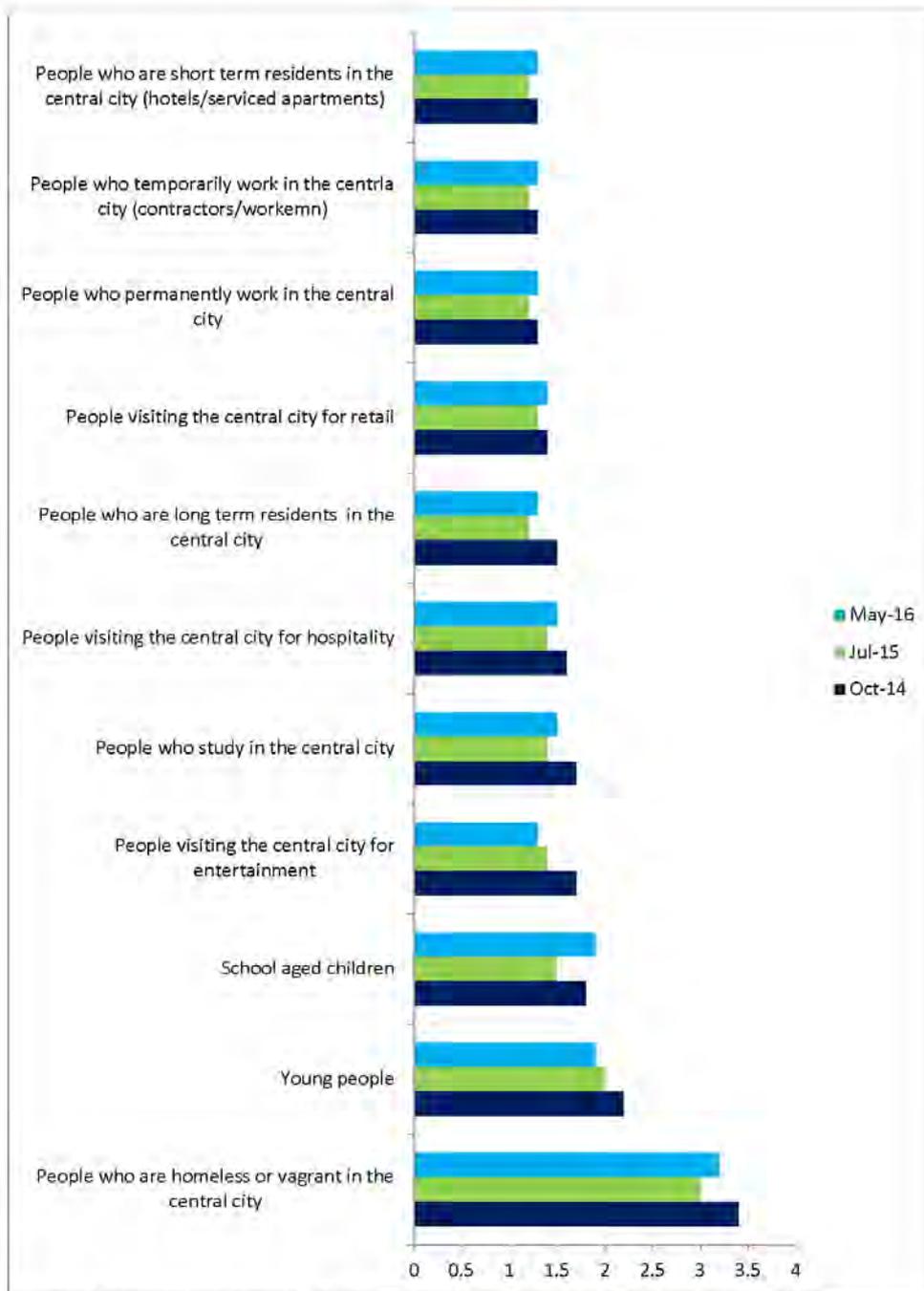


Figure 6: Responses to Question 7: "In the last six months, what is your perception of how problematic the behaviour of the following groups are?" October 2014, July 2015 and May 2016

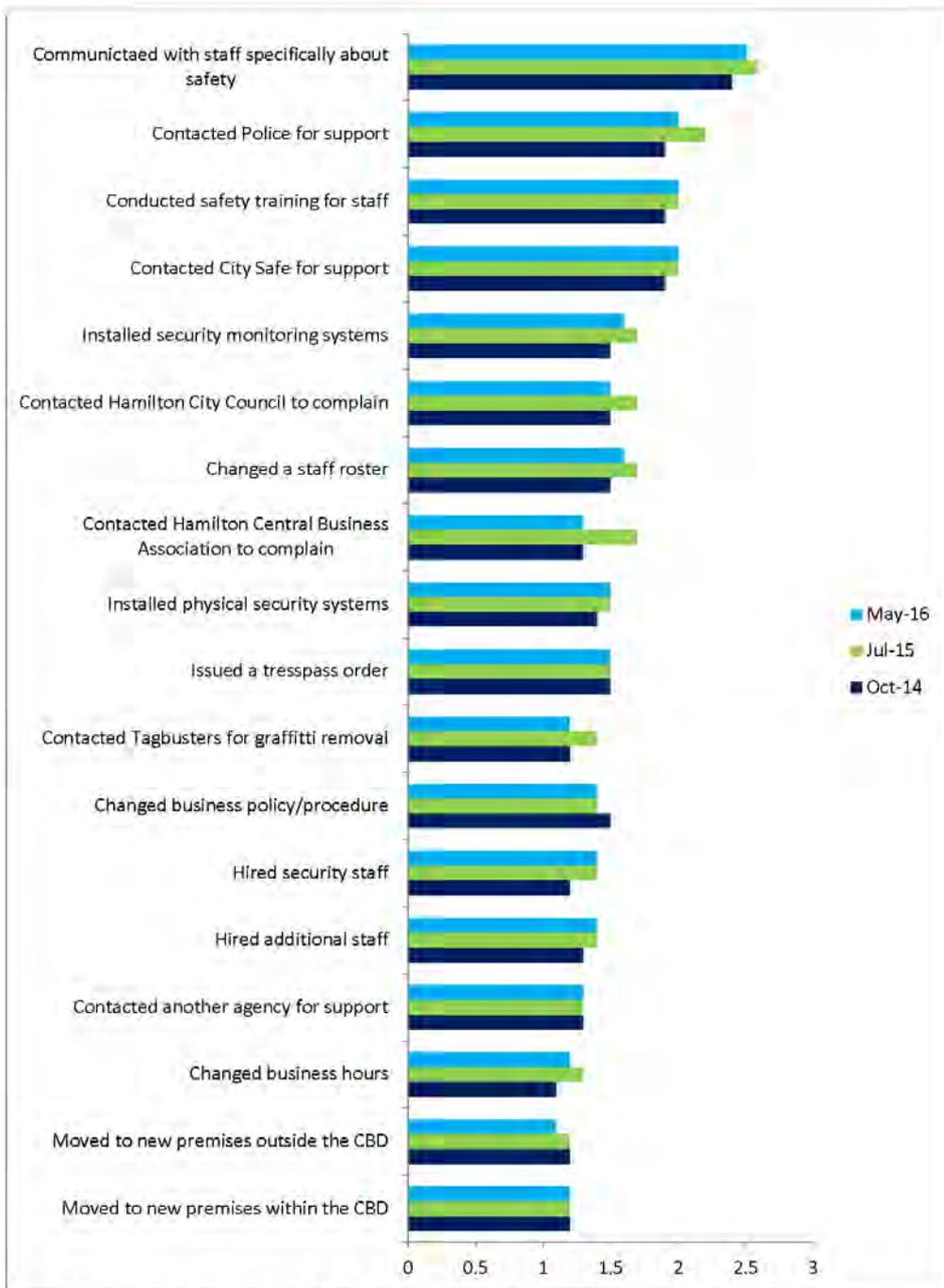


Figure 7: Responses to Question 6: "In the last six months, which of the following actions has your business taken in response to safety concerns or incidents?" October 2014, July 2015 and May 2016

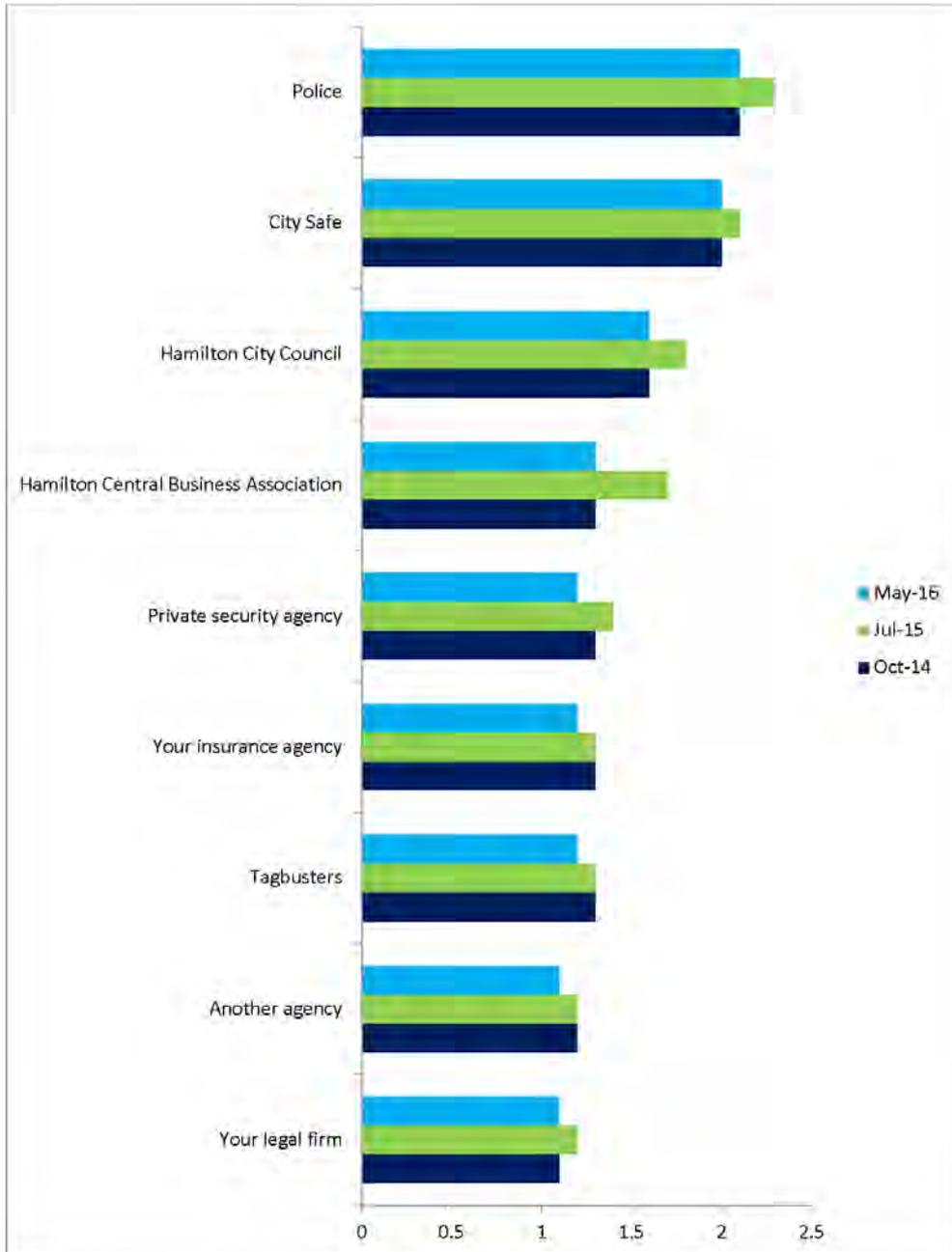


Figure 8: Responses to Question 10: "In the last six months, have you contacted any of the following agencies in response to safety concerns or incidents?" October 2014, July 2015 and May 2016

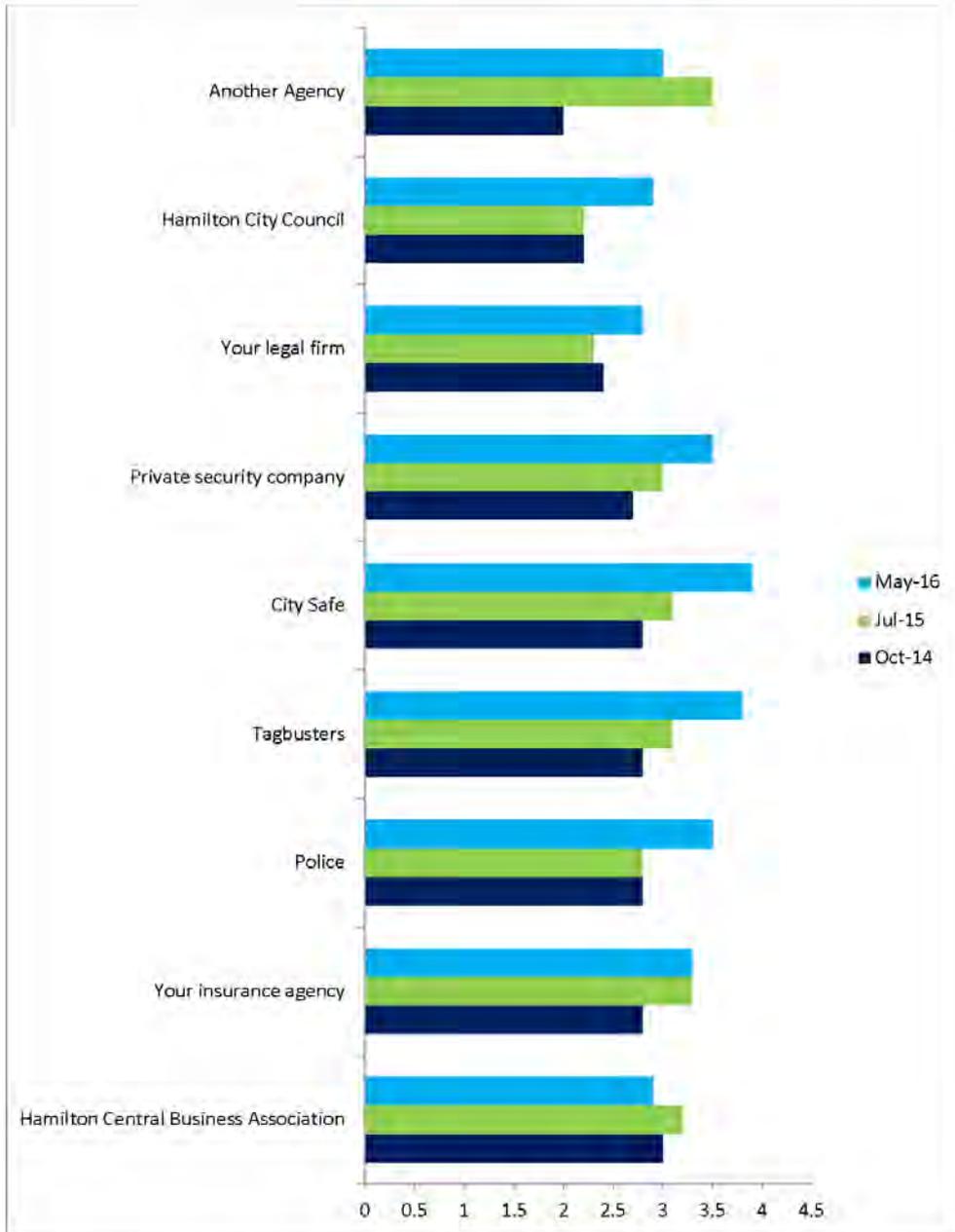


Figure 9: Responses to Question 11: "How satisfied were you with the response of the agencies you contacted?" October 2014, July 2015 and May 2016

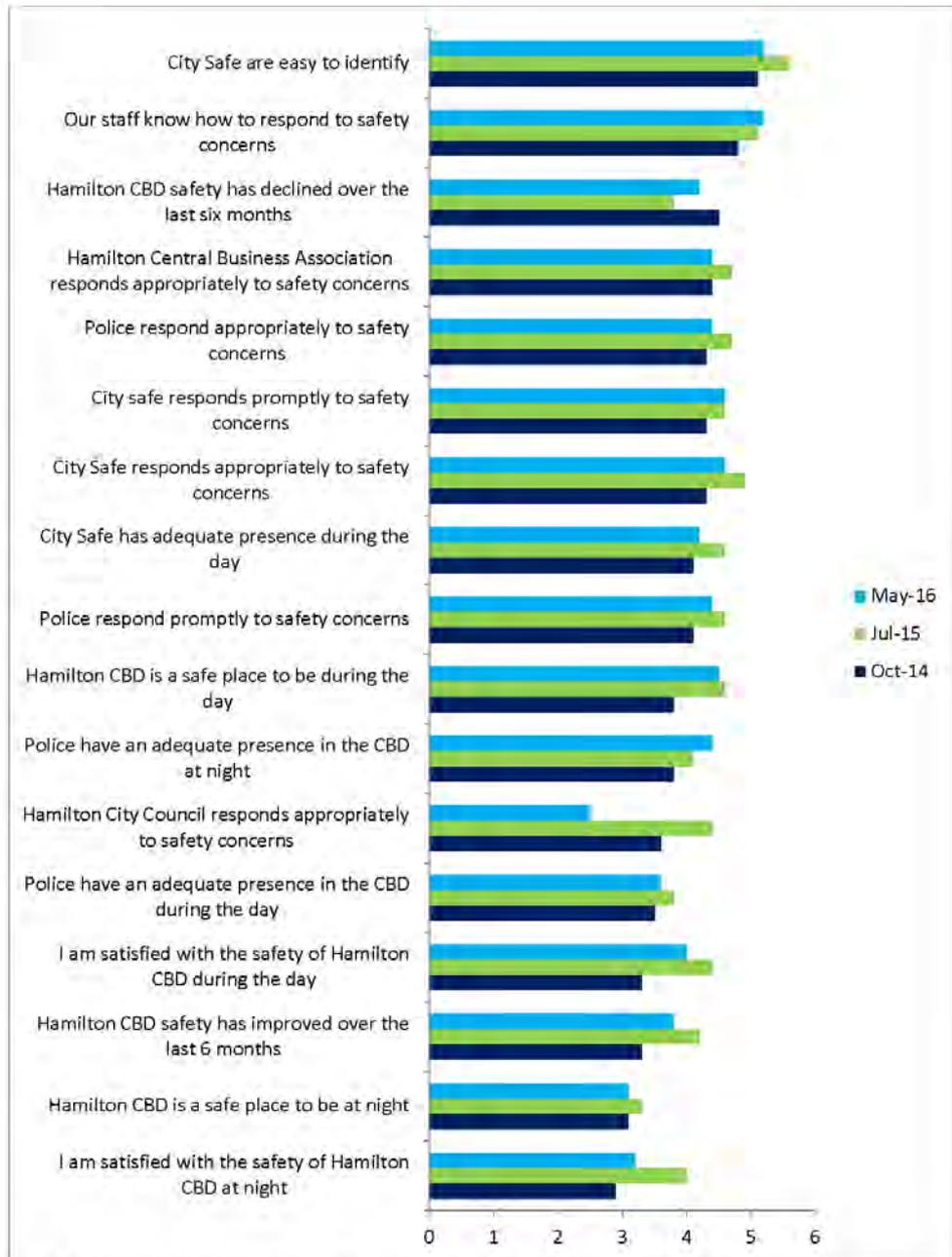


Figure 10: Responses to Question 12: "Please indicate your agreement with the following statements" October 2014, July 2015 and May 2016

9. Priorities

Survey respondents were asked to identify priority areas in terms of safety. There has been a significant increase in the proportion of businesses that see begging and sleeping rough as urgent issues. However, there has been a significant decrease in a number of other issues being perceived as in need of addressing (Fig. 11).

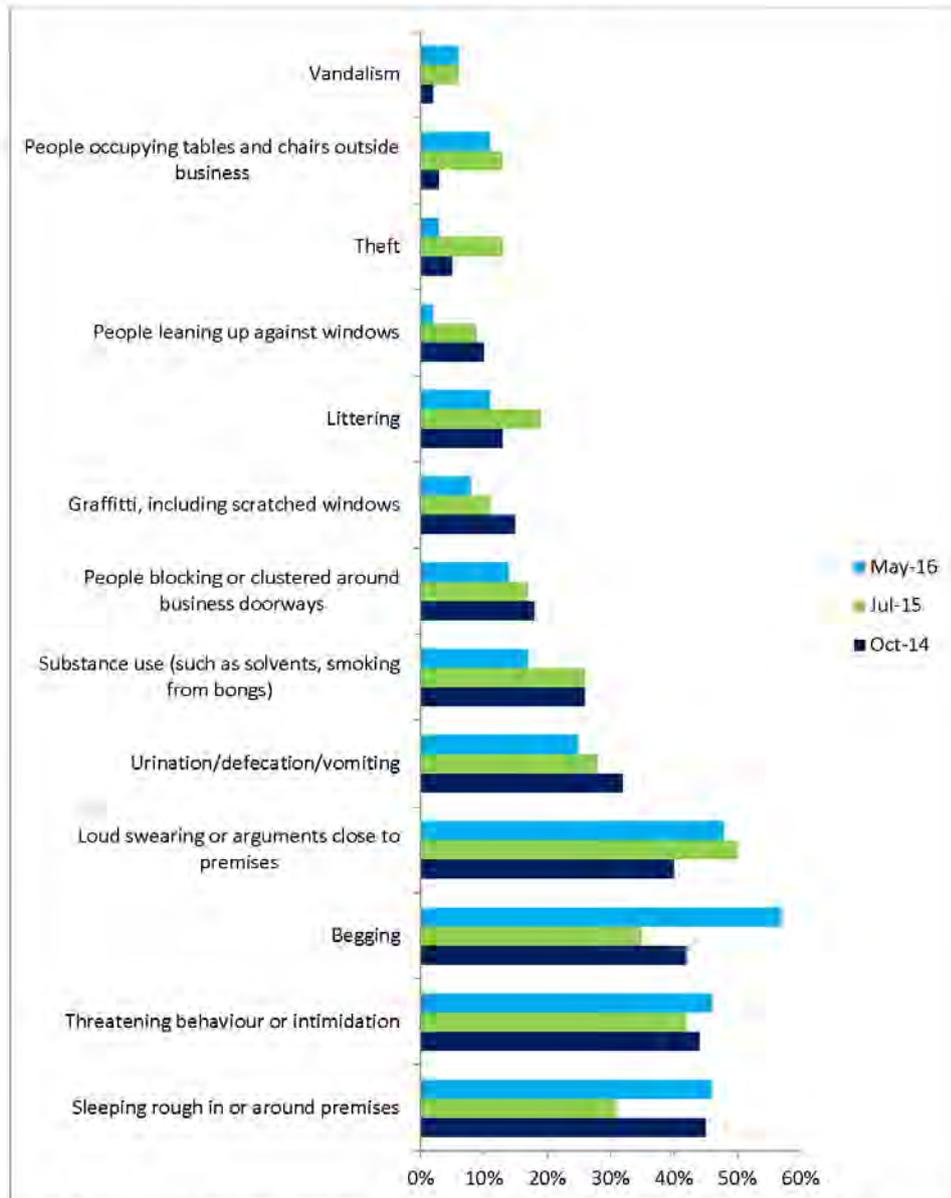
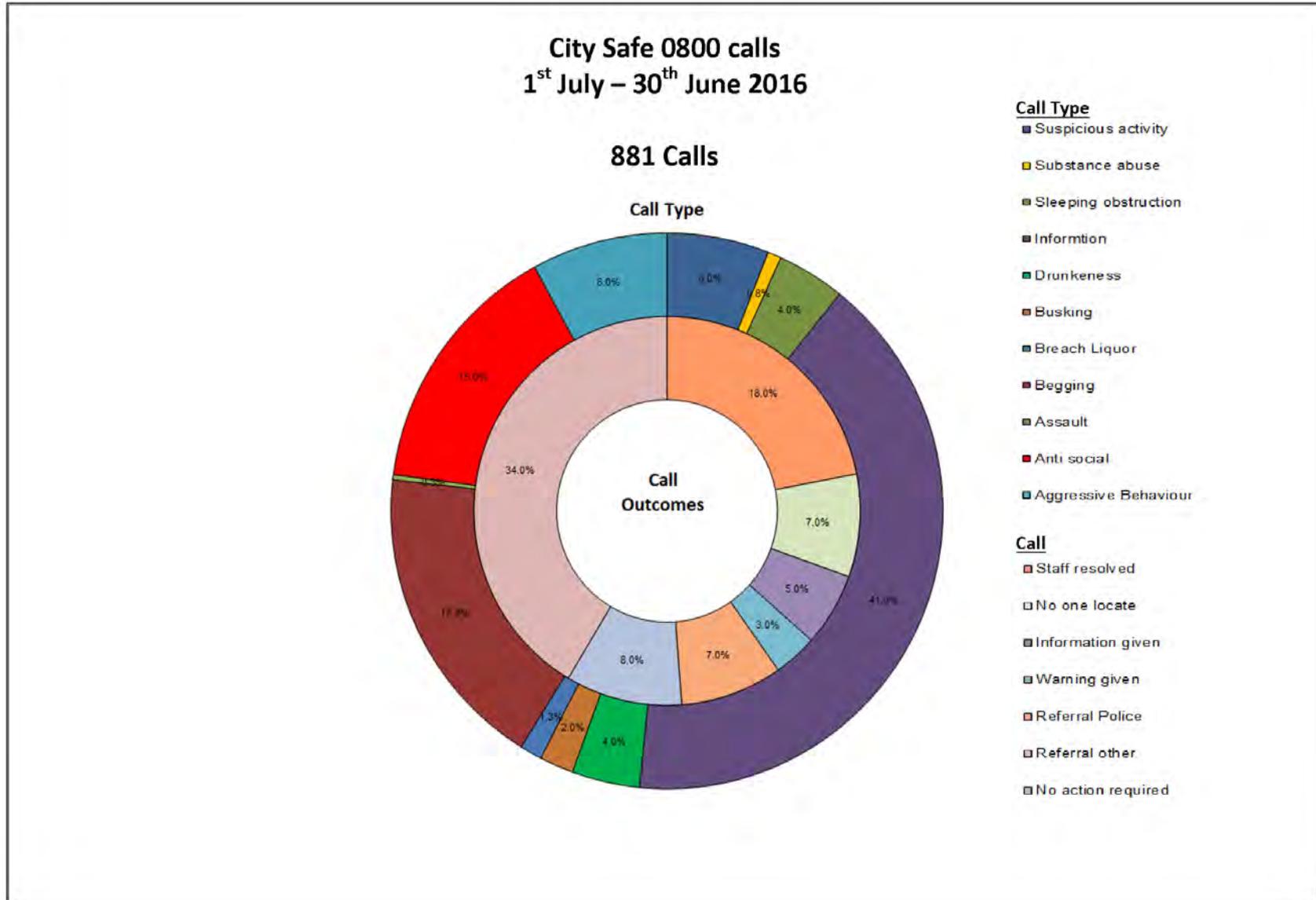


Figure 10: Responses to Question 13: "For your business, which three behaviours need to be addressed most urgently to improve city safety?" October 2014, July 2015 and May 2016



Committee: Strategy & Policy Committee **Date:** 19 July 2016
Report Name: Local Government New Zealand AGM 2016 - Remits **Author:** Sean Hickey

Status	<i>Open</i>
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1. Background

2. The Annual General Meeting for Local Government New Zealand is to take place on 24 July 2016 in Dunedin. Council's delegate to the AGM is Her Worship the Mayor Hardaker
3. Amongst other items the member authorities at the AGM have been asked to consider a number of matters ('remits') submitted from zones, sector groups or member authorities. If supported at the AGM, remits will be actioned by LGNZ. The LGNZ Remit Policy can be found [here](#). The remits for the 2016 AGM ('**2016 Remits**') are detailed in Attachment 1 of this report.
4. The 2016 Remits were included in the AGM papers received by the Chief Executive on Monday 11 July 2016. The Strategy and Policy Committee meeting on 19 July 2016 is the only Council committee meeting prior to the AGM. Members of the Strategy and Policy Committee are being asked to give direction to Council's delegate on the 2016 Remits.

5. Recommendations

That:

- a) the report be received; and
- b) Council provide direction to its delegate in relation to each of the 2016 Remits, as set out in Attachment 1 of this Report.

6. Attachments

7. Attachment 1 - LGNZ AGM 2016 Remits

7

Impact of dust on unsealed roads

- Remit:** That the Crown establish and support a working party in conjunction with Local Government New Zealand, NZTA, MBIE, Ministry of Health, Iwi and other affected parties to:
- a. investigate the impact of dust on human health and the environment as it relates to our unsealed road network; and
 - b. to develop a national strategy and policy for supporting Road Controlling Authorities to mitigate the effects of road dust on the environment and human health.
- Proposed by:** Far North District Council
- Supported by:** Zone 1 meeting, Whangarei, 3 June 2016

Background information and research

Nature of the issue

The total length of non-State Highways in New Zealand is around 83,000 kilometres. Approximately 40 per cent (33,749 kilometres) of these roads are unsealed¹. There is a large body of literature that suggests PM₁₀ (dust particles with an aerodynamic diameter of less than ten microns) emissions are a common issue linked with unsealed roads (Jones 2000, Kuhns et al. 2005, Williams et al. 2008, Kuhns et al. 2010, Ancelet et al. 2014). However, there is very limited New Zealand based empirical data. That said, in 2013 Northland Regional Council carried out monitoring of PM₁₀ within 50m of the carriageway of four unsealed rural roads in the region. The results of that work found that, over the 21 days of sampling, nearly half the sampling days exceeded the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (NES Air Quality) in terms of PM₁₀. More recently, and in recognition of the potentially significant impacts of dust from unsealed roads, the New Zealand Transport Agency (NZTA) commissioned Golders Associated Ltd to undertake research designed to quantify the environmental and health impacts of exposure to dust from unsealed roads in New Zealand (TAR 14/31). That work was commissioned in 2014 and NZTA has not released the final document.

A number of adverse effects can occur from dust arising from unsealed roads. These effects can range from nuisance associated with the emissions of coarser material; though to potentially significant adverse health impacts linked with the emission PM₁₀. In terms of the health implications of PM₁₀, these are well documented (see for example Ministry for the Environment 2003; World Health Organisation 2013) and include the exacerbation of respiratory and cardiovascular conditions including chronic bronchitis, exacerbations of asthma and post-neonatal respiratory mortality.

Background to it being raised

The National Land Transport Programme recognises that rural unsealed roads are an important lifeline for rural communities and contribute towards the GDP by servicing the primary production industry. However, the effects of dust generated from the nation's unsealed road network on the environment and human health is not a consideration under the current funding instruments - which focus primarily on the network and the safety of road users with little to no reference to the impacts beyond the immediate road corridor.

Dust emission from unsealed roads is potentially resulting in a significant adverse health impact on the people who reside near these roads. Furthermore, increased forestry traffic on unsealed roads is compounding the issue by grinding down the road aggregate and creating additional dusty material; and increasing the extent and frequency of the emission of this material. In recent years there have been a number of high profile road dust related issues throughout the country and it is reasonably clear that dust generation from unsealed roads is an ongoing issue common across most local authorities.

¹ Source: <http://www.transport.govt.nz/ourwork/tmif/infrastructureandinvestment/ii002/>

Given the scale of New Zealand's unsealed road network, the long term effects of prolonged exposure to dust from unsealed roads are a matter of public health concern at a national scale, yet the burden has fallen on Local Road Controlling Authorities to manage the issue. The Far North District alone includes around 1,600 kilometres of unsealed roads, many of which service the forestry industry. Sealing these roads is perhaps the most reliable solution to address the dust issues. However, road sealing comes at a significant cost, generally around \$300,000 per kilometre of road. In the past, Council implemented a seal extensions programme, which resulted in a gradual reduction of our unsealed road network. However, that programme ceased after NZTA changed the criteria for being eligible for the subsidy.

Without the NZTA subsidy, the road sealing programme would place a significant financial burden on the Far North District's approximately 40,000 ratepayers.

It is acknowledged, however, that even with external funding, sealing local road networks is not an affordable means of managing the dust issue. What is required is a sound, evidence based, strategic approach to addressing the problem – involving stakeholders from both central and local government.

Relationship to objectives in the current work programme

LGNZ has identified its policy priorities in its 2014/15 Policy Statement. The policy priorities are as follows:

1. Governance and performance excellence;
2. Regional development;
3. Sustainable funding for local government;
4. Infrastructure development;
5. Regulatory reform and policy setting;
6. Policy on environment issues; and
7. Strengthening local democracy.

The proposed remit has two broad components. First, that all affected agencies work collaboratively to gather evidence on the health impacts of road dust to better understand the problem in a New Zealand context; and second, that a national strategy and policy is developed to establish nationally consistent framework for addressing the issue. These two components are directly consistent with four of the seven policy priorities identified in the LGNZ Policy statement, namely policies 3-6.

Work carried out to date

As discussed previously, in 2013 NRC undertook monitoring of PM₁₀ within 50m of the carriageway of four unsealed rural roads in the region and found PM₁₀ levels were exceeded periodically. In 2014 NZTA commissioned research report TAR 14/31 'Impacts of exposure to dust from unsealed roads'. At the time of compiling this remit, the report has yet to be released. It is also relevant to

note that NZTA has completed several earlier reports on dust and dust control:

- RR16 Economic disbenefits of dust from unsealed roads (Published 1993);
- RR038 Effect of dust palliatives on unsealed roads (Published 1995); and
- RR368 Long term dust suppression using the Otta seal technique (published 2004).

Considering the impact of road dust on our district’s residents, FNDC is in the process of developing a road strengthening programme using techniques that would potentially mitigate dust generation at the same time. FNDC is currently in the research phase for this work, and we are evaluating various products and working with other road authorities to determine what has worked best for them. However, given the national scale of the issue, we consider the work we are doing to investigate alternative road sealing for the purpose of dust mitigation would best be carried out at a national level.

Existing relevant legislation, policies or practice

Resource Management Act 1991

Section 15(2) of the Resource Management Act 1991 effectively sets out that the discharge of dust from roads is permitted unless controlled by a rule in a regional plan. Thus the control of, and regulatory response to, dust emissions from unsealed roads varies from regional to region. Likewise, the discharge agents pm unsealed roads for dust control an activity covered by Section 15, meaning the discharge of these substances are generally controlled by regional plan rules, which again means there will be disparately in term sf the regulation of these substances.

Despite the above, Section 17 of the RMA imposes a general duty upon every person to avoid, remedy or mitigate any adverse effect on the environment arising from any activities the individual may conduct or have carried out on their behalf. This applies, regardless of whether the activity is carried out in accordance with any rule, plan or resource consent. Enforcement of section 17 in terms of objectionable or noxious dust emissions could be undertaken as a means of control. However, without clear policy guidance, doing so would lead to inconsistent and ad-hoc regulation of dust emissions from roads.

National Environmental Standards

The NES Air Quality provides national standards for the finer size fraction of particulate matter (PM₁₀). The standards are relevant because dust from unsealed roads contains PM₁₀; and as discussed earlier, monitoring completed by the Northland Regional Council indicates that the PM₁₀ standards set down in the NES can be exceeded.

It is relevant to point out that there are no standards for dust in general. The NES Air Quality only contains standards in respect of PM₁₀, which can be generated from various sources, particularly wood burning. In other words, the NES contains a very narrow scope in respect of regulating emissions from unsealed roads.

Evidence of support

Support has been obtained from the Zone one meeting held 3 June 2016. In addition to support from the Zone One meeting, the following District Councils have given support for this remit. This serves to highlight the issue as being of national significance.

- Kaipara District Council
- Whangarei District Council
- Whakatane District Council
- Ruapehu District Council
- Tasman District Council
- Stratford District Council

Course of action envisaged

In order to address the impacts of dust generation on unsealed roads effectively, the issue needs to be dealt with at a national level through sound research and the development policies and funding mechanisms aimed at mitigating the problem strategically. Leaving the issue to individual councils to manage separately is likely to result in inefficient and inconsistent outcomes at a national scale due largely to affordability issues. The net effect will be continued poor health outcomes linked with dust generation from unsealed roads.

References

- Ancelet T, Davy P, Trompetter W, (2014) Particulate matter sources and long-term trends in a small New Zealand city
- Jones C. D, (2000). Road dust - just a nuisance or a significant road management issue. CSIR Pretoria Report
- Kuhns H, Gillies J, Etyemezian V, Dubois D, Ahonen S, Nikolic D, Durham C, (2005) Spatial Variability of Unpaved Road Dust PM10 Emission Factors near El Paso, Texas. *Journal of the Air & Waste Management Association*, 55:1,3-12
- Kuhns H, Gillies J, Etyemezian V, Nikolich G, King J, Zhu D, Uppapalli S, Engelbrecht J, Kohl S (2010) Effect of Soil Type and Momentum on Unpaved Road Particulate Matter Emissions from Wheeled and Tracked Vehicles. *Aerosol Science and Technology* 44 (3): 187–196.
- Williams D, Shuklaa M, Rossb J, (2008) Particulate matter emission by a vehicle running on unpaved road. *Atmospheric Environment* 42 (2008) 3899–3905.
- World Health Organisation 2013. Review of evidence on health aspects of air pollution - REVIHAAP Project.

8

Community policing

Remit: That LGNZ advocate to Government for it to provide increased resourcing to the Police to ensure adequate police staffing and coverage can be provided to New Zealand communities, and that Police commanders are not forced to compromise community policing services due to budget constraints.

Proposed by: Hastings District Council

Supported by: Hutt City Council
Napier City Council
Hawke's Bay Regional Council
Gore District Council
Westland District Council
Central Hawke's Bay District Council
New Plymouth District Council
Wairoa District Council

Background information and research

Nature of issue

Increasing levels of community concern along with information received about Police restructuring in various areas of New Zealand, indicates that the 'day to day' presence of Police in communities throughout New Zealand is shrinking. As well as raising the level of community concerns about community safety, this set of circumstances is placing increasing pressure on Local Authorities to supplement Police services with ratepayer funded security and safety initiatives.

Ready access to Police is viewed by communities as a vital contributor to community safety. Community confidence in timely Police response appears to be falling. It is the Government's role to ensure that Police can respond to community needs and expectations.

Alongside this, initiatives (such as security guards, patrols, community patrols and CCTV) being delivered by Local Authorities, are being undertaken to address gaps in Police servicing within communities. These services impose high costs on Local Authorities that are ultimately met by ratepayers. It is submitted that those costs would be unnecessary or reduced if Police resources were increased to appropriately address community needs. Despite resources being spent by Local Government on these additional safety services there continues to be increased pressure from the community for more money to be spent in this area. Local Authorities consider that Policing service levels should be increased in order to obviate the need for some of these services, or that costs associated with these services should be met by central government as they form part of what should be considered core functions of the Police.

Background

The Policing Act 2008 came into force in October 2008. This Act states the functions and provides for the governance and administration of the New Zealand Police. Changes in the Act saw a move away from traditional community policing with a bigger focus on prevention. In 2011 Police launched the Prevention First and Turning the Tide strategies. Since then communities have seen a reduction in police visibility and closures (or reductions in resourcing) of police stations. A concurrent reduction in non-sworn staff due to budget pressures has led to an increase of unmanned police stations making access to Police in communities more difficult. While overall Police budgets may be gradually increasing over time, this does not appear to be having a positive impact on the resourcing of frontline Policing, particularly in provincial New Zealand. There is acute resourcing pressure on District and Area Commanders to make decisions that provide less than optimal outcomes for communities in terms of access to Police services.

Local Authorities are permitted to provide security and safety initiatives under the Local Government Act as it can be classed as a *public service*. Given that these matters are the primary role of the NZ Police this matter would benefit from analysis relating to whether and to what extent it is most efficient and effective for Local Authorities to be delivering these types of services given the primary role of the New Zealand Police.

Outcome of any prior discussion from zone/sector meetings or five councils

This remit is the result of discussions across Councils about current policing resourcing and levels of services effecting communities across New Zealand. The Councils have identified a number of concerns that include; but are not limited to the following:

- cost to rate payer;
- poor responses to 111 calls due to the distance of Police resources;
- lack of Police presence and visibility in some communities;
- closed Police stations or reduced hours or personnel in some areas;
- reduced Police numbers in some areas; and
- capped funding for the last five years.

Evidence of support from zone/sector meeting or five councils

There is support for this remit from 18 Councils throughout New Zealand who have all responded to an email request to give their views. The following Councils have formally supported the remit:

- Hutt City Council;
- Napier City Council;
- Hawke's Bay Regional Council;
- Gore District Council;
- Westland District Council;
- Central Hawke's Bay District Council;
- New Plymouth District Council; and
- Wairoa District Council.

Suggested course of action envisaged

Provided that this remit is adopted by members of LGNZ the following steps are suggested:

- That the Chair of LGNZ writes a letter to the Minister of Police outlining this remit and the concerns of LGNZ members.
- That the letter request that the Minister of Police meet with a delegation of LGNZ members to discuss this remit and what the Minister of Police proposes to address concerns outlined.
- That LGNZ staff coordinate and undertake with members an analysis of levels and forms of Police resourcing in communities versus community needs and expectations.

9

Preservation of earthquake prone public heritage buildings

Remit: That LGNZ advocate to the government to set up a fund to provide assistance to local Councils to preserve earthquake prone public heritage buildings.

Proposed by: Hastings District Council

Supported by: Napier City Council
Hawke's Bay Regional Council
Gore District Council
Westland District Council
Central Hawke's Bay District Council
New Plymouth District Council
Dunedin City Council
Wairoa District Council

Background information and research

Nature of the issue

The impact of the earthquake prone building regulatory framework is a major issue for local communities across New Zealand and both Councils and LGNZ have been involved in the Select Committee legislative process on this matter.

The focus of this remit is on how this regulatory framework now impacts on the decisions facing local communities in respect of public heritage buildings which are assessed as earthquake prone. Councils around New Zealand will have already considered via their 2015-2025 Long Term Plans, or will need to consider in the near future, the future of earthquake prone public buildings within their Infrastructure and Financial strategies required by the Local Government Act 2002.

In many cases judgements have been made and financial provision made within long term plans to address the needs of public building stock in local communities - funded by those communities either directly by rates, or loan funded serviced by rates. However, costs are high, and judgements may mean decisions are made not to preserve buildings or that other important infrastructure investment is crowded out.

The matter of heritage listed buildings and their protection is however a matter which has elevated importance at a national level. In many cases these buildings are iconic and represent significant elements of New Zealand's building and cultural heritage. Their importance crosses territorial authority boundaries as part of the wider New Zealand public good. By their very nature these buildings are expensive to preserve and run the risk of being lost if costs of preservation become too high to be borne locally.

This is a sector wide issue and it is recommended that a coordinated advocacy approach is taken by LGNZ on behalf of the sector.

Background

The government has understandably focused to date on revising the earthquake prone building provisions of the Building Act 2004 in response to the findings of the Royal Commission Enquiry into the Christchurch earthquake.

A consequence of the building standards is that local authorities are having to undertake assessments on their own buildings and make judgements in terms of compliance with the law. A number of high profile heritage buildings and the cost of preservation have surfaced across New Zealand. The most recent case study being that of the Hawke's Bay Opera House and the associated Municipal Buildings, with both buildings having a listed heritage status of Category One under the Heritage New Zealand register. Preliminary estimates to strengthen both buildings to 70-75 per cent of NBS are in the order of \$17 - \$19 million.

In addition to heritage buildings local authorities are faced with addressing their other building stock. By way of example in the case of Hastings District Council, 11 buildings have been identified as being potentially earthquake prone (less than 33 per cent of NBS). A further 21 buildings have been assessed as a potential earthquake risk (34 per cent - 67 per cent NBS). As such 32 buildings are programmed to be strengthened with the last building scheduled to be upgraded in 2028 at a total cost of \$2.8 million.

An added barrier to local authorities facing fiscal decisions on heritage buildings is the fact that funders who may have been relied on for some support for community building projects (ie Lottery).

10

Relocation of government services to regional centres

Remit: That LGNZ requests that the Government investigates the potential benefits that could come from relocating more government services from Wellington to regional centres; and

That the Government also explores ways to increase the ability for more civil servants to work remotely from regions outside of Wellington.

Proposed by: Nelson City Council

Supported by: Gisborne District Council
Nelson City Council
Palmerston North City Council
Marlborough District Council
Tasman District Council
Far North District Council
Whanganui District Council
Rotorua Lakes District Council
Dunedin City Council
Grey District Council

Background information and research

Idea

Moving some government services and civil servants out of the capital could:

- Boost economic activity in the regions;
- Inject more talented, qualified and skilled people into regional centres;
- Potentially save the taxpayer money given the high cost of rents in the capital; and
- Increase the resilience of government services in the event of a major earthquake or other disaster hitting Wellington.

Background

One of the biggest issues facing New Zealand is the future of our regional economies.

The increasing economic gravity of Auckland, Wellington and Christchurch combined with rapid technological change and globalisation makes for increasingly uncertain times for smaller centres and increases the pressure on regional leaders to find new ways to avoid economic regression.

Ironically, the technology that threatens many of the jobs in regional centres also provides an opportunity for some of those areas to potentially grow in a sustainable way.

Given the massive advances in communication technology and the challenges being faced by regional centres, now would be a good time for the Government to look for more ways to share the economic benefits that come with its activities.

If technology can make it possible for scientists, doctors and academics to collaborate across time zones, it must be possible for more government services to be based outside of Wellington.

Obviously there will always be a need for departments and ministries to have a presence in Wellington for matters relating to policy but why, for example, could the Ministry of Education's property office not be based in Palmerston North?

Adopting the strategy suggested in this proposed remit could also result in significant savings for the taxpayer and increase the resilience of government services in the event of a major disaster in the capital.

This is not a new idea. In 2011 The BBC moved many of its staff and operations from London to Manchester, resulting in a major boost for the northern city.

Ireland embarked on a decentralisation process in 2004; an exercise that was ultimately cancelled by a successive government in 2012. No doubt lessons can be learnt from both The BBC and Ireland's experiences.

New Zealanders have always been early adopters and as a nation we've proven ourselves adept at change. We live in a time where technology provides us opportunities to connect in new and exciting ways and where regional New Zealand needs a bigger piece of the Government's pie.

Supporting information

The following information is to assist Local Government New Zealand as it assesses the Nelson remit against its Remits Screening Policy.

- The remit is of interest to the majority of councils. There is a pattern of slowing growth across the country outside Auckland and a few major centres. Around two thirds of local authorities have fewer people at labour market entry age than those at the traditional retirement age. The regions urgently need help from central government to generate employment opportunities that will attract people to settle and mitigate against the continuing outflow of youth.
- Decentralising certain government services to regional centres would help create a public sector more reflective of the diverse nature of New Zealand society. It would have the potential to involve people with a wider range of backgrounds and viewpoints in the business of administering and advising government. It would also help keep regional issues and concerns on the central government agenda.
- Given the housing crisis in Auckland and the government's moves to incentivise relocation to other centres, there is a need to create sustainable employment options to support people in the regions and reduce the pressure on Auckland.
- Advances in technology mean public service staff working remotely could still be well connected to colleagues in Wellington and elsewhere in the country. Staff would enjoy the advantages of living outside main centres such as shorter commutes, lower cost of living etc. There is already a demand for such an approach as evidenced by the number of Nelson residents who commute to jobs in Wellington on a weekly basis and this is no doubt mirrored in other regions.
- This remit supports Local Government New Zealand's policy priority focussed on regional development: *the country's economic growth strategy needs to consider the nation as a whole and the needs of regions*. This remit offers a very practical way to stimulate local economies and support a key Local Government New Zealand objective.
- This remit has the support of the Dunedin City Council, Far North District Council, Gisborne District Council, Grey District Council, Marlborough District Council, Palmerston North City Council, Rotorua Lakes Council, Tasman District Council, and Whanganui District Council.
- Should the remit be adopted Local Government New Zealand should write to the Hon Steven Joyce as Minister for Economic Development and the Hon Peseta Sam Lotu-liga as Minister of Local Government and request an opportunity to discuss the idea further. Discussions would be with a view to setting parameters for a State Services Commission report on which central government services could most practically be relocated and a process for encouraging greater teleworking amongst the public service.

11

Minimum standards for rental housing

- Remit:** That LGNZ urgently engages with the Government on ways to strengthen the minimum standards for rental housing to ensure that all rental homes are warm, dry and healthy to live in.
- Proposed by:** Porirua City Council
- Supported by:** Metro Sector meeting, Wellington, 20 May 2016
Dunedin City Council

Background

Issue

The standard of housing in New Zealand is poor with many people living in rental homes that are damp and cold and prone to mould. Current legislative tools available via local and central government are inadequate to address the problem. Unhealthy home environments have significant impacts on the health of people living in them and a national response is required.

Local context

There is limited data on the scale and severity of the problem for the approximately 3,000 private rental properties in Porirua. However, extensive media coverage over a number of years canvassing the stories of local families living in dire housing conditions (in state and private rentals) and the negative consequence for them, indicates there is a very real issue in Porirua.¹ In October 2014, Councillor Murrell drew attention to situations where low income tenants in Porirua were living in private rental houses where water was running down walls, houses smelled of mould and windows were rotten.²

The Capital and Coast District Health Board (CCDHB) has attributed the city's high levels of rheumatic fever, serious skin infections and respiratory illnesses in children to "poor quality, damp housing, overcrowding, inadequate income and poor education".³

National context

A 2010 BRANZ⁴ survey found that only 22 per cent of rental properties in New Zealand were in good condition and 44 per cent in poor condition.

Results from the Statistics NZ General Social Survey found that "nearly half of New Zealand adults reported living in a cold house, with more than 1 in 5 (21 per cent) feeling their homes were often or always cold 32 per cent felt they had a problem with dampness".

Authority (ECCA)⁵ estimates that around 900,000 homes in New Zealand have inadequate ceiling or underfloor insulation. Additionally, only 5 per cent of the country's rental stock has been insulated through the Home Insulation Scheme.⁶

¹ Examples of headlines include; *Porirua Dad fears for family's health in freezing, damp state house*, Stuff, 16 June 2015, *Rental home a health hazard*, Kapi Mana 27 October 2015, *It's time things got tougher for slum landlords*, editorial, Kapi Mana 27 October 2015.

² *Creek housing crisis: tenants living in fear*, Kapi Mana, 7 October 2014

³ *Improving Children Health Outcomes in Porirua City*, CCDHB, 2010.

⁴ BRANZ is an independent consultancy for the building industry www.branz.co.nz/about_branz

⁵ Energy Efficiency and Conservation Authority <https://www.energywise.govt.nz/funding-and-support/free-insulation-and-installation-support/>

⁶ *A Healthy Homes Guarantee Fact Sheet*, Labour Party

Rationale for remit

PCC considered a paper on “Improving housing quality through regulatory intervention” in December 2015. This paper was requested by Councillors to examine what more the Council could do to improve housing quality as there is a high level of concern in the community and amongst elected representatives.

The paper found that the current legislation is inadequate for addressing poor quality rental housing issues and associated health problems for tenants. For older homes there are no standards for heating (apart from the requirement to have a three point plug for an electric heater), no standards for ventilation (apart from having windows) and no requirements for insulation. While the latter point is being partially addressed by the Residential Tenancies Amendment Bill currently before the house, it is Councils view that this is insufficient.

The paper also found that legislative tools available to the Council under the Housing Improvement Regulations 1947, the Health Act 1956 and the Building Act 2004 and Building Code are fragmented, poorly understood by the public and are complex to navigate. The Tenancy Tribunal tends to be the first port of call for tenants experiencing problems rather than a council. PCC receives very few complaints and the use of the HIR and the Health Act is low by PCC and neighbouring councils.

PCC considered a request to draft a local bill for Parliament to be introduced by MP for Mana Kris Faafoi to clarify the regulatory enforcement position of the Council under the Health Act 1956 and the Housing Improvement Regulations 1947. The Council declined this offer because of the high costs and low likelihood of success.

PCC considered an invitation to participate in the University of Otago’s He Kainga Oranga Housing and Health Research Programme housing rental warrant of fitness study but declined the offer because of the risk of legal challenge and the requirement for a bylaw or local bill.

Work already undertaken

In response to the December 2015 paper to Te Komiti on housing quality, the Council agreed to be more proactive in its advocacy for change. Early in 2016 the Mayor sought a meeting with the Minister of Building and Housing but was declined. At this time PCC also made a submission on the Residential Tenancies Amendment Bill and appeared before Select Committee. The Mayor and Chief Executive urged the government to do more than what was proposed in the Bill which was limited to requirements for smoke alarms and insulation in private rental properties.

In March 2016 the Chief Executive of Porirua City Council made the following Official Information Act request to the Chief Executive of the Ministry of Business Innovation and Employment:

We would like to request copies of all advice that the Ministry of Business Innovation and Employment has provided to the Minister of Building and Housing related to the effectiveness or otherwise of statutory provisions available to territorial authorities to respond to poor housing conditions.

Specifically, we are interested in any advice about the operability of the legislation for councils, any changes that could be made to improve councils' utilisation of the current statutes and any advice provided on alternative options or interventions.

We were furnished with two excerpts from Ministerial Briefings in 2013 and 2014. The main points from this material are:

"Overall the regulatory framework for rental housing provides some useful basic standards but is not actively or consistently enforced because:

1. *The framework is fragmented causing confusion among enforcers...*
2. *Enforcement of existing provisions relies on tenants bringing complaints either to the Tenancy Tribunal or their local territorial authority...the process can be difficult for the most vulnerable tenants*
3. *There is a high threshold for deeming a property "dangerous" or "insanitary"...*
4. *Deeming a property dangerous or insanitary ...would mean that the occupants could need new housing, which can be difficult to find in tight housing markets"*

In addition, the Housing Improvement Regulations (the only detailed description of requirement), have not been updated since 1947. "

The findings in the Ministerial Briefings summarised above align with PCC's own findings about the complex and dated array of legislation available to improve housing quality.

Current work

PCC is preparing a submission in support of the Healthy Housing Guarantee Bill (No.2). This is a private members bill introduced recently by Andrew Little. The aim of this bill is to amend the Residential Tenancies Act 1986 to provide that the Ministry of Business Innovation and Employment must set minimum standards binding on landlords for heating and insulation for every rental home in New Zealand.

Conclusion

PCC would like LGNZ to advocate on behalf of the local government sector to central government to strengthen minimum standards for rental properties. Our ability at a local level to address housing quality issues is hampered by out-of-date and piecemeal legislation. This is a national issue that requires a national response.

12

Freedom camping

- Remit:**
1. The Freedom Camping Act 2011 should be amended to allow any infringement fine to be tagged to the vehicle which is being utilised to cause the offence, thus forcing rental companies/vehicle owners to take some responsibility for the actions of their clients and to collect fines on behalf of enforcement authorities;
 2. a change to the Summary Proceedings Act 1957 to allow fines to be instantaneous, thus preventing individuals from avoiding payment of fines by leaving the country during the period where infringements are able to be paid (minimum 56 days from date of issue); and
 3. a change to s14(3) of the Camping Ground Regulations 1985 (made under s120B of the Health Act 1956) to allow broader exemptions to the need for provision of camping facilities for those that wish to freedom camp in all areas and not just at "remote" camps.

Proposed by: Tasman District Council

Supported by: Zone 5 & 6 combined meeting of 20 April 2016

Background

This remit request relates to changing legislation to enable Local Government to more effectively control the negative issues associated with “freedom” camping. It is felt that the associated legislation does not enable effective enforcement of some of the problems caused by freedom camping and in some cases makes enforcement nearly impossible. This has a detrimental effect on our communities and visitors alike; either through direct effects ie damage, witnessing of poor behaviours or vicariously through the effects of responses such as limiting access to ratepayers or by having to pay more money through rates for clean ups etc.

Supporting Commentary

The negative effects of freedom camping are a national issue. Irresponsible use of public places by some campers has led to much media coverage and a hardening of opinion amongst much of the public, many of whom are now against freedom camping. An additional problem is that the term “freedom camper” is seen to include itinerant workers and vagrants. Inconsiderate or illegal actions by any of these groups results in a stigma being cast on all “freedom campers”, regardless of blameworthiness.

In an effort to control these negative consequences, Councils have resorted to many different “tools” eg restricting access, making bylaws, enforcement using infringements, education, signage, use of wardens and in one case use of vehicle clamps. All of these methods and more have not been particularly effective in controlling the problems and it is considered that much of the ineffectiveness is due to the current legislation.

Freedom Camping Act 2011

Specific legislation in the form of the Freedom Camping Act was introduced in 2011 to combat the negative effects of Freedom Camping, however, it has not proved to be particularly effective in giving Councils the tools they need to manage the associated problems effectively ie

1. Proving that freedom camping is actually taking place is not always straightforward – see Freedom Camping Act s5 (2)(c) attached regarding sleeping and resting.
2. The process to create an effective bylaw is limited by the need for identification of every area where freedom camping cannot take place and is tied to the ability to issue fines - see s10 & 11. Where areas have not been identified in a bylaw, anyone wishing to camp there may do so, however, it is virtually impossible to identify every area where the activity takes place as some Freedom campers create new sites as required. Were the legislation to ban freedom camping in all Local Authority areas unless it is indicated otherwise, it would make education and enforcement much easier. It would also reduce the financial burden on councils to sign all areas and may allow a bylaw to be altered to make more areas available for camping - should the need arise, without a Special Consultative Procedure.

3. Once issued, fines are collected less than 50 per cent of the time due to wrongdoers avoiding payment. Approximately 16,000 infringement fines have been issued over the last 4 years and only about 40 per cent have been paid. Under s29 and s30 of the Freedom Camping Act a rental agreement may make provision for payment of any associated fines relating to the use of the vehicle to be paid for the hirer by the rental company. This is not a straightforward process as the rights of anyone accused of committing an offence must be respected and unsurprisingly most rental companies do not wish to take on an unpopular and expensive activity from which they gain no financial benefit.

Summary Proceedings Act 1957

S21 of the Summary Proceedings Act lays out the procedure that must be followed to issue an infringement offence. In summary, if an infringement is issued the informant must allow the respondent at least 28 days to either pay or request a Hearing before a reminder can be sent. The respondent is then allowed a further 28 days to act before the informant can send the information to the Ministry of Justice for recovery action. During this period many alleged offenders will have left New Zealand. A change in legislation to allow instant fines that must be paid at the time the offence is identified would incentivise visitors to the country to comply. These fines could still be contestable by the payer through the Courts and could be refunded if the enforcement authority had been found to have erred.

Camping Ground Regulations 1985

Currently the ability to exempt camping grounds from significant parts of the Camping Ground Regulations is limited to "remote campgrounds", these are defined as follows:

remote camp site means a camping ground in a national park, State forest, State forest park, or public reserve, or on Crown land.

If Local Authorities were empowered to issue exemptions on the requirements of the Camping Ground Regulations throughout their areas, basic camps could be set up in appropriate places at low cost during busy periods. These would allow capacity for non self-contained vans to camp at low (or no) cost.

Authorities could be required to monitor these camps to ensure health issues do not arise.

Associated Legislation

Freedom Camping Act 2011

5. Meaning of freedom camp

- (1) In this Act, **freedom camp** means to camp (other than at a camping ground) within 200 m of a motor vehicle accessible area or the mean low-water springs line of any sea or harbour, or on or within 200 m of a formed road or a Great Walks Track, using 1 or more of the following:
- (a) a tent or other temporary structure
 - (b) a caravan
 - (c) a car, campervan, housetruck, or other motor vehicle
- (2) In this Act, **freedom camping** does not include the following activities:
- (a) temporary and short-term parking of a motor vehicle
 - (b) recreational activities commonly known as day-trip excursions
 - (c) resting or sleeping at the roadside in a caravan or motor vehicle to avoid driver fatigue.

10. Where freedom camping is permitted

Freedom camping is permitted in any local authority area unless it is restricted or prohibited in an area

- (a) in accordance with a bylaw made under section 11; or
- (b) under any other enactment.

11. Freedom camping bylaws

- (1) A local authority may make bylaws
- (a) defining the local authority areas in its district or region where freedom camping is restricted and the restrictions that apply to freedom camping in those areas
 - (b) defining the local authority areas in its district or region where freedom camping is prohibited.
- (2) A local authority may make a bylaw under subsection (1) only if it is satisfied that—
- (a) the bylaw is necessary for 1 or more of the following purposes
 - (i) to protect the area
 - (ii) to protect the health and safety of people who may visit the area
 - (iii) to protect access to the area; and

- (b) the bylaw is the most appropriate and proportionate way of addressing the perceived problem in relation to that area; and
 - (c) the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.
- (3) A bylaw made under subsection (1) must define a restricted or prohibited area in either or both of the following ways:
- (a) by a map
 - (b) by a description of its locality (other than just its legal description).
- (4) However, where a bylaw contains both a map and a description and there is an inconsistency between the map and the description, the description prevails.

12. Bylaws must not absolutely prohibit freedom camping

- (1) A local authority may not make bylaws under section 11 that have the effect of prohibiting freedom camping in all the local authority areas in its district.
- (2) This section is for the avoidance of doubt.

29. Rental service agreement may provide for payment of infringement fee

- (1) A hirer of a motor vehicle may, in a rental service agreement with a rental company, agree to pay any infringement fee and any costs that may become payable because of an infringement notice served on the rental company for an infringement offence (in this section and in section 30 referred to as the **particular offence**) that is alleged to have been committed:
 - (a) in circumstances involving the use of the vehicle hired under the agreement; and
 - (b) during the period of hire.
- (2) The hirer may, in the rental service agreement, also authorise the rental company to debit the hirer's credit card with the infringement fee and any costs payable because of an infringement notice for a particular offence and, in that case, the agreement must:
 - (a) set out the liability of the parties to the agreement for any particular offences
 - (b) require the rental company to send to the permanent address provided by the hirer copies of any infringement notices and any reminder notices that may be served on the rental company for any particular offences;
 - (c) indicate that representations may be made to the issuing enforcement authority to challenge or query an infringement notice;
 - (d) set out the hirer's right to seek a court hearing for the particular offence.
- (3) This section and section 30 have effect despite anything to the contrary in the rental service agreement.

(4) In this section and section 30

costs include the administration fee that is, as permitted by section 30(4), specified in a rental service agreement

credit card includes a debit card

rental company means the holder of a rental service licence under the Land Transport Act 1998.

30 Charging hirer for infringement fee

- (1) In any case where a rental company receives an infringement notice for a particular offence, the rental company may not exercise an authority under a rental service agreement to debit the hirer's credit card unless, within 5 working days of receipt of the infringement notice, the rental company—
 - (a) sends a copy of the infringement notice and the rental service agreement to the permanent address provided by the hirer in the rental service agreement; and
 - (b) notifies the hirer that if the rental company receives a reminder notice for that offence, the rental company will debit the hirer's credit card for the amount of the infringement fee and costs.
- (2) If the rental company does not receive an infringement notice for the particular offence, but receives a reminder notice for that offence, the rental company may not exercise the authority to debit the hirer's credit card unless, within 5 working days of the receipt of the reminder notice, the rental company:
 - (a) sends a copy of the reminder notice and the rental service agreement to the permanent address provided by the hirer in the rental service agreement; and
 - (b) notifies the hirer that the rental company will debit the hirer's credit card with the fee and costs payable because of the infringement notice.
- (3) Except where the hirer has been separately served by an enforcement officer with an infringement notice for the particular offence, the infringement notice sent to the hirer under subsection (1)(a) or the reminder notice served under subsection (2)(a) is deemed to have been served on the hirer by the enforcement officer and the hirer has, in respect of the infringement notice or the reminder notice, all the rights and obligations under the Summary Proceedings Act 1957 of a person so served.
- (4) The rental service agreement may specify an administration fee that the rental company may charge to cover the cost of debiting the hirer's credit card.
- (5) Any infringement fee for a particular offence that the rental company receives as a result of debiting the hirer's credit card must be paid to the issuing enforcement authority without delay.
- (6) The rental company must refund the hirer any infringement fee for the particular offence that the hirer has received as a result of debiting the hirer's credit card if:
 - (a) the issuing enforcement authority decides not to continue the proceeding for the particular offence; or

- (b) the reminder notice filed or deemed to have been filed in a District Court is withdrawn; or
- (c) at a court hearing, the hirer is not found to be liable for the particular offence; or
- (d) the fine for the particular offence is set aside by a determination of a court.

Summary Proceedings Act 1957

21. Summary procedure for infringement offences

- (1) Proceedings in respect of an infringement offence may be commenced:
 - (a) with the leave of a District Court Judge or a Registrar, by laying an information under this Act, or by filing a notice of prosecution under section 20A; or
 - (b) where an infringement notice has been issued in respect of the offence, by providing particulars of a reminder notice in accordance with subsections (4) and (4A), or by filing a notice of hearing in a Court, under this section.
- (2) Where
 - (a) an infringement notice has been issued in respect of an infringement offence; and
 - (b) on the expiration of 28 days from the date of service of the notice, or a copy of the notice
 - (i) the infringement fee for the offence has not been paid to the informant at the address specified in the notice; and
 - (ii) the informant has not received at that address a notice requesting a hearing in respect of the offence

the informant may serve on the person or one of the persons served with the infringement notice, or a copy of the infringement notice, a reminder notice that contains the same or substantially the same particulars as the infringement notice.

(2AA) The reminder notice referred to in subsection (2) and subsection (3C) must,—

- (a) if a form has been prescribed in any other Act or in regulations made under any other Act for the relevant infringement offence or the relevant class of infringement offences, be in that form; or
- (b) if no form has been so prescribed, be in the general form prescribed in regulations made under this Act.

(2A) For the purposes of this section, a reminder notice that is in a form prescribed under any Act or in any regulations made under that Act is to be treated as containing substantially the same particulars as the relevant infringement notice under that Act or those regulations.

- (3) The informant may provide particulars of the reminder notice in accordance with subsections (4) and (4A) if:

- (a) a reminder notice has been served under subsection (2); and
- (b) on the expiration of 28 days from the date of service of that notice,—
- (i) the infringement fee for the offence has not been paid to the informant at the address specified in the notice; and
 - (ii) the informant has not received at that address a notice requesting a hearing in respect of the offence.
- (3A) If:
- (a) the informant has not provided particulars of a reminder notice under subsection (3), in accordance with subsections (4) and (4A); and
 - (b) the informant has instituted the necessary management and accounting systems to allow the defendant to pay the infringement fee to the informant by instalments
- the informant may, but is not required to, enter into an arrangement allowing the defendant to pay the infringement fee to the informant by instalments.
- (3B) An arrangement under subsection (3A) must:
- (a) be entered into before the close of the date that is 6 months from the time when the infringement offence is alleged to have been committed; and
 - (b) be completed before the close of the date that is 12 months from the time when the infringement offence is alleged to have been committed.
- (3C) If the informant has entered into an arrangement under subsection (3A), and default is made in the payment of any instalment, the informant may,
- (a) despite subsection (3B)(a), enter into another arrangement under subsection (3A) allowing the defendant to pay the infringement fee to the informant by instalments;
- or
- (b) serve on the defendant or 1 of the defendants served with the infringement notice, or a copy of the infringement notice, a reminder notice in the prescribed form containing the same or substantially the same particulars as the infringement notice.
- (3D) The informant may provide particulars of the reminder notice in accordance with subsections (4) and (4A) if—
- (a) a reminder notice has been served under subsection (3C)(b); and
 - (b) on the expiration of 28 days from the date of service of that notice, the infringement fee for the infringement offence has not been paid to the informant at the address specified in the notice.
- (4) For the purposes of subsections (1), (3), and (3D) and subsections (4A) to (5A), the **particulars of a reminder notice** are—

- (a) the contents of the reminder notice, or such parts of the reminder notice that are prescribed as the a. particulars for the purposes of this subsection; and
 - (b) any particulars relating to the service of the infringement notice and reminder notice that may be prescribed; and
 - (c) any other particulars that may be prescribed.
- (4A) The particulars described in subsection (4)—
- (a) must be provided by the informant in electronic form in a manner and by means of an electronic system approved by the chief executive of the Ministry of Justice; and
 - (b) once provided, must, for the purposes of any enactment or rule of law, be treated as information held in a Court in relation to its judicial functions.
- (4B) Particulars of a reminder notice provided under subsection (3) or subsection (3D), and in accordance with subsection (4A), must be verified by the Ministry of Justice to ensure they contain the particulars described in subsection (4)(a) and (b), in accordance with a procedure approved by the chief executive of the Ministry of Justice.
- (4C) When particulars of a reminder notice provided under subsection (3) or subsection (3D) are verified under subsection (4B) as containing the particulars described in subsection (4)(a) and (b) the reminder notice is deemed to have been filed in the Court appointed for the exercise of the criminal jurisdiction which is the nearest by the most practicable route to the place where the offence was alleged to have been committed.
- (5) If, following the verification under subsection (4B) of particulars of a reminder notice provided under subsection (3), a reminder notice is deemed to have been filed in a Court within 6 months from the time when the offence is alleged to have been committed, an order is deemed to have been made in that Court (as if on the determination of an information in respect of the offence) that the defendant pay a fine equal to the amount of the infringement fee for the offence together with costs of the prescribed amount.
- (5A) If, following the verification under subsection (4B) of particulars of a reminder notice provided under subsection (3D), a re- minder notice is deemed to have been filed in a Court within 12 months from the time when the infringement offence is alleged to have been committed, an order is deemed to have been made in that Court (as if on the determination of an information in respect of the offence) that the defendant pay a fine equal to the amount of the infringement fee then remaining unpaid for the offence together with costs of the prescribed amount.
- (5AB) An order under subsection (5) or subsection (5A) is deemed to have been made on the date that the relevant reminder notice is deemed to have been filed under subsection (4C).
- (5B) If the informant has entered into an arrangement under subsection (3A) or subsection (3C)(a), no defendant may give notice requesting a hearing in respect of the infringement offence to which the arrangement applies.

- (6) A notice requesting a hearing in respect of an infringement offence must—
- (a) be in writing signed by the person or one of the persons served with the infringement notice in respect of the offence, or a copy of the infringement notice; and
 - (b) be delivered to the informant at the address specified in the infringement notice before or within 28 days after service of a reminder notice in respect of the offence, or within such further time as the informant may allow.
- (7) A person giving notice requesting a hearing in respect of an infringement offence may, if the person thinks fit, in that notice—
- (a) admit liability in respect of the offence; and
 - (b) make any submissions as to penalty or otherwise that the defendant would wish to be considered by a Court hearing proceedings in respect of the offence.
- (8) Where a notice requesting a hearing in respect of an infringement offence is given in accordance with this section, the following provisions shall apply:
- (a) the informant shall, if it is proposed that proceedings be commenced in respect of the offence, file in a Court a notice of hearing in the prescribed form:
 - (b) where the defendant does not, in the notice requesting a hearing, admit liability in respect of the offence, the informant shall serve on the defendant a copy of the notice of hearing filed pursuant to paragraph (a):
 - (c) where the defendant does, in the notice requesting a hearing, admit liability in respect of the offence, the informant shall file that notice in the Court in which the notice of hearing is filed:
 - (d) where a notice of hearing is filed in a Court within 6 months from the time when the offence is alleged to have been committed, the provisions of this Act and the Costs in Criminal Cases Act 1967 shall apply, with such modifications as are necessary,—
 - (i) in relation to the notice of hearing, as if it were an information:
 - (ii) in relation to a copy of the notice served on the defendant pursuant to paragraph (b), as if it were a summons to the defendant:
 - (iii) in relation to a notice of the defendant filed in the Court pursuant to paragraph (c), as if it were a notice of the defendant pleading guilty to the offence pursuant to section 41.
- (9) Where a defendant is found guilty of, or pleads guilty to, an infringement offence for which an infringement notice has been issued, the Court shall order the defendant to pay costs of the prescribed amount in addition to the fine (if any) and other costs (if any) ordered by the Court.

- (10) In any proceedings for an infringement offence for which an infringement notice has been issued—
- (a) it shall be a defence if the defendant proves that the infringement fee for the offence has been paid to the informant at the address specified in the notice before or within 28 days after service on the defendant of a reminder notice in respect of the offence:
 - (b) it shall not be a defence that the infringement fee for the offence has been paid otherwise than as referred to in paragraph (a).
- (11) Where an infringement fee is paid to the informant at the address specified in the infringement notice but not within the time referred to in subsection (10)(a), the amount paid may be held and applied towards any fine or costs that the defendant may become liable to pay in respect of the offence.
- (12) In any proceedings for an infringement offence for which an infringement notice has been issued it shall be presumed, unless the contrary is proved, that—
- (a) the infringement notice in respect of the offence has been duly issued, and the notice, or a copy of the notice, has been served on the defendant:
 - (b) any reminder notice or copy of a notice of hearing required to have been served on the defendant has been duly served:
 - (c) the infringement fee for the offence has not been paid as required under this section.
- (13) If the informant has entered into an arrangement under subsection (3A) or subsection (3C)(a), and default is made in the payment of any instalment, proceedings may be taken as if default had been made in the payment of all instalments then remaining unpaid.

Camping Ground Regulations 1985

14 Certificates of exemption

- (3) A local authority may grant the operator of a remote camp site a certificate of exemption from such requirements of these regulations as it specifies in that certificate.

13

Beverage container deposit system

Remit: That Local Government New Zealand endorses the concept of a national-mandated beverage container deposit system and requests that the Government requires industry to develop and implement one within a two year period.

Proposed by: Palmerston North City Council

Supported by: Metro Sector meeting, Wellington, 20 May 2016

Background

Container Deposit Schemes (CDS) are a mechanism designed to decrease the number of recyclable beverage containers currently going to landfill or otherwise not being directed to recycling schemes. CDS operate in a variety of ways internationally, but in general refer to a mandatory deposit on containers to encourage their return by consumers. Depending on the deposit system, containers can be returned to the manufacturers via the retailer, designated collection depots, reverse vending machines or recovered as part of existing waste or recycling collection system. Any person returning a container receives a standard refund. CDS legislation requires that manufacturers take responsibility for the returned containers either to refill, recycle or to dispose of them.¹

CDS are part of product stewardship: the responsible management of the environmental impact of a product. Under product stewardship schemes, any party involved in the life of a product (eg a producer, brand owner, importer, retailer or consumer) shares some responsibility for reducing the environmental impacts associated with production and disposal of that product.²

Under the Waste Minimisation Act 2008, the Minister for the Environment can declare a product to be a priority product. When this happens a product stewardship scheme becomes mandatory and the priority product must be managed through accredited product stewardship schemes. The Minister has not yet declared any priority products, and thus far only voluntary product stewardship schemes exist in New Zealand.

There are three criteria which must be met for the Minister to declare a priority product:

1. the product will or may cause significant environmental harm when it becomes waste; or
2. there are significant benefits from reduction, reuse, recycling, recovery, or treatment of the product; and
3. the product can be effectively managed under a product stewardship scheme.

The Ministry for the Environment is required to consult with anyone affected by the regulations when considering designation of a priority product. This includes manufacturers and brand owners who sell their product in New Zealand and any scheme managers who have an existing accredited product stewardship scheme for the same product.

In 2007 Envision NZ developed a model for a CDS in New Zealand.³ An update of this report was produced in 2015, and included survey data from 16 local authorities.

¹ <http://www.zerowaste.co.nz/types-of-waste/packaging/container-deposit-legislation/>

² <https://www.mfe.govt.nz/waste/product-stewardship>

³ Envision New Zealand. (2015). The Incentive to recycle. The case for a Container Deposit System in New Zealand.

That report, drawing on international and local literature, estimates that New Zealanders consume an estimated 2.23 billion beverages each year and send over half the empty containers to landfills or dispose of them in other ways. Auckland City Council is currently commissioning an independent economic review of the Envision Report, and expects to have this report available later in the year.

The current remit proposal suggests that the Government is able, under the Waste Minimisation Act 2008, to declare beverage containers as priority products, thus requiring the development of a mandatory product stewardship scheme.

Discussion

This remit proposal meets the LGNZ requirement of relevance to local government as a whole. All local authorities are required to make waste assessments, and produce waste management and minimisation plans. These assessments show that local authorities may have limited influence over the waste stream in general. For example, Palmerston North City Council 'controls' about 40 per cent of the overall flow of waste materials generated in the City. The degree of Council control varies significantly between the different types of waste. Palmerston North City Council controls only 14 per cent of waste to landfill (through kerbside collections and operational waste), but it controls an estimated 97 per cent of composted waste.⁴

This remit proposal meets the second LGNZ requirement as it addresses a major policy issue rather than something that can be dealt with through administrative action. No product has been designated as a priority product under the Waste Minimisation Act 2008, and so this remit proposes a change in approach under the current legislation.

Conclusion

This proposal for the Government to designate beverage containers as priority products under the Waste Minimisation Act 2008 meets the LGNZ criteria for remits. The ability to require mandatory product stewardship schemes for particular products, allowed by the Act, has not yet been exercised by the Government. Beverage containers contribute significantly to landfill in New Zealand, and it is the view of the Palmerston North City Council that the development of a mandatory product stewardship scheme would reduce the environmental impact of these products.

⁴ Palmerston North City Council, (2012). Waste Minimisation Plan.

Committee: Strategy & Policy Committee **Date:** 19 July 2016
Report Name: Governance Policies Review - Citizens Initiated Referenda Policy **Author:** Jude Pani

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Governance Policies</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 and Engagement Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

2. For the Committee to recommend to the Council that the Citizens Initiated Referenda Policy (Attachment 1) be deleted.

3. Background

4. Early in this Council triennium, Council identified the following Democracy Policies for review, in accordance with the Policy Review Programme, with a view to consolidating this suite of policies into two or three Council policies:
 - a) Councillors' Attendance at Conferences, Seminars and Training
 - b) Elected Members' Expenses and Allowances
 - c) Elected Members' IT
 - d) Corporate Hospitality and Entertainment
 - e) Elections – Communication with the Public
 - f) Election Signs
 - g) Citizens Initiated Referenda
5. All policies were reviewed at Strategy & Policy Committee meetings in August and September 2015 with the exception of the Citizens Initiated Referenda Policy. Policies a) – f) were either deleted or retained with the contents incorporated into new policy documents.
6. At that time, the Committee resolved to note that the Citizens Initiated Referenda policy was still to be reviewed.

7. Key Issues

8. The outcome of the review of the Citizens Initiated Referenda Policy is now being presented to the Committee with the following noted:
- i. The current legislation relating to citizens calling for a referendum applies to central government only; not local government.
 - ii. The trigger to initiate a referendum is high. The Citizens Initiated Referenda Policy requires a petition containing not less than 1500 signatures of residents of Hamilton City, all being on the Electoral Roll for Hamilton City and eligible to vote.
 - iii. If Council declines to hold a referendum as requested, the petitioners have a period of 90 days to collect a further petition containing signatures from not less than 10 percent (trigger level) of Hamilton residents being on the Electoral Roll for Hamilton City.
 - iv. To the report writer’s knowledge the Citizens Initiated Referenda Policy has been triggered only once (in 2013) – requiring the Council to conduct a poll to assist the Council to determine whether electors wanted fluoride added to the Hamilton public water supply.
 - v. Any referendum result is not binding on the Council.
 - vi. Research indicates that two other councils have referenda policies which were adopted over 10 years ago.
 - vii. Standing Orders provides a vehicle for the Council to consider a petition on matters relating to services or policy that are or may be provided by Council. The trigger for such a petition is 100 signatures. Standing Orders also provides for presentations and a public forum at each Council and Committee meeting.
 - viii. It is considered that Hamilton City Council has sufficient other mechanisms for citizens to engage without requiring the Citizens Initiated Referenda Policy.
 - ix. The financial cost of conducting a stand-alone referendum would be approximately \$150,000; and approximately \$15,000 to conduct a poll in conjunction with a triennium election.

9. Recommendations from Management – Recommendation to Council

- a) That the report be received.
- b) That the Citizens Initiated Reference Policy be deleted.

10. Attachments

11. Attachment 1 - Citizens Initiated Referenda Policy

Signatory

Authoriser	David Bryant, General Manager Corporate
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First adopted:	26 September 2013
Revision dates/version:	26 September 2016
Next review date:	
Engagement required:	
Document number:	D-1083372
Associated documents:	
Sponsor/Group:	General Manager – Customer Relations

Citizens' Initiated Referenda Policy

Purpose and scope

1. The purpose of this Policy is to clarify the circumstances under which a Citizens' Initiated Referendum may be held and to ensure that Council's referenda processes comply with statutory requirements.
2. From time to time Hamilton City Council will hold referenda on any matter relating to either the services that are provided or that may be provided by Council, or any policy or intended policy of the Council.
3. Referenda are held at the request of Council but may also be initiated through public demand.

Strategic alignment

4. This policy assists in the delivery of Council's outcomes and goals as follows:-

Prosperous and Innovative	Outstanding City Leadership	People Love Living Here
<ul style="list-style-type: none"> ▪ Hamilton has a strong, productive economy and we build on our economic strengths. ▪ We have a thriving Central Business District (CBD). ▪ It's easy to do business here. ▪ Our city grows and prospers in a sustainable way. 	<ul style="list-style-type: none"> ▪ The city is led by effective, open and responsive governance. ▪ Council's finances are sustainable for the long term. ▪ We operate efficiently and provide exceptional service. ▪ The city takes a leadership role regionally and nationally. 	<ul style="list-style-type: none"> ▪ Hamilton embraces the Waikato River and it is the focal point of our city. ▪ We value, preserve and protect Hamilton's natural, green environment. ▪ Our city is attractive, well-designed and compact with outstanding architecture and distinctive public spaces. ▪ Our city is a fun place to live with a vibrant arts scene. ▪ Hamilton is a safe city. ▪ It's easy to get around. ▪ We celebrate our people and many cultures.

■ = primary contribution

Principles of Policy

5. The guiding principles for this Policy are:
 - a. Council recognises the use of referenda as contributing and improving Council's decision-making through community involvement.
 - b. Citizens' initiated referenda will be non-binding.

Policy

Making a request for a Citizens' Initiated Referendum

6. A petition containing not less than 1500 signatures of residents of Hamilton City, inclusive of the principal petitioner, all being on the Electoral Roll for Hamilton City and eligible to vote, shall be presented to the Hamilton City Council advising of the petitioners' request for a referendum.
7. All petitions will be considered by the appropriate Standing Committee of Council, together with staff advice.
8. The subject of that petition must be considered by Council within 60 days of receipt.
9. If Council declines to hold a referendum as requested, the petitioners have a period not exceeding 90 days from the Council's decision to collect a further **petition containing signatures from not less than 10 percent (trigger level)** of Hamilton residents being on the Electoral Roll for Hamilton City and eligible to vote to demand a referendum.
10. Failure to present a further petition within the 90-day period will invalidate the request for a referendum.

Process for a Citizens Initiated Referendum

11. The sequence of events to be followed for a public-demanded referendum is as follows:
 - a. The proposer submits a proposal for a referendum to Council and the wording of the petition to demand the referendum must be determined in conjunction with the Electoral Officer.
 - b. The proposer collects the details and the signatures for the petition in accordance with the requirements of the valid petition criteria section.
 - c. The proposer presents the completed petition to Council.
 - d. The Electoral Officer validates the petition.
 - e. On receipt of a valid petition which meets the requirements of valid petition criteria section, Council will, within fourteen (14) days, direct the Electoral Officer to initiate the referendum in accordance with the Local Electoral Act. Council may decide in the interests of economics to delay a request for a referendum to enable two or more issues to be decided concurrently.
 - f. The referendum then takes place using the wording from the petition.
12. Once Council has determined that a referendum is required, the provisions of the Local Electoral Act 2001 specify the detailed procedure to be followed. Council will follow the process included in the Local Electoral Act, though that process has not been restated in this Policy.
13. Council will have the right to initiate counter-proposals to the subject of the petition and require the two issues to be voted on jointly.
14. Council may, of its own volition, initiate a referendum.
15. There shall be no restriction on the number of referenda held at any one time. No similar petition shall be put to referendum again for a period of three years unless the Council considers that there are extraordinary circumstances justifying a further petition within that period of time.

Validate petition - criteria

16. The petition shall contain not more than twenty (20) eligible and original signatures per page on A4 white paper.
17. Each signature shall be next to the printed name and address of the person signing, given with sufficient detail to enable that person to be identified on the Electoral Roll of Hamilton City.

18. The petition shall also include a statement that the act of signing the petition is no more or less than a request to hold a referendum on the issue.
19. The petition must show the estimated cost of the referendum to the ratepayer. This estimated cost will be provided by the Electoral Officer.
20. To **request** a referendum the petition must contain not less than 1500 signatures of residents of Hamilton City, inclusive of the principal petitioner, all being on the Electoral Roll for Hamilton City and eligible to vote (as outlined in making a request for a Citizens' Initiated Referendum section).
21. To **demand** a referendum, the petition must contain signatures from not less than 10% (trigger level) of Hamilton residents, all being on the Electoral Roll for Hamilton City and eligible to vote (as outlined in in making a request for a Citizens' Initiated Referendum section)

Consequences of referenda

22. The result of the referendum shall not be binding on the Council, but the Council shall, where legally possible, give favourable consideration to the view of the majority of valid votes cast at a referendum. Where there are legal or other constraints on the Council, the Council shall endeavour to inform the public prior to the referendum of the qualifications on its decision-making process.
23. The principal petitioner may appoint up to three (3) scrutineers to observe the counting of votes and the procedures used. Any informality of procedure must be advised in writing to the Chief Executive of Hamilton City Council by the principal petitioner or one of the scrutineers so appointed within seven (7) days of the results of the referendum being declared by the Electoral Officer.
24. No issue becoming the subject of a referendum will proceed or be withdrawn until the issue has been declared valid or invalid. Council may proceed with or withdraw any issue where there are legal requirements or where the Council considers that there is a good reason.

Monitoring and implementation

25. The General Manager, Customer Relations will monitor the implementation of this Policy.
26. The policy will be reviewed every three years or at the request of Council, or in response to changed legislative and statutory requirements, or in response to any issues that may arise.

References

- Local Electoral Act 2001

Committee: Strategy & Policy Committee **Date:** 19 July 2016
Report Name: Trade Waste and Wastewater Bylaw 2016 Deliberation and Adoption Report **Author:** Emily Botje

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Bylaw</i>
Financial status	<i>The budget required for the making of this bylaw is estimated to be \$100,000. These costs have been funded from a combination of budgets from City Waters, Strategy and Communications.</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is considered to have a high degree of significance</i>

1. Purpose of the Report

2. To provide an overview of feedback and issues raised by the community in relation to the proposed Trade Waste and Wastewater Bylaw and staff recommendations on the feedback for Council's deliberation.
3. A proposed Trade Waste and Wastewater Bylaw (Attachment 3) is presented to Council for consideration and adoption

4. Executive Summary

5. The proposed Trade Waste and Wastewater Bylaw 2016 was adopted for public engagement at the 23 February 2016 Strategy and Policy Committee.
6. The feedback period was from 1 March 2016 through to 1 May 2016. Feedback was received from five respondents, and the Associate Minister of Health. None of those who provided feedback opposed the bylaw.
7. A number of issues were raised through the feedback process. To clarify the intent of the bylaw staff are recommending minor amendments.
8. The Proposed Hamilton Trade Waste and Wastewater Bylaw is attached (Attachment 3), with proposed changes shown.

9. Recommendations from Management – Recommendation to Council

That the Strategy and Policy Committee:

- a) receives the report.
- b) determines that the Hamilton Trade Waste and Wastewater Bylaw 2016 does not give rise to implications under the New Zealand Bill of Rights 1990.
- c) accepts the recommended changes to the Hamilton Trade Waste and Wastewater Bylaw 2016 as shown in Attachment 3.
- d) recommends to Council that the Hamilton Trade Waste and Wastewater Bylaw be adopted as at 15 August 2016.

10. Attachments

11. Attachment 1 - Letter from Associate Minister of Health
12. Attachment 2 - Proposed Wastewater and Trade Waste Bylaw 2016 - Feedback Summary Report
13. Attachment 3 - Proposed Wastewater and Trade Waste Bylaw 2016 - Final Tracked Changes

14. Report Format

15. This report is prepared and should be considered in two parts:
 - a. Part 1: Deliberation – Issues and Options
 - b. Part 2: Decision – Recommendations for Adoption

16. Part 1: Deliberation

17. This section discusses issues raised by respondents and recommended responses from staff for Council to deliberate on.
18. The proposed bylaw in accordance with section 148(1) was sent to the Minister of Health for comment. The proposed bylaw was found to be comprehensive, and met or exceeded the requirements sent by the New Zealand Standard Model Bylaw for Trade Waste (Attachment 1).
19. Five submissions were received.
20. Issues resulting in recommended changes to the proposed bylaw
21. The following table shows the issues raised by respondents and where staff have recommended changes. For a summary of all the issues raised in the consultation process and staff recommendations, refer Attachment 2.

Issue Raised	Staff comments
Schedule 1A -Table 5 Liquid Pharmaceutical Waste could be difficult to comply with for this business which manufactures veterinary pharmaceuticals.	Recommend clarification that Table 5 in Permitted Characteristics Schedule 1A only applies to liquid waste from pharmacies.
Clause 8.10(g) - The timeframe of one working day for reporting non-compliances with consent conditions would be difficult to achieve.	Recommend increasing the timeframe from one working day to three working days.
Clarification – Concern around the transitional provisions for existing condition consent holders and when the changed limits in Schedule 1A apply	Recommend that the following is added to clause 8.13(b) “For the avoidance of doubt, Schedule 1A of this bylaw applies to existing consents except to the extent that the consent conditions specifically provide for a different limit”.
Schedule 1A - The removal of permitted mass limits is not supported as concentration limits alone do not encourage efficient water use. Mass limits should be retained for conditional consents as they help businesses understand the water balance for the site.	Recommend that mass limits for BOD and COD is added to Permitted Characteristics Schedule 1A is added. This wording has been included “It is sufficient to comply with either the concentration limit or the mass limit”.
Clarification - Permitted Characteristics Schedule 1A – Table 5 Liquid Pharmaceutical Waste is confusing.	Recommend clarification that Table 5 in Permitted Characteristics Schedule 1A only applies to liquid waste from pharmacies.
Clarification - Grease Trap sizing in Schedule 2 is relevant only to food retail businesses and not suitable for larger businesses or food manufacturers.	Recommend rewording this schedule, Schedule 2 is relevant to food retailing businesses only.
Schedule 1B Prohibited Characteristics – heavy solids settling limit is not practical and is covered by other limits.	Recommend the removal of the statement “Heavy Solids which settle faster than 50mm/minute form Prohibited Characteristics Schedule 1B”.
Definition - It is not clear that oil and fuel meeting the permitted levels are not prohibited from the wastewater system.	Recommend changing the wording of prohibited characteristics as suggested
Clarification - Some parts of the bylaw are difficult to read and understand.	Recommend rewording, a plain English guide is provided on the Council’s website.

22. Part 2: Decision and Recommendations for Adoption

- 23. Following the review of the feedback staff recommend that the changes made to the Proposed Trade Waste and Wastewater Bylaw (Attachment 3) are approved.
- 24. Staff recommend that the Bylaw comes into force on Monday 15 August 2016.

- 25. Legal Requirements
- 26. The Local Government Act 2002 (LGA 2002) requires that Council determine that a bylaw does not give rise to implications under the New Zealand Bill of Rights Act 1990.
- 27. Staff have reviewed the bylaw and recommend that it does not give rise to implications under the New Zealand Bill of Rights Act 1990.

28. Financial and Resourcing Implications

- 29. The cost of developing and reviewing city bylaws is already budgeted for. The estimated cost of producing this bylaw is approximately \$100,000.
- 30. Future education, communication and enforcement of the bylaw are covered under current budgets.

31. Risk

- 32. This bylaw is in line with Council’s abilities under the LGA 2002 and modeled on bylaws from similar territorial authorities, and has been reviewed by Councils lawyers. Therefore there is little risk associated with the bylaw.
- 33. If this bylaw is not adopted by 16 August 2016, Council will not have the ability to regulate the issues or recover costs in relation to the use of the wastewater system.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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Office of Hon Peter Dunne

MP for Ohariu
Minister of Internal Affairs
Associate Minister of Health
Associate Minister of Conservation

12 MAY 2016

Mr Andrew Parsons
City Waters Manager
Hamilton City Council
andrew.parsons@hcc.govt.nz

Ref. 1600472

Dear Mr Parsons

Thank you for your letter of 30 March 2016 to the Minister of Health Hon Dr Jonathan Coleman about Hamilton City Council's proposed Trade Waste and Wastewater Bylaw 2016. I am responding as this matter falls within my portfolio responsibilities as Associate Minister of Health.

The Ministry of Health supports the use of trade waste bylaws as a means of reducing waste to councils' sewage treatment plants. These bylaws also protect the sewerage system, sewerage workers and the environment. I am advised that Hamilton City Council's Trade Waste Bylaw is comprehensive and largely follows the requirements set by the New Zealand Standard Model Bylaw for Trade Waste and exceeds them in places.

I am also advised that you have already included the prohibition of the discharge of cytotoxic waste in your Bylaw, limiting the discharge of liquid pharmaceutical waste to sewers, and updating the reference to the Office of Radiation Safety Code of Practice, which the Ministry of Health has been suggesting to other Councils.

In accordance with section 148(4) of the Local Government Act 2002, I do not have any representatives of the owners or occupiers of trade waste premises that I require you to consult with, as I note you have already consulted extensively with these groups.

You can contact Mr Paul Prendergast (Public Health Engineer, Environmental and Border Health) at the Ministry on (04) 816 2672 or by email (paul_prendergast@moh.govt.nz) if you wish to discuss any aspect of the Bylaw further.

Yours sincerely

Hon Peter Dunne
Associate Minister of Health

PO Box 18041, Parliament Buildings, Wellington 6160, New Zealand
Telephone 64 4 817 9410 Facsimile 64 4 817 6530 Email p.dunne@ministers.govt.nz

Trade waste and wastewater bylaw submissions analysis

Respondent 1 (Mr Zhe Su)

Summary of Respondent Comments	Staff Comment	Staff Recommendation
Support for bylaw.	Noted.	No change to bylaw.

Respondent 2 (Resident – no name given)

Summary of Respondent Comments	Staff Comment	Staff Recommendation
Lack of understanding of what can be discharged and what is charged for.	<p>The Education Plan outlines an integrated approach to ensure all customers are aware of their responsibilities and understand the requirements. Further resources will be developed to support the bylaw including industry specific information. The Plain English Guide will be a good resource for residents and businesses to understand the bylaw better.</p> <p>Education is carried out by trade waste officers during inspection visits and advice is provided on how trade waste discharges and charges could be reduced.</p>	<p>No change to bylaw.</p> <p>Implement the Education Plan.</p> <p>Provide the Plain English Guide on the Council website.</p> <p>Continue education and advice from trade waste officers.</p>

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<p>Bylaw focuses on penalties and charges.</p>	<p>Enforcement and disconnection are used as a last resort for customers that don't comply with requirements. It is important for Council to have these tools available if there is significant risk to public health or the environment.</p> <p>Trade waste charges for larger dischargers ensures that these businesses are paying their fair share of costs for collecting and disposing of wastewater. Businesses that minimise their waste are rewarded with lower charges. Trade waste officers provide information on options available to businesses to reduce their discharge and charges.</p>	<p>No change to bylaw.</p>
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Respondent 3 – Mr Richard Booker (Virbac)

Summary of Respondent Comments	Staff Comment	Staff Recommendation
<p>Schedule 1A -Table 5 Liquid Pharmaceutical Waste could be difficult to comply with for this business which manufactures veterinary pharmaceuticals</p>	<p>Advice from the Ministry of Health was to include information on suitable disposal of liquid waste from pharmacies in the bylaw. The bylaw wording is unclear and Table 5 was not intended to apply to businesses manufacturing medical products for humans or animals.</p>	<p>Clarify that Table 5 in Schedule 1A only applies to liquid waste from pharmacies.</p>

<p>Schedule 1A – Table 1 Inhibitory substances could be difficult to comply with.</p>	<p>Some substances can have an impact on the wastewater treatment plant biological processes at very low levels. The inhibitory substance requirement in Schedule 1A Table 1 allows Council to limit substances not listed in the bylaw only if they are impacting on the process at the wastewater treatment plant.</p> <p>It is not expected that the volume of trade waste discharged by this business would impact on the process at the wastewater treatment plant. Considering the impact of potentially inhibitory substances is an important part of the consent application process.</p>	<p>No change to the bylaw.</p>
<p>Schedule 1A – Table 2 Phosphorus and Nitrogen limits could be difficult to comply with.</p>	<p>Nutrients such as phosphorus and nitrogen are a high priority for Council to control in trade waste due to their impact on the Waikato River.</p> <p>Higher limits or average limits for phosphorus or nitrogen can be set when a trade waste consent application is processed.</p>	<p>No change to the bylaw.</p>

Respondent 4 – Julian Booker BPO

Summary of Respondent Comments	Staff Comment	Staff Recommendation
<p>Alternative grease removal systems clause 8.7 (h) which requires these systems to be replaced if they don't meet the bylaw requirements would be difficult to meet. Alternative grease removal systems do not have a 500 L capacity as required by clauses 8.7 (c) and (d)</p>	<p>Alternative grease removal systems would be acceptable as long as the discharge meets the requirements in Schedule 1A Table 1. Grease traps and alternative grease removal systems have separate definitions, so clauses 8.7 (c) and (d) would not apply to alternative grease removal systems.</p>	<p>No change to bylaw.</p>
<p>The timeframe of one working day for reporting non-compliances with consent conditions in clause 8.10 (g) would be difficult to achieve. Laboratory errors can occur. Information needs to be collected to calculate compliance and interpret the results. One working day is not long enough to do this and one working week is proposed. Major non-compliances could be reported sooner.</p>	<p>Non-compliances can have an impact on the wastewater system. It is important that Council is aware of potential issues promptly. Reporting requirements can also be covered in more detail as a condition of consent or as part of a trade waste agreement where appropriate. Major issues such as spills which are likely to cause a non-compliance with consent conditions are covered by clause 8.6 which states these must be reported immediately.</p> <p>It is accepted that one working day may be difficult to achieve for many businesses. A longer period of three working days for a non-compliance that is not a situation covered by clause 8.6 is recommended.</p>	<p>The timeframe for reporting non-compliances in clause 8.10 (g) is increased from one working day to three working days. Clarify that this does not apply to situations such as spills.</p>
<p>Tanker waste dischargers should be consented but they would not meet many permitted characteristic requirements of the</p>	<p>For consistency it is preferred to have all dischargers into the wastewater system under the same bylaw. Tanker waste dischargers</p>	<p>No change to bylaw.</p>

<p>bylaw. They could be handled separately.</p>	<p>would hold conditional consents where specific characteristic requirements would be set as part of the consent process.</p>	
<p>The transitional provisions for existing conditional consent holders need to be clarified. When would the changed limits in Schedule 1A apply?</p>	<p>It is intended that the 2016 bylaw permitted limits would apply to all consent holders once the bylaw is in force unless a different limit is specifically mentioned as a condition of consent.</p> <p>All conditional consent holders and higher risk permitted dischargers are audited at least once per year. During the next audit visit after the bylaw is adopted, the trade waste officer will check if any variations are required to the conditions of consent due to the changes to the permitted limits. Increased limits for BOD, nutrients and oil and grease can be set for consent holders if appropriate.</p>	<p>Add to clause 8.13 (b) "For the avoidance of doubt, Schedule 1A of this bylaw applies to existing consents except to the extent that the consent conditions specifically provide for a different limit".</p>
<p>The removal of permitted mass limits from Schedule 1A is not supported as concentration limits alone do not encourage efficient water use. Mass limits should be retained for conditional consents as they help businesses understand the water balance for the site.</p>	<p>Mass limits can be set for conditional consents for any characteristic. The organics and metals mass limits were not retained for Permitted Characteristics Schedule 1A of the 2016 bylaw as they are difficult to monitor for compliance. An accurate flow is required to calculate a mass load of a characteristic.</p> <p>Concentration limits alone for permitted discharges are consistent with the requirements for other Councils e.g. Auckland and Christchurch.</p> <p>Agree that mass limits for BOD and COD would be appropriate to include in the Permitted</p>	<p>Add mass limits for BOD and COD to Permitted Characteristics Schedule 1A. Add commentary "It is sufficient to comply with either the concentration limit or the mass limit".</p>

	Characteristics Schedule 1A as an alternative to concentration limits. The pre-treatment processes in some businesses to remove oil and grease can increase BOD and COD. For very small discharges, higher BOD and COD is unlikely to have an effect on the wastewater system.	
Permitted Characteristics Schedule 1A - reduction of permitted oil and grease limits from 500 g/m ³ to 200 g/m ³ could be difficult to achieve for some businesses.	The oil and grease limit of 200 g/m ³ is required to reduce the current impact of oil and grease in the wastewater system. If a business can't achieve the limit but has an appropriately sized grease trap which is well maintained, the business can apply for a higher limit for oil and grease. A reduced limit for oil and grease is consistent with the requirements in recent trade waste bylaws adopted by other Councils e.g Christchurch, Auckland, Hastings and Nelson.	No change to bylaw.
Permitted Characteristics Schedule 1A – Table 5 Liquid Pharmaceutical Waste is confusing.	Advice from the Ministry of Health was to include information on suitable disposal of liquid waste from pharmacies in the bylaw. The bylaw wording is unclear.	Clarify that Table 5 in Permitted Characteristics Schedule 1A only applies to liquid waste from pharmacies.
Grease Trap sizing in Schedule 2 is relevant only to food retail businesses and not suitable for larger businesses or food manufacturers.	Stakeholder feedback requested guidance for grease trap sizing but it is difficult for a guide to cover all situations. Agree that it would be appropriate to clarify that the sizing guide is only relevant to food retailing businesses.	Clarify that the grease trap sizing guide in Schedule 2 is relevant to food retailing businesses only.
Prohibited Characteristics Schedule 1B – heavy solids settling limit is not practical and is covered	Agree it would be appropriate to remove this provision as the other bylaw requirements for	Remove "Heavy Solids which settle faster than 50mm/minute" from Prohibited Characteristics

by other limits.	solids adequately address the risk.	Schedule 1B.
Removal of the description of the different sampling methods and good sampling practice is not supported.	<p>The sampling information outlined in Schedule 1D in the 2006 bylaw comes from the Standards NZ model trade waste bylaw. While useful for reference, this information is not considered essential to the bylaw</p> <p>The existing sampling information can be provided on the Council website so this information is still available to customers.</p>	<p>No change to bylaw.</p> <p>Provide information on sampling on the Council website.</p>

Respondent 5 – Oil Companies

Summary of Respondent Comments	Staff Comment	Staff Recommendation
Overall approach and trade waste definition is supported.	Noted.	No change to bylaw.
<p>Most oil company sites would meet the permitted wastewater requirements for their discharges.</p> <p>The requirement for all trade waste dischargers to have approval to discharge would result in significant ongoing cost. There is confusion as to whether existing businesses need to apply for consent to discharge if they don't currently have an approval notice.</p> <p>Discharges from the dewatering of a tank pit would not meet permitted limits and generally</p>	<p>In order to protect both the wastewater network and the treatment process, Council needs to know where all trade waste dischargers are located and what pre-treatment systems they have in place. Low risk dischargers that meet the permitted limits require a one-off application and inspection and then receive an approval notice. Most oil company sites would be low risk. The one-off application and inspection fee is currently \$160.</p>	<p>No change to bylaw.</p> <p>Provide information in the Plain English Guide on who needs to apply for which type of consent and how often each type is inspected.</p> <p>Provide the Plain English Guide on the Council website.</p>

	<p>A Plain English Guide has also been developed for customers to read alongside the bylaw. The Plain English Guide explains why each section of the bylaw is needed, briefly what the requirements mean in practice and where to find additional information. This is not a legally enforceable document but can help customers understand the bylaw.</p>	<p>website.</p>
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Hamilton City Council
BYLAWS



Approved By: Hamilton City Council	Date Adopted : 28 July 2016
Date In Force: 1 September 2016 15 August 2016	Review Date: (5 years after date adopted)

~~DRAFT~~ HAMILTON TRADE WASTE AND WASTEWATER BYLAW
2016

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Hamilton City Council BYLAWS



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

1. INTRODUCTION

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

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

2. SHORT TITLE, COMMENCEMENT AND APPLICATION

- 2.1. The bylaw is known as the "Hamilton Trade Waste and Wastewater Bylaw 2016".
- 2.2. The bylaw applies to the Hamilton City Council District.
- 2.3. The bylaw comes into force on ~~1 September 2016~~ ~~15 August 2016~~.

3. SCOPE

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

4. PURPOSE

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

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

5. COMPLIANCE WITH OTHER ACTS AND CODES

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

6. DEFINITIONS

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

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

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

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

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

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

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

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

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

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

Working Day Means any day of the week other than:

(a) A Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Labour Day, and

(b) A day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year.

(b)(c) Were a public holiday falls on a weekend day and the public holiday is observed on the next available working weekday.

AWWA [American Water Works Association](#)

IANZ [International Accreditation New Zealand](#)

SCADA [Supervisory control and data acquisition](#)

UV [Ultraviolet](#)

7. WASTEWATER

7.1. Connecting to the Wastewater System

- (a) No Person may, without Council's Approval
- i. Connect to the Wastewater System;

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

7.2. Control of Discharges

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

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

- (e) When any Person fails to comply with clauses 7.2 (a) – (d), and a reasonable alternative method cannot be agreed with the discharging party, the Council may physically prevent discharge into the Wastewater System.
- (f) Domestic Wastewater must comply with the physical and chemical Characteristics in Schedule 1A.
- (g) The maximum instantaneous flow rate discharged from any Premises used solely for residential purposes must not exceed 2.0 litres/second.

7.3. Hazardous Materials

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

7.4. Protection of Wastewater System

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

7.5. Private Drains

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

8. TRADE WASTE DISCHARGES AND CONSENTS

8.1. Classification of Discharges

- (a) Trade Waste discharges are classified as one of the following types:
 - i. Permitted Trade Waste, (in which case an Approval Notice must be obtained);
 - ii. Conditional Trade Waste, (in which case a Conditional Consent must be obtained or a Trade Waste Agreement be entered into); or

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

8.2. Application for a Consent or Variation

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

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

8.3. Processing An Application

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

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

8.4. Conditions of Consent

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

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

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

8.5. Duration and Review

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

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Note: (this note does not form part of the bylaw) A condition could be varied if technical matters associated with the discharge have changed, to meet any new resource consent imposed on the discharges from Council's Wastewater Treatment Plant or to comply with any other legal requirements imposed on Council.

- ~~(c) following a review of the technical issues considered when setting conditions of Consent, or to meet any new Resource Consent imposed on the discharge from Council's Wastewater Treatment Plant, or with any other legal requirements imposed on Council.~~
- (d) A Consent Holder may at any time during the term of a Consent, by written application to Council, seek to vary any condition of [the](#) Consent, as provided for in clause 8.2 (a) of this Bylaw.

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8.6. Accidents and Spills

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

8.7. Pre-treatment Requirements

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

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

8.8. Flow Metering

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

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Council, and must be submitted to Council at prescribed intervals by the Consent Holder in a format Approved by Council.

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

8.9. Estimating Discharge

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

8.10. Sampling, Testing and Monitoring

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- (a) Council may undertake sampling, testing, monitoring and audit inspections to determine if:
 - i. A discharge complies with the provisions of this bylaw;
 - ii. A discharge is to be classified as Permitted, Conditional, or Prohibited (refer to clause 8.1 of this bylaw);
 - iii. A discharge complies with any condition of a Consent or Trade Waste Agreement including a Management Plan; and
 - iv. Trade Waste Consent charges are applicable to that discharge.
- (b) Where monitoring of any Trade Waste discharge is required as a condition of a Consent to ensure compliance with other conditions of the Consent:
 - i. The Consent Holder must monitor the discharge of Trade Waste; and
 - ii. Council may independently monitor the discharge of Trade Waste.
- (c) The Consent Holder is responsible for all costs of monitoring, sampling and testing.
- (d) The taking, preservation, transportation and analysis of the samples must be undertaken by an Authorised Officer or agent of Council, or the Consent Holder in accordance with accepted industry standard methods or another methodology Approved by Council.
- (e) Any sample analysis must use methods or procedures in accordance with, or validated against, the latest version of the AWWA Standard methods for the examination of Water and Wastewater" or by such alternative method or procedure Approved by Council. Analysis must be undertaken by a laboratory accredited by IANZ, or a laboratory Approved by Council.
- (f) The Consent Holder must provide to Council or an Authorised Officer the results of any sampling, analysis, flow measurements or other monitoring requirements such as Pre-Treatment system maintenance, within one Working Day of any request by Council.
- (g) ~~Where clause 8.6 does not apply, but there is in the case of~~ non-compliance with the conditions of a Consent or a Trade Waste Agreement or where an anomalous result is obtained, the Consent Holder must report the results of the analysis to Council as soon as practicable and in all cases within ~~three~~ Working Days.

8.11. Review of Decisions

- (a) If any Person is dissatisfied with any decision by an Authorised Officer made under this bylaw, that Person may, ~~by notice delivered to the City Waters Manager of Council, not later than 20 Working Days after the decision by the Authorised Officer is served upon that Person,~~ request in writing that the City Waters Manager review any such decision. ~~The request must be made no later than 20 Working Days after the decision by the Authorised Officer.~~ The City Waters Manager's decision is final.
- (b) Nothing in this clause affects any right of appeal under the Local Government Act 2002.

8.12. Transfer or Termination

- (a) A Trade Waste Consent must be issued in the name of the given Consent Holder. The

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Consent Holder must not, without Council Approval:

- i. Transfer to any other party the rights and responsibilities provided for under this bylaw, and under the Consent;
 - ii. Allow a Point of Discharge to serve another Premises, or the Private Drain to that point to extend by pipe, or any other means, to serve another Premises; or
 - iii. In particular and not in limitation of the above, allow Wastewater from any other party to be discharged at their Point of Discharge.
- (b) Council may suspend or cancel any Consent at any time following not less than 20 Working Days (during which consultation has occurred) notice to the Consent Holder or Person discharging any Trade Waste:
- i. For the failure to comply with any condition of the Consent or to maintain effective control over the discharge;
 - ii. For the failure to comply with ~~the requirements of~~ this bylaw or a Consent in respect of the volume, nature or composition of Trade Waste being discharged;
 - iii. ~~In the event of any negligence which, in the opinion of Council, threatens the safety of, or threatens to cause damage to any part of the Wastewater System or the Wastewater Treatment Plant, or threatens the health or safety of any Person or poses a serious threat to the environment;~~
 - iv. In the event of any breach of a Resource Consent held by Council issued under the Resource Management Act caused in whole or in part by the Trade Waste discharge;
 - v. Failure to provide and when appropriate update a Management Plan as required for a Conditional Consent;
 - vi. Failure to follow the Management Plan provisions;
 - vii. Failure to pay any Trade Waste charges;
 - viii. If new information becomes available on the nature or Characteristics of the Trade Waste discharge; or
 - ix. If any other circumstances arise which, in the opinion of Council, render it necessary in the public interest to cancel the right to discharge.
- (c) Further to clause 8.12 (b) of this bylaw, any Consent may at any time be ~~immediately summarily~~ suspended or cancelled by Council, on giving to the Consent Holder, written notice, if:
- i. They discharge any Wastewater with prohibited Characteristics as set out in Schedule 1B ;
 - ii. Council is lawfully directed to withdraw or otherwise to terminate the Consent summarily;
 - iii. The discharge of Trade Waste is unlawful;
 - iv. If the ~~continuance of the~~ discharge is, in the opinion of Council, a threat to the environment or public health;

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v. ~~In the event of any negligence which, in the opinion of Council, threatens the operation of the Wastewater System; or~~

~~iv-vi.~~ In the opinion of Council, the ~~continuance of the~~ discharge puts at risk the ability of Council to comply with the conditions of a Resource Consent and/or requires identified additional treatment measures or costs to avoid a breach of any such Resource Consent.

- (d) Council may require a Consent Holder, at their expense, to disconnect the Premises from the Wastewater System where:
- i. The Consent has expired;
 - ii. Council suspends or cancels a Consent; or
 - iii. The Consent Holder breaches clauses 7.2 (a) to (d).
- (e) If the Consent Holder fails to comply with any such requirement to disconnect, Council may ~~at its discretion, and~~ at the Consent Holder's expense, access the Premises in accordance with section 171 of the Local Government Act 2002 ~~and clause 10.1 of this bylaw~~ in order to disconnect it from the Wastewater System; Council may ~~and~~ carry out such works as it considers necessary to prevent the further discharge of Trade Waste into the Wastewater System.

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8.13. Transitional provisions

- (a) Any application for a Consent made under Council's Trade Waste Bylaw 2006, for which a Consent has not been granted at the time of this new bylaw coming into force, is deemed to be an application made under clause 8.2 of this bylaw.
- (b) Every existing Consent continues in force as if it were a Consent under this bylaw until it reaches its expiry date, provided that no Consent runs beyond 31 August 2021. For the avoidance of doubt, Schedule 1A of this bylaw applies to existing consents except to the extent that the consent conditions specifically provide for a different limit.
- (c) Subject to clause 8.13 (d) of this bylaw, every existing duly executed Trade Waste Agreement between an Occupier and Council for the discharge and reception of Trade Waste between an Occupier and Council existing which is current at the date this bylaw comes into force continues in force on the same terms and conditions as if the Trade Waste Agreement it was a Trade Waste Agreement issued under this bylaw.
- (d) Where an existing Trade Waste Agreement is silent as to its term, that agreement will be terminable on six months' written notice by Council and the Occupier shall thereafter be required to apply for a Consent or Trade Waste Agreement in accordance with this bylaw.
- (e) A Person who proposes to continue a discharge of Permitted Trade Waste who does not have an Approval Notice must apply for an Approval Notice within twelve weeks of this bylaw coming into force. ~~If Council declines the application for an Approval Notice, the Person must cease discharging Permitted Trade Waste immediately upon receipt of notice of Council's decision.~~

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9. TANKERED WASTE

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

10. ACCESS

- 10.1. In accordance with section 171 of the Local Government Act 2002, an Authorised Officer may enter and inspect any land or building (other than a dwelling house) for routine inspection or monitoring or for post breach monitoring. The Authorised Officer must give at least 24 hours notice of the intended entry.

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

11. FEES AND CHARGES

11.1. In accordance with sections 150 and 151 of the Local Government Act 2002, Council may ~~from time to time~~, by resolution using the procedures required by the Act, fix ~~administrative charges~~ payable by Consent Holders and applicants for the purposes of:

- (a) ~~a~~Administering this bylaw,
- (b) ~~a~~Administering Consent applications and Consents granted under this bylaw, and
- (c) ~~Recovering the cost~~~~the charges~~ ~~offer the~~ receiving, treating~~ment~~ and disposi~~ngal~~ of Trade Waste by or on behalf of Council.

12. BREACHES

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

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(d) Avoid actual or likely damage to the environment;
 provided the conduct of the Person was reasonable in the circumstances and the effects of the act or omission were adequately remedied or mitigated by the Person after the breach occurred.

13. REMEDIAL WORKS AND COST RECOVERY

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

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

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

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

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

14. OFFENCES AND PENALTIES

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

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

Councillor: _____

Councillor: _____

Chief Executive: _____

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SCHEDULES

- 1A - PERMITTED CHARACTERISTICSWASTEWATER
- 1B - PROHIBITED CHARACTERISTICSWASTEWATER
- 2 - PRE-TREATMENT REQUIREMENTS

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Schedule 1A - Permitted Characteristics Wastewater

The following tables set out general requirements and maximum concentrations for a Permitted Trade Waste and Domestic Wastewater. Wastewater and Maximum Concentrations for common substances that may be contained in Wastewater discharged to the Wastewater System.

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

Table 1 - General Characteristics

Parameter	Requirement or limit	Commentary
Bio-chemical Oxygen Demand (BOD5)	1,000 g/m ³ or 5 kg/day.	It is sufficient to comply with either the concentration limit or the mass limit. High BOD can overload treatment plants.
Chemical Oxygen Demand (COD)	2,000 g/m ³ or 10 kg/day.	It is sufficient to comply with either the concentration limit or the mass limit. High COD can overload treatment plants.
Colour	No waste shall have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs Wastewater treatment processes or Council is at risk of breaching resource consent conditions relating to discharge to the environment.	Some coloured substances can be difficult to remove in the treatment process.
Emulsions of paint, latex, adhesive, rubber, plastic or similar	Must not cause blockages or interfere with the operation of the Wastewater treatment system including treatment process.	Emulsions will coagulate when unstable and can sometimes cause blockages in the Wastewater System or interfere with the operation of the treatment process.
Flow	Maximum daily total flow 5 m ³ . Instantaneous flowrate 2.0 L/s.	The total flow should be measured over any 24 hour period. Trade waste discharges with a daily flow greater than 5 m ³ will require a Conditional Consent.
Gross solids (non-faecal)	15mm maximum dimension.	Gross solids can cause blockages in the Wastewater System.

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Parameter	Requirement or limit	Commentary
Oil and Grease	200 g/m ³ No free or floating layer.	Oils and greases can cause blockages in the Wastewater System, adversely affect the treatment process, and may impair the aesthetics of the receiving environment.
pH	6.0 to 10.0.	Low pH can cause corrosion of the Wastewater System, generate odours which could cause a public nuisance; release toxic H ₂ S gas which could endanger workers.
Radioactivity	Must not exceed the Office of Radiation Safety Code of Practice CSP1 for the Use of Unsealed Radioactive Material.	
Settleable Solids	50 ml/L.	Can cause blockages and overload the treatment process.
Solvents or other organic liquids	No free or floating layer.	Some organic liquids are denser than water and will settle in pipes and traps.
Suspended Solids	2,000 g/m ³ .	Can cause blockages and overload the treatment process.
Transmissivity	When diluted at 10:1 with distilled water and tested at 254nm, the result must have a transmissivity of 50% or more, equivalent to an absorbance of 0.3010 or less.	Poor transmissivity reduces the effectiveness of the UV light disinfection at treatment plants.
Temperature	40 °C.	High temperatures cause increased damage to structures, increase the potential for anaerobic conditions to form in the Wastewater, promote the release of toxic gases and can endanger workers. Conditional Consents may have a lower temperature limit.

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Parameter	Requirement or limit	Commentary
Inhibitory Substances	Should any Characteristic of a discharge be found to inhibit the performance of the Wastewater treatment process, such that Council is at risk of breaching resource consent conditions, Council may limit the concentration of any inhibitory substance.	

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Table 2 - Chemical Characteristics

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

Table 3 - Heavy Metals

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

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

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Table 4 - Organic Compounds

Organic compounds can endanger sewer workers and treatment processes.

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

Table 5 - Liquid Waste from Pharmacies

Pharmaceutical Waste
Pharmacies must not discharge more liquid pharmaceutical waste per month than the volumes listed below. The volume limit is based on the concentration of active ingredients in the product. Liquid pharmaceutical waste including Liquid antibiotics.

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

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Schedule 18: Prohibited Characteristics Wastewater

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

Prohibited Characteristics

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

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Schedule 2: Pre-treatment and Discharge Requirements

Table 6 – Typical requirements for businesses

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

Hamilton City Council BYLAWS



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

Hamilton City Council BYLAWS



Business	Typical Requirement
	water/oil/paint separator; appropriate in-ground bucket trap; equipment maintenance requirements and discharge limits apply.
Swimming pool/spa (residential, hotel, or club)	No open areas draining rainwater to the Wastewater System; discharge must be less than 2 L/s.
Veterinary	Appropriate in-floor bucket trap and appropriate in-sink bucket trap; no organophosphorus pesticide to the Wastewater System; no open areas draining rainwater to the Wastewater System.
X-ray (<10 standard x-ray films a day, e.g. small professional customers, chiropractors, veterinary clinics, dentists, GPs)	Dilute silver rich solutions may be discharged to the Wastewater System in quantities of less than 1 litre per day.
Grease Trap Sizing Guide for Food Retail Businesses	<p>A conventional tank type Grease Trap must have a functional capacity of no less than 500 litres. It is recommended Grease Traps be sized based on:</p> <ul style="list-style-type: none"> (a) 40 litres capacity per served meal per hour; or (b) 5 litres capacity per seated person/served meals per day; <p>PLUS</p> <ul style="list-style-type: none"> (c) an additional 25% capacity for peak flushes; and (d) an additional 250 litres capacity for each connected dishwasher. <p>Retention time within the Grease Trap must be a minimum of one hour in all cases.</p>

Committee: Strategy & Policy Committee **Date:** 19 July 2016
Report Name: Hamilton East Neighbourhood Plan **Author:** Julie Clausen

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Hamilton Plan</i>
Financial status	<i>The budget for the development of the Hamilton East Neighbourhood Plan is contained within existing budgets set in the Annual Plan. Amount budgeted is \$31,800.</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

2. The purpose of this report is to approve the draft Hamilton East Neighbourhood Plan for public engagement.

3. Recommendations from Management

- a) That the report be received.
- b) That the Strategy and Policy Committee approves the Hamilton East Neighbourhood Plan for public engagement from 22 July to 11 August 2016.

4. Attachments

5. Attachment 1 - Draft Hamilton East Neighbourhood Plan

6. Key Issues

7. [Background](#)
8. On the 8 December 2015 the Strategy and Policy Committee received a [report on the Hamilton East Neighbourhood Plan](#) and resolved the following:
That:
 - a) the report be received;
 - b) the outlined work programme to develop the Hamilton East Neighbourhood Plan is endorsed; and
 - c) a Hamilton East Neighbourhood Plan Working Group is convened comprising of Councillors Gallagher, Chesterman, Pascoe and Her Worship the Mayor Hardaker.

9. The Hamilton East Neighbourhood Plan is an initiative related to the priority of the Hamilton Plan for “An active, strong commercial central city with distinctive suburban villages”.
10. The Hamilton East Neighbourhood Plan is a non-statutory document.

11. Development of the Plan

12. Considerable engagement has occurred with the public, businesses and stakeholders in development of the plan.
 - A general survey of employees and people on the street in Hamilton East regarding perceptions of Hamilton East. A total of 205 people responded to this survey.
 - A survey of businesses in Hamilton East regarding their perceptions of Hamilton East as a place to do business. A total of 64 people responded to this survey.
 - Community Stakeholders: Maaori Reference Group (THAWK), Hamilton East Community Trust, and Waimarie: Hamilton East Community House.
 - Councils’ advisory panels: Youth Advisory Panel, Older Persons Advisory Panel, and Heritage Advisory Panel.
 - A focus group comprising of 24 Hamilton East residents, community groups, and businesses worked with the working group to develop the plan and met 3 times providing direct input into the draft Plan.
 - Council received a briefing on the Plan on 19 April 2016.

13. The Plan

14. Attached is the draft Plan.
15. It has developed four themes to respond to the challenges identified and to reinforce and strengthen the positive features of Hamilton East.
16. The draft plan picks up projects within other Council Plans that are relevant to Hamilton East, for example the River Plan, the Biking Plan and Heritage Plan as well as some projects that are specific to Hamilton East.
17. Some projects will be delivered through operations and renewals budgets, some are targeted from community funding support and some will require funding to be considered as part of the annual and long term plan proposals.
18. The draft Plan has been endorsed by the working group and is now ready to go out for public engagement.

19. Engagement

20. The engagement period will be from Friday 22 July to Thursday 11 August and will include information in City News and a public open day in the Hamilton East village.
21. Feedback on the public engagement and a final plan will be presented to the next Strategy and Policy Committee for approval.

22. Financial and Resourcing Implications

23. The establishment of the Hamilton East Neighbourhood Plan Working Group and Focus Groups has been in a voluntary capacity.
24. A budget of \$31,800 in 2015/16 was allocated for the development of the Plan. To date approximately \$29,400 has been used and the remainder of the budget (\$2,900) will be used in the engagement phase.

25. Risk

26. There are no risks associated with the adoption of the plan for consultation.

Signatory

Authoriser	Sean Hickey, General Manager Strategy and Communications
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DRAFT

Celebrate Hamilton East

Hamilton East Neighbourhood Plan



 **Hamilton City Council**
Te kaunihera o Kirikiriroa

Introduction

Hamilton East is Hamilton's oldest suburb.

Hamilton East's distinctive identity is created by its strong heritage appeal, village atmosphere and layered lifestyle. It is a much-loved suburb, known for its eclectic, nostalgic ambience, central location and genuine mix of commercial, residential and leisure activity. Hamilton East is located within walking distance of the central city. A key feature of Hamilton East is its connection to the Waikato River which provides important links between the Hamilton Gardens, Hayes Paddock and the Wellington Street Beach.

This Plan provides direction for the future development of Hamilton East to ensure it is consistent with, and contributes strongly to, the suburb's character and identity. The Hamilton East Neighbourhood Plan is not a statutory planning document.

The Plan is about working to refresh and enhance the features that people most value about this neighbourhood, features that make it a great business and lifestyle choice, and an delightful place to visit.

This Plan takes an action-focused approach, identifying new projects and targeted business-as-usual activities to achieve this.



Hamilton East

The area covered by the Hamilton East Neighbourhood Plan is defined by the green belt to the east and the Waikato River to the west and south. To the north, the boundary follows a developed gully system and borders Hamilton Boys' High School.

Within the area, consideration has been given to growth patterns, land use and zoning, demographic profiles, access and connectivity, and contextual and geographic linkages beyond the boundaries of the study area.

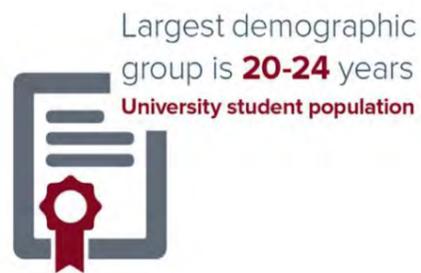
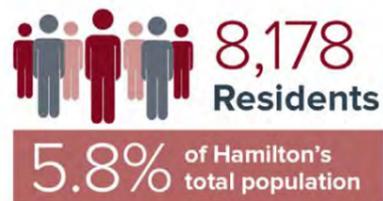
Hamilton East is a genuine mixed-use suburb that works well. It is economically successful with a loyal and long-standing commercial and residential base that is committed to a positive future for the neighbourhood. It is a destination in itself and a connector for the central city. Given this solid platform, enhancing Hamilton East is about working to its strengths.



Key:

- Hamilton East Village Business Centre Core
- Commercial Fringe Business Zone
- Medical Cluster
- Neighbourhood Centre Business Zone
- Community Facilities Zone
- Catholic Diocese
- Residential Intensification Zone
- Special Heritage Zone - Hayes Paddock Area
- Special Heritage Zone - Hamilton East Villas Area
- Hamilton East Special Residential Zone
- Memorial Park and New Memorial Park
- Hamilton East Neighbourhood Plan Boundary
- Sillary Street Underpass to Hamilton Gardens
- Proposed Wairere Drive connection to Peacocke
- Proposed pedestrian bridge from Ferrybank to Memorial Park

About Hamilton East



Education



Business Activity

Hamilton East village has a distinct flavour created by independent retail and business, and the absence of large chain stores.

Within Hamilton East there is a defined medical cluster around Von Tempsky and Beale Streets. This business activity brings a volume of visitors to the whole area.

Hamilton East is an enclave of professional services. A distinctive feature is family businesses with 1-2 employees. There are a low number of large employers.

Hamilton East is an attractive location to work in due to its location close to the central city and its well-developed roading network.



- Main industries:**
1. Health care
 2. Public administration
 3. Professional, scientific & technical services
 4. Education & training
 5. Accommodation & food



Residential Living

Hamilton East is an attractive leafy suburb, close to the river and within walking distance to the central city.

It has a designated residential housing intensification zone to provide for the city's growth needs.

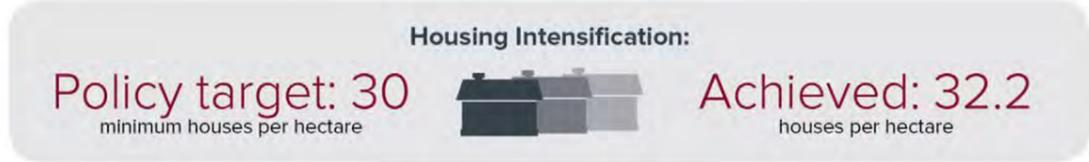
The density of housing in this area is 32.2 dwellings per hectare which meets the policy target of the Proposed District Plan of a minimum of 30 dwellings per hectare. This has been achieved by the construction of blocks of flats, apartments and townhouses.

Hamilton East has two special heritage zones, the Hamilton East Villas Area and Hayes Paddock Area.

The Hamilton East villas are an intact grouping of villas built on original town acres between 1891 and 1916.

Hayes Paddock is one the largest examples of state house development, designed and built by the first Labour Government from the late 1930s.

- Four distinct housing areas:
1. Hamilton East Residential Intensification Area
 2. Hamilton East Special Residential Area
 3. Special Heritage Zone - Hayes Paddock Area
 4. Special Heritage Zone - Hamilton East Villas Area



Hamilton East Today

Many people live, work and spend much of their leisure time in the neighbourhood.

Hamilton East residents, businesses, community groups, and visitors to the neighbourhood were surveyed about the things they most liked about Hamilton East and the things they found most challenging.

Likes



Cafés and places to meet relatives and clients



Local shops



Village atmosphere



Clustering of businesses, especially medical services



Local employment



Location close to the central city, university and schools



High foot traffic



Ease of commute and free parking



Established community



Heritage look and feel



Green space areas

Challenges



Engaging with the River



Declining amenity and ambience of the Village



Traffic volumes, pedestrian and bike safety



Protecting heritage and telling the history



Anti-social behaviours and safety issues in some public spaces including Steele Park



Connections particularly to the central city and Hamilton Gardens



Parking



Outcome & Themes

The Hamilton East Neighbourhood Plan is an action-focused initiative to deliver the Hamilton Plan priority for an active, strong commercial centre with distinctive suburban villages.

The Plan has strong connections with the River Plan and its sister plan, the Central City Transformation Plan as well as linkages to a number of other plans such as the Heritage Plan, and Biking Plan.

The purpose of the Plan is to ensure Hamilton East's special character is preserved and enhanced into the future. In 10 years' time, Hamilton East's visible history, strong connections to the Waikato River, Hamilton Gardens and central city, and its village identity will make it a popular, safe destination as well as a great place to work and live.

Plan Outcome

- Hamilton East is a popular and attractive character suburb that remembers its history.

Themes

- Four themes provide areas of focus that will stimulate positive outcomes for the Hamilton East neighbourhood:
 - Hamilton East Village
 - Connections
 - Living Heritage
 - Active Places



Hamilton East Village

Hamilton East is known for its village atmosphere and heritage.

The village shopping area is a popular destination for residents, local workers and visitors.

The main street has high volumes of traffic which create challenges to public enjoyment of the space, including Steele Park. There are opportunities to maximise the village appeal through streetscape and amenity projects which also enhance the heritage value of the area and connections to the river.

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Connections

Hamilton East is a busy thoroughfare.

Natural features and transport infrastructure are creating physical barriers for safe access to places in Hamilton East and connections to the River and central city.

Natural routes to places of interest such as the Hamilton Gardens or Wellington Street Beach are not defined.

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14 The Hamilton East Neighbourhood Plan

Living Heritage

Heritage features and archaeological sites are a significant part of Hamilton East.

There are opportunities to enhance Hamilton East's status as Hamilton's oldest suburb and to integrate heritage into the identity and character of everyday activities in Hamilton East.

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Active Places

Hamilton East has distinct geographic areas of activity and character that contribute to the layered working, living and recreational experiences the neighbourhood offers.

These include medical, business, education and retail areas that attract steady flows of people. It also includes the Waikato River and green spaces that complement the urban landscape, providing recreational opportunities and visitor attractions.

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The Hamilton East Neighbourhood Plan 15

Hamilton East Village

The Grey Street shopping centre is a popular mix of business, retail, services and hospitality and the area people most associate with Hamilton East.

The Village has many positive aspects which users of Hamilton East enjoy and support. These aspects include its central location, loyal community, and steady flow of vehicle and foot traffic created by people who live and work locally, destination visitors and people passing through.

However traffic volumes and congestion are also contributing to a sense of disconnection. This disconnection and the tired state of the general environment and Steele Park is compromising the vibrant village atmosphere.

The built environment inhibits access to the Waikato River and the network of river pathways.

The Plan focuses on creating a feeling of arrival, beautifying and renewing the streetscape, revitalising Steele Park, safety enhancement, and connecting the village with the River physically and visually.

Outcomes

- Hamilton East Village is busy with people
- Steele Park is a focal point for the village and actively used by a wide range of the community
- The River is visible from Grey Street and easier to access from the Village



Projects

Hamilton East Beautification

- This project will refresh Hamilton East Village by introducing a consistent historic theme for streetscape elements. This project will include:
 - Footpath treatments, planting and street furniture
 - Community-led upgrade of the Rotary Clock Tower
 - Gateway treatments will provide a sense of arrival in the village
 - Investigate undergrounding of power lines in Grey Street.

Steele Park Rejuvenation

- This is a project to improve the amenity and safety of Steele Park to encourage greater use. The project has a number of sub-projects:
 - Steele Park neighbourhood playground
 - Upgrade the Steele Park toilets
 - BBQ area and additional seating
 - Joint Council/Community project to refresh the exterior of the Steele Park Pavilion. In the longer term, explore replacement of the Steele Park Pavilion with a heritage themed building in the southwest corner of the Park
 - Make-over of the WEL Network Substation.

Brand and Identity

- Work with Hamilton East businesses, retailers and community to develop and implement a branding plan for Hamilton East Village that consistently reflects its special character and improves the profile of the village.

Business Association

- Work with Hamilton East businesses to establish a business association.

Safety Project

- Council, local businesses, retailers and community groups working together to identify opportunities to improve personal and pedestrian safety in Hamilton East. This will be done through conscious use of design and spaces, lighting, signage, and road safety management identified in other Plan projects or additional initiatives.
- Review of city safety patrols.

River Access

- This project is about making the River part of the Hamilton East Village experience and environment by developing easy gradient river access from Cook Street and Wellington Street. The implementation of the River Plan's vegetation management plan will create river windows through Grey Street.

Development Sites

- There are a few privately-owned sites in Hamilton East that have high residential and commercial development value and/or provide opportunities to better integrate the Hamilton East Village with the River, visually and physically. The Council will encourage appropriate development that is consistent with, and gives effect to, the Proposed District Plan, on these sites to support the outcomes in the plan. Council will actively work with developers to achieve the aspirations of this plan.

Connections

Hamilton East is a destination and also serves as a connection to other parts of the city such as the central city, the eastern suburbs, the University of Waikato and eastside schools. Major arterial routes such as State Highway 1 and high traffic volumes create access issues and congestion for all transport modes.

The neighbourhood is a significant location for engagement with the river and an east-west city connection.



Hamilton East's largely flat topography presents opportunities to create a connected, easy to navigate, pedestrian and bike-friendly environment.

Improving access and connections to places of activity and interest within Hamilton East, visitor attractions and the central city is important for people, business, and tourism.

Outcomes

- Easier and safer to get around Hamilton East and to places of interest
- Better pedestrian and bike links between Hamilton East, Hamilton Gardens, and the central city
- Safe and attractive connections to the Waikato River from the Hamilton East Village

Projects

AUSTROADS Safe System Project

- Grey Street will be included in a research project for mixed use urban arterials that will be undertaken by an independent Australasian expert panel. It will provide recommendations for the delivery of safer traffic flows and pedestrian and biking links in and around the village.

Gateways to the Village

- This project focuses on gateway treatments at the Grey Street and Cook Street intersection and the Grey Street and Clyde Street intersection to create a sense of arrival in Hamilton East.

Grey Street-Hamilton Gardens Avenue of Trees

- This project is about enhancing the connection between the Hamilton East Village and the Hamilton Gardens along Grey Street with a tree-lined corridor. Rows of flowering Cherry trees will begin where the Oak trees end, creating a visual and spatial gateway to the Hamilton Gardens.

Hamilton City River Plan

- Ferrybank Development Plan connection to Hamilton East.

Sillary Street Underpass

- A 2016 NZTA project to provide a safe pedestrian connection under Cobham Drive between Hamilton East and the Hamilton Gardens.
- Council will create themed planting to ensure a seamless transition between the two locations.

Parking Plan

- A parking plan for Hamilton East will be developed in consultation with the Hamilton East community and will consider resident, shopper and employee on-street parking options, time restrictions, mobility parks, and parking technology.

Bike Plan

- Two projects from the Bike Plan provide walking and biking connections to Hamilton East:
 - School Link (bike route to east side schools separated from traffic and parking)
 - Central city (from the central city to the University along the railway line)
- Installation of signage for biking routes is part of the Bike Plan.

Living Heritage

This theme is about recognising Maaori and European history and the unique historical features that make up Hamilton East.

Hamilton East is Hamilton's oldest suburb. It contains many sites and features of historic significance to both Maaori and Europeans. In pre-European times, it was home to a number of Maaori settlements, pa sites and productive gardens, and thriving river-based trading activities.

In 1864 Hamilton East was established as a military settlement, known as 'Irishtown' due to the large number of militiamen of Irish descent. Grey Street was originally destined to be the main street of Hamilton with Steele Park, planted with Oak trees in 1889, developed as a focal point for the community.

Hamilton East has many features that support the unique character of the area – among which are the Hamilton East Villas, Hayes Paddock state housing and Hamilton Gardens, which was developed on the site of a former city rubbish tip. The suburb contains mature and semi-mature trees, with a wide range of residential building styles that cover many of the eras from the 1870s until the present.

Outcomes

- Hamilton East's stories and heritage are visible and accessible
- Adaptive reuse of heritage buildings and places



Projects

Implement the Beale Cottage Management Plan

- This provides for the preservation of Beale Cottage, Hamilton's oldest building, and improved public access to the Cottage.

Heritage Signs

- This is a project to develop and install consistent and themed heritage signs on all heritage buildings and sites.

Heritage Plan

- The identification, assessment and listing of additional heritage buildings in Hamilton East by 2018.

Maaori Landmarks

- Implement the Nga Tapuwae O Hotumauea the 2003 the Maaori Landmarks on Riverside Reserve Management Plans to be completed in 2017.
- Commemorate Maaori landmarks located in other locations in Hamilton East.

Hamilton East Heritage Trail

- The Hamilton East Heritage Trail is a community initiative by the Hamilton East Community Trust that covers 32 points of historic interest in the Hamilton East area. This project is a joint community/Council initiative to upgrade the trail with consistent branding, signage, story-boards and marketing information.

Character Retention Development Guidelines

- Develop design guides and information sheets to provide clarity regarding interpretation of heritage protection and character elements within Hamilton East special residential zone.

Active Places

Hamilton East is a hub for businesses, retail, services, and hospitality. Its central location and riverside setting means there are many places of activity and visitor interest within the neighbourhood and close by.

Ensuring these areas contribute to the appeal and personality of the neighbourhood, attract people, and function well is a strong focus in this Plan. This involves improving entry points, streetscape amenity, beautification and parking so that these areas deliver positive, appropriate experiences for customers, businesses, visitors and residents.

Outcomes

- Places for people are well-known, attractive and used.



Projects

Memorial Parks Enhancement

- Within the context of the Riverside Reserves Operative Management Plan:
 - Vegetation management
 - Beautification of entrance to Memorial Park below Deloittes
 - Improving public interaction with the PS Rangiriri
 - Usage of houses in Memorial Park
 - Commemorative signage.

Medical Cluster

- This is a project to increase the profile of the medical village by enhancing brand and signage, vehicle access to and from the village, and streetscape. It will also explore stronger connections to Dawson Park and Memorial Park as leisure and relaxation spaces for staff, residents and visitors to the retirement homes, hospital, and medical services.

Hamilton Gardens

- Implement the Hamilton Gardens Development Plan.

Catholic Church Re-development

- Catholic Church project to give new life to St Mary's Convent Chapel and transform the chapel site to create a special place of contemplation in the midst of a busy city. This will involve earthquake strengthening, restoration work and the upgrading of facilities.

Hamilton City River Plan Projects

- Implement the River Plan projects to create an enhanced river swimming experience at Wellington Street Beach and redevelopment of the riverbank area and amenity facilities.
 - Build an easy access pedestrian path to the water
 - Install rubbish bins, BBQ tables and better lighting
 - Implement the River Plan project to create the city's best beach and a swimming feature on the river.

Dawson Park

- Explore options to optimise Dawson Park's potential as a shared community and school pocket park, install signage and a storyboard to mark the history of the site.

Neighbourhood Plan Projects

Implement the Beale Cottage Management Plan



Catholic Church redevelopment

Hamilton East Village beautification
• Streetscape refreshments
• Clock tower upgrade
• Gateway treatments to entryways
• Brand and identification plan
• Personal and pedestrian safety plan

Parking plan

STEELE PARK

Dawson Park review

Pathways to river
• Developing easy gradient river access

Medical cluster improvements

Memorial Park enhancements

AUSTROADS Safe System
• Dawson St to Wellington St

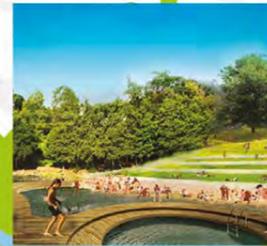
Steele Park
• New playground
• BBQ area and seating
• Pavilion refreshment with historic theme
• Upgrade toilets
• Make over WEL network substation

Complete the Hamilton Gardens Development Plan

Avenue of Cherry Trees - Linking Hamilton East to Hamilton Gardens

Underpass to Hamilton Gardens

River Plan Project
• Wellington Street Beach
• Ferrybank development
• Implementation Maaori Landmarks
• Vegetation management



Heritage Projects
• Heritage signs
• Hamilton East Heritage Trail
• Update heritage inventory

Feature Projects



1. Grey Street Avenue of Trees

Hamilton East communities wish to see stronger associations between Hamilton East Village and Hamilton Gardens.

This means better physical connections, better marketing and promoting between the destinations, and better visual connections. The Grey Street Avenue of Trees is a project to create a beautiful visual connection between Hamilton East Village and Hamilton Gardens using the natural corridor between these two sites created by Grey Street.

This project will extend the current row of trees by planting flowering Cherry trees (*Prunus Awatere*) from Naylor Street through to Cobham Drive.

Flowering trees were chosen to suggest a garden connection (blossoms), and because they are a well structured and suitable street species. The Council has a supply of relatively mature trees available.



2. Steele Park Playground

This is a project to install a neighbourhood playground in the north-west corner of Steele Park with junior and senior play zones. The theme of the playground picks up on the natural environment and Steele Park Oak trees.

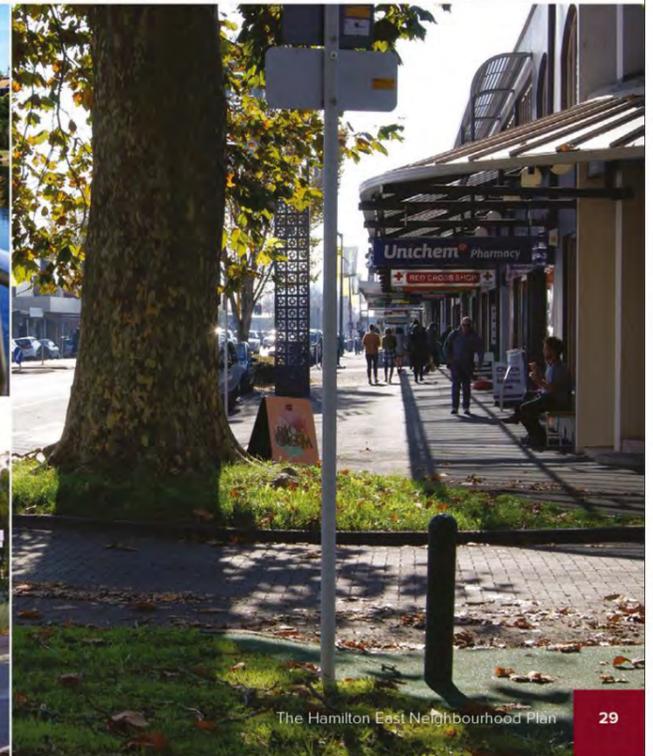
Equipment designs include a 'Birds Nest Roundabout' carousel, stepping logs and poles, a 'Kakapo' climbing structure and surfaces which reference Oak leaves and the Waikato River.

A 'pedestrian plaza' feature entrance is positioned to allow for direct access from the corner of Grey and Cook Streets and to provide welcoming visual connections for pedestrian traffic.

The playground has been designed to comply with CPTED (crime prevention through environmental design) principles and will create a destination and passive observation of the rest of the park. The playground will be installed in 2016.

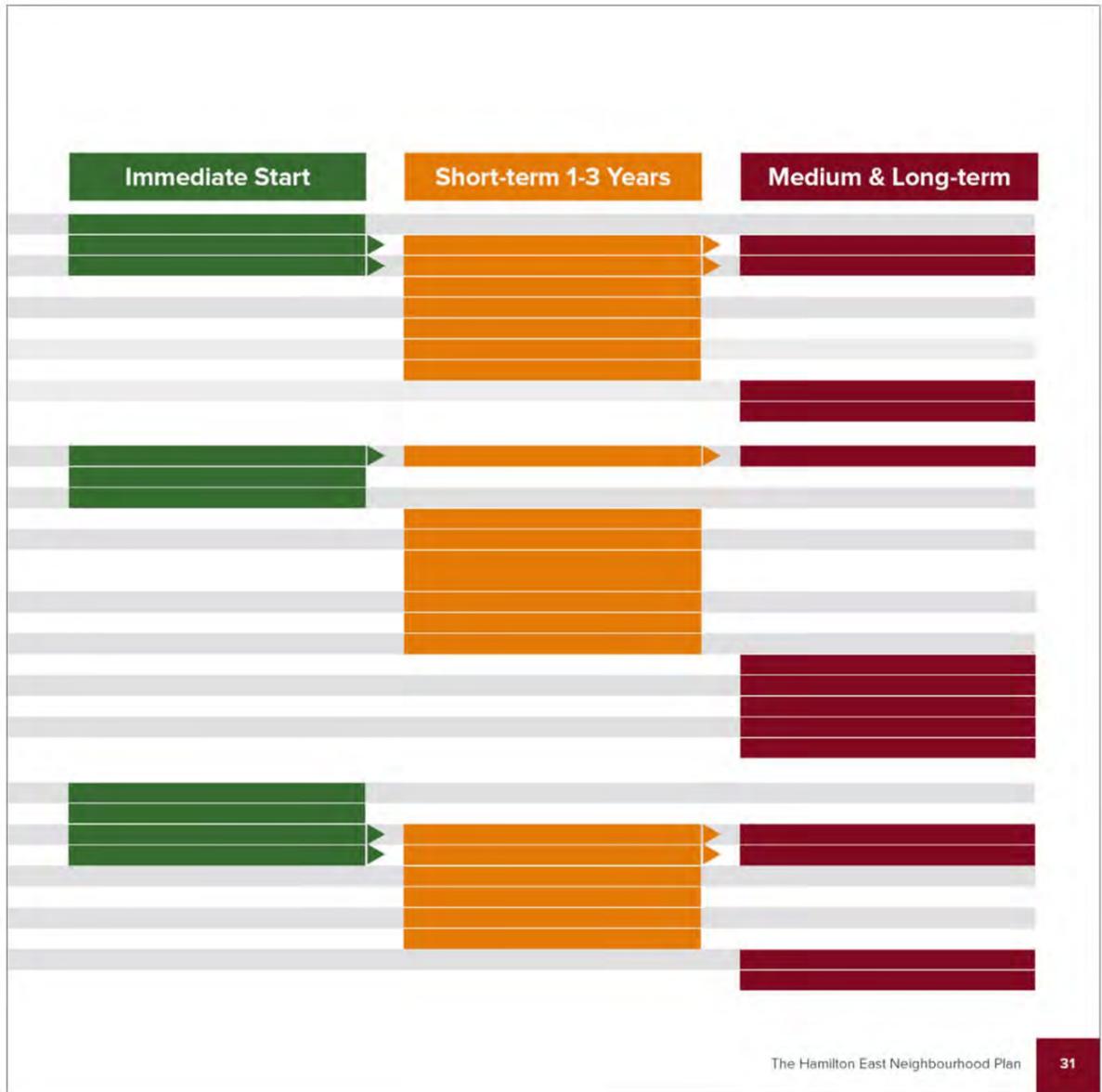
KPIs & Measures

1. Hamilton East's annual growth aligns with Hamilton's annual GDP growth
2. Hamilton East's heritage features, as listed in the Proposed District Plan, are preserved
3. An increase in numbers of pedestrians and people who bike between Hamilton East and the River, Hamilton Gardens and the central city
4. Perceptions of safety in Hamilton East improve
5. Perceptions that Hamilton East is easier to get around improve



Implementation & Timeframes

Funding	
Existing Projects	Funded Steele Park Playground
	Unfunded River Plan - River pathways vegetation management
	Funded Implement the Hamilton Gardens Development Plan
	Funded Implement the Beale Cottage Management Plan
	Funded Heritage Plan - Identify, assess and list additional heritage buildings in Hamilton East by 2018
	Unfunded Commemorate Maaori landmarks located within Hamilton East
	Funded Bike Plan - Signage
	Unfunded Bike Plan - School link and central city link
	Unfunded River Plan - Wellington Street Beach development
	Unfunded River Plan - Ferrybank Development Plan connection to Hamilton East
New Hamilton East Plan Projects	Funded AUSTRROADS Safe System Project and implementation of recommendations
	Funded Avenue of Cherry Trees linking Hamilton East to Hamilton Gardens
	External Sillary Street underpass
	Unfunded Dawson Park review - Shared community and school pocket park
	Unfunded Steele Park Rejuvenation - BBQ area and additional seating
	Funded Parking Plan - Will consider resident, shopper, employee on street parking, time restrictions, mobility parks and parking technology
	Unfunded Hamilton East Beautification - Gateway treatments to entryways
	Unfunded Medical Village Improvements - Branding, signage and linkages
	Funded Character retention development guidelines
	Unfunded Memorial Parks enhancement
	Unfunded Steele Park Rejuvenation - Upgrade Steele Park toilets
	Unfunded River Access - Developing easy gradient river access from Cook Street and Wellington Street
	Unfunded Steele Park Rejuvenation - Makeover of the WEL Network Substation
Unfunded Hamilton East Beautification - Streetscape refreshments	
Community Projects	External Clock tower upgrade
	Unfunded Development and implementation of a branding and signage plan to improve profile of the Hamilton East Village
	External Catholic Church Re-development
	Unfunded Business Association
	Funded Joint Council/Community project to refresh the exterior of the Steele Park Pavilion
	Unfunded Hamilton East Heritage Trail upgrade
	Unfunded Heritage signs - Develop and install
	Unfunded Personal and pedestrian safety project - Identify opportunities to enhance safety in Hamilton East
	External Development sites
	Unfunded Steele Park Rejuvenation - Explore replacement of the Steele Park Pavilion with a heritage themed building



Timeline

Pre 1860s

Hamilton East was home to Ngaati Wairere, Ngaati Hauaa, Ngaati Mahanga, Ngaa Mana Toopu, Ngaati Koroki and Tamainu poo. There were gardens, settlements, burial grounds and the ancient pa sites of Te Parapara, Te Nihinihi, Te Moutere O Koipkikau, Te Tara-ahi Pa.

1864

Captain William Steele landed from the gunboat Rangiriri on the site of Memorial Park and established the first redoubt. Hamilton East was surveyed by W.A. Graham and designed as a military settlement after the land was confiscated from Maaori at the close of the Waikato War.



1872

Beale Cottage (the oldest surviving house in Hamilton) is built around 1872. Hamilton East Primary School opens.

1879

The kauri timber Union Bridge is completed linking Hamilton East with Hamilton West.



1884

Sacred Heart Girls' College is established.

1907

Waikato River floods – Union Bridge base is eroded.

1889

Sydney Square is renamed Steele Park and planted out on the 25th anniversary of the landing of the Rangiriri by veterans of the 4th Waikato Militia.



1910

Union Bridge is replaced with the iron Victoria Bridge.

1920

Formation of Memorial Park to commemorate WW1 soldiers.

1939 - 1945

Development of Hayes Paddock as a state housing garden suburb.

1960

Hamilton Gardens are officially opened on site of a former pa, British Military redoubt, city rubbish dump, Victorian rifle-range and dog-dosing station.



1964

Rotary Hamilton East erect a street clock to celebrate 100 years of settlement.

2010

Opening of a traditional Maaori productive garden commemorating the Te Parapara Pa site that Hamilton Gardens is built on.



2014 - 2016

Wairere Drive construction continues.

References & Acknowledgements

Facts and Figures

- Demographic data – Statistics New Zealand Census 2013
- Housing areas – Hamilton Proposed District Plan
- Business indicators – Statistics New Zealand 2015
- GDP indicators – Hamilton City Council dataset – Market Economics 2014
- Traffic flow data – Hamilton City Council traffic counting data 2011 - 2015
- Housing intensification – Hamilton City Council dataset
- Heritage features – Hamilton Proposed District Plan
- Schools rolls – Ministry of Education
- Education employee numbers – Statistics New Zealand 2015
- The University of Waikato student and staff data – 2015 counts

The following groups contributed to the plan:

- Council Advisory Panels – Heritage, Youth and Older Persons
- Maaori Reference Group
- Focus group – Hamilton East stakeholders
- Community groups – Waimarie Hamilton East Community House, Hamilton East Community Trust
- General survey – General public, Hamilton East workers
- Business survey – Business owners

Photo References

- Page 13**
Ebbett Volkswagen/Ebbett Audi, Grey Street 1940, Royal Hotel pre 1900.
- Page 20**
Greenslade House, Hayes Paddock houses.
- Page 32 - Timeline**
Map of Hamilton East 1927, Union Bridge 1907 – Waikato River flooding, Maypole dancing in Sydney Square 1886 – renamed Steele Park, Men employed in the formation of Memorial Park to commemorate WW1 soldiers – 1920s.
- Page 35**
Plan of Sydney Square, before it was renamed Steele Park, showing the names of the veterans who planted Oak Trees on the 25th anniversary of the 4th Waikato Militia landing in Hamilton - 26 August 1889.
- Back cover**
Cook café and bar – 2016, Oddfellows Hall – Pearson & Co Soap Factory.
All photos not separately acknowledged are property of Hamilton City Council.



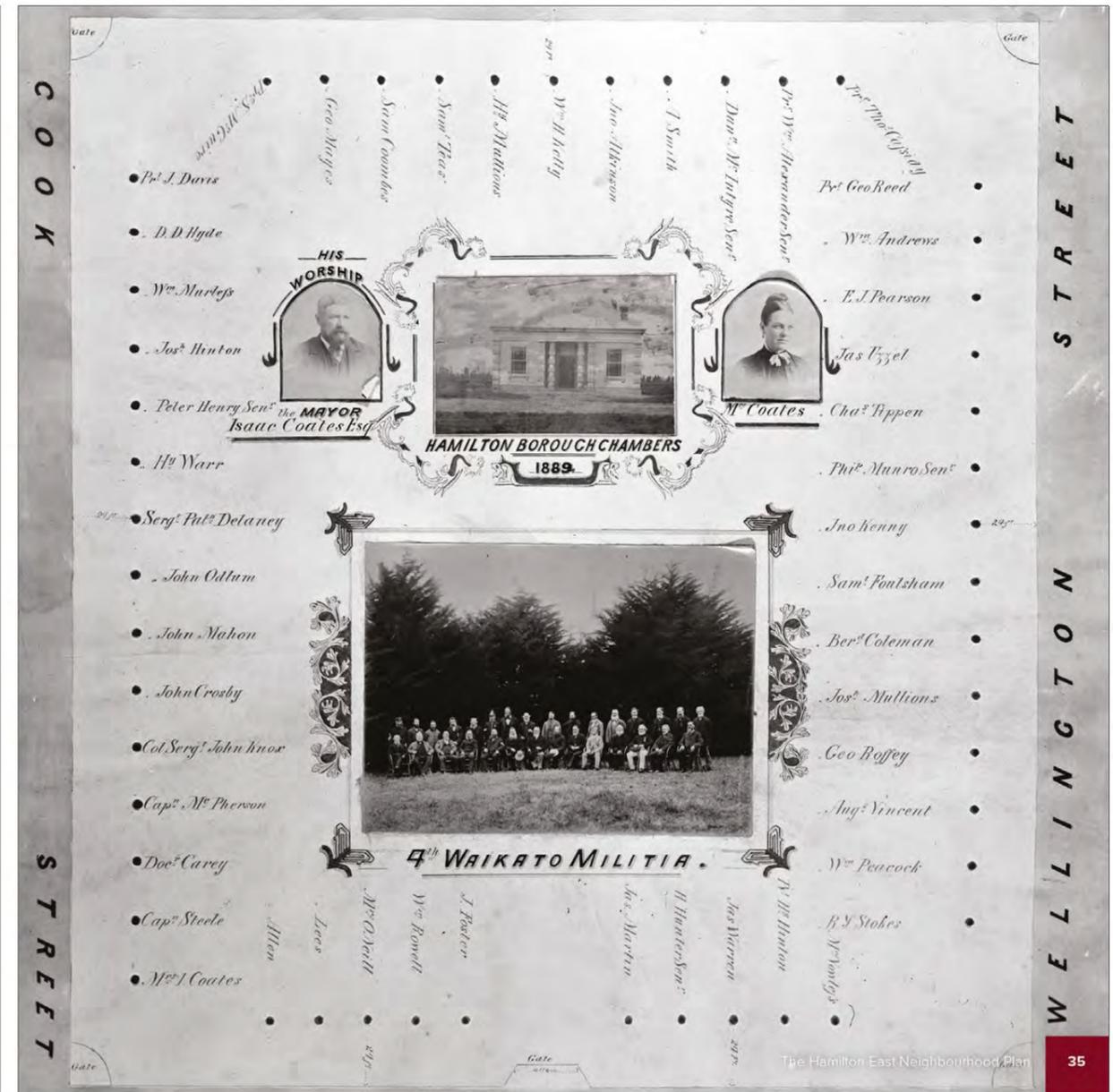
hamilton.govt.nz/bikingplan

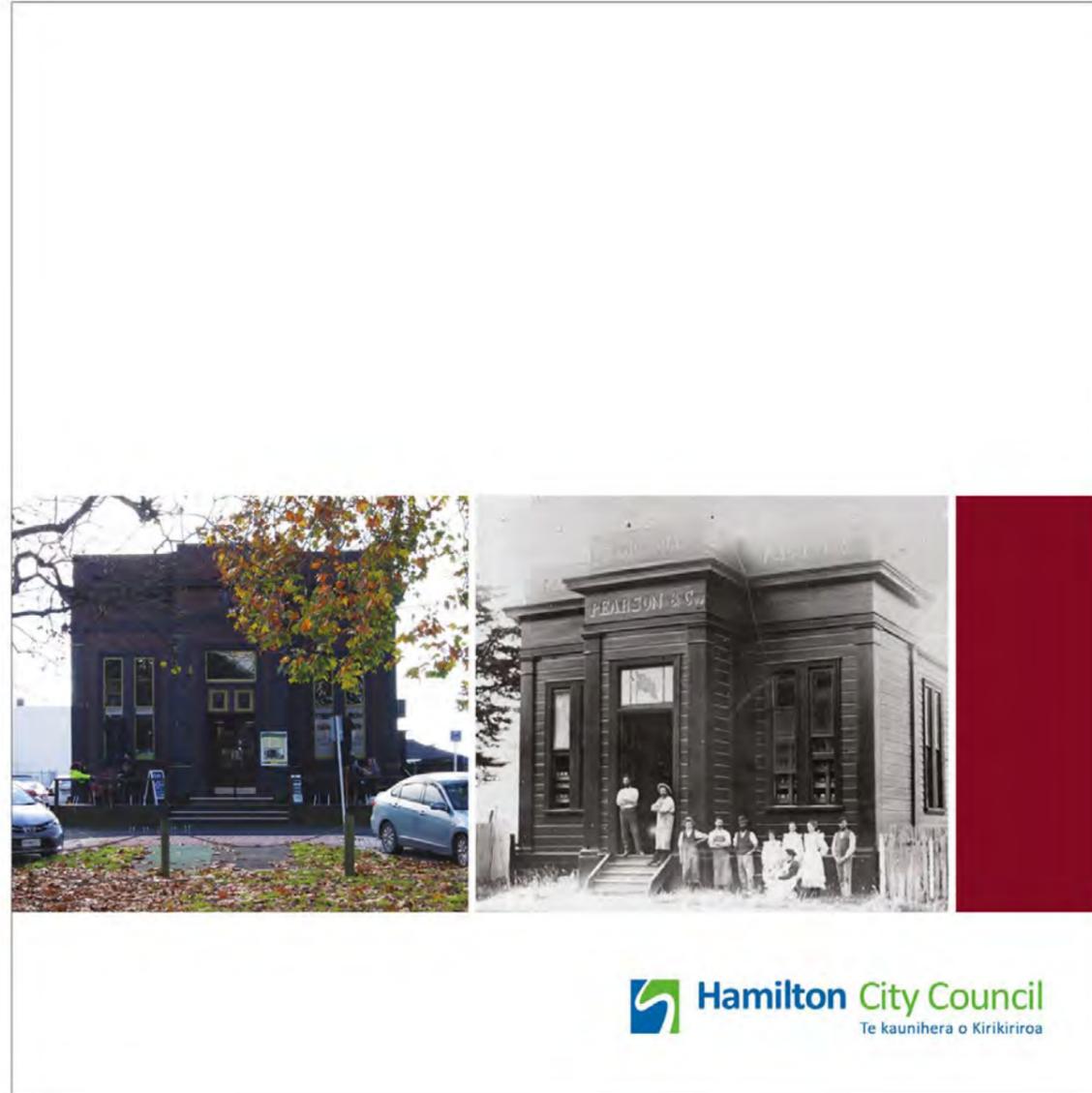


hamilton.govt.nz/heritageplan



hamiltoncityriverplan.co.nz





Committee: Strategy & Policy Committee **Date:** 19 July 2016

Report Name: Beale Cottage Historic Reserve Management Plan Review **Author:** Cherie Meecham

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Hamilton Plan Hamilton Heritage Plan</i>
Financial status	<i>\$12,000 – staff time for a non-comprehensive review of the Management Plan. No additional budget is required for the review.</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

2. To seek approval to undertake a non-comprehensive review of the Beale Cottage Historic Reserve Management Plan.

3. Recommendations from Management

- a) That the report be received.
- b) That staff undertake a non-comprehensive review of the Beale Cottage Historic Reserve Management Plan.

4. Attachments

5. There are no attachments for this report.

6. Management Plan Review

Working Group

7. The Beale Cottage Working Group was established at the 22 March Strategy and Policy Committee meeting ([Agenda](#) / [Minutes](#)) to undertake a preliminary assessment of the Beale Cottage Historic Reserve Management Plan. The Working Group members are Cr. King (chairperson), Cr. Gallagher, Jamie Sirl (Acting Team Leader Planning & Assets, Parks & Open Spaces Unit) and Cherie Meecham (Waikato Museum Director).
8. The Working Group conducted a site visit and met to consider options for the future use of Beale Cottage in the preliminary review, including:

- Continue the use of the building as a residential property
 - Use the cottage as an untenanted historic exhibition space
 - Lease the building to a community organisation as an office space
 - Lease the building as a commercial office space
 - Undertake a private sale, which would first require the reserve status of the land to be revoked, requiring the approval of the Minister of Conservation.
9. A change of purpose for the building will require a comprehensive review and public consultation as prescribed in section 41(5), (5A), (6) and (10) of the Reserves Act.
10. The Working Group considered an office or exhibition space to be unviable. The Beale Cottage building does not meet museum industry standards for environmental control (security, humidity and temperature) to appropriately and safely house any Waikato Museum collection items. The Working Group also ruled out undertaking a private sale and agreed that public ownership with community access would be more suitable for the future use of the property.
11. The Working Group recommends that the Council:
- preserves the use of the building as a residential property
 - facilitates greater public access to the cottage
 - replaces modern fixtures in the cottage interior with items that enhance the heritage value and experience
12. The Working Group also recommended to staff that the asset management of Beale Cottage is transferred from Waikato Museum to the Parks & Open Spaces Unit. The Working Group considered this to be a better fit due to the property's reserve status.

Heritage Advisory Panel

13. The Heritage Advisory Panel, including representation from Heritage New Zealand, conducted a site visit and reviewed the Working Group's recommendations at the 30 May 2016 meeting.
14. The Panel supported the recommendations and considered Beale Cottage to be a great example of a well-kept heritage asset in the city.

Management Plan review

15. If the Council endorses the recommendations of the Working Group, a non-comprehensive review of the Management Plan can be undertaken.
16. The draft Management Plan will be developed in accordance with the recommendations of the Working Group. Formal public consultation is not required for a non-comprehensive review and the Council has the option to undertake a targeted consultation process with key stakeholders, including the Heritage Advisory Panel and Heritage New Zealand.
17. A draft Management Plan will be aligned with the strategic vision and objectives of the Hamilton Plan, the Hamilton Heritage Plan and the Hamilton East Neighbourhood Plan.

18. Financial and Resourcing Implications

19. Any additional investment in Beale Cottage will need to be considered through the 2017/2018 Annual Plan process.

- 20. Staff have noted the recommendation from the Working Group to transfer asset management of Beale Cottage from Waikato Museum to the Parks & Open Spaces Unit. This recommendation will be considered by management upon completion of the Management Plan review.

Signatory

Authoriser	Lance Vervoort, General Manager Community
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Committee: Strategy & Policy Committee **Date:** 19 July 2016

Report Name: Sustainability Principles **Author:** Sean Hickey

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Sustainable Hamilton</i>
Financial status	<i>The cost to develop the sustainability principles was \$10,000 of staff costs. This was included in existing 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

- The purpose of this report is to seek approval for the Sustainability Principles which will be used to guide Council activity and decision making.

3. Executive Summary

- Council resolved on the Strategy and Policy Committee of 22 March 2016 to develop a set of sustainability principles.
- Draft sustainability principles have been developed by staff with guidance from the Sustainability Advisory Panel.
- The sustainability principles are intended to guide Council to help deliver a sustainable Hamilton.

7. Recommendations from Management – *Recommendation to Council*

- a) That the report be received
- b) That Council adopt the Sustainability Principles as follows:
 - 1) Council anticipates and acts to prevent or mitigate environmental degradation where there are threats of serious or irreversible damage
 - 2) Council includes environmental, economic, social, and cultural considerations in its decision-making criteria
 - 3) Council is an integral part of regional efforts to restore and protect the water quality of waterways
 - 4) Council is an integral part of regional efforts to restore and protect biodiversity in Hamilton City
 - 5) Council works with central government to deliver on national greenhouse gas emission reduction targets and supports resilience to climate change in our communities
 - 6) Council promotes walking, cycling, public transport and other low carbon transport options
 - 7) Council works to improve the resource efficiency and health of homes, businesses and infrastructure in our city
 - 8) Council supports the use of renewable energy and uptake of electric vehicles
 - 9) Council ensures that it understands, prepares for and responds to the impacts of climate change
 - 10) Council works with its communities to minimise the production of waste and maximise opportunities to recycle
 - 11) Council uses its position as a city leader to educate and influence the wider Hamilton community to embrace sustainability.
- c) That the Sustainable Hamilton Strategy is retired.

8. Attachments

9. There are no attachments for this report.

10. Background

11. Sustainable Hamilton is a Council strategy which was adopted in April 2013.
12. Staff recommended at 22nd March 2016 Strategy and Policy Committee meeting that Council should not have a stand-alone sustainability strategy but that it should develop a set of sustainability principles that can be applied and embedded across all council activities. The Council resolved that staff should develop sustainability principles to take the place of the Sustainable Hamilton Strategy.
13. In consultation with members of the Sustainability Advisory Panel, staff have developed a set of proposed sustainability principles.

14. The issues and current situation

15. As Hamilton grows, there is increasing demand for natural resources and increasing pressure on the natural environment to absorb wastes. There is also recognition that aspects of the natural environment, such as the Waikato River, are already degraded and need to be restored (Ref: [Waikato River Authority. Vision and Strategy for the Waikato River](#)).
16. Hamilton is also impacted by the effects of climate change. The Ministry of the Environment (MOE) climate change projections for the Waikato Region (2014) show that Hamilton is likely to:
 - a) Be 0.9° warmer by 2040 and 2.1° degrees warmer by 2090 than the 1990 temperature level.
 - b) Have higher annual rainfall in the south and west of the region.
 - c) Experience more extreme weather events – record high temperatures and rainfall, heavy rain events, longer dry spells, and likelihood of tropical storms.
 - d) Have fewer frosts and more warmer/hotter days.
17. The MOE note that this may have a range of negative consequences for the region, including water shortages, increased demand for irrigation, increased risk of flooding, erosion and landslides and increased risk of invasive pests and weeds (Ref: [Ministry for the Environment. Climate change projections for the Waikato Region 2014](#)).
18. Hamilton is likely to be further impacted by the economic and social effects of climate-change issues globally. The World Economic Forum ranks water crises, failure of climate-change mitigation and adaptation, and extreme weather events as the three global risks of highest concern over the next ten years (Ref: [World Economic Forum. The Global Risks Report](#)).

19. A sustainable city

20. For the purposes of this report, the Sustainability Advisory Panel have provided a definition of sustainability that is ‘living within the limits of what the earth can provide in terms of resources, and living within its capacity to absorb and process our wastes.’
21. Taking this further, the key features of a sustainable city are:
 - a) The rates of waste substances discharged to waterways are no higher than the assimilative capacities of the waterways.
 - b) When the capacity of waterways to assimilate waste has already been degraded, rates of discharge are reduced until the waterways have recovered their assimilative capacities.
 - c) The level of emissions of carbon dioxide and methane, from the city as a whole, is systematically reduced towards zero.
 - d) The accumulation of chemical fertilizers, herbicides and pesticides in soils and groundwater is limited to levels that do not degrade the capacity of the land to support healthy ecosystems and to produce food safely.
 - e) Biodiversity is recovered to levels that restore populations of native flora and fauna in the city.
22. For Hamilton to achieve such sustainability, Hamilton City Council clearly needs to play a significant role. However, staff also recognise that there are many stakeholders involved in the sustainability of Hamilton and it is important that Council’s role is clearly understood.

23. Legislative direction

24. With respect to sustainability, there are three key pieces of legislation that give direction to Council as to its particular role – The Local Government Act, The Resource Management Act and the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act.

25. Local Government Act

26. Hamilton City Council’s primary purpose, as defined in the Local Government Act (LGA), is “to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost effective for households and businesses”.
27. Section 14 of the LGA contains a number of principles which local authorities must act in accordance with, including:
- a) a local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region, including by planning effectively for the future management of its assets; and
 - b) in taking a sustainable development approach, a local authority should take into account:
 - i. the social, economic, and cultural interests of people and communities; and
 - ii. the need to maintain and enhance the quality of the environment; and
 - iii. the reasonably foreseeable needs of future generations.

28. Resource Management Act

29. Council manages development through the Resource Management Act (RMA), the purpose of which is to ‘promote the sustainable management of natural and physical resources’.
30. The RMA also makes it clear that it is the domain of Regional Council (and not the Territorial Authority) to be responsible for functions such as:
- a) Control of the use of land for the purpose of soil conservation, maintenance and enhancement of the quality of water in water bodies and maintenance and enhancement of ecosystems in water bodies.
 - b) Control of contaminants discharged into or onto land, air, or water.
 - c) Establishment of rules to allocate the capacity of air or water to assimilate a discharge of a contaminant.
 - d) Establishment, implementation and review of objectives, policies, and methods for maintaining indigenous biological diversity.
31. The Waikato Regional Council gives effect to its responsibilities through its Regional Policy Statement and through the Waikato Regional Plan which contains policy and methods to manage the natural and physical resources of the Waikato region.

32. Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act

33. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act, (Waikato River Settlement Act) established the Waikato River Authority whose purpose is to:
- a) Set the primary direction through the Vision and Strategy to achieve the restoration and protection of the health and wellbeing of the Waikato River for future generations.
 - b) Promote an integrated, holistic, and coordinated approach to the implementation of the Vision and Strategy and the management of the Waikato River.
 - c) Fund rehabilitation initiatives for the Waikato River in its role as trustee for the Waikato River Clean-up Trust.

34. The vision and strategy of the Waikato River Authority forms part of the Waikato Regional Council Regional Policy Statement.

35. The role of Hamilton City Council

36. The legislation focuses Hamilton City Council activity on core operations but makes it clear that, in conducting those operations, Council must maintain and enhance the environment so that it can continue to provide social, cultural and economic wellbeing to future generations.

37. To a large degree, the scope of Council’s role in ‘maintaining and enhancing the environment’ is determined by the other statutory bodies noted above.

38. However, staff also believe Council has a role as a regional leader and good corporate citizen. In this role, Council should seek to engage and influence stakeholders and role-model sustainable practices.

39. The sustainability principles in this report are intended to guide Council to help deliver a sustainable Hamilton through its role as:

- a) A provider of city infrastructure
- b) A provider of regulatory and planning functions
- c) A provider of public services
- d) A good corporate citizen
- e) A regional leader

40. The principles for Hamilton City Council

Principles for Hamilton City Council	
1.	Council anticipates and acts to prevent or mitigate environmental degradation where there are threats of serious or irreversible damage
2.	Council includes environmental, economic, social, and cultural considerations in its decision-making criteria
3.	Council is an integral part of regional efforts to restore and protect the water quality of waterways
4.	Council is an integral part of regional efforts to restore and protect biodiversity in Hamilton City
5.	Council works with central government to deliver on national greenhouse gas emission reduction targets and supports resilience to climate change in our communities
6.	Council promotes walking, cycling, public transport and other low carbon transport options
7.	Council works to improve the resource efficiency and health of homes, businesses and infrastructure in our city
8.	Council supports the use of renewable energy and uptake of electric vehicles
9.	Council ensures that it understands, prepares for and responds to the impacts of climate change
10.	Council works with its communities to minimise the production of waste and maximise opportunities to recycle
11.	Council uses its position as a city leader to educate and influence the wider Hamilton community to embrace sustainability

41. Application of the principles

42. As noted in the report to the Strategy and Policy Committee in March 2016, individual business units already take a high level of accountability for the economic, social and environmental outcomes of their activity; this is reflected in the number of positive initiatives presented in the Sustainability Stocktake Report.
43. Staff believe that adoption of the principles proposed will support and guide business units to continue to develop initiatives that improve sustainability in their respective. Adopting these principles will also help senior management to provide consistent direction to staff across the

broad range of Council plans and activities areas and will support a coordinated effort across the units.

- 44. These activities will be reported annually in the Sustainability Stocktake Report. Through the Sustainability Stocktake report staff intend on providing a range of data to measure the effect of Council’s activity in helping to deliver a sustainable Hamilton.

45. Financial and Resourcing Implications

- 46. The cost to develop the sustainability principles was \$10,000 of staff costs (100 hours).
- 47. The estimated cost to complete future stocktakes of sustainability initiatives and measures is \$20,000 of staff costs (200 hours). This is included in existing budgets.

48. Risk

- 49. There is no risk in adopting these principles.

Signatory

Authoriser	Sean Hickey, General Manager Strategy and Communications
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Committee: Strategy & Policy Committee **Date:** 19 July 2016

Report Name: Update on HCC Strategic Plans **Author:** Sean Hickey

Report Status	<i>Open</i>
Strategy, Policy or Plan context	
Financial status	<i>This is part of the operational budget of the Strategy Programme</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

2. To provide an update on the Council's strategic plans.

3. Recommendations from Management – Recommendation to Council

- a) That the report be received.
- b) That the Active Hamilton Strategy be deleted.

4. Attachments

5. There are no attachments for this report.

6. Background

7. Council has the Hamilton Plan which sets out 10 priorities for the city over 10 years. It also has strategic plans and management plans, and HCC has entered into strategic agreements with neighbouring councils. The plans are divided into the following categories:
 - Plans required by legislation
 - Council's strategic plans
 - Regional strategic agreements and plans
8. Since October 2013, Council has also been reviewing existing plans and developing new plans in support of the Hamilton Plan. This work has been supported by the policy and bylaw review (updated report was provided to the Strategy and Policy Committee on [3 May 2016](#))

9. Plans Required by Legislation

10. These plans are divided into two categories: Reserve Management Plans required by the Reserves Act and plans required by other legislation

11. Reserve Act Management Plans

12. These plans are mandatory under the Reserves Act for any council owned land that is classified under the Act as a reserve. Management Plans do not need to be formally reviewed at a set point in time and they can be regularly updated to meet their purpose without undertaking a full review.

13. There are strict criteria in the Act for review and Council should aim to review the plans at least every 10 years. Management Plans enable Council to identify appropriate uses and activities for reserves and assists with day-to-day management and decision making. Listed below are the current Reserves Management Plans and the anticipated next review dates.

Reserve Management Plans – in order of priority for review	
1. Hamilton Gardens Management Plan 2014	<i>Completed</i>
2. Hamilton Lake Domain Management Plan 2010	<i>Under review</i>
3. Beale Cottage Management Plan 2006	<i>Under review</i>
4. Sports Parks Management Plan 2009	<i>2017/18</i>
5. Riverside Reserves Management Plan 2008 - (once Ferrybank Development Plan completed)	<i>Late 2016/2017</i>
6. Maaori Landmarks on Riverside Reserves Management Plan 2003 - as part of wider River Plan related work	<i>Currently considering review options</i>
7. Neighbourhood and Amenity Reserves Management Plan 2007 -	<i>2018/19</i>
8. Historic Reserves Management Plan (to develop to supersede the Miropiko Reserve Management Plan 2001)	<i>2018/19</i>
9. Pukete Farm Park Management Plan 2010	<i>To be confirmed – anticipated to commence from 2019</i>
10. Gully Reserves Management Plan 2007	
11. Donny Park Management Plan 2004	
12. Claudelands Park Management Plan 2007 and Jubilee Bush Management Plan 1993	
13. Minogue Park Management Plan 2009	
14. Lake Rotokauri Park Management Plan 2002	
15. Waiwhakareke Natural Heritage Park Management Plan 2011	
16. Stadia 2007	

14. The Cemeteries Management Plan is managed by Parks and Open Spaces Unit and a review was completed in 2016. This management plan is not a Reserves Act Management Plan but Council has determined that it follow a Reserve Act process at review times.

15. The Taitua Arboretum Development Plan (2003) is a plan which guides development and management of this park. It is not a Reserves Act Management Plan but is required by the Deed of Gift that governs this land. The plan is currently being reviewed by the Taitua Arboretum Advisory Group which is appointed by the Chief Executive as part of the Deed. The review will be completed by 30 June 2017 to enable Council to consider the development proposals for the arboretum during the 2018/28 Long Term Plan process.

16. Plans required by other legislation

17. The following plans are required by legislation:

Local Government Act:

- 10 Year Plan (incorporating the financial strategy)
- Annual Plan
- Long Term Infrastructure Strategy

Waste Minimisation Act:

- Waste Management and Minimisation Plan 2012

Resource Management Act:

- District Plan

18. Regional Strategic Plans

19. The Council is a partner in the following regional plans:

- Three Waters Strategy (Waikato, Waipa and HCC ,September 2012)
- Waikato Regional Economic Development Strategy – Waikato Means Business
- Waikato Plan – this is currently being developed
- Future Proof 2008 – this is currently under review
- Waikato Regional Sports Facility Plan

20. Council's Strategic Plans

21. Council approved the Hamilton Plan on 28 August 2014 and this sets the city's vision and priorities for the next decade. It contains 10 priorities and the major supporting plans to deliver the outcomes in the Hamilton Plan.

22. Council has reviewed six existing strategic plans during this Council term:

- Hamilton Arts Agenda and Public Art Plan
- Hamilton Urban Growth Strategy
- Open Spaces Plan
- Youth Action Plan
- Disability Action Plan
- Sustainability Strategy – recommended to be deleted at this meeting

23. Council has approved the following strategic plans during this Council term:

- River Plan (commenced prior to this Council term)
- Heritage Plan (commenced prior to this Council term)
- Biking Plan
- Central City Transformation plan and Central City Safety Plan (subset of CCTP)
- Frankton Neighbourhood Plan
- Hamilton Libraries Strategic Plan

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- Waikato Museum Strategic Plan
 - Older Person’s Plan
 - Playgrounds of the Future Plan (commenced prior to this Council term)
 - Pooches and Parks Plan
24. The following strategic plans are to be completed:
- Hamilton East Neighbourhood Plan – for decision at this meeting
 - Zoo Master Plan – to be completed in 2017 (commenced prior to this Council term)
25. The following strategic plans have been deleted during this term
- Social Wellbeing Strategy
 - Creative Industries Strategy
26. Staff also recommend that the [Active Hamilton Plan](#) be deleted. This plan has been superseded by Sport New Zealand’s Community Sport Strategy, Sport Waikato’s ‘Moving Waikato 2025’ strategy and the Waikato Regional Sports Facility Plan. A report on these plans will be presented to Council in the next term.
27. The following plans are due to be reviewed in the next term of Council:
- Economic Development Agenda
 - Access Hamilton

Signatory

Authoriser	Sean Hickey, General Manager Strategy and Communications
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Committee: Strategy & Policy Committee

Date: 19 July 2016

Report Name: Regional Strategic Round up report

Author: Susan Henderson

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Future Proof, Waikato Mayoral Forum.</i>
Financial status	<i>There is budget allocated.</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- To update elected members on the Council's involvement in regional and sub-regional planning partnerships through our commitments to the Upper North Island Strategic Alliance, Waikato Mayoral Forum, Waikato Plan, Future Proof, and strategic waters matters.

3. Executive Summary

4. Upper North Island Strategic Alliance (UNISA)

- UNISA has completed a report into key sector trends and labour demand, looking at constraints to, and opportunities for, the growth of key sectors in the upper North Island economy. This project was adopted by the UNISA Governance Group on 24 June 2016.
- UNISA is working on an 'Upper North Island Story' which will be a succinct visual document that communicates the key work that UNISA has undertaken, and the importance of the upper North Island area in New Zealand.

7. Mayoral Forum

- The Mayoral Forum is currently focused on the Waters CCO investigations, the Policy and Bylaw workstream, the Waikato Road Asset Technical Accord, the Waikato Economic Development Strategy and the Waikato Plan.

9. Waters CCO:

- An Extraordinary Council meeting on the 14 July 2016 will consider the adoption of a Record of Agreement and supporting documentation relating to the potential formation of a water and wastewater CCO for Hamilton City Council, Waipa and Waikato District Councils. At the time of preparing this report both Waikato and Waipa District Councils have approved the Record of Agreement.

11. Policy/Bylaws:

- The current focus for the Mayoral Forum Policy/Bylaws project is on bylaws. An Easter trading bylaw will be considered, should the current Bill before parliament be enacted into legislation.

- Local Authority Shared Services (LASS) is considering how to resource a Policy and Bylaws "champion" who can take ownership of and drive future collaborative work across the region.
13. Work has started on the development of a Regional Infrastructure Technical Specification based on the Hamilton specifications.
 14. Section 17A review:
 15. The Local Authority Shared Services (LASS) has been investigating the potential for collaboration between councils when carrying out reviews. The focus has been on developing shared templates and processes, and a workshop of technical council staff is planned for early July to progress this, and to discuss opportunities for collaborative service delivery.
 16. Roading:
 17. The arrangements for the Road Asset Technical Accord (RATA) were subject of a separate report to the Finance Committee on 19 May 2016. There is no further update at this time.
 18. Economic Development:
 19. The 2015-16 Implementation plan has been successfully delivered with 5 pilot schools rolling out the Secondary Schools Employer Partnerships (SSEP), BERL commencing work on a Maori Economic Development Strategy and Action Plan, and the initial collateral and website being developed for the Waikato Story. The 2016-17 Implementation plan is in the final stage of development.
 20. Waikato Plan:
 21. The Waikato Plan Joint Committee was presented with a first draft of the full Waikato Plan at their meeting on the 20 June 2016. This was developed based on the strategic direction summary document adopted by the Committee at their meeting in April. The Joint Committee provided extensive feedback on the draft, and the document will be amended to take account of the feedback.
 22. The next draft will be taken to the Joint Committee in August with sign-off for reporting back to councils anticipated towards the end of the year. Consultation and final adoption are scheduled for April/May 2017 with the final plan adopted by the Joint Committee in August 2017.
 - 23. Future Proof:**
 24. The Future Proof strategy is being updated. Work on the update is continuing. The Future Proof Implementation Committee (FPIC) held a June workshop to consider a draft Future Proof settlement pattern. Work is continuing to refine the settlement pattern and the population growth assumptions that this is based on. The settlement pattern is essentially an agreed pattern outlining where growth is expected to occur over time. Having an established settlement pattern allows planning and infrastructure investment decisions to be aligned and will ensure that large scale growth planning is co-ordinated sub-regionally.
 - 25. Strategic Waters:**
 26. The Healthy Rivers Plan for Change/Wai Ora He Rautaki Whakapaipai has worked with a Collaborative Stakeholder Group (CSG) to develop changes to the Regional Plan to help restore and protect the health of the Waikato and Waipa rivers. The Local Government representative on the CSG, Sally Davies, briefed Councillors on 17 May 2016.
 27. A Council submission on the Ministry for the Environment's Consultation Document 'Next Steps for Freshwater' was lodged on 29 April 2016. There has been no further update from the Ministry for the Environment since then.

28. The Waikato Regional Council has prepared a consultation document called 'Let's Talk Water'. This has led to the release of a Waikato regional freshwater Issues and Opportunities document.

29. Recommendation from Management

That the report be received.

30. Attachments

31. There are no attachments for this report.

32. Upper North Island Strategic Alliance (UNISA)

33. *Strategic Outcomes sought from UNISA involvement:*

34. *The overall objective is to maximise sustainable development opportunities for all of the Upper North Island and its contribution to New Zealand. There is a focus on seeking to recognise and utilise the strengths of each region.*

35. Skills and Value Chain project:

36. The UNISA Mayors and Chairs commissioned a 'Skills and Value Chain' report in 2015 which is now completed. The report by MartinJenkins, entitled "Upper North Island Key Sector Trends to 2015 and Labour Demand to 2020", is available at <http://www.waikatoregion.govt.nz/unisa/>

37. The project builds on findings from earlier UNISA work to provide an overview of the upper North Island economy and labour market. This includes the extent of connectedness across the upper North Island across a number of key sectors (forestry, construction, dairy, food and beverages, tourism, freight and logistics, business and professional services, and health services and aged care).

38. It provides forecasts for the supply of, and demand for, labour in these sectors and highlights challenges. Importantly, it provides guidance on the extent to which the upper North Island operates as an economic unit from a labour market perspective. It also provides guidance on the potential role for UNISA in addressing skill and labour market challenges, and sets out a number of further steps that UNISA may be able to undertake.

39. The report finds that skills shortages over the next few years are a possibility. The report provides a basis for joint work to ensure major industries are well supported with the right amount and kinds of labour.

40. A succinct summary of the findings of the report will be included in an 'Upper North Island Story', as discussed below.

41. Upper North Island Story:

42. The UNISA Governance Group has identified four specific projects for UNISA to complete:

- **Upper North Island Story** – A succinct visual document highlighting key trends for the demographics, economic performance, transport, housing, natural environment and the workforce in Upper North Island.
- **UNISA Value Proposition** – A document that articulates the strategic importance of UNISA in addressing the common issues of the Upper North Island.
- **UNISA Action Plan** – A plan that contains key actions for UNISA over the next five years that relate priority areas of interest.

- **UNISA Bibliography** – A document that contains references to the data used in the Upper North Island Story to ensure ongoing compatibility of information and is continually updated as new research projects are completed.
43. The Upper North Island Story will be the first of these projects to be completed. The draft document is to be presented to the UNISA Chief Executives on 1 November 2016.
 44. **Mayoral Forum**
 45. *Strategic Outcomes Sought from Mayoral Forum Involvement:*
 46. *The Waikato Mayoral Forum (which includes local mayors and the regional council chair) is in the process of implementing an integrated work programme over three years which seeks to boost the regional economy and deliver multi-million dollar cost savings through collaboration. The current areas of focus are the Waters CCO investigations, the Policy and Bylaw workstream, the Waikato Road Asset Technical Accord, the Waikato Economic Development Strategy and the Waikato Plan.*
 47. Waters CCO:
 48. This workstream is investigating options for the strategic delivery of core water, wastewater and stormwater services to provide sustainable delivery of high quality services.
 49. In late 2015, having considered the report from Cranleigh, the three councils each resolved that a Waters Governance group look at a range of issues considered fundamental to the forming (or not) of any CCO.
 50. The waters Governance Group have completed their negotiations and produced a Record of Agreement and supporting information outlining how a Waters CCO could operate in the Waikato Sub-region. It is intended that the information developed will be sufficient to inform a formal Statement of Proposal, should the three councils choose to proceed to formal public consultation.
 51. Council will consider the Record of Agreement at an Extraordinary Council meeting on 14 July 2016. Waikato District Council and Waipa District Council have both adopted the Record of Agreement.
 52. Local Authority Shared Services (LASS) Policy/Bylaw work stream – Phase II:
 53. To achieve greater consistency and alignment of policies and bylaws across the region, a Mayoral Forum workstream was created. This ultimately would make local authorities easier to do business with and make it easier for the public to engage with each Council.
 54. The “policy consolidation” project has been completed with a regional policy template and process introduced. As a result, across all Waikato councils, policy documents were reduced by 53%.
 55. The current focus for the project is on bylaws. The first bylaw to be considered will relate to Easter trading hours, should the current Bill before parliament be enacted into legislation. This is three months behind schedule, mainly due to the lack of progress at Central Government level.
 56. LASS is considering how to resource a Policy and Bylaws "champion" who can take ownership of, and drive, future collaborative work across the region.
 57. The development of a Regional Infrastructure Technical Specification (RITS) is a key project identified by the Waikato Mayoral forum, led by the Policies and Bylaws work stream. Work has started, with funding provided through LASS. The project is being led by an independent project manager, and nine of the region’s 10 councils are involved (with TCDC deciding not to participate further). In February, participating councils were requested to review the Hamilton ITS (on which the RITS will be based) and feedback is still being received.

58. Providing staff resource has proven challenging for some councils and as a result the RITS project is now about one month behind schedule with a likely completion date of early 2017. The Council has provided all feedback requested to date.
59. Local Authority Shared Services (LASS) Service Delivery Review (s17A) work stream:
60. As part of the 2012 amendments to the Local Government Act (LGA) government introduced the requirement for local authorities to carry out service delivery reviews (section 17A).
61. The aim of the reviews is to seek efficiencies and demonstrate that local authorities are delivering services in a manner that is most cost-effective for households and businesses.
62. A review must consider the 'cost-effectiveness' of funding, governance and service delivery arrangements.
63. LASS have been investigating the potential for collaboration between councils when carrying out reviews. The focus to date has been on developing shared templates and processes to be used across the region, and a workshop of technical council staff in early July will progress this.
64. The LASS Shared Services Working Group has also identified a number of activities where they see opportunities for collaborative service delivery across multiple councils.
65. Roading:
66. The Waikato Road Asset Technical Accord (RATA) is the Waikato Mayoral Forum 'Centre of Excellence' for strategic asset management for roading in the Waikato Region. A separate report on new arrangements for RATA went to the Finance Committee on 19 May 2016. There is no further update to report.
67. Economic Development:
68. The 2015-16 Implementation plan has been successfully delivered with 5 pilot schools rolling out the Secondary Schools Employer Partnerships (SSEP), BERL commencing work on a Maori Economic Development Strategy and Action Plan, and the initial collateral and website being developed for the Waikato Story.
69. The Waikato Means Business (WMB) Steering Group has met twice this year, in March and June. The primary focus on both meetings has been to develop the 2016-17 Implementation Plan. This will be the second annual implementation plan to be developed since the strategy was finalised in 2014. The 2016-17 Implementation plan is in the final stage of development.
70. **Waikato Plan**
71. *Strategic Outcomes sought from Waikato Plan involvement*
72. *The Waikato Plan will define a long-term strategic direction for the region as a whole. It will identify priorities for action and investment across the Waikato. It will identify opportunities for working together, and enable Local Government to communicate with Central Government using 'one voice' to target resources and investment efficiently.*
73. The Waikato Plan Joint Committee held their most recent meeting on 20 June 2016.
74. The Joint Committee was presented with a draft of the full Waikato Plan document for the first time. This was developed based on the strategic direction summary document adopted by the Committee at their meeting in April. The draft plan can be found at <http://www.waikatoplan.co.nz/Leadership/Agendas-and-minutes>.
75. The draft Plan identifies four priorities for the region:
- Responding to population change
 - Targeting investment appropriately

- Partnering with Iwi; and
 - Addressing water quality and allocation.
76. These priorities are underpinned by five action areas that address the long-term wellbeing of the region.
- Our connections
 - Our economy
 - Our environment
 - Iwi
 - Our people and communities
77. The draft Plan includes specific actions to address each of the action areas and priorities, as well as details about who will do them and when.
78. Feedback received from the Joint Committee on the draft document was mixed. Many agreed that the document is on the right trajectory, but that it needs significant refining to make it more concise and readable. Other comments included;
- There are currently too many actions – they need to be refined, prioritised and phased.
 - The target audience needs to be clearly defined and the document tailored to this.
 - It needs to be interesting and readable.
 - It needs to clearly outline the topics the region has ‘one voice’ on – this is unlikely to be everything.
 - It needs to be useful for communicating with Central Government.
79. The Project Advisor has employed a professional editor to assist in refining and repackaging the draft document reflecting the Joint Committee feedback. The team will be working with the editor to amend the Plan incorporating the feedback received at the June Joint Committee meeting.
80. In the next month, the Waikato Plan project team will be holding a series of workshops with a range of key stakeholders to further refine each of the draft plan’s action areas.
81. The next draft of the Waikato Plan will be taken to the Joint Committee in August 2016 with sign-off for reporting back to councils anticipated towards the end of the year. Consultation and final adoption are scheduled for April/May 2017 with the final plan adopted by the Joint Committee in August 2017.
82. A range of actions to support the Waikato Plan are already underway. They include:
- **Aligned Planning:** Looking at Council planning processes to ensure more consistent policies across the region, reduce compliance costs, become more business-friendly and encourage better collaboration between agencies.
 - **Technology Hub:** Exploring the possible of a “technology hub” to increase ultrafast broadband uptake where population is declining.
 - **Enhancing Waikato’s connection with Hamilton:** Hamilton was allocated this priority project under the Waikato Plan. The project has been led by the Hamilton Mayor and a small project team to look at enhancing and capitalising on Hamilton’s role as the region’s centre through a number of initiatives and actions. A list of projects has been developed from meetings with a stakeholder group made up of senior regional leaders/influencers from major business and social sector providers. The results of the discussions have been developed into a draft list of areas of opportunity and supporting

projects, some of which already exist. The projects identified will be incorporated throughout the Waikato Plan document. The Waikato Plan also provides an opportunity to cross-reference and acknowledge interdependencies and connections with existing projects. Examples of the suggested projects include, amongst others:

- Regional access to tertiary education – expand regional public transport options to enable access to tertiary education (University, Wintec, Te Wananga);
- Establish a National Centre for water and environmental science;
- Regional social infrastructure – map/stocktake of current social services delivery and investment.

83. Due to a lack of progress in appointing Iwi representatives to the Joint Committee, the Chief Executives' Steering Group invited the region's Iwi Trust Board Chairs to attend the June Joint Committee meeting. Representatives from the Hauraki Maori Trust Board and Ngati Tuwharetoa attended the meeting and expressed concern about the late stage that Iwi were becoming involved in the process. They noted their interest in developing the Plan collaboratively, and the Chair and Project Advisor agreed to progress a process for this to happen going forward.
84. The Project Advisor reconfirmed that the Plan will be completed within the existing budget and that no additional funds will be sought from the project partners. There is still a focus on using as many internal resources as possible from partner councils to complete the work.
85. **Future Proof**
86. *Strategic Outcomes sought from Future Proof involvement:*
87. *The Strategy is a broad scale, long-term, integrated land-use and infrastructure strategy prepared under the Local Government Act 2002. The Strategy provides a framework for co-operatively managing growth and setting goals for future implementation. The importance of Hamilton as the major growth area for the sub-region is a core part of the Strategy. The Strategy seeks to ensure the costs and resources required to fund and manage infrastructure, such as transport, wastewater, stormwater, recreation and cultural facilities, are identified and provided for.*
88. Future Proof Update:
89. The Future Proof strategy is being updated and work on the update is continuing.
90. *Settlement Pattern:* The Future Proof Implementation Committee (FPIC) (27 June 2016) recently held a workshop to discuss the settlement pattern. The settlement pattern is an agreed pattern as to where growth is expected to occur over time. Having an established settlement pattern allows planning and infrastructure investment decisions to be aligned and will ensure that large scale growth planning is co-ordinated sub-regionally.
91. The settlement pattern is based around the long-established principle of compact and concentrated settlement, within the City and existing towns and villages. The FPIC confirmed the assumptions that would be used in updating the settlement pattern, including the need to align growth planning with infrastructure strategies and the need for regular monitoring.
92. Work is continuing to refine the settlement pattern and the population growth assumptions that this is based on. This work will also consider a number of factors which have recently emerged:
- The Government's release of the draft National Policy Statement on Urban Development Capacity;
 - The Government's announcement regarding a Housing Infrastructure Fund;

- The Council's Strategy and Policy Committee resolution of 7 June 2016 which sought to ensure that the use of population growth statistics aligns with the draft National Policy Statement, and that an independent assessment to validate growth projections (sequencing, area and timing) for each Future Proof partner is undertaken.

It is likely that the timeframe for finalising the updated Future Proof settlement pattern will be slowed down to allow for the incorporation of these considerations into the Future Proof strategy approach.

93. For Hamilton City, the main elements of updated settlement pattern supported by the FPIC were the 50:50 mix of greenfield and infill growth, the need to include Ruakura and reflect the Proposed District Plan provisions for Rotokauri, and that the Hamilton Urban Growth sequencing was still applicable.
94. For Waipa District the settlement focuses growth in Cambridge and Te Awamutu/Kihikihi and confirms the approach taken through the Waipa 2050 (Growth Strategy) and assumes 80% of growth will occur in urban areas, with 20% in rural areas.
95. Within Waikato District growth areas include Pokeno, Tuakau, Te Kauwhata, Ngaruawahia, Raglan and Huntly. There is the assumption that 82% of growth occurring in urban area and 18% in rural areas.
96. Work on growth projections around the role of villages, particularly in the Waikato District, is still underway. This work will be carefully considered particularly in the areas around Hamilton, where development in adjoining districts has the potential to impact on growth in the city and on the city's social and physical infrastructure.
97. The Council's resolutions and accompanying report from 7 June 2016 have been shared with the Future Proof partners and the outcomes of negotiations and discussions triggered by this will be reported back to Council over time. These will also be discussed at the next FPIC meeting on 13 July 2016.
98. Council submission under the RMA:
99. As discussed at the S&P Committee on 7 June 2016, HCC made a submission opposing Waikato District Council's Plan Change 17 – Ngaruawahia and Surrounding Villages. The plan change proposes a variety of zoning changes to the planning maps of District Plan, including the introduction of new/enlarged Country Living Zones in villages on the periphery of Hamilton.
100. The HCC submission questioned the lack of rationale and justification for the changes, particularly in relation to the Regional Policy Statement, the Future Proof Strategy and the Council's overall strategy for managing growth and zoning. The submission sought further information on the potential yield of the proposed rezoning and the impact such growth could have on the City's physical and social infrastructure. Overall, the submission focused on the upcoming Waikato District Plan Review being the most appropriate way to consider rezoning in a comprehensive and strategic manner.
101. Waikato District Council has now called for Further Submissions which close on 13 July 2016. At the time of writing this update, staff are currently considering the other submissions made on the plan change, and are likely to make further submissions, particularly against those who wish to introduce more 'Rural' land to be rezoned 'Country Living' near Hamilton's boundary.
102. **Strategic Waters Matters**
103. *Strategic Outcomes sought from involvement in strategic waters matters:*
104. *It is important for the Council to ensure the interests of its communities are taken into account in the various processes underway. Linkages between the various work underway in Future*

Proof, the Mayoral Forum (Waters CCO investigations), the Healthy Rivers Plan Change, and other strategic waters matters need to be considered in an integrated way.

105. Healthy Rivers Plan Change/Wai Ora: He Rautaki Whakapaipai:
106. Healthy Rivers Plan for Change/Wai Ora He Rautaki Whakapaipai has worked with a Collaborative Stakeholder Group (“the CSG”) to develop changes to the Regional Plan to help restore and protect the health of the Waikato and Waipa rivers. The Plan Change aims to reduce, over time, sediment, bacteria and nutrients (nitrogen and phosphorus) entering water bodies (including groundwater) in the Waikato and Waipa River catchments. This will address the statutory requirements of the Vision and Strategy for the Waikato and Waipa Rivers.
107. The Local Government Representative on the CSG, Sally Davies, briefed Councillors on 17 May 2016.
108. The CSG signed off on the Healthy Rivers Plan Change document on 7 June 2016 and will meet again on 6 July 2016 to consider the section 32 (benefits and costs) report and any matters arising from a legal review of the Plan Change document. Both documents will then be presented to the Healthy Rivers Wai Ora Committee for their consideration.
109. It is expected the Plan Change will be assessed under a Resource Management Act Schedule 1 process involving submissions, hearings and possibly appeals. However, this has yet to be confirmed. The Plan Change’s objectives, policies and rules would be effective from the date that it is notified.
110. The Council will need to participate actively in any Plan Change process because of the likely implications for compliance and the Council’s ability to service growth. The Plan Change is likely to have big infrastructure and financial implications for the Council when it renews its wastewater treatment plant discharge consent in 2027.
111. A second plan change is likely in the next year or so to address other water contaminants. It is likely to have significant implications for how Council manages stormwater. For example, Lake Rotoroa and Lake Waiwhakareke (which lie within Hamilton), and Lake Rotokauri (which receives stormwater discharged from the City) would require Lake Management Plans under the plan change.
112. The Ministry for the Environment’s Consultation Document ‘Next Steps for Freshwater’:
113. The Consultation Document sought feedback on proposed changes to the way freshwater is managed. These reforms aim to improve our management of freshwater to deliver better environmental and economic outcomes and better outcomes for iwi. A Council submission on this document was lodged on 29 April 2016.
114. Council’s submission encouraged the Government to widen the debate about freshwater ownership and allocation priority, supported the concepts of transferring consents and establishing a priority order for water use, and provided ideas about criteria for “significant infrastructure” and promoting efficient use of water through District Plans.
115. The Waikato Regional Council’s Consultation Document ‘Let’s Talk Water’:
116. The Waikato Regional Council prepared a consultation document called ‘Let’s Talk Water’ which has led to the development of a Waikato regional freshwater Issues and Opportunities document. The Issues and Opportunities document can be found at <http://www.waikatoregion.govt.nz/Council/Policy-and-plans/Waikato-Regional-Freshwater-Strategy/>. The Regional Council anticipates that the Issue and Opportunities paper will provide a framework from which the region community can knowledgeably and effectively engage in the national discussion regarding the use of new tools and systems for freshwater management.

117. Financial and Resourcing Implications

118. There are allocated budgets for Future Proof and UNISA for the 2016/17 year:

- Future Proof: \$168,182
- UNISA: \$76,418

119. The Waikato Plan requires no funding from the Council in the 2015/16 year, apart from staff input to the project.

120. The Waters CCO project budget is \$175,000 for the current phase – this was the subject of a report to Council on 29 October 2015, and the project will be completed within this budget envelope.

121. The RATA contribution was the subject of a Finance Committee report in May. The cost for the Council to participate in RATA is \$51,000 per year which will be funded from the City Transportation Unit’s subsidised roading programme, meaning the local share will be approximately \$24,990 per year. This sum will be accommodated within existing operational budgets.

122. Risk

123. The Future Proof risk register is monitored and regularly updated. Additionally, in relation to Future Proof, UNISA, Waikato Mayoral Forum, Waikato Plan and strategic waters projects, this report is for information purposes only so there is no decision-making risk at this stage.

Signatory

Authoriser	Blair Bowcott, Executive Director Special Projects
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Committee: Strategy & Policy Committee **Date:** 19 July 2016
Report Name: Action List for 19 July 2016; **Author:** Sean Hickey
 and Actions Still Underway or
 Pending for HCC submissions
 to External Organisations

Status	<i>Open</i>
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Recommendations

That the Committee:

- a) receive the report; and
- b) agree to the deferment of the items noted in the following table:

Item and Resolution Date	Original Due Date*	Deferred To
Arts Agenda – Pre-feasibility Study for Arts Gallery (8 December 2015)	30 June 2016	30 September 2016 <i>Pre-feasibility work, led by Creative Waikato, will be considered following the conclusion on the Founders Theatre matter.</i>
Policy and Bylaw Review – Standing Orders (3 May 2016)	19 July 2016	31 December 2016 <i>To align the review of Standing Orders with work undertaken by LGNZ, continue to work with Elected Member working group, and present revised Standing Orders to the new Council for adoption.</i>
Policy and Bylaw Review - Road, Reserve and Park Naming Policy (3 May 2016)	19 July 2016	30 August 2016 <i>Staff have been requested to undertake further consultation with elected members and bring this report to the August meeting, to provide adequate time to conduct this consultation.</i>

* Date that the Committee resolved for the item to be reported back to the Committee.

1. Attachments

2. Attachment 1 - Strategy and Policy Committee Action List - 19 July 2016
3. Attachment 2 - Progress of HCC Submissions to External Organisations

Updated: 12/07/16 17:27

STRATEGY AND POLICY COMMITTEE

Action List - 2013-16

OPEN

Ref.	GM Responsible	Action	DUE DATE for reporting back	Status (relative to due by date)	Notes	Meeting Date	Item #
4	GM City Infrastructure	Wairere Drive to Cobham Connection: 22 March 2016: Staff report back on costed options for; i) Additional piers and structures to replace embankment; ii) Handrail/superstructure detailing work; iii) Colour, lighting, planting; and iv) Additional pedestrian/cycle safety features on Wairere Drive.	3-May-16 Deferred to: 7-Jun-16 19-Jul-16	Deferred by Committee	Work is ongoing to complete the assessment/costings to address the additional issues raised at the March Committee meeting; a report will be presented back to the June 2016 Council Briefing, following which a final recommendation will be made to the Committee on 19 July. The report will be presented directly to Council on 28 July 2016.	22 March 2016	10
5	GM Community	Zoo Strategic Review - Zoo Master Plan Working Group to report back to the Committee on 19 November 2014.	19-Nov-14 Deferred to: 30-Aug-16	Deferred by Committee	The Working Group will reconvene in August 2015, followed by a Council Briefing, before being reported back to S&P Committee. Report Deferred so as findings of the PWC review of the zoo operations and the Worksafe NZ prosecution can be considered as part of the Strategic Review.	16 July 2014	12
8	GM Strategy & Communications	Sustainability Principles and Stocktake 22 March 2016: i. Staff, with advice from the Sustainability Advisory Panel, to develop a set of sustainability principles to be considered across all council activities. Such principles to be reported back to the Strategy and Policy Committee in June 2016.	7-Jun-16 Deferred to: 19-Jul-16	Deferred by Committee	Principles are being drafted and will be brought to S&P Committee 7 June 2016. Following constructive feedback on 24 May from members of the Sustainability Panel, further work is required to refine the principles. The report has therefore been deferred to the Committee Meeting of 19 July 2016.	22 March 2016	9
9		ii. Staff conduct an annual stocktake in December each year to inform Council on progress in the area of sustainability.	01-Feb-17	In progress	Noted for reporting to first S&P Committee in 2017.	22 March 2016	9
10		iii. Terms of Reference for the Sustainability Advisory Panel to be reviewed and updated, as appropriate, to reflect the amended focus for the Panel following the 22 March 2016 Committee meeting.	7-Jun-16 Deferred to: 31-Dec-16	Deferred by Committee	Review of Terms of Reference is being undertaken and an update reported to S&P Committee 7 June 2016. Sustainability Panel has agreed to continue in an informal capacity for remainder of current Council term. Any new Terms of Reference to be deferred until the Governance Structure is determined in the next Council term.	22 March 2016	9
11		iv. Staff to review if and why Council ceased support of Earth Hour and 'No Car Day' campaigns, and assess whether support should recommence.	7-Jun-16 Deferred to: 19-Jul-16	Deferred by Committee	An update on Earth Hour and "No Car Day" campaigns will be taken to S&P Committee 7 June 2016. Refer to Action 8 above. An update on the Earth Hour and No Car Days will be circulated to all Elected Members via Executive Update.	22 March 2016	9

Ref.	GM Responsible	Action	DUE DATE for reporting back	Status (relative to due by date)	Notes	Meeting Date	Item #
14	GM City Infrastructure	<p>Wairere Drive/Huntington Drive (west) intersection:</p> <p>a. Staff to consult further with the Huntington community on minor safety management measures; and</p> <p>b. Staff continue monitoring the safety performance of the intersection.</p>		In progress	<p>Staff met with the petition organisers on 11 June 2015 and presented the proposed options for improvements to the intersection. Staff developed a survey via survey monkey to use for community feedback on the options.</p> <p>Staff and Councillors Mallet, Tooman, Yeung, Pascoe and Chesterman met with the residents representative group on 30 September 2015 following an earlier meeting between residents and councillors.</p> <p>Additional data is being collected currently so that the list of options for improvement can be finalised and then consulted upon. Funding is available in 2015/16 Discretionary Transport Programme to complete the improvements.</p> <p>An independent expert report was presented to the community group on Friday 29 April 2016. GM City Infrastructure met with the residents group on 12 May 2016 to discuss the report and his emerging thinking so that there would be no surprises prior to the report being put into the public agenda. The residents Group received a copy of the final Opus report.</p> <p>Report presented to Council on 26 May 2016 advising on the outcome of investigation to date. Work to commence on the left-turn into Huntingdon Drive in accordance with Option 1 in Opus Report. A working group (which will include residents' representatives) will also continue to monitor the intersection, taking account of ongoing work by NZTA, and an independent consultant is to evaluate the options for a 'right hand turn' exit onto Wairere Drive. A report is to be presented back to Council once this additional analysis is completed.</p>	24 February 2015	10
15	GM Community	<p>Social Housing Strategy: To provide a progress report to the Committee on strategy development by 11 August 2015.</p> <p>11 August 2015: The Hamilton Strategic Social Housing Plan be reported to Council in December 2015.</p>	<p>8-Dec-15</p> <p>Deferred to: 3-May-16</p> <p>Deferred to: 19-Jul-16</p>	Completed	<p>Update provided to the 11 August 2015 S&P meeting.</p> <p>Report with Strategic Social Housing Plan to be deferred and presented to Committee on 7 June 2016. The Social Housing Sector met in mid-March 2016 to confirm the purpose of the Plan; a further meeting took place on 27 April 2016. The purpose of that meeting was to present the confirmed Purpose and a Draft Strategic Social Housing Plan for feedback. The working group is to confirmed to meet on the 17th May 2016 to finalise the purpose and draft plan. A further meeting will be held with the wider social housing sector at the end of May to confirm the plan.</p> <p>The Social Housing Plan that is owned, and is being led by, the Social Housing Sector will be presented to the 12 July 2016 Council Briefing. Presenting the Plan will be Julie Nelson.</p>	24 February 2015	16

Updated: 12/07/16 17:27

Ref.	GM Responsible	Action	DUE DATE for reporting back	Status (relative to due by date)	Notes	Meeting Date	Item #
17	GM Community	<p>Hamilton Lake Domain - Reserve Management Plan Review:</p> <p>Staff report back to the Strategy and Policy Committee with a draft Proposed Hamilton Lake Domain Management Plan for endorsement for consultation under section 41(6) of the Reserves Act 1977.</p> <p>3 November 2015: Working Group (Crs Gallagher, Green, Mallett and Yeung) to meet December 2015/February 2016 to provide strategic direction and vision for the Plan. The draft Plan to then be presented back to the Committee for public engagement.</p>	<p>3-May-16</p> <p>Deferred to: 19-Jul-16</p> <p>30-Aug-16</p>	Deferred by Committee	<p>First stage consultation completed, over 50 submissions received.</p> <p>The Working Group convened 10 December 2015. The draft plan is expected to be reported back to the Committee in May 2016, prior to public consultation.</p> <p>Working Group met on 23 February and 2 March 2016, to develop a vision, strategic goals and objectives. This work has not been completed within the two sessions as planned, requiring additional meetings to be scheduled.</p> <p>The Working Group third and final planning session is to be held on 1 June 2016.</p> <p>Staff propose taking the draft management plan back to Council Briefing in July and following that to S&P 30 August for approval to notify the draft plan for submissions.</p>	8 April 2015	8
18	GM Community	<p>Community Facilities</p> <p>Working Group to agree on a process and scope to review the community facilities portfolio; to report back to Council in July 2015.</p> <p>8 December 2015:</p> <p>i. Staff to progress discussions with all interested parties for each community facility;</p> <p>ii. Present a report to Council if a decision is required on the future use of any community facility;</p> <p>iii. Staff investigate how the availability of bookable community facility spaces can best be communicated to the community.</p>		In progress	<p>i. and ii.</p> <p>* Staff have continued discussions with interested parties with regards to Fairfield Hall. The stakeholders have advised ongoing discussions are required with stakeholder partners.</p> <p>* The fire at Enderley Community Centre have stalled discussions, and won't be progressed until the facility has been repaired.</p> <p>* Te Rapa Sportdrome - stakeholders have been updated on the recommendations of the review.</p> <p>At 28 April 2016 Full Council, Community Occupancy Leases were granted to organisations within the Community Facilities for a 2-year term to allow discussions to be progressed appropriately.</p> <p>As per the report presented to the Committee in December 2015, stating that as discussions progress with interested stakeholders, should a decision be required by Council with regards to the Community Facilities, then a report will be presented to Council for a decision.</p> <p>iii. This action is on track to be completed by end of May 2016. Contact details and facility information is being verified. Staff are working with the Communications Team to ensure an effective online portal will direct the community to the appropriate organisation. www.hamilton.govt.nz/communityfacilities has been updated with information of other community facilities. This will be promoted via council distribution lists.</p>	8 April 2015	11
20	GM Community	<p>Waikato Museum Strategic Review:</p> <p>iv. Staff to present briefing on the rebranding of the Waikato Museum before 30 June 2016. To include costings.</p>	30-Jun-16	Completed	Briefing held on 21 June 2016.	22 March 2016	8

Ref.	GM Responsible	Action	DUE DATE for reporting back	Status (relative to due by date)	Notes	Meeting Date	Item #
25	GM Community	Arts Agenda: Staff to: i. arrange a briefing for Elected Members following the adoption of the revised Arts Agenda; and ii. liaise with the Arts Forum and Creative Waikato on pre-feasibility research for an art gallery, and report back on this matter before the 2016 Draft Annual Plan is adopted.	30-Jun-16	In progress	i. Panel believes a Briefing is no longer required given the content of the Arts Agenda. Completed. ii. Staff have liaised with the Arts Forum and Creative Waikato on this matter, Creative Waikato is still in the process of facilitating the establishment of a Trust that can lead the pre-feasibility work. The pre-feasibility work would not occur until a decision on Founders Theatre has been made by Council, as this may have some influence on the scope and direction of the pre-feasibility work. It is anticipated that the Trust structure and membership will be advanced before 30 September 2016.	8 December 2015	9
26	GM City Growth	Urban Design Advisory Panel: That a briefing for Elected Members take place to provide an opportunity for further discussion on the work and role of the Panel.	16-Aug-16	In progress	A briefing with Councillors has been scheduled for 16 August 2016.	22 September 2015	22
28	GM City Infrastructure	Trade waste and Wastewater Bylaw: 23 February 2016: Draft bylaw adopted for public engagement: a) Drop-in session to take place on 22 March 2016 - all Elected Members to be invited; Cr Tooman delegated to represent Council; b) Submissions and Deliberations report to be presented back to the Committee on 19 July 2016.	19-Jul-16	In progress	a) Drop-in session took place on 22 March 2016. b) Report to be presented at 19 July 2016 meeting.	22 September 2015	21
34	GM Strategy & Communications	Hamilton East Neighbourhood Plan: Working Group to report back to the Committee on 7 June 2016 with a draft Plan.	7-Jun-16 Deferred to: 19-Jul-16	Deferred by Committee	Working Group established. Report to be presented at 19 July 2016 Committee meeting.	8 December 2015	13
38	GM Community	Beale Cottage Historic Reserve Management Plan i. Working Group, chaired by Cr King, to report back to the Committee with a recommendation as to the Cottage's Historic Reserve Management Plan.	7-Jun-16 Deferred to: 19-Jul-16	Deferred by Committee	Two Working Group meetings have been held. Working Group recommendations will be reported back at the 19 July Strategy and Policy Committee meeting.	22 March 2016	11
39		ii. Staff to update Elected Members as to whether there are other Historic Reserve properties that need to be reviewed.	7-Jun-16 Deferred to: 19-Jul-16	Deferred by Committee	Information on historic reserve properties has been compiled and no other properties identified. This will be covered in the staff report to the 19 July 2016 Meeting.	22 March 2016	11
42	GM City Growth	BID Policy i. GM City Growth to circulate data in terms of the performance of the current BID based on KPIs set out under the draft Policy.	07-Jun-16	Completed	Memo circulated to Elected Members on 10 June 2016.	3 May 2016	7

Updated: 12/07/16 17:27

Ref.	GM Responsible	Action	DUE DATE for reporting back	Status (relative to due by date)	Notes	Meeting Date	Item #
43		ii. GM City Growth to provide clarity on clauses 2.3.2 and 2.3.3 in relation to who is classified as a 'business occupier' with reference to the SUIP and voting rights for a BID.	26-May-16	Completed	Update presented to the Strategy and Policy Committee on 7 June 2016.	3 May 2016	7
44	GM Community	Age-Friendly Global Network Older Persons Advisory Panel is to report back to the Strategy and Policy Committee at appropriate times during the development of the Age Friendly Plan.	30-Aug-16	In progress	The Older Persons Advisory Panel is in the process of appointing a Steering Group to be completed before the end of June 2016, subject to Council's approval at the May 2016 meeting. The Advisory Panel will update Council as part of their ongoing reporting or as milestones are achieved by the Steering Group.	3 May 2016	8
45	GM Community	Social Wellbeing Indicator Report Staff present first Social Wellbeing Indicator Report to Council in February 2017.	28-Feb-17	Not started		3 May 2016	9
46	Executive Director Special Projects	Regional Strategic Round up report Staff will provide an update of the policy/bylaws workstream for the Mayoral Forum in the next Round up report.	19-Jul-16	In progress	Report due to 19 July Strategy & Policy meeting will include an update on this.	3 May 2016	11
47		Policy and Bylaw Review					
48	GM Corporate	i. The Democracy Manager undertakes a review of the Citizens Initiated Referenda Policy and reports back to the Strategy and Policy Committee in June 2016.	7-Jun-16 Deferred to: 19-Jul-16	Deferred by Committee	Report to be presented to Committee on 19 July 2016.	3 May 2016	12
49	GM City Growth	ii. The General Managers undertake a review of the Road, Reserve and Park Naming Policy and report back to the Strategy and Policy Committee in July 2016.	19-Jul-16	In progress	Staff to undertake further consultation with Elected Members. Report to be presented at the 30 August Strategy and Policy Committee meeting.	3 May 2016	12
50	GM Corporate	iii. A working group is established with Councillors O'Leary, Pascoe and Mallett to work with the Democracy Manager to review the Standing Orders and report back to the Committee in July 2016.	19-Jul-16	In progress	Working Group has met and work is ongoing; to be aligned with LGNZ project reviewing Standing Orders template. LGNZ to present its final revised version of Standing Orders to SOLGM Conference on 25-26 July 2016. Democracy to then work with working group to prepare revised Council Standing Orders, which will be presented to the new Council for adoption in line with LGA requirements. This is expected to be completed by the end of 2016.	3 May 2016	12
51	GM City Growth	Ruakura Trees Staff to circulate a map/photograph identifying the trees in the area for which a consent has been granted to remove four trees.	07-Jun-16	Completed	GM City Growth to provide photographs at the Strategy & Policy Committee meeting to be held on 7 June 2016.	3 May 2016	13

Updated: 12/07/16 17:27

Ref.	GM Responsible	Action	DUE DATE for reporting back	Status (relative to due by date)	Notes	Meeting Date	Item #
52	GM City Infrastructure	<p>Disability Policy Review</p> <p>Staff to provide an update on the following matters in the next Regional Operational Roundup report to the Committee:</p> <ul style="list-style-type: none"> * Accessible Bus Shelter and Kerb Programme; and * Current data on wheelchair users/passengers on Hamilton bus network. 	30-Aug-16	In progress	Matter to be included in 30 August Operational Round-up report	7 June 2016	7
53	GM City Infrastructure	<p>Regional Operational Roundup</p> <p>i. Staff to provide an update on the Total Mobility Scheme in the next Roundup report.</p>	30-Aug-16	In progress	Matter to be included in 30 August Operational Round-up report	7 June 2016	10
54		<p>ii. Staff to provide an update on the inter-regional transport strategy as it relates to passenger rail and the potential for landbanking/sites for passenger rail stations in Hamilton.</p>	30-Aug-16	In progress	Matter to be included in 30 August Operational Round-up report	7 June 2016	10

PROGRESS OF HCC SUBMISSIONS TO EXTERNAL ORGANISATIONS: 19 JULY 2016 STRATEGY AND POLICY COMMITTEE MEETING AGENDA
 (For all submissions made by HCC, refer <http://www.hamilton.govt.nz/our-council/consultation-and-public-notice/councilsubmissions/Pages/default.aspx>
INFORMATION CURRENT AS AT 8/7/16)

Submissions Removed – Process now Complete

- Submission # 447: State Highway 26/Ruakura Road/Lisette Road Intersection Upgrade - Publicly Notified Notice of Requirement from the NZTA for an Alteration to Designation

New Submissions Added

- Submission # 468: Proposed National Policy Statement on Urban Development Capacity
- Submission # 470: Local Government Act 2002 Amendment Bill (No. 2)

TABLE 1: SUMMARY PROGRESS OF HCC SUBMISSIONS (REFER TO TABLE 2 FOR FURTHER DETAIL)

Note: Updates to the 'Summary Progress' table that formed part of the 7 June 2016 Strategy and Policy Committee meeting agenda are highlighted in yellow.

SUB #	TITLE OF DOCUMENT, ORGANISATION AND WEBSITE	OUTLINE/UPDATE OF KEY PROGRESS
398	<p>HCC's and the NZTA's Notices of Requirement - Southern Links Project (Waikato District Council, Waipa District Council and Hamilton City Council) http://www.waipadc.govt.nz/our-district/MajorProjects/HamiltonSouthernLinks-NoticesofRequirement/Pages/default.aspx</p>	<p>Overall Direction of Submission: The submission supported the new designations and alterations to existing designation as publicly notified and sought retention of grade-separated pedestrian and cycle access along the riverside paths under Cobham Bridge on both sides of the Waikato River.</p> <p>The Commissioners granted the NZTA consent (subject to conditions, including a lapse period of 20 years) to construct a bridge crossing the Waikato River at the Narrows and recommended the NZTA confirms the new designations and alteration to existing designation subject to conditions, including lapse periods of 20 years.</p> <p>The NZTA's decisions on the Commissioners' recommendations regarding the NZTA's requirements were issued in December 2014. Two parties appealed aspects of the NZTA's decisions. HCC (as territorial authority) did not appeal, but become a Section 274 party to both appeals. HCC (as Requiring Authority and the NZTA's Southern Links project partner) become a Section 274 party to one of the appeals, which was eventually settled by negotiation. On 3/3/16, the Court issued a consent order in relation to the latter appeal, which amended the conditions on Designation DN/156 in Waipa District.</p> <p>The Crown agreed to acquire the property of the second appellant, whose appeal was subsequently withdrawn on 23/6/16.</p>
404	<p>Building (Earthquake-Prone Buildings) Amendment Bill (Local Government and Environment Committee) http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL12960_1/building-earthquake-prone-buildings-amendment-bill</p>	<p>On 10/5/15, the Government announced major changes to how quickly earthquake-prone buildings will need to be assessed and strengthened to "better target regulations on buildings where location, use and type pose the greatest risk to life". The country will be split into 3 zones according to the risk of a big earthquake, and the timeframes for assessment and strengthening vary accordingly. Refer also to submission # 439.</p>

SUB #	TITLE OF DOCUMENT, ORGANISATION AND WEBSITE	OUTLINE/UPDATE OF KEY PROGRESS
439	Building (Earthquake-Prone Buildings) Amendment Bill – Interim Report (Local Government and Environment Committee) http://www.parliament.nz/resource/en-nz/51DBSCH_SCR63267_1/b48e2b01669564a6e9c9e6a7f02bbb55ae768006	<p>The Bill's third reading was completed on 10/5/16, with Royal Assent occurring on 13/5/16, becoming the 'Building (Earthquake-Prone Buildings) Amendment Act 2016'. The Ministry of Business, Innovation and Employment is looking to consult on a new set of Regulations in September 2016, with the Act and finalised Regulations anticipated to be in force by May 2017.</p>
414	Proposed Auckland Unitary Plan – Further Submissions (Auckland Council) http://www.aucklandcouncil.govt.nz/EN/planspolicies/projects/plansstrategies/unitaryplan/Pages/submissions.aspx	<p>HCC staff have not appeared in person at the hearings, given the structure of the hearings and the time/cost involved. However, Future Proof and the Future Proof partners of Waikato Regional Council and Waikato District Council have appeared at hearings covering the topic of Auckland growth. The focus of the evidence given is to highlight to Auckland Council the impacts of growth in the south of the Auckland Region on land use, settlement patterns and infrastructure impacts (namely the Waikato Expressway) in the Waikato.</p>
452	Final Position Paper 'Improving New Zealand's Water and Wastewater and Stormwater Sector' (LGNZ) http://www.lgnz.co.nz/home/our-work/our-policy-priorities/4.-infrastructure/3-waters-programme/ http://www.lgnz.co.nz/assets/29617-three-Waters-Position-Paper.pdf	<p>A brief article on LGNZ's final position paper was included as part of the 6/10/15 Executive Update. LGNZ has advised that its National Council support progressing the co-regulatory option and will continue to update the sector on further developments.</p>
453	Building (Pools) Amendment Bill (Local Government and Environment Committee) http://www.parliament.nz/en-nz/pb/sc/make-submission/51SCLGE_SCF_00DBHOH_BILL64825_1/building-pools-amendment-bill	<p>This Bill will amend the Building Act 2004 and repeal the Fencing of Swimming Pools Act 1987 to reduce the compliance burden currently imposed on pool owners and territorial authorities in relation to residential pools while maintaining child safety.</p> <p>The Bill's purpose is to ensure consistent and regular territorial authority processes, by introducing a nationwide standardised residential pool inspection cycle. Staff from the Building Control Unit spoke in support of HCC's written submission at the hearings of the Local Government and Environment Committee on 3/12/15.</p> <p>The Bill had its second reading on 30/6/16 after being reported back to the House on 14/4/16. Apart from a number of other amendments, the Local Government and Environment Committee has recommended inserting Clause 6B (Role of Building Consent Authority and Territorial Authority), which would amend Section 12 of the Building Act, to further emphasise that local authorities are responsible for enforcing strict compliance with pool barrier requirements.</p>
454	Ruakura Variation to Hamilton City's Proposed District Plan (Hamilton City Council) www.hamilton.govt.nz/ruakura	<p>The submission identifies a number of minor errors or omissions for various sections of the Ruakura Variation and the relief sought for each submission point. It also includes matters relating to administration of the plan and clarity for plan users. Next steps include hearings to be convened for submissions received, which will be heard by independent Commissioners (Dr Phil Mitchell and Dorothy Wakeling) in August 2016.</p>

SUB #	TITLE OF DOCUMENT, ORGANISATION AND WEBSITE	OUTLINE/UPDATE OF KEY PROGRESS
455	<p>Shop Trading Hours Amendment Bill (Commerce Committee) http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL66378_1/shop-trading-hours-amendment-bill</p>	<p>This Bill amends the Shop Trading Hours Act Repeal Act 1990 to grant territorial authorities a limited power to create bylaws that allow shop trading on Easter Sunday, and enable shop workers to refuse work on Easter Sunday.</p> <p>HCC's draft submission was considered and approved at the 15/12/15 Council meeting. The final revised submission was uploaded to Parliament's website on 22/12/15. Parliament acknowledged receipt of HCC's submission on 14/1/16.</p> <p>The Bill was read for a second time on 28/6/16, which went ahead. The Committee of the whole House will now debate the Bill. Once a final form of the Bill is agreed, it will be reprinted to show any changes. The third reading will then take place. If the vote at the end of the third reading passes, then the bill will be sent to the Governor-General for the Royal Assent – after which it is made law. If enacted, the new powers will take effect in time for changes to be made prior to Easter 2017.</p>
456	<p>Developing the Proposed National Policy Statement on Urban Development (Ministry for the Environment) https://www.mfe.govt.nz/more/towns-and-cities/managing-urban-development-nz/developing-proposed-national-policy-statement</p>	<p>To inform the development of a proposed NPS on Urban Development, feedback was sought on the following questions. 1) Is your area experiencing high levels of population growth and challenges in planning for this growth? 2) How could a NPS and supporting guidance help to address these issues? 3) What could a NPS and supporting guidance contain?</p> <p>Draft 1 was circulated to Elected Members on 29/1/16 for feedback. Comments were incorporated into a final version sent to MFE to meet the 9/2/16 submission closing date. The final submission sent on 9/2/16 was considered and retrospectively approved at the 23/2/16 Strategy and Policy Committee meeting, subject to amending a specific section of the submission. This amendment was incorporated into the approved final version sent to the MFE on 1/3/16.</p> <p>The MFE advised on 12/4/16 that they received 47 submissions to the proposed NPS on Urban Development, covering a variety of issues from a range of stakeholders. Feedback received by the MFE has been used to inform development of the NPS and was outlined in a report to submitters, which was included as part of the 19/4/16 Executive Update. The MFE contacted submitters with details of when submissions can be made to the draft National Policy Statement. Refer also to submission # 468.</p>
457	<p>Vehicle Dimensions and Mass Rule 2002 Review (Ministry of Transport/NZ Transport Agency) http://www.transport.govt.nz/land/vdam</p>	<p>The intention to make a submission was outlined in the 2/2/16 Executive Update. Draft 1 was circulated to Elected Members for feedback on 12/2/16. Initial feedback resulted in a revised submission (Draft 2), which was included as part of a separate report that was considered and approved at the 23/2/16 Strategy and Policy Committee meeting. No changes were made to Draft 2, which was sent to the NZTA on 24/2/16. The NZTA has acknowledged receipt of HCC's submission.</p> <p>The next phase is release of the Yellow Draft, with consultation on the preferred proposals commencing on 8/7/16 and closing on 12/8/16. These proposals have been chosen following the careful consideration of all submissions and research supporting them.</p>
458	<p>Better Urban Planning (Issues Paper, December 2015) (New Zealand Productivity Commission) http://www.productivity.govt.nz/inquiry-content/2682?stage=2</p>	<p>The NZ Productivity Commission began the Inquiry with release of an Issues Paper on 9/12/15 outlining its proposed approach to the Inquiry, the context for the Inquiry, and a preliminary list of key questions to be addressed via a broad consultation process. Their draft report will be released in July 2016 for submissions, with the final report to Government due on 30/11/16.</p> <p>Elected Members were advised of this Inquiry in the 24/11/15 Executive Update. HCC's Draft 1 submission was circulated to Elected Members on 29/1/16 for feedback. As no feedback was received on this submission, Draft 2 remained unchanged</p>

SUB #	TITLE OF DOCUMENT, ORGANISATION AND WEBSITE	OUTLINE/UPDATE OF KEY PROGRESS
		<p>from Draft 1, was considered and approved at the 23/2/16 Strategy and Policy Committee meeting and sent to the Productivity Commission on 1/3/16.</p> <p>The Commission acknowledged receipt of HCC's submission on 2/3/16, noting that once it has been reviewed, it will be published on their website (it is submission # 004 on their website). The Productivity Commission has advised that the draft report will be released in August 2016 for submissions, with the final report due to Government by 30/11/16.</p>
459	<p>Resource Legislation Amendment Bill (Local Government and Environment Committee)</p> <p>http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL67856_1/resource-legislation-amendment-bill</p>	<p>The overarching purpose of this Bill is to create a resource management system that achieves the sustainable management of natural and physical resources in an efficient and equitable way. Elected Members were advised of this Bill in the 1/12/15 Executive Update. Draft 1 was circulated to Elected Members on 29/1/16 for feedback. Comments were incorporated into Draft 2, which was considered and approved at the 23/2/16 Strategy and Policy Committee meeting. The Committee made a minor addition that was incorporated into the approved final submission uploaded to Parliament's website on 2/3/16. Receipt of HCC's submission was acknowledged on 2/3/16. The Local Government and Environment Committee's report is now due on 6/9/16.</p>
461	<p>Waikato Regional Council's 2016/17 Proposed Annual Plan Consultation Document (Waikato Regional Council)</p> <p>http://www.waikatoregion.govt.nz/PageFiles/41315/AnnualPlanConsultation201617.pdf</p>	<p>HCC's draft submission was considered and approved at the 31/3/16 Council meeting (with a minor change being made to the approved submission). This was sent to WRC on 5/4/16. WRC informally acknowledged receipt of HCC's submission that same day, with the formal acknowledgement letter being received on 12/4/16.</p> <p>WRC held hearings on the 10/5/16 and deliberated on 31/5/16 and 1/6/16. They anticipate that formal response letters will be posted to submitters in the week commencing 11/7/16.</p>
462	<p>Next Steps for Freshwater – Consultation Document (February 2016) (Ministry for the Environment)</p> <p>http://www.mfe.govt.nz/consultation/next-steps-fresh-water</p>	<p>A copy of the MFE's discussion document and a summary of key issues were circulated to Elected Members for their consideration on 8/4/16. Elected Members used this material to outline their views to staff at the 19/4/16 Council briefing. This feedback formed the basis of HCC's draft submission (Draft 1), which was circulated to Elected Members on 20/4/16. Draft 1 was considered at the 21/4/16 Finance Committee meeting, where a number of revisions were requested.</p> <p>These revisions were incorporated into Draft 2, which was considered and approved at the 28/4/16 Council meeting. The MFE provided HCC an extension to the original 22/4/16 submission closing date through to 29/4/16.</p> <p>The MFE has acknowledged receipt of HCC's submission, noting that the Ministers will now consider all comments received and make their decisions on progressing the proposals.</p>
464	<p>NZTA – Alteration of Designation Resolution Drive Extension and Horsham Downs Link Road (March 2016) (NZ Transport Agency)</p> <p>https://www.waikatodistrict.govt.nz/your-council/public-consultations/current-consultations/nzta-alteration-of-designation-resolution-drive-extension-and-horsham-downs-link-road</p>	<p>Overall Direction of Submission: The submission supports the Notice of Requirement from the NZ Transport Agency to alter the designation for the Hamilton Section of the Waikato Expressway to include link roads to the already designated Resolution Drive Interchange, subject to appropriate conditions applying that will ensure that adverse effects on the environment are managed appropriately.</p> <p>Elected Members were advised of this submission in the 19/4/16 Executive Update. The submission was made under the Chief Executive's delegated authority for RMA submissions on 5/5/16.</p>
465	<p>Plan Change 17: Ngaruawahia and Surrounding</p>	<p>Overall Direction of Submission: The submission opposes the proposed rezoning as it seeks to further understand the</p>

SUB #	TITLE OF DOCUMENT, ORGANISATION AND WEBSITE	OUTLINE/UPDATE OF KEY PROGRESS
	<p>Villages; Stage One: Proposed Rezoning (Waikato District Council) https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan/plan-change-17---section-32-evaluation-report.pdf?sfvrsn=2</p>	<p>possible impacts the rezoning may have on Hamilton’s physical and community infrastructure. The proposed Plan Change is also opposed on the basis that it is considered to be at odds with the strategic growth direction of Future Proof and the Regional Policy Statement and any rezoning of land would be better considered in Waikato District Council’s upcoming District Plan review process.</p> <p>On 28/6/16 WDC advised that notification of further submissions for Plan Change 17 would take place on 29/6/16. HCC will be making a further submission to WDC, which needs to be lodged by 13/7/16.</p>
466	<p>Draft Walking, Cycling and Bridle Trails Strategy (Waikato District Council) https://www.waikatodistrict.govt.nz/your-council/public-consultations/current-consultations/walking-cycling-and-bridle-trails-strategy</p>	<p>Overall Direction of Submission: The submission supports the Strategy and suggests it should identify all existing and proposed trails linking Waikato District to Hamilton City. It also suggests the assessment criteria proposed for prioritising trails should be refined.</p> <p>This became a staff submission, with staff wanting to ensure that the Draft Trails Strategy identified any opportunities to connect existing or proposed trails in Waikato District with those in Hamilton.</p>
468	<p>Proposed National Policy Statement on Urban Development Capacity (Ministry for the Environment) https://www.mfe.govt.nz/more/towns-and-cities/proposed-national-policy-statement-urban-development-capacity</p>	<p>Overall Direction of Submission: Although the submission generally supports the Proposed National Policy Statement on Urban Development Capacity, it also raises a number of concerns that need to be addressed for the NPS to be effective.</p> <p>Draft 1 was circulated to Elected Members for feedback on 22/6/16, with comments sought by 24/6/16. Greater clarification was made by staff to one of the submission points. Draft 2 was considered at the 30/6/16 Council meeting, where it was requested that a revised draft (Draft 3) be circulated for feedback.</p> <p>On 4/7/16 City Planning circulated a briefing document outlining some points for consideration prior to a scheduled informal workshop for Elected Members on 6/7/16. The purpose of the briefing document was to highlight key issues identified by staff when reviewing the draft NPS.</p> <p>Feedback from the 6/7/16 workshop was incorporated into Draft 3, which was circulated to Elected Members on 7/6/16 for feedback. Draft 4 will incorporate Elected Member’s comments and be considered and approved at the 14/7/16 Extraordinary Council meeting and then sent to the MFE to meet the 15/7/16 submission closing date.</p>
470	<p>Local Government Act 2002 Amendment Bill (No. 2) (Local Government and Environment Committee) http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL69266_1/local-government-act-2002-amendment-bill-no-2</p>	<p>The Local Government Act 2002 Amendment Bill (No. 2) implements a set of reforms to enable improved service delivery and infrastructure provision arrangements at the local government level.</p> <p>Staff will make a presentation on this Bill at the 12/7/16 Council briefing. Feedback will be used to develop HCC’s submission that will be considered at the 19/7/16 Strategy and Policy Committee meeting.</p>
471	<p>Waikato Region Wide RMA Consent Application –</p>	<p>TBfree New Zealand, the Department of Conservation and the Waikato Regional Council (dated 12/8/15) advising that they</p>

SUB #	TITLE OF DOCUMENT, ORGANISATION AND WEBSITE	OUTLINE/UPDATE OF KEY PROGRESS
	<p>Sodium Fluoracetate (1080) (TBfree New Zealand; Department of Conservation; Waikato Regional Council)</p> <p>http://www.pce.parliament.nz/assets/Uploads/PCE-1080.pdf</p> <p>http://www.pce.parliament.nz/assets/Uploads/1080-update-report-web-2015.pdf</p>	<p>are applying for 35 year resource consents to cover aerial 1080 operations within the Waikato Region. The current region-wide resource consents are due to expire in June 2016.</p> <p>City Planning, City Waters, Environmental Health and Parks and Open Spaces will conduct a more in-depth analysis once WRC's application assessment and notification decision is available. On 28/6/16 WRC provided all Chief Executives of councils in the Waikato Region with an update regarding the intention to lodge region-wide resource consent applications to continue the use of aerial 1080.</p>
472	<p>Watercare's December 2013 Application for a Water - Take Resource Consent from the Waikato River (Waikato Regional Council)</p> <p>https://www.watercare.co.nz/about-watercare/our-services/waikato-river-water/Pages/default.aspx</p> <p>https://www.watercare.co.nz/SiteCollectionDocuments/AllPDFs/Watercare_Waikato_River_take_resource_consent_application_December_2013.pdf</p>	<p>Through Future Proof, WRC has an action to update the Group of the allocation status of the Waikato River and determine a process to enable understanding of water take applications currently in the queue. This action is still uncompleted.</p>

TABLE 2: PROGRESS OF HCC SUBMISSIONS - FULL SUMMARY

Note: The following schedule identifies submissions made by HCC to external organisations since April 2013 where the process has not been fully completed and where various actions are still underway or pending. Updates to the schedule that formed part of the 7 June 2016 Strategy and Policy Committee meeting agenda are highlighted in yellow.

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
398	<p>HCC's and the NZ Transport Agency's Notices of Requirement to the Southern Links Project</p> <p>http://www.waipadc.govt.nz/our-district/MajorProjects/HamiltonSouthernLinks-NoticesofRequirement/Pages/default.aspx</p>	<p>Waikato District Council, Waipa District Council and Hamilton City Council</p>	28/2/14	<p>Final submission considered and retrospectively approved on 18/3/14.</p>	<p>Overall Direction of Submission: The submission supported the new designations and alterations to existing designation as publicly notified and sought retention of grade-separated pedestrian and cycle access along the riverside paths under Cobham Bridge on both sides of the Waikato River.</p> <p>The hearing commenced on 21/7/14. Staff spoke in support of HCC's submission on the NZTA's requirement on 24/7/14. Hearings were adjourned to 1/9/14 and were completed on that day.</p>

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
					<p>On 24/10/14, the Commissioners' made their recommendations on the NZTA's requirements and decisions on the NZTA's resource consent applications. The decisions and recommendations were issued to the parties the following week.</p> <p>The decision confirms HCC's requirement (with conditions, including a lapse period of 20 years) and grants HCC consent (with conditions, including lapse periods of 20 years) to construct a bridge over the Waikato River east of Hamilton Gardens and another over the Mangakotukutuku Stream. One appeal was lodged against the decision on HCC's requirement. HCC did not appeal the decision.</p> <p>The Commissioners granted the NZTA consent (subject to conditions, including a lapse period of 20 years) to construct a bridge crossing the Waikato River at the Narrows and recommended the NZTA confirms the new designations and alteration to existing designation subject to conditions, including lapse periods of 20 years.</p> <p>The NZTA's decisions on the Commissioners' recommendations regarding the NZTA's requirements were issued in December 2014. Two parties appealed aspects of the NZTA's decisions. HCC (as territorial authority) did not appeal, but become a Section 274 party to both appeals. HCC (as Requiring Authority and the NZTA's Southern Links project partner) become a Section 274 party to one of the appeals, which was eventually settled by negotiation. On 3/3/16, the Court issued a consent order in relation to the latter appeal, which amended the conditions on Designation DN/156 in Waipa District.</p> <p>The Crown agreed to acquire the property of the second appellant, whose appeal was subsequently withdrawn on 23/6/16.</p>
404	Building (Earthquake-Prone Buildings) Amendment Bill http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL12960_1/building-earthquake-prone-buildings-amendment-bill	Local Government and Environment Committee	17/4/14	Final submission considered and retrospectively approved on 30/4/14.	<p>A Council workshop on this topic was held on 15/5/13. Councillor O'Leary presented HCC's submission to the Local Government and Environment Select Committee hearing on 19/6/14. HCC's Principal Building Advisor was also in attendance.</p> <p>In December 2014, HCC staff sent an information update to all stakeholders/building owners advising them that the Building (Earthquake-Prone Buildings) Amendment Bill could potentially replace HCC's 'Earthquake-Prone, Dangerous and Insanitary Buildings Policy' with a national regime for earthquake strengthening work. The letter updated stakeholders/building owners on key changes and how the Bill could affect</p>

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
					<p>them if enacted.</p> <p>On 10/5/15, the Government announced major changes to how quickly earthquake-prone buildings will need to be assessed and strengthened to “better target regulations on buildings where location, use and type pose the greatest risk to life”.</p> <p>The four significant changes to the policy were:</p> <ul style="list-style-type: none"> • Varying the timetable for strengthening relative to earthquake risk. • Prioritising education and emergency buildings for strengthening. • Reducing the number of buildings requiring assessment. • Introducing new measures to encourage earlier upgrades. <p>The country will be split into 3 zones according to the risk of a big earthquake, and the timeframes for assessment and strengthening vary accordingly i.e.:</p> <ul style="list-style-type: none"> • High Risk Zone – including Gisborne, Napier/Hastings, Palmerston North, Wellington, Blenheim, and Christchurch (will keep the existing timeframe of assessment within five years and strengthening within 15 years). • Medium Risk Zone – including Hamilton, Tauranga, Rotorua, New Plymouth, Wanganui, Nelson, Invercargill and Timaru. • Low Risk Zone – including Northland, Auckland, Oamaru and Dunedin. <p>The Government has confirmed that the earthquake-prone building definition as being less than 34% of the new building standard, a 10-year extension for listed heritage buildings, and exemptions from strengthening for low risk, low occupancy buildings, would remain in the policy.</p> <p>As Hamilton has been classed as ‘medium risk’, buildings will have 10 years to be assessed and 25 years to be strengthened under the proposed policy. Many of Hamilton’s buildings have already been assessed by engineers and it is unlikely they will be subject to any further assessment. Refer also to submission # 439.</p>
439	Building (Earthquake-Prone Buildings) Amendment	Local	16/7/15	Final submission	The passage of the Building (Earthquake-Prone Buildings) Amendment Bill has

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	<p>Bill - Interim Report of the Local Government and Environment Committee http://www.parliament.nz/resource/en-nz/51DBSCH_SCR63267_1/b48e2b01669564a6e9c9e6a7f02bbb55ae768006</p>	Government and Environment Committee		considered and retrospectively approved on 11/8/14.	<p>progressed with release of an interim report back to the House by the Local Government and Environment Committee on 23/6/15.</p> <p>The Bill had run into considerable difficulties due to its complexity and also the need to apply its provisions to a wide range of structures and circumstances. In its report, the Committee notes that it had received advice from the Ministry of Business, Innovation and Employment, the Parliamentary Counsel Office, and the Regulations Review Committee. As a result of that process, and in response to the issues raised by submitters, it was considering a range of potential changes to the original Bill. HCC's Principal Building Advisor spoke to the Local Government and Environment Committee at the 30 July 2015 hearing in support of Council's 16/7/15 submission.</p> <p>The Local Government and Environment Committee released their final report on the Bill with recommended amendments on 2/9/15 – refer http://www.parliament.nz/resource/en-nz/51DBSCH_SCR64791_1/a38b4befdfdd2c6a85be60e37365b16f8da763c8</p> <p>The Bill is expected to receive its second reading before Parliament adjourns for the 2016 year. HCC's Principal Building Advisor is a member of the Local Government working party which is assisting MBIE with the development of the MBIE draft policy. This includes establishing the CEO's methodology for the means of assessing earthquake-prone buildings and a number of other transitional changes. The working party is also developing draft regulations which will drive changes in the Building Act.</p> <p>The working party is working towards identifying and completing all the changes before May 2016 in order to consult and seek feedback from stakeholders. The new legislation is expected to be in place around March 2017.</p> <p>HCC's submission identified that we have already prioritised our buildings according to risk. However, there is some likelihood we will have to do more work on classifying priority buildings (those that are high risk or on major public corridors such as high foot traffic, inner city etc.) and this work will need to be completed within 5 years. The outcomes will have to go through a public consultation process.</p> <p>HCC's 16/7/15 submission also identified that Council has written to the owners of</p>

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					<p>buildings that are considered to be earthquake-prone but we have not issued formal Section 124 notices (which are akin to a dangerous building notice). There is some certainty that Section 124 notices will need to be issued once the new legislation changes are enacted.</p> <p>The Bill's third reading was completed on 10/5/16, with Royal Assent occurring on 13/5/16, becoming the 'Building (Earthquake-Prone Buildings) Amendment Act 2016'. The Ministry of Business, Innovation and Employment is looking to consult on a new set of Regulations in September 2016, with the Act and finalised Regulations anticipated to be in force by May 2017. Refer also to submission # 404.</p>
414	<p>Proposed Auckland Unitary Plan – Further Submissions http://www.aucklandcouncil.govt.nz/EN/planspolicies/projects/plansstrategies/unitaryplan/Pages/submissions.aspx</p>	Auckland Council	22/7/14	Not applicable. Submissions and further submissions in 2014 made under the Chief Executive's delegated authority for RMA submissions.	<p>The consultation period for further submissions opened on 11/6/14 and closed on 22/7/14. City Planning staff analysed approximately 100,000 further submission points and identified where any further submissions were required to be made in line with HCC's original 28/2/14 submission.</p> <p>Hearings for further submissions commenced in September 2014 and the process will continue until July 2016. HCC's submission and further submissions will be considered as part of the Independent Hearings Panel hearing process. Hearing documents can be found at http://www.aupihp.govt.nz/hearings/</p> <p>HCC staff have not appeared in person at the hearings, given the structure of the hearings and the time/cost involved. However, Future Proof and the Future Proof partners of Waikato Regional Council and Waikato District Council have appeared at hearings covering the topic of Auckland growth. The focus of the evidence given is to highlight to Auckland Council the impacts of growth in the south of the Auckland Region on land use, settlement patterns and infrastructure impacts (namely the Waikato Expressway) in the Waikato.</p>
452	<p>Final Position Paper 'Improving New Zealand's Water and Wastewater and Stormwater Sector' http://www.lgnz.co.nz/home/our-work/our-policy-priorities/4.-infrastructure/3-waters-programme/ http://www.lgnz.co.nz/assets/29617-three-Waters-Position-Paper.pdf</p>	Local Government New Zealand	30/10/15	Draft submission considered and approved at the 29/10/15 Council meeting.	<p>On 1/10/15 Local Government New Zealand (LGNZ) released its final position paper 'Improving New Zealand's Water and Wastewater and Stormwater Sector' for review and feedback. The paper builds on the momentum established under the LGNZ 3 Waters project by describing how a strong, sector-led approach will address the issues identified in the issues paper released in October 2014 'Exploring the Issues Facing New Zealand's Water, Wastewater and Stormwater Sector'.</p> <p>LGNZ consulted extensively in the preparation of this paper with its members,</p>

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					<p>Government and other stakeholders. There was general agreement during the process that maintaining the status quo is not an option and that change is needed. The position paper therefore provides views on deliverables of a fit for purpose water sector and three potential models for sector oversight.</p> <p>A brief article on LGNZ's final position paper was included as part of the 6/10/15 Executive Update. LGNZ has advised that its National Council support progressing the co-regulatory option and will continue to update the sector on further developments.</p>
453	Building (Pools) Amendment Bill https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/00DBHOH_BILL64825_1/building-pools-amendment-bill	Local Government and Environment Committee	5/11/15	Draft submission considered and approved on 5/11/15.	<p>This Bill will amend the Building Act 2004 and repeal the Fencing of Swimming Pools Act 1987 to reduce the compliance burden currently imposed on pool owners and territorial authorities in relation to residential pools while maintaining child safety.</p> <p>The Bill's purpose is to ensure consistent and regular territorial authority processes, by introducing a nationwide standardised residential pool inspection cycle. Staff from the Building Control Unit spoke in support of HCC's written submission at the hearings of the Local Government and Environment Committee on 3/12/15.</p> <p>The Bill had its second reading on 30/6/16 after being reported back to the House on 14/4/16. Apart from a number of other amendments, the Local Government and Environment Committee has recommended inserting Clause 6B (Role of Building Consent Authority and Territorial Authority), which would amend Section 12 of the Building Act, to further emphasise that local authorities are responsible for enforcing strict compliance with pool barrier requirements.</p>
454	Ruakura Variation to Hamilton City's Proposed District Plan (Hamilton City Council) www.hamilton.govt.nz/ruakura	Hamilton City Council	18/12/15	Not applicable. Submission made under the Chief Executive's delegated authority for RMA submissions.	<p>The submission identifies a number of minor errors or omissions for various sections of the Ruakura Variation and the relief sought for each submission point. It also includes matters relating to administration of the plan and clarity for plan users.</p> <p>Next steps include hearings to be convened for submissions received, which will be heard by independent Commissioners (Dr Phil Mitchell and Dorothy Wakeling) in August 2016.</p>
455	Shop Trading Hours Amendment Bill	Commerce	22/12/15	Draft submission	The Bill received its first reading on 3/11/15. If enacted, the Bill will allow councils to

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	http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL66378_1/shop-trading-hours-amendment-bill	Committee		considered and approved at the 15/12/15 Council meeting.	<p>adopt bylaws to permit shops to trade in all or parts of their districts. This is a significant change to the current situation where only a few areas have permission to trade on Easter Sundays and there is no process for increasing that number.</p> <p>The final revised submission was uploaded to Parliament's website on 22/12/15. Parliament acknowledged receipt of HCC's submission on 14/1/16.</p> <p>The Bill was read for a second time on 28/6/16, which went ahead. The Committee of the whole House will now debate the Bill. Once a final form of the Bill is agreed, it will be reprinted to show any changes. The third reading will then take place. If the vote at the end of the third reading passes, then the bill will be sent to the Governor-General for the Royal Assent – after which it is made law. If enacted, the new powers will take effect in time for changes to be made prior to Easter 2017.</p>
456	<p>Developing the Proposed National Policy Statement on Urban Development</p> https://www.mfe.govt.nz/more/towns-and-cities/managing-urban-development-nz/developing-proposed-national-policy-statement	Ministry for the Environment	1/3/16	Submission considered and retrospectively approved on 23/2/16.	<p>A NPS on Urban Development could provide local authorities with guidance on how to assess demand for residential and business development capacity, and then respond to this through more effective urban planning.</p> <p>Development of a NPS requires two phases of consultation under Section 46 of the RMA. The initial consultation will obtain feedback from relevant iwi authorities and stakeholders - this phase began in early December 2015. The Minister for the Environment will consider all initial consultation feedback, and depending on the outcome of this, there could be further consultation on what a draft proposed NPS will involve. If there is further public consultation on a draft NPS, this is expected to commence in mid-2016.</p> <p>Feedback for phase 1 was sought on the following questions:</p> <ul style="list-style-type: none"> • 1) Is your area experiencing high levels of population growth and challenges in planning for this growth? • 2) How could a NPS and supporting guidance help to address these issues? • 3) What could a NPS and supporting guidance contain? <p>Elected Members were advised of this submission on 21/12/15. Draft 1 was circulated to Elected Members on 29/1/16 for feedback.</p> <p>Comments were incorporated into a final version sent to the MFE to meet the 9/2/16 submission closing date. The final submission sent on 9/2/16 was considered and</p>

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					<p>retrospectively approved at the 23/2/16 Strategy and Policy Committee meeting, subject to amending a specific section of the submission. This amendment was incorporated into the approved final version sent to the MFE on 1/3/16.</p> <p>The MFE advised on 12/4/16 that they received 47 submissions to the proposed NPS on Urban Development, covering a variety of issues from a range of stakeholders. Feedback received by the MFE has been used to inform development of the NPS and was outlined in a report to submitters, which was included as part of the 19/4/16 Executive Update.</p> <p>The MFE contacted submitters with details of when submissions can be made to the draft National Policy Statement. Refer also to submission # 468.</p>
457	Vehicle Dimensions and Mass Rule 2002 Review http://www.transport.govt.nz/land/vdam	Ministry of Transport/NZ Transport Agency	24/2/16	Draft 2 submission considered and approved on 23/2/16.	<p>The Land Transport Rule: Vehicle Dimensions and Mass 2002 specifies requirements for dimensions and mass limits for vehicles operating on New Zealand roads.</p> <p>The VDAM Rule also balances the risks that heavy vehicles present to other road users and their impact on the road infrastructure, against the need to allow the heavy vehicle fleet to optimise operations.</p> <p>Proposed changes to the VDAM Rule were announced on 9/12/15. These would encourage trucking and bus companies to import newer, safer, more innovative and environmentally responsible vehicles, while maintaining safety for all road users.</p> <p>The discussion document outlines a number of proposed changes to the VDAM rule:</p> <ul style="list-style-type: none"> • Increases to some axle and total vehicle mass limits. • Increases to the allowed permitted width and height limits. • Allowing '50 MAX' vehicles operating within the HPMV framework to work without permits. • Allowing Road Controlling Authorities, such as local councils, more authority to approve heavier vehicles and specialised loads. <p>Elected Members were advised of the MOT/NZTA discussion paper in the 2/2/16 Executive Update, with a request for feedback by 9/2/16 as to what they feel the key messages in Council's submission should be.</p>

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					<p>Draft 1 was circulated to Elected Members for feedback on 12/2/16. Initial feedback resulted in a revised submission (Draft 2), which was included as part of a separate report that was considered and approved at the 23/2/16 Strategy and Policy Committee meeting. This was then sent to the NZTA on 24/2/16. The NZTA has acknowledged receipt of HCC's submission. An extension to the submission closing date was obtained from the MOT/NZTA i.e. from 17/2/16 to 24/2/16.</p> <p>Submissions will be used to develop recommendations for the Government to consider. The next phase is release of the Yellow Draft, with consultation on the preferred proposals commencing on 8/7/16 and closing on 12/8/16. These proposals have been chosen following the careful consideration of all submissions and research supporting them.</p>
458	<p>Better Urban Planning (Issues Paper, December 2015) http://www.productivity.govt.nz/inquiry-content/2682?stage=2</p>	New Zealand Productivity Commission	1/3/16	Draft 2 submission considered and approved on 23/2/16.	<p>The NZ Productivity Commission will look at ways of improving New Zealand's urban planning system. This Inquiry follows on from the Commission's investigation of how councils make land available for housing, which found that New Zealand's urban planning laws and processes were unnecessarily complicated, slow to respond to change and did not meet the needs of cities.</p> <p>The Commission began the Inquiry with release of an Issues Paper on 9/12/15 outlining its proposed approach to the Inquiry, the context for the Inquiry, and a preliminary list of key questions to be addressed via a broad consultation process. The Productivity Commission will release its draft report in July 2016 for submissions, with the final report to Government due on 30/11/16. Elected Members were advised of this Inquiry in the 24/11/15 Executive Update.</p> <p>Draft 1 was circulated to Elected Members on 29/1/16 for feedback. As no feedback was received on this particular submission, Draft 2 remained unchanged from Draft 1 and was considered and approved at the 23/2/16 Strategy and Policy Committee meeting. This was then sent to the New Zealand Productivity Commission on 1/3/16.</p> <p>The Commission acknowledged receipt of HCC's submission on 2/3/16, noting that once reviewed, it will be published on their website (submission # 004). The Productivity Commission has advised that the draft report will be released in August 2016 for submissions, with the final report due to Government by 30/11/16.</p>
459	Resource Legislation Amendment Bill	Local	2/3/16	Draft 2	The Resource Legislation Amendment Bill was introduced to Parliament on 26/11/15.

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	http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL67856_1/resource-legislation-amendment-bill	Government and Environment Committee		submission considered and approved on 23/2/16.	<p>The overarching purpose of this Bill is to create a resource management system that achieves the sustainable management of natural and physical resources in an efficient and equitable way. Elected Members were advised of this Bill in the 1/12/15 Executive Update.</p> <p>In September 2015, LGNZ established a cross-sector group of experts and practitioners to undertake a first principles review of New Zealand's environmental management framework. Their 'Blue Skies' discussion document on the review of the resource management system was released in December 2015 http://www.lgnz.co.nz/assets/Uploads/LGNZ-blue-skies-thinkpiece-Dec-2015.pdf</p> <p>LGNZ's final report will be published during 2016. The Local Government and Environment Committee's report is now due on 6/9/16.</p> <p>HCC's Draft 1 submission was circulated to Elected Members on 29/1/16 for feedback. Feedback was incorporated into Draft 2, which was considered and approved at the 23/2/16 Strategy and Policy Committee meeting. The Committee made a minor addition that was incorporated into the approved final submission uploaded to Parliament's website on 2/3/16. Receipt of HCC's submission was acknowledged on 2/3/16.</p>
461	Waikato Regional Council's 2016/17 Proposed Annual Plan Consultation Document http://www.waikatoregion.govt.nz/PageFiles/41315/AnnualPlanConsultation201617.pdf	Waikato Regional Council	5/4/16	Draft 1 was considered and approved at the 31/3/16 Council meeting.	<p>HCC's draft submission was considered and approved at the 31/3/16 Council meeting (with a minor change being made to the approved submission). This was sent to WRC on 5/4/16. WRC informally acknowledged receipt of HCC's submission that same day, with the formal acknowledgement letter being received on 12/4/16.</p> <p>WRC held hearings on the 10/5/16 and deliberated on 31/5/16 and 1/6/16. They anticipate that formal response letters will be posted to submitters in the week commencing 11/7/16.</p>
462	Next Steps for Freshwater – Consultation Document (February 2016) http://www.mfe.govt.nz/consultation/next-steps-fresh-water	Ministry for the Environment	Submissions close on 22/4/16	To be considered and approved at the 28/4/16 Council meeting.	A copy of the MFE's discussion document and a summary of key issues were circulated to Elected Members for their consideration on 8/4/16. Elected Members used this material to outline their views to staff at the 19/4/16 Council briefing. This feedback formed the basis of HCC's draft submission (Draft 1), which was circulated to Elected Members on 20/4/16. Draft 1 was considered at the 21/4/16 Finance Committee meeting, where a number of revisions were requested.

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					<p>These revisions were incorporated into Draft 2, which was considered and approved at the 28/4/16 Council meeting. The MFE provided HCC an extension to the original 22/4/16 submission closing date through to 29/4/16.</p> <p>The MFE has acknowledged receipt of HCC's submission, noting that the Ministers will now consider all comments received and make their decisions on progressing the proposals.</p>
464	<p>NZTA – Alteration of Designation Resolution Drive Extension and Horsham Downs Link Road (March 2016) https://www.waikatodistrict.govt.nz/your-council/public-consultations/current-consultations/nzta-alteration-of-designation-resolution-drive-extension-and-horsham-downs-link-road</p>	NZ Transport Agency	Submissions close on 5/5/16.	Not applicable. Submission to be made under the Chief Executive's delegated authority for RMA submissions.	<p>Overall Direction of Submission: The submission supports the Notice of Requirement from the NZ Transport Agency to alter the designation for the Hamilton Section of the Waikato Expressway to include link roads to the already designated Resolution Drive Interchange, subject to appropriate conditions applying that will ensure that adverse effects on the environment are managed appropriately.</p> <p>Elected Members were advised of this submission in the 19/4/16 Executive Update. The submission was made under the Chief Executive's delegated authority for RMA submissions on 5/5/16.</p>
465	<p>Plan Change 17: Ngaruawahia and Surrounding Villages; Stage One: Proposed Rezoning https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan/plan-change-17---section-32-evaluation-report.pdf?sfvrsn=2</p>	Waikato District Council	16/5/16	Chief Executive's delegated authority for RMA submissions.	<p>Overall Direction of Submission: The submission opposes the proposed rezoning as it seeks to further understand the possible impacts the rezoning may have on Hamilton's physical and community infrastructure. The proposed Plan Change is also opposed on the basis that it is considered to be at odds with the strategic growth direction of Future Proof and the Regional Policy Statement and any rezoning of land would be better considered in Waikato District Council's upcoming District Plan review process.</p> <p>Proposed Plan Change 17 to the Waikato section of the Waikato District Plan seeks to undertake zoning changes to a number of properties within the Ngaruawahia township and in the villages of Taupiri, Horotiu, Te Kowhai and Glen Massey ('Structure Plan Area'). Plan Change 17 proposes to rezone four categories as follows:</p> <ul style="list-style-type: none"> a) Rezone land at Ngaruawahia, Taupiri, Horotiu, and Te Kowhai from rural to either new residential or country living; b) Rezone land at Ngaruawahia and Horotiu from industrial to business; c) Rezone land at Ngaruawahia from living to business; d) Rezone land at Horotiu from either industrial or rural to country living; e) Rezone land at Horotiu from rural to new residential; f) Rezone land at Taupiri from living to country living;

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					<p>g) Rezone land at Glen Massey from country living to rural.</p> <p>City Planning coordinated development of HCC's submission, which focuses primarily on the effect that the proposed rezonings may have on Hamilton. Input for the submission was sought from Parks and Open Spaces; Community Development and Leisure; and City Infrastructure. Elected Members were advised of this submission in the 3/5/16 Executive Update.</p> <p>On 28/6/16 WDC advised that notification of further submissions for Plan Change 17 would take place on 29/6/16. HCC will be making a further submission to WDC, which needs to be lodged by 13/7/16.</p>
466	<p>Draft Walking, Cycling and Bridle Trails Strategy https://www.waikatodistrict.govt.nz/your-council/public-consultations/current-consultations/walking-cycling-and-bridle-trails-strategy</p>	Waikato District Council	30/5/16	Not applicable (staff submission).	<p>Overall Direction of Submission: The submission supports the Strategy and suggests it should identify all existing and proposed trails linking Waikato District to Hamilton City. It also suggests the assessment criteria proposed for prioritising trails should be refined.</p> <p>Waikato District Council (WDC) is developing a Walking, Cycling and Bridle Trails Strategy, which will serve a number of purposes, including:</p> <ul style="list-style-type: none"> • Promoting the health and fitness benefits of walking, cycling and horse riding. • Identifying opportunities for trail improvements, expansions and linkages. • Prioritising projects in a manner that balances the needs of our communities against each other. • Specifying WDC's role in implementing the Strategy, and also providing positive guidance to the community (with WDVC input or facilitation) on how best to drive local projects. • Providing guidance to assist WDC in undertaking its role of buying, selling and managing land. <p>The final Strategy will provide a platform for WDC's decision-making on future trail development.</p> <p>City Planning staff are currently analysing the Draft Strategy and note that a submission would:</p> <ul style="list-style-type: none"> • Support the development of cycle, foot and bridle trails in Waikato District, as the provision of these facilities would be consistent with HCC's objectives, and any trails

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					<p>constructed in Waikato District would enhance recreational opportunities for Hamilton residents.</p> <ul style="list-style-type: none"> Identify that the draft strategy does not show existing trails in Hamilton City, or shared use paths proposed to be constructed within the District as part of the Waikato Expressway. These omissions mean that opportunities to improve cross boundary connectivity may have been overlooked. <p>Essentially we want to ensure the Draft Trails Strategy identifies any opportunities to connect existing or proposed trails in Waikato District with those in Hamilton.</p> <p>Given that comments were to be of a technical nature, an article was incorporated in the 10/5/16 Executive Update suggesting to Elected Members that HCC's feedback be made through a staff submission.</p> <p>This therefore became a staff submission, with staff wanting to ensure that the Draft Trails Strategy identified any opportunities to connect existing or proposed trails in Waikato District with those in Hamilton.</p>
468	<p>Proposed National Policy Statement on Urban Development Capacity https://www.mfe.govt.nz/more/towns-and-cities/proposed-national-policy-statement-urban-development-capacity</p>	Ministry for the Environment	Submissions close on 15/7/16.	Revised submission to be considered and approved at the 14/7/16 Extraordinary Council meeting.	<p>Overall Direction of Submission: Although the submission generally supports the Proposed National Policy Statement on Urban Development Capacity, it also raises a number of concerns that need to be addressed for the NPS to be effective.</p> <p>The purpose of the proposed National Policy Statement on Urban Development Capacity (NPS-UDC) is to ensure regional and district plans provide adequately for the development of business and housing. This is to enable urban areas to grow and change in response to the needs of their communities. If made operative, the NPS-UDC would be supported by guidance for local authorities on how to implement it. The City Planning Unit made a presentation on the NPS-UDC at the 21/6/16 Council briefing. Feedback from the briefing was incorporated Draft 1, which was circulated to Elected Members for feedback on 22/6/16 (with comments sought by 24/6/16). Greater clarification was made by staff to one of the submission points.</p> <p>Draft 2 was considered at the 30/6/16 Council meeting, where it was requested that a revised draft (Draft 3) be circulated for feedback.</p> <p>On 4/7/16 City Planning circulated a briefing document outlining some points for</p>

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					<p>consideration prior to a scheduled informal workshop for Elected Members on 6/7/16. The purpose of the briefing document was to highlight key issues identified by staff when reviewing the draft NPS.</p> <p>Feedback from the 6/7/16 workshop was incorporated into Draft 3, which was circulated to Elected Members on 7/6/16 for feedback. Draft 4 will incorporate Elected Member's comments and be considered and approved at the 14/7/16 Extraordinary Council meeting and then sent to the MFE to meet the 15/7/16 submission closing date.</p>
470	<p>Local Government Act 2002 Amendment Bill (No. 2) http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL69266_1/local-government-act-2002-amendment-bill-no-2</p>	Local Government and Environment Committee	Submissions close on 28/7/16.	Draft submission to be considered and approved at the 19/7/16 Strategy and Policy Committee meeting.	<p>The Local Government Act 2002 Amendment Bill (No. 2) implements a set of reforms to enable improved service delivery and infrastructure provision arrangements at the local government level. The Bill contributes to the delivery of key government priorities to deliver better public services and build a more productive and competitive economy.</p> <p>The current legislation provides only limited support for shared and integrated services, which is insufficient to enhance scale and capability for water, transport, economic development and other activities.</p> <p>This Bill provides for a broader range of functions to be transferred between local authorities, joint governance arrangements for areas of common or shared interest, and greater use of joint Council-Controlled Organisations (CCOs) for providing services.</p> <p>New models introduced in the Bill include water services CCOs with statutory powers and 2 pre-approved models for transport CCOs, as well as bespoke transport CCOs subject to approval from the Minister of Transport.</p> <p>A brief article on the Bill (including key weblinks) was included as part of the 28/6/16 Executive Update). Staff will make a presentation on this Bill at the 12/7/16 Council briefing. Feedback will be used to develop HCC's draft submission that will be considered at the 19/7/16 Strategy and Policy Committee meeting.</p>
471	Waikato Region Wide RMA Consent Application –	TBfree New	TBC	TBC	On 19/8/15 HCC received a letter from TBfree New Zealand, the Department of

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	<p>Sodium Fluoracetate (1080)</p>  <p>Waikato Regional Council - Waikato Reg</p> <p>http://www.pce.parliament.nz/assets/Uploads/PCE-1080.pdf</p> <p>http://www.pce.parliament.nz/assets/Uploads/1080-update-report-web-2015.pdf</p>	<p>Zealand; Department of Conservation; Waikato Regional Council</p>			<p>Conservation and the Waikato Regional Council (dated 12/8/15) advising that they are applying for 35 year resource consents to cover aerial 1080 operations within the Waikato Region. The current region-wide resource consents are due to expire in June 2016.</p> <p>The letter states that 35 year resource consents will allow the applicants to better plan and coordinate operations to ensure progress towards biodiversity outcomes and freedom from bovine tuberculosis. Consultation or notification with Iwi, landowners and other affected parties will still take place prior to every operation even if this consent application is approved.</p> <p>TBfree New Zealand, the Department of Conservation (DOC), and the Waikato Regional Council (WRC) lodged this consent with the WRC on 17/12/15.</p> <p>City Planning, City Waters, Environmental Health and Parks and Open Spaces will conduct a more in-depth analysis once WRC's application assessment and notification decision is available.</p> <p>WRC has confirmed with HCC staff that WRC, DOC or Tbfree will not be undertaking an aerial 1080 operation inside the Hamilton City boundary.</p> <p>On 28/6/16 WRC provided all Chief Executives of councils in the Waikato Region with an update regarding the intention to lodge region-wide resource consent applications to continue the use of aerial 1080.</p> <p>WRC noted the recent announcement from the Government proposing a new regulation on the use of vertebrate toxic agents. This could mean that the application of 1080 is no longer addressed through regional plans and would no longer require resource consent. This is only a proposal for now and is currently in a consultation period. More information is available from the mfe.govt.nz website. Although this process may overtake the consent application at some point in the future, in the meantime WRC's application continues to stand.</p> <p>During pre-lodgement engagement for the Waikato consents two clear themes emerged. Firstly, many stakeholders felt that a 35-year consent was too long. In</p>

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					<p>response WRC has lodged an application for 25 years, a term that they hope balances the views of stakeholders and the cost and effort of obtaining a consent. Secondly, there were many questions about the development of alternative methods of pest control. WRC has proposed a consent clause that requires a review of the viability of alternatives, midway through the consent.</p> <p>The consent application was lodged with WRC, as the consent authority, in December 2015. The consent authority requested further information and they are in the process of gathering that information. Once the information has been provided, the consent authority will then be in a position to make a decision on notification. WRC believe this decision will be made by an independent commissioner.</p> <p>In the meantime, the three agencies (Tbfree New Zealand, the Department of Conservation and WRC) continue to meet with people interested in this application process and the use of 1080.</p>
472	<p>Watercare's December 2013 Application for a Water - Take Resource Consent from the Waikato River https://www.watercare.co.nz/about-watercare/our-services/waikato-river-water/Pages/default.aspx</p> <p>https://www.watercare.co.nz/SiteCollectionDocument/s/AllPDFs/Watercare_Waikato_River_take_resource_consent_application_December_2013.pdf</p>	Waikato Regional Council	TBC	TBC	<p>SLT discussed the Watercare application (amongst other strategic water issues) on 8/9/14. An update on strategic water issues, including the Watercare application, was outlined in the 'Strategic Round Up Report' discussed at the 24/2/15 Strategy and Policy Committee meeting (Item 18 of the agenda).</p> <p>The 24/2/15 Strategy and Policy Committee report noted that:</p> <ul style="list-style-type: none"> • "Watercare has made an application to the Waikato Regional Council to take a further 200,000 m³ of water per day from the Waikato River to supply Auckland's growing water need. • Future Proof is currently looking at whether HCC, Waipa and Waikato District Councils have enough consented water to support current and projected populations. • The findings of this work will inform our position on the Watercare consent, should the application be publicly notified". <p>The Waikato Regional Council (WRC) is still to assess the application and has indicated that they are unlikely to do so until 2016. Through Future Proof, WRC has an action to update the Group on the allocation status of the Waikato River and determine a process to enable understanding of water take applications currently in the queue. This action is still uncompleted.</p>

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					<p>Also under Future Proof in May 2015, a combined Chief Executive and Strategic Implementation Management Group meeting was held. At that meeting, a number of recommendations were made. Two of particular relevance are:</p> <ul style="list-style-type: none"> • That there is no technical case for Future Proof to oppose the Watercare application. • That noting HCC's concerns, Future Proof defers making a decision on lodging a submission on the Watercare application, which is likely to be 12-18 months away. This decision will still need to be evidence-based when it is taken and will need to assess the quantum of the take and whether it may adversely impact the prospects of municipal supply authorities within the Waikato Region. <p>The HCC concerns (formally minuted during the May 2015 meeting) are: <i>Comments and issues from HCC:</i></p> <ul style="list-style-type: none"> ➤ <i>What happens if we support Watercare and our projections are wrong?</i> ➤ <i>The issue is if growth occurs faster than expected. The information being received now is that this is starting to happen.</i> ➤ <i>The Watercare application is not a stepped take.</i> ➤ <i>The cumulative effects are unknown.</i> ➤ <i>HCC supports prudent monitoring.</i>