

Notice of Meeting:

I hereby give notice that an ordinary Meeting of the Council will be held on:

Date: Thursday 19 April 2018
Time: 9.30am
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Council OPEN AGENDA

Membership

Chairperson	Mayor A King
Deputy Chairperson	Deputy Mayor M Gallagher
Members	Cr M Bunting
	Cr J R Casson
	Cr S Henry
	Cr D Macpherson
	Cr G Mallett
	Cr A O'Leary
	Cr R Pascoe
	Cr P Southgate
	Cr G Taylor
	Cr L Tooman
	Cr R Hamilton

Quorum: A majority of members (including vacancies)

Meeting Frequency: Monthly – or as required

Lee-Ann Jordan
Governance Manager

13 April 2018

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Purpose

The Council is responsible for:

1. Providing leadership to, and advocacy on behalf of, the people of Hamilton.
2. Ensuring that all functions and powers required of a local authority under legislation, and all decisions required by legislation to be made by local authority resolution, are carried out effectively and efficiently, either by the Council or through delegation.

Terms of Reference

1. To exercise those powers and responsibilities which cannot legally be delegated by Council:
 - a) The power to make a rate.
 - b) The power to make a bylaw.
 - c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan.
 - d) The power to adopt a Long Term Plan or Annual Plan, or Annual Report.
 - e) The power to appoint a Chief Executive.
 - f) The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan, or developed for the purpose of the Council's governance statement, including the 30-Year Infrastructure Strategy.
 - g) The power to adopt a remuneration and employment policy.
 - h) The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
 - i) The power to approve or amend the Council's Standing Orders.
 - j) The power to approve or amend the Code of Conduct for Elected Members.
 - k) The power to appoint and discharge members of committees.
 - l) The power to establish a joint committee with another local authority or other public body.
 - m) The power to make the final decision on a recommendation from the Parliamentary Ombudsman, where it is proposed that Council not accept the recommendation.
 - n) The power to amend or replace the delegations in Council's *Delegations to Positions Policy*.
2. To exercise the following powers and responsibilities of Council, which the Council chooses to retain:
 - a) Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
 - b) Approval of any changes to Council's vision, and oversight of that vision by providing direction on strategic priorities and receiving regular reports on its overall achievement.
 - c) Approval of any changes to city boundaries under the Resource Management Act.
 - d) Adoption of governance level strategies, plans and policies which advance Council's vision and strategic goals.
 - e) Approval of the Triennial Agreement.

- f) Approval of the local governance statement required under the Local Government Act 2002.
- g) Approval of a proposal to the Remuneration Authority for the remuneration of Elected Members.
- h) Approval of any changes to the nature and delegations of the Committees.

Oversight of Policies:

- *Corporate Hospitality and Entertainment Policy*
- *Delegations to Positions Policy*
- *Elected Members Support Policy*
- *Significance and Engagement Policy*

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1 Apologies

2 Confirmation of Agenda

The Council to confirm the agenda.

3 Declaration of Interest

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

4 Public Forum

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

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

Speakers will be put on a Public Forum speaking list on a first come first served basis in the Council Chamber prior to the start of the Meeting. A member of the Governance 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 Governance by telephoning 07 838 6439.

Council Report

Committee: Council **Date:** 19 April 2018
Author: Amy Viggers **Authoriser:** Becca Brooke
Position: Committee Advisor **Position:** Governance Team Leader
Report Name: Confirmation of the Council Open Minutes - 15 March 2018

Report Status	<i>Open</i>
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Staff Recommendation

That the Council confirm the Open Minutes of the Council Meeting held on 15 March 2018 as a true and correct record.

Attachments

Attachment 1 - Council Unconfirmed Open Minutes - 15 March 2018

Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 15 March 2018 at 9.45am.

PRESENT

Chairperson	Mayor A King
Deputy Chairperson	Deputy Mayor M Gallagher
Members	Cr M Bunting
	Cr S Henry
	Cr D Macpherson
	Cr G Mallett
	Cr A O'Leary
	Cr R Pascoe
	Cr P Southgate
	Cr G Taylor
	Cr L Tooman
	Cr R Hamilton

In attendance:	Richard Briggs - Chief Executive
	David Bryant – General Manager Corporate
	Sean Hickey – General Manager Strategy and Communication
	Blair Bowcott – Executive Director Special Projects
	Kelvin Powell – Acting General Manager City Growth
	Helen Paki – Business and Planning Manager
	Karen Saunders – Group Business Manager
	Luke O'Dwyer – Economic Growth and Planning Unit Manager
	Eeva-Liisa Wright – Business Manager
	Sarah Ward - Programme Manager
	Jen Baird – Unit Manager Communication
	Nigel Ward – Team Leader Communication
	Jason Howarth – Advisor to the Mayor
	Riki Manarangi – Corporate Policy Specialist
	Mark Renner - Legal Advisor Tompkins Wake
	Charles Ma and Mark Tollemache - Rotokauri North Development
Governance Staff:	Lee-Ann Jordan – Governance Manager
	Becca Brooke – Governance Team Leader
	Amy Viggers - Committee Advisor

Reverend Stephen Black carried out a blessing and a bible reading to open the Council Meeting.

The Chief Executive noted the passing of former Hamilton City Council Chief Executive and Freedom of the City Holder Bob Eyeington. He asked that the meeting observe a minutes silence in recognition of the contribution Mr Eyeington had made to Hamilton. Deputy Mayor Gallagher made a brief statement, acknowledging the positive contribution Mr Eyeington had made to the city.

1. **Apologies**

Resolved: (Cr Macpherson/Deputy Mayor Gallagher)

That the apologies from Cr Casson are accepted.

2. **Confirmation of Agenda**

Resolved: (Crs Macpherson/Taylor)

That the agenda is confirmed noting the following:

- the debate will be 2 minutes with an extension of 1 minute if required;
- Item 8 (*Chair's Report – 15 March 2018*) is to be taken after item 4 (Public Forum) to accommodate members of public in attendance; and
- the late report item 14 (*Rotokauri North Proposed Special Housing Area Update*) be accepted and taken after Item 8 (*Chair's Report – 15 March 2018*) to accommodate members of public in attendance; this item was late due to ongoing discussions with the developer currently taking place and the need to provide an update and to seek direction from Elected Members.

3. **Declarations of Interest**

No members of the Council declared a Conflict of Interest.

4. **Public Forum**

Warrick Michey (Resident) – Spoke to item 8 (*Chair's Report – 15 March 2018*) regarding subsection 5 (*Kirikiri*). Mr Litching expressed his views that consultation should have occurred with rate payers prior to this matter being brought to the table and that more thought should have been given to Hamilton's farming history.

Jordan Williams and Louis Houlbrooke (Taxpayers Union)- Spoke to item 8 (*Chair's Report – 15 March 2018*) regarding subsection 5 (*Kirikiri*). They urged council to think about the cost associated with such a proposal which, in their view, was frivolous.

Minute Note: The outcome sought in the petition, 'Propose name change of Hamilton City Council', that the Council not consider changing the name of Hamilton City Council to Kirikiri City Council, was achieved by Mayor King's withdrawal of the item in question, and as such the petition would not be validated.

Brian Burne (Resident) – He spoke to item 8 (*Chair's Report – 15 March 2018*) regarding subsection 5 (*Kirikiri*). Mr Burne spoke against a name change.

5. **Chair's Report - 15 March 2018**

Mayor King spoke to his report. He and staff responded to questions from Elected Members concerning the following:

- Elected Member Briefings structure.
- The deferral of the Te Rapa Sportsdrome Management Contract report due to contract negotiation timings.

- The Verandah Café Lease Report was deferred due to contract negotiation timing and ensuring accuracy of financials.
- The 'balancing the books' financial strategy that Council adopted in December 2017 was to be better explained in the 10 Year Plan consultation document so that there was a greater understanding in the Community of the financial strategy
- The definition of affordable housing in relation to Special Housing Areas would be determined by the Kiwibuild policy which was being developed by Central Government.

Elected Member Briefings:

Resolved: (Crs Mallett/Taylor)

That the Council receives the report.

Deferred Reports:

Resolved: (Crs Mallett/Bunting)

That the Council:

- a) defers the report on the management contract for Te Rapa Sportsdrome to the 24 May 2018 Council meeting; and
- b) defers the report on Verandah Café Lease to the 19 April 2018 Council meeting.

Amenity/Community Infrastructure Development Levies

Resolved: (Crs O'Leary/Macpherson)

That the Council:

- a) supports the Government with the introduction of Amenity/Community Infrastructure Development levies;
- b) complete any consultation required for the Amenity/Community Infrastructure Development levies through the Development Contribution Policy consultation; and
- c) includes a statement in the draft 10-Year Plan consultation document stating Council is supportive of introducing an Amenity/Community Infrastructure Development levies.

Cr Mallett Dissenting.

Financial Strategy:

Resolved: (Crs Hamilton/Mallett)

That the report is received.

Cr O'Leary Dissenting.

Special Housing Areas:

Resolved: (Mayor King/Cr Taylor)

That the report is received.

Kirikiroa:

Mayor King withdrew his recommendation in relation to this matter.

The meeting adjourned 11.30 – 11.50am.

14. Rotokauri North Proposed Special Housing Area Update

The Executive Director Special Projects apologised for the late delivery of the report to the Elected Members. He and the Economic Development and Planning Unit Manager provided a brief update on discussions with the developer (Charles Ma and his consultant Mark Tollemache). The developers presented their plans and vision for the development. They responded to questions from Elected Members concerning the design of the Rotokauri North Proposed Special Housing Area. They advised the development would be community focused and they planned to address affordability through good design. It was confirmed that the recommendation in the report would give no legal commitment to continue with the process but would provide confirmation to the developers' shareholders that the process was continuing.

Resolved: (Mayor King/Cr Mallett)

That the Council:

- a) receives the report;
- b) approves the Chief Executive to work with the applicant of the proposed Rotokauri North Special Housing Area to finalise the evaluation of the expression of interest, including infrastructure funding matters; and
- c) notes, that upon completion of the matters contained in recommendation b), a report will be received at the next appropriate Council meeting.

6. Confirmation of Council Minutes - Open - 8 February 2018

It was noted that in relation to the resolution concerning fuel tax on page 9 of the agenda, the resolution was no longer required to be actioned due to the Governments change of direction.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council confirm the Open Minutes of the Council Meeting held on 8 February 2018 as a true and correct record.

7. Confirmation of Extraordinary Council Minutes - Open - 22 February 2018

Resolved (Deputy Mayor Gallagher/Cr Taylor)

That the Council confirm the Open Minutes of the Extraordinary Council Meeting held on 22 February 2018 as a true and correct record noting that Cr Pascoe was an apology for the briefing.

8. Confirmation of the Elected Member Briefing Notes - 13 February 2018

Resolved: (Crs Bunting/Tooman)

That the Council confirm the Open Minutes of the Council Meeting held on 22 February 2018 as a true and correct record.

9. Recommendation from the Community and Services Committee - Upgrade of Dame Hilda Ross Place/Plaza

Motion: (Deputy Mayor Gallagher/Mayor King)

That the Council approves up to \$50,000 be allocated to complete this project and that this be added to Risks and Opportunities, noting this could be covered by a saving from a capital project.

Amendment: (Crs Mallett/Hamilton)

That the Council approves up to \$25,000 be allocated to complete this project and that this be added to Risks and Opportunities, noting this could be covered by a saving from a capital project.

The Amendment was put.

Those for the Amendment: Councillors Mallett, Macpherson, Taylor and Hamilton.

Those against the Amendment: Mayor King, Deputy Mayor Gallagher, Councillors Pascoe, Tooman, O'Leary, Bunting, Henry and Southgate.

The Amendment was declared lost.

The Motion was then put.

Those for the Motion: Mayor King, Deputy Mayor Gallagher, Councillors Pascoe, Macpherson and Southgate.

Those against the Motion: Councillors Mallett, Tooman, O'Leary, Bunting, Henry, Taylor and Hamilton.

The Motion was declared lost.

10. Recommendation from the Community and Services Committee - Central City Safety Strategy 2018-21

Resolved: (Crs Mallett/Bunting)

That the Council:

- a) approves the Central City Safety Strategy 2018-21; and
- b) requests that staff report back with a twelve-month action list at the 2 August 2018 Council meeting.

11. NZ Food Innovation (Waikato) Ltd Spray Dryer Two

Executive Director Special Projects introduced the report. He and Mark Renner, from Tompkins Wake, responded to questions from Elected Members concerning the structure of the proposed Council Controlled Organisation (CCO) makeup and the allocation of costs.

Resolved: (Crs Macpherson/Pascoe)

That this item of business be adjourned to be discussed at a future Elected Member Briefing and brought back to the 19 April 2018 Council Meeting for decision.

12. Elected Members Code of Conduct

The Governance Manager took the report as read. She responded to questions from Elected Members concerning roles, responsibilities and expected behaviours of Elected Members and clarified the process to make complaints.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council:

- a) adopts the revised Code of Conduct (Attachment 1) in accordance with clause 7, Schedule 7 of the Local Government Act 2002; and
- b) notes that the newly adopted Code of Conduct will replace the current Code of Conduct and take effect immediately.

Cr Macpherson Dissenting.

13. Resolution to Exclude the Public

Resolved: (Mayor King/Deputy Mayor Gallagher)

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of Council Minutes - Public Excluded - 8 February 2018) Good reason to withhold information exists under Section 7 Local Government	Section 48(1)(a)
C2. Provisional Local Alcohol Policy - Options) Official Information and Meetings Act 1987	

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

Item C1.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h) Section 7 (2) (i)
Item C2.	to enable Council to carry out negotiations to maintain legal professional privilege to enable Council to carry out negotiations	Section 7 (2) (g) Section 7 (2) (i)

The meeting went into a Public Excluded session at 2.10pm.

During the Public Excluded session of this meeting, a decision was made to release the resolution and report in relation to item C2 (Provisional Location Alcohol Policy – Options) into the open. The report and decision are attached to these minutes as appendix 1.

The meeting was declared closed at 3.35pm.

Council 15 MARCH 2018 - OPEN

Appendix One:

C2. Provisional Local Alcohol Policy – Options

Resolved: (Crs Macpherson/Taylor)

That the Council:

- a) in light of what has occurred with the PLAPs of various other Councils, abandons the current PLAP process and commences development of a new Local Alcohol Policy (**LAP**) that reflects the political will of the current Council (as informed by community views);
- b) actively reflect its current draft policy position in respect of any applications for licences made before the District Licencing Authority (see Attachment 3 – Functions of the DLC and the objection process) which it has a right to participate in; and
- c) approve the decision and report in relation to this matter be released to the public following the meeting.

Crs Pascoe and Mallett Dissenting.

Council Report

Item C2

Item 5

Committee: Council **Date:** 15 March 2018
Author: Karen Saunders **Authoriser:** Kelvyn Eglinton
Position: Group Business Manager - City Growth **Position:** General Manager City Growth
Report Name: Provisional Local Alcohol Policy - Options

Report Status	<i>This report is taken as a publicly excluded item to maintain legal professional privilege; AND to enable Council to carry out negotiations.</i>
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Purpose

1. To seek a decision from the Council on how to proceed with the Provisional Local Alcohol Policy (PLAP) (see Attachment 1).

Staff Recommendation

2. That the Council:
 - a) determines to maintain the status quo and proceed to a hearing of the appeals before the Alcohol Regulatory and Licensing Authority (ARLA) on 7 May 2018;

Or

- b) in light of what has occurred with the PLAPs of various other Councils, abandons the current PLAP process and commences development of a new Local Alcohol Policy (**LAP**) that reflects the political will of the current Council (as informed by community views);

And

- c) actively reflect its current draft policy position in respect of any applications for licences made before the District Licencing Authority (see Attachment 3 – Functions of the DLC and the objection process) which it has a right to participate in.

Executive Summary

3. A hearing of the three appeals against the PLAP is set down to commence on 7 May 2018 before ARLA.
4. The experiences of other councils that have appeared before ARLA seeking its determination on appeals against their PLAPs indicates that the appeal process under the Act is not designed to swiftly achieve finality of outcome (see Attachment 2 – Appeal process under the Sale and Supply of Alcohol Act 2012).

Attachment 1

5. Accordingly, the ability to incorporate any further controls in the PLAP in a timely manner as perhaps envisaged by the Council in the meeting of 8 February 2017 is likely to be frustrated.
6. In light of these developments, staff seek a decision from Council on whether it wishes to proceed with the current PLAP or abandon it and start developing a new PLAP which includes any additional controls it seeks to incorporate into the policy.

Background

7. The PLAP was adopted on 26 November 2015 under the previous elected Council. The PLAP is Attachment 1 to this report.
8. The PLAP was publicly notified on 27 January 2016. Following notification, three appeals were filed with ARLA from:
 - a) Progressive Enterprises Limited (**Progressive**);
 - b) Foodstuffs North Island Limited (**Foodstuffs**); and
 - c) Te Whanau Roopu o Aotearoa-Komiti Maaori (**Te Whanau**).
9. The Council resolved on 28 April 2016 to enter into negotiations with the three appellants in an effort to resolve the appeals without the need for a lengthy and costly hearing process before ARLA.
10. Despite Council's best efforts, given the limited parameters for settlement that it set itself, settlement could not be achieved.
11. At the meeting on 8 February 2017, the newly elected Council debated the inclusion of a one-way door policy but as Council does not have jurisdiction under the Sale and Supply of Alcohol Act 2012 (**the Act**) to introduce new elements to the PLAP at this stage of the process, it opted to consider the issue again once the appeals were resolved and a LAP adopted.
12. A hearing before ARLA to determine the PLAP appeals is set down to commence on 7 May 2018. Other council experiences indicate that the hearing of the PLAP appeals in May 2018 may still not mean that Council has a LAP adopted until 2019.
13. A number of other councils around the country have come before ARLA to have their appeals determined. Of particular note is what has occurred with the PLAPs of the Auckland and Christchurch Councils:
 - a) **Auckland Council PLAP:**
 - i. The hearing of the Auckland PLAP appeals took place over four weeks in February/March 2017. Following the issue of ALRA's decision in July 2017, one element of the PLAP was amended and four deleted.
 - ii. The amended PLAP was resubmitted to ARLA in October 2017. Since then, three appeals have been filed with ARLA against the amended PLAP including from Progressive and Foodstuffs. These appeals have yet to be heard. ARLA is currently considering the scope of any hearing against the appeals and has set down a date for mid-April for that issue to be heard.
 - iii. However, the three appellants have also each filed a Judicial Review of ARLA's decision on the PLAP. It is anticipated that progress of the appeals before ARLA will be delayed pending finalisation of the Judicial Reviews. There is no date for the hearing of the Judicial Reviews at present. It is estimated by Auckland Council that it will not be in a position to adopt a policy until at least mid-2019.
 - iv. The cost of the Auckland PLAP process is not known.

- v. It is of note that one of the elements under further appeal (and possibly under Review) is the maximum trading hours of off-licenses which was 9am to 9pm in the original PLAP.

b) Christchurch City Council PLAP:

- i. Hospitality New Zealand filed a successful Judicial Review in relation to the Christchurch City Council PLAP arguing that the Council should have considered the new District Plan in its decision-making. This review gave rise to a delay in the PLAP appeals before ARLA being progressed.
- ii. Following the issue of the Judicial Review decision, the Christchurch City Council resolved to abandon the current PLAP and start a new policy development process.
- iii. Christchurch City Council spent over \$1 million dollars on the policy process before it was abandoned.
14. In light of the potential for a protracted appeal process, as has been experienced by other councils that have sought to have appeals determined by ARLA, it is likely that if Council wishes to introduce a one-way door policy, or tighter hours of operation for on-licenses in the CBD, this policy debate may not be able to occur until a LAP is finally in place, which could be at least a year away.
15. Accordingly, staff seek a decision from the Council on whether to proceed with the current PLAP, or to recommence a new PLAP process which includes all of the policies this current Council wishes to see introduced.

Options

16. Staff have assessed that there are two reasonable and viable options for the Council to consider.

Option 1: status quo

17. Option 1 is to maintain the status quo and proceed to a hearing before ARLA for determination of the appeals against the PLAP.

Option 2: abandon the PLAP and start afresh

18. Option 2 is to abandon the current PLAP and immediately start a new policy development process that reflects the political will of the current Council (as informed by community views).

Further options:

19. While not recommended, it also remains open to the Council to:
- a) Resume negotiations with the appellants with the aim of resolving the appeals through agreement (which are unlikely to be successful given the current stance of all parties);
- Or
- b) Abandon the PLAP and have no PLAP. In the absence of a PLAP, the relevant provisions of the Act apply.

Item C2

Discussion

20. It is clear that even when ARLA issues its decision on appeals against a PLAP, there is no clear end point because of the potential for further appeals to be filed on any resubmitted PLAP and the demonstrated willingness on the part of Progressive and Foodstuffs to initiate a Judicial Review of ARLA's decision on the PLAP.
21. The pathway to adoption of a LAP is even less expeditious than envisaged when it was determined at the Council meeting on 8 February 2017 to revisit the issue of a one-way door policy once the appeals were resolved and following adoption of the LAP.
22. If the Council wishes to explore the inclusion of additional controls in the policy in a timely fashion, the experience of other Councils indicates that the current course (proceeding to hearing) is going to frustrate that objective, with a public conversation about such a proposal unlikely to occur until at least mid-2019 when a LAP might finally be brought into force.
23. If that delay is not palatable to the Council, the most viable option is to abandon the current PLAP in accordance with section 88 of the Act and immediately start a new policy development process that reflects the political views of the current Council.
24. Should Council decide that the community is best served by a fresh policy approach, it is also an opportunity for the Council to source more robust local evidence to support the elements of the new policy, putting Council in a stronger evidential position should it be appealed.
25. Once the LAP is adopted, the Council may participate in the decision-making process with respect to individual applications for licences to the DLC by lodging an objection to the application. Attachment 3 sets out the functions of the DLC and the objection process.
26. The Council may also explore opportunities to partner with other councils and local government bodies (such as LGNZ) to start conversations with central government about the issues experienced with the LAP process and potentially be involved in any lobbying for amendments to the Act.

Financial and Resourcing Implications

27. This is a regular operating activity funded through the 10-Year Plan. The cost of the development of the PLAP to date is estimated at \$202,582. This includes \$102,582 for legal costs and \$101,000 for staff time.

Legal and Policy Considerations

28. Staff confirm that the options presented comply with the Council's legal and policy requirements.

Risk

29. Should the Council approve Option 1 to proceed to hearing, there is a risk that further appeals or Judicial Reviews will be lodged following the decision of ARLA on the PLAP. Should this occur, the Council may not be in a position to adopt a LAP until mid-2019.
30. Legal advice confirms that, given the evidential requirements developed in case law, particularly the need for local evidence to support the elements of the policy and the lack of local data available, the Council's case has some weaknesses. There is a risk that ARLA will determine the appealed elements of the PLAP to be unreasonable.

Significance & Engagement Policy

31. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matters in this report have a medium level of significance.

Engagement

32. Community views and preferences about the current PLAP are known to the Council through the Special Consultative Procedure (SCP) that was undertaken on the draft LAP.
33. Given the medium level of significance determined, the engagement level is medium. No engagement is required as an extensive engagement process was undertaken through the SCP on the draft LAP. However, if Council starts a new PLAP process, another SCP will need to be undertaken as required by the Act.

Attachments

Attachment 1 - Provisional Local Alcohol Policy

Attachment 2 - Appeal Process Under the Sale and Supply of Alcohol Act 2012

Attachment 3 - Functions of the DLC and the objection process

Item C2

Item 5

Attachment 1

Functions of the DLC and Objections against a liquor licence application

1. **Functions of the District Licencing Committee (DLC)**
2. The DLC is set up under the Act and the DLC is an independent decision-making body to the Council. The DLC is required to work within the restrictive provisions in the Act.
3. The DLC's functions entail (s187, the Act):
 - a) determining applications for licences, managers' certificates and renewals
 - b) determining temporary authority applications (on/off-licences)
 - c) varying, suspending or cancelling special licences
 - d) referring applications to ARLA
 - e) conducting inquiries and making reports as required by ARLA
 - f) other functions conferred on it by any Act
4. In deciding whether to issue a licence, the DLC must have regard to the following matters (s105, the Act):
 - a) the object of the Act
 - b) the suitability of the applicant
 - c) any relevant provisions in any local alcohol policy that exists and is in force
 - d) the proposed days and hours of sale
 - e) the design and layout of the premises
 - f) the sale of other goods such as non-alcohol and low-alcohol drinks and food
 - g) the provision of other services
 - h) how the 'amenity and good order' of the area would be affected if the licence were or were not granted
 - i) whether the applicant has systems, staff and training to comply with the law
 - j) any matters in reports by the Police, the licensing inspector or the Medical Officer of Health.
5. The DLC have to consider 'amenity and good order' when deciding whether to grant a new licence or renew an existing one.
6. For a new licence the DLC must consider whether granting the application would reduce the amenity and good order of the locality to more than a minor extent (s105(1)(h), the Act).
7. For a renewal the DLC have to consider whether declining to renew the licence would increase the amenity and good order of the locality by more than a minor extent (s131(1)(b), the Act).
8. Amenity and good order is described in the Act (s5) as the extent to which, and ways in which, the locality in which the premises is situated is pleasant and agreeable.
9. In deciding whether amenity and good order would be reduced or increased by more than a minor extent, the decision-makers must take into account (s106, the Act):
 - a) current, and possible future, levels of noise, nuisance and vandalism
 - b) the number of other licensed premises in the area

Functions of the DLC and Objections against a liquor licence application

- c) the compatibility of the proposed use with the current and future use of surrounding properties.
- 10. In deciding whether amenity and good order would be reduced or increased by more than a minor extent, the decision-makers must take into account (s106, the Act):
 - a) current, and possible future, levels of noise, nuisance and vandalism
 - b) the number of other licensed premises in the area
 - c) the compatibility of the proposed use with the current and future use of surrounding properties.
- 11. **Objections against a liquor licence application**
- 12. An objection can be made to a licence to sell or supply alcohol to the DLC.
- 13. Anyone can object to an application for a new or renewed alcohol licence, as long as they can show that they have a 'greater interest' in the application than the public generally (section 102(1), the Act).
- 14. This usually means that they live near the proposed or existing premises to which the licence will apply, or have a direct link with alcohol-related harm in their community.
- 15. A person with a greater interest could be:
 - a) someone who lives 'within close proximity' to the proposed or existing premises (PH 826/2013 Janhurst Holdings Limited' and 'Decision No. PH 1189/2009 Liquor World Limited)
 - b) a member of the board of trustees of a marae or youth or education facility that is located nearby
 - c) a person or group who works in the area of alcohol-related harm in the community, such as the Salvation Army or a nurse working in the local hospital emergency department.
- 16. Someone who is concerned about the effects of alcohol on the community in general but lives in a different area is unlikely to meet the criteria for 'greater interest'.
- 17. The DLC decides whether a person has a 'greater interest' so that the person has what is referred to as 'standing' to make a public objection to an application.

Item C2

Item 5

Attachment 1

Attachment 1

Appeal Process under the Sale and Supply of Alcohol Act 2012

1. The statutory framework concerning appeals to a Provisional Local Alcohol Policy ("PLAP") are set out in sections 81 to 86 of the Sale and Supply of Alcohol Act ("the Act").
2. Appeals are limited to any person(s) or agency that made submissions on the draft LAP appealing against any element of the PLAP. The Police or a Medical Officer of Health also has a right of appeal. Any appeal must be made within 30 days of public notification of the PLAP.
3. If there are no appeals, section 87 of the Act deems that the LAP is adopted 30 days after public notification of the PLAP. Once adopted, the Council must, under section 90 of the Act, give further public notice of the adoption of the LAP and may bring it into force on a day stated by resolution of the Council. However, where the LAP contains elements setting local maximum trading hours or a 'one-way door' restriction these may only be brought into effect 3 months after the date of the public notice.
4. If appeals are received, the process for adopting and bringing into force the LAP will have to be delayed pending the outcome of the appeals.
5. In considering any appeal, under section 83 of the Act, ARLA may either dismiss the appeal or ask the Council concerned to reconsider an element of the PLAP appealed against.
6. As noted by ARLA in its decision on the Wellington City Council PLAP: "This Authority does not have the power to make any recommendations ... all it can do if satisfied that the element appealed against is unreasonable in light of the object of the Act, is to ask the [territorial authority concerned] to reconsider the element appealed against."
7. If, after hearing the appeal, ARLA asks the Council to reconsider an element of a PLAP, the Council must either:
 - (i) Resubmit the PLAP to ARLA with the element deleted; or
 - (ii) Resubmit the PLAP to ARLA with the element replaced with a new or amended element; or
 - (iii) Appeal to the High Court against ARLA's finding that the element is unreasonable in light of the object of the Act; or
 - (iv) Abandon the PLAP.
8. Only Councils may appeal to the High Court. In an appeal to the High Court, every person who appealed to ARLA becomes a respondent. If the High Court overturns ARLA's finding, the element will stand as part of the LAP. If, however, the High Court upholds ARLA's finding, then the Council must either:
 - (i) Resubmit the policy to ARLA with the element deleted; or
 - (ii) Resubmit the policy to ARLA with the element replaced with a new or amended element; or
 - (iii) Abandon the PLAP.

9. If the Council opts to resubmit the policy to ARLA with the element replaced with a new or amended element, ARLA must deal with this as if it were an appeal against every new or amended element that has replaced an earlier element. In other words, the cycle begins again, with any person who made submissions on the Draft LAP able to appeal.
10. Several Councils and appellants have 'settled' appeals by way of a consent order without a hearing.

Item C2

Item 5

Attachment 2

Attachment 1

First adopted:	Notified on 27 January 2016
Revision dates/version:	Final
Next review date:	No later than January 2021
Engagement required:	SCP required
Document number:	D-1990960
Associated documents:	Sale and Supply of Alcohol Act 2012
Sponsor/Group:	General Manager City Environments

DRAFT PROVISIONAL LOCAL ALCOHOL POLICY

Purpose and scope

1. The Sale and Supply of Alcohol Act 2012 allows territorial authorities to develop a Local Alcohol Policy (LAP). The purpose of a LAP is to set a clear framework for the District Licensing Committee and Alcohol Regulatory Licensing Authority when making decisions on licence applications in Hamilton City and to provide a guide to those applying for a licence in the city.
2. The objective of this policy is to balance the reasonable needs of residents of Hamilton City regarding the sale, supply and consumption of alcohol, while addressing the statutory requirements of the Sale and Supply of Alcohol Act 2012, including the object of the Act to minimise the harm caused by excessive or inappropriate consumption of alcohol.
3. The policy applies to the issue of new licences and on renewal of existing licences.
 - *An off and/or on-licence that changes ownership but continues to be licenced on the existing premises consistent with the licence type issued under the previous ownership, is not subject to the location provisions of the policy.*
 - *Pursuant to section 133 of the Act, the District Licensing Committee or Alcohol Regulatory and Licensing Authority cannot take into account any inconsistency between this Policy and the renewal of an existing licence; or the consequences of its renewal.*
 - *The provisions in this policy regarding maximum trading hours come into force three months after the day on which public notice is given of the adoption of this policy.*
4. This policy has been developed pursuant to section 75 of the Act, which empowers territorial authorities to develop Local Alcohol Policies for their District. The Act stipulates a number of conditions, requirements and restrictions that may apply to licence applications, not all of which are stated in this Policy. Therefore this Policy should be read in conjunction with the Act.

Definitions

When interpreting this policy use the definitions set out below unless the context requires otherwise.

Alcohol licences - There are 4 kinds of alcohol licences

Club	Means licensed for the sale and supply of alcohol to customers who are members, invited guests or visitors to the club concerned.
Off-licence	Means licensed for sale of alcohol from the premises for consumption somewhere else. Licenced for the sale of alcohol from the premises for delivery elsewhere.
On-licence	Means licensed for the sale and supply of alcohol on the premises and can permit alcohol to be consumed on the premises.
	Endorsed on-licence – Means an on-licence for a caterer to deliver alcohol from their

	premises and sell it on any other premises for consumption by people attending a reception, function or other social gathering.
Special Licence	Off-site special: Means licenced for the sale and supply of alcohol for consumption elsewhere. The licensee is also able to supply alcohol free, as a sample, for consumption on the premise. On-site special: Means licenced for the sale and supply of alcohol for consumption there, to people attending an event described on the licence.
Other definitions	
Conveyance	Means an aircraft, coach, ferry, hovercraft, ship, train or other vehicle used to transport people. Includes part of a conveyance.
District Licensing Committee	Means the Hamilton City District Licensing Committee appointed pursuant to section 186 of the Act.
Outdoor dining area	Means an area of a premises holding an on-licence or club licence that is outside of the building which includes any part of a public footpath, pavement or other public place. (See section 5(1) of the Act for a full list of exempt persons)
Premises	Includes a conveyance, part of any premises and, in relation to a licence, means the premises it was issued for.
Remote seller	Means off-licence premises that conduct 'remote sales', as defined by the Sale and Supply of Alcohol Act 2012.
Speciality Retailers	Means retail premises where the sale of alcohol is low volume and forms a minor portion of sales, such as, but not limited, to gift basket retailers and specialised delicatessen/ food stores. For clarity, this does not include supermarkets or grocery stores as defined in the Act).
The Act	Means the Sale and Supply of Alcohol Act 2012.

Policy

ON-LICENCES AND CLUB LICENCES

5. **Maximum trading hours** applicable to on-licences in Hamilton City are as follows:

Area	Maximum Trading Hours
Central City Zone <i>as outlined in the Proposed District Plan (or the resulting Operative District Plan).</i>	Monday to Sunday 7:00am to 3:00am the following day
Other	Monday to Sunday 7.00am to 1.00am the following day

6. The sale and/or consumption of alcohol in any permitted outdoor dining area will not exceed 1am on any day.
7. The gaming floor within The Hamilton Casino (currently at 340 to 348 Victoria Street) is exempted from the above trading hour restrictions pursuant to section 173 of the Gambling Act 2003.
8. Maximum trading hours are subject to section 47 of the Act regarding restrictions for on-licences on the sale and supply of alcohol on Anzac Day morning, Good Friday, Easter Sunday and Christmas Day.

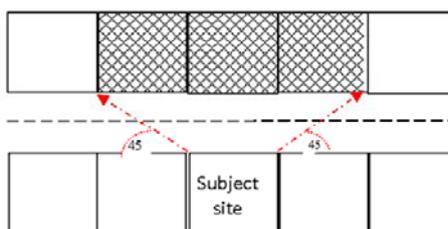
- 9. Caterers endorsed and conveyance on-licences will be subject to the maximum trading hours for the area in Hamilton that they are operating in at the time of the event.

OFF-LICENCES

- 10. **Maximum trading hours** applicable to off-licences in Hamilton City are as follows:

7.00am to 9.00pm	Monday to Sunday
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- 11. **From the date this policy comes into force, no further** off-licences shall be issued for any premises unless that premises is located in the Central City Zone, Major Facilities, or Business Zones 1-6 of the Proposed District Plan (or the resulting Operative District Plan).
- 12. The location provision in clause 11 does not apply to premises for which a remote sale off licence is held (pursuant to section 40 of the Act) and the premises of specialty retailers.
- 13. From the date this LAP comes into force, no further off-licences shall be issued for a premises that directly borders any school or early childcare facility existing at the time the licence application is made. "Directly borders" includes across any road from such facility as shown in the graphic below.



SPECIAL LICENCES

- 14. No more than twenty (20) events or series of events of a similar nature will be authorised by special licence(s) to a single licensee or applicant in one 12 month period.
- 15. Special licences for premises that already hold an on, off or club licence or premises that are not otherwise licensed will be issued on a case by case basis with regard to the nature and location of the event or series of events by the District Licensing Committee.

Council Report

Item 6

Committee: Council

Date: 19 April 2018

Author: Amy Viggers

Authoriser: Becca Brooke

Position: Committee Advisor

Position: Governance Team Leader

Report Name: Confirmation of the Council Open Minutes - 27 March 2018 (10 Year Plan)

Report Status	<i>Open</i>
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Staff Recommendation

That the Council confirm the Open Minutes of the Council Meeting (10 Year Plan) held on 27 March 2018 as a true and correct record.

Attachments

Attachment 1 - Council Unconfirmed Minutes - 27 March 2018

Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Tuesday 27 March 2018 at 9.43am.

PRESENT

Chairperson	Mayor A King
Deputy Chairperson	Deputy Mayor M Gallagher
Members	Cr M Bunting
	Cr J Casson
	Cr D Macpherson
	Cr G Mallett
	Cr A O'Leary
	Cr R Pascoe
	Cr P Southgate
	Cr G Taylor
	Cr L Tooman
	Cr R Hamilton

In Attendance:	Richard Briggs – Chief Executive
	Sean Hickey – General Manager Strategy and Communications
	Jen Baird – General Manager City Growth
	Chris Allen – General Manager City Infrastructure
	David Bryant – General Manager Corporate
	Lance Vervoort – General Manager Community
	Blair Bowcott – Executive Director Special Projects
	Nigel Ward – Communications Team Leader
	Greg Carstens – Team Leader Growth Funding and Analytics
	Stafford Hodges – Senior Strategic Policy Analyst
	Nicola Walsh – Communications Advisor
	Paul Gower – Programme Manager Growth and Assets
	Sarah Ward – Programme Manager Corporate Planning
	Julie Clausen – Programme Manager Strategy
	Luke O'Dwyer – Economic Growth and Planning Unit Manager
	Stephen Halliwell – Accounting Manager
	Chelsey Stewart – Project Manager
	Leah Parvitt – Development Contributions Officer
	Nathan Dalgety – Data Analyst
	Sarah Wilson – Accountant
	Andrew Parsons – City Development Manager
	Lachlan Muldowney - City Solicitor

Governance Staff: Lee-Ann Jordan – Governance Manager
Becca Brooke – Governance Team Leader
Amy Viggers – Committee Advisor

Tame Pokaia carried out a blessing and the Venerable Paul Weeding carried out a Bible reading to open the Council Meeting.

1. Apologies

Resolved: (Crs Mallett/Bunting)

That the apologies from Cr Henry are accepted.

2. Confirmation of Agenda

Resolved: (Cr Bunting/Mayor King)

That the agenda is confirmed noting the following;

- a) the debate will be 2 minutes with an extension of 1 minute if required;
- b) the late item 8 (Chair's Report – verbal update on Affordable Housing discussions with the Minister of Housing) be accepted. This item is being brought as a late report as the Minister of Housing indicated on Friday that this is a priority matter and subsequent discussions are to occur with MBIE on Wednesday; and
- c) the late item 9 (Release of Public Excluded Resolution, Report and Minutes regarding Victoria on the River (VOTR) from the Council meetings on 21 September 2017 and 16 November 2017) be accepted. This item has been brought as a late report to accommodate a request from media for the public excluded minutes to be released in relation to Victoria on the River.

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 has been set aside for a public forum.

The General Manager Strategy and Communications outlined the process to be followed and the purpose of today's meeting was primarily to approve the 10 Year Plan consultation document to go out for public engagement.

5. Proposed Development Contributions Policy 2018-19

The Team Leader Growth Funding and Analytics introduced the report, noting there was a correction to be made on page 33 of the agenda in relation to the first formula. He also noted that the main change to the policy was that Development Contributions revenue would be increased. Staff and the City Solicitor responded to questions from Elected Members concerning the following:

- The concept of growth paying for growth.
- Community Amenities and the effect of a possible Community Amenities Development Contributions Policy.

- The link between definitions in the draft policy and the operative District Plan that determined the charge for developments.
- Vested Assets identification.
- Consultation process and how members of public could access relevant information.

Action: Staff undertook to provide Elected Members a breakdown comparison of development contributions that were paid through land swaps versus the number that were monetary exchanges.

Resolved: (Mayor King/Cr Bunting)

That the Council:

- a) approves the adoption of the proposed Development Contributions Policy 2018/19 for public consultation alongside the 2018-28 10-Year Plan; and
- b) directs staff to commence formal consultation on the proposed Development Contributions Policy 2018/19 on Thursday 29 March 2018 for four weeks ending 30 April.

6. Rating Review Statement of Proposal

The General Manager Corporate and the Accounting Manager took the report as read and responded to questions from Elected Members concerning:

- Timeline for consultation with the public.
- Impact on rates with the move to 100% capital value.
- The purpose of the Uniform Annual General Charge (UAGC), and how it would affect different ratepayers.

Elected Members provided feedback on the consultation document which was to be updated into the Rating Review Statement of Proposal prior to beginning consultation.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council adopts the Rating Review Statement of Proposal (including the Revenue and Financing Policy, Funding Needs Analysis, Rates remissions and Postponements Policy and Rating Policy) for consultation alongside the draft 2018-28 10-Year Plan, subject to minor changes as identified in the meeting.

The meeting was adjourned from 11.35am to 12.30pm.

7. Adoption of the 10-Year Plan Consultation Document and supporting information.

The General Manager Strategy and Communications introduced the report, noting some amendments to be made to the waste proposal in the consultation document. Staff responded to questions from Elected Members concerning:

- Rates configuration.
- Audit New Zealand 's findings.
- Fuel tax.
- The Housing Infrastructure Fund.
- The 'balancing the books' measurement that was adopted in August 2017.
- The 10 Year Plan consultation process.

The Elected Members provided feedback on the consultation document and thanked staff for their hard work on the document. Staff undertook to update the 10-Year Plan Consultation Document and supporting information prior to beginning of the consultation process.

Resolved: (Mayor King/Deputy Mayor Gallagher)

That the Council:

- a) receives the report;
- b) adopts for public consultation the following supporting information relied on by the content of the 2018-28 10-Year Plan Consultation Document with the minor changes as noted at this meeting:
 - i. Draft 2018-48 Infrastructure Strategy;
 - ii. Draft 2018-28 Financial Strategy;
 - iii. Draft 2018-28 10-Year Plan Prospective Financial Statements;
 - iv. Draft 2018-28 10-Year Plan Disclosure Statement;
 - v. Draft 2018-28 10-Year Plan Significant Forecasting Assumptions;
 - vi. Draft 2018-28 10-Year Plan Capital Projects List;
 - vii. Draft 2018-28 Council Controlled Organisations Statement; and
 - viii. Draft 2018-28 10-Year Plan Performance Measures.
- c) receives the Audit NZ audit opinion on the 2018-28 10-Year Plan Consultation Document;
- d) adopts the 2018-28 10-Year Plan Consultation Document and submission form with consultation questions for formal public consultation from 29 March to 30 April 2018;
- e) notes verbal submissions on the draft 2018-28 10-Year Plan will be heard by the Council on 14, 15,16 May 2018 with 17 May 2018 reserved as a back-up day if required;
- f) notes deliberations on the feedback from formal public consultation on the 2018-28 draft 10-Year Plan will begin on 31 May 2018 and that 1 and 5 June 2018 will be reserved as back-up days for further deliberations should this be required.
- g) approves the Chief Executive and the Mayor to sign the letter of representation to Audit NZ dated 27 March 2018.

Cr O'Leary Dissenting.

8. Late Item - Chair's Report (Verbal Update) – Affordable Housing Discussions Update

Mayor King gave a verbal report updating Elected Members on discussions with the Minister of Housing regarding affordable housing. He and staff responded to questions from Elected Members concerning how housing affordability could be addressed, which included infill and possible changes to Special Housing Agreements. It was confirmed that Council would not carry all of the financial implications of addressing housing affordability.

Resolved: (Mayor King/Cr Bunting)

That the Council receives the report.

9. **Release of Public Excluded Resolution, Report and Minutes regarding Victoria on the River (VOTR).**

The Chief Executive took the report as read. He responded to questions from Elected Members concerning the process to release information to the public on public excluded discussions on this matter. It was noted that that Chair of the Audit and Risk Committee and Audit NZ had been asked to undertake an audit of the Victoria on the River Precinct process.

Resolved: (Mayor King/Deputy Mayor Gallagher)
That the Council:

- a) approves the release of the Minutes regarding Item C1 (Chair's Report - Public Excluded) of the Public Excluded Meeting of the Council held 21 September 2017 to the public; and
- b) approves the release of the resolution and report regarding Item C3 (Victoria on the River Precinct Update) from the Public Excluded Council meeting held on 16 November 2017 to the public.

The above mentioned documents will be available as appendices to these minutes.

The meeting was declared closed at 2.58pm.

Council Report

Item C1

Item 6

Committee: Council **Date:** 21 September 2017
Author: Becca Brooke **Authoriser:** Lee-Ann Jordan
Position: Governance Team Leader **Position:** Governance Manager
Report Name: Chair's Report - Public Excluded

Report Status	<i>This report is taken as a publicly excluded item to enable Council to carry out commercial activities without disadvantage.</i>
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The Chair will present a verbal report concerning Victoria on the River (VOTR) Precinct.

Attachments

There are no attachments for this report.

Attachment 1

■ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Item 6

C1. Chair's Report – Victoria on the River (VOTR) Precinct Update

Mayor King gave a verbal report on his vision for the Victoria on the River Precinct and the opportunity to turn the city towards the river. He responded to questions from Elected Members about potential building purchases, timing, and funding. The Chief Executive confirmed staff resource was available to investigate this further.

Resolved: (Mayor King/Cr Taylor)

That the Council:

- a) receives the verbal report;
- b) notes that the Chief Executive will report back to the 16 November 2017 Council meeting on the potential purchase of 266 through to 220 (inclusive) Victoria Street, including market valuations and an indication on the vendors willingness to sell; and
- c) notes that the Chief Executive will report back to the 16 November 2017 Council meeting on a draft design for a park in this area and an estimated cost.

Cr O'Leary Dissenting.

Cr Southgate retired from the meeting(4.19pm) during the discussion of the above Item. She was not present when the matter was voted on.

The meeting was declared closed at 4.44pm.

Attachment 1

Council Report

Committee: Council **Date:** 16 November 2017
Author: Richard Briggs **Authoriser:** Lance Vervoort
Position: Chief Executive **Position:** General Manager Community
Report Name: Victoria on the River Precinct Update

Report Status	<i>This report is taken as a publicly excluded item to enable Council to carry out negotiations.</i>
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Purpose

- To inform the Council on progress of concept and costings for an extended Victoria on the River (VOTR) precinct proposal for consideration in the 10-Year Plan.

Staff Recommendation

- That the Council:
 - receives the report; and
 - notes that concept designs and cost estimates for an extended Victoria on the River precinct will be included in a project proposal to be considered at the 6 December 10-Year Plan Council Meeting.

Background

- A verbal proposal to extend the current Victoria on the River site was provided to Council in the public excluded section of the 18 October 2017 Council meeting.
- The proposal is to extend the current VOTR site through to Embassy Park by establishing a grassed park connecting the two sites. The park design is proposed to be simple with a focus on river views and connection. There would be provision of basic amenity suitable for informal community use and providing linkages from the current VOTR site through to the proposed new Regional Theatre.
- The intent of the proposal is to enhance the central city experience through provision of attractive public amenity and improved connection to the river – a place where people want to work, play and visit.
- Park development would require purchasing a number of properties on Victoria Street located between VOTR and Embassy Park (266 – 220 Victoria Street), demolishing the properties and establishing a grassed park setting.

7. At the 18 October 2017 Council meeting, Council resolved the following:
 - that the Chief Executive will report back to the 16 November 2017 Council meeting on the potential purchase of 266 through to 220 (inclusive) Victoria Street, including market valuations and an indication on the vendors willingness to sell; and
 - that the Chief Executive will report back to the 16 November 2017 Council meeting on a draft design for a park in this area and an estimated cost.
8. It is proposed that this project would be implemented in partnership with the central business community.

Discussion

9. A schedule of ownership and estimated property value is attached. It should be noted that the values are likely to differ for a future purchase date. A purchase methodology would need to be developed once there is intent to progress this project.
10. Concept design and cost estimates are currently being developed and will be included in a project proposal to the 6 December 10-Year Plan Meeting for funding consideration.
11. In addition to design and costings, the proposal will acknowledge key matters such as the heritage status of some buildings, impact on business owners and anticipated benefits to the central city.

Attachments

Attachment 1 - Victoria on the River to Embassy Park - Estimated Values including Maps.

Memo

Growth Group – Strategic Property Unit

To: Chief Executive

From: Strategic Property Unit Manager

Subject: Victoria on the River to Embassy Park – Estimated Values

Date: 9 October 2017 File: _____

Purpose

To provide an high-level estimate of the value of the properties bounded by Victoria on the River (west), Embassy Park (east), Victoria Street (south) and the Waikato River (north). The properties comprise a total area of 5,256 m2 and are shown on the aerial photograph [attached](#).

Properties

There are 12 properties within the subject area. Three of the properties comprise unit titles. There are 25 principal interests held individually or jointly by 36 owners. The properties, interests, owners and values are detailed on the schedule [attached](#).

Valuation Estimate

No specific market valuation has been undertaken at this stage. A desk-top analysis of market value of the properties (detailed on the schedule attached) indicates values of:

Land Value (LV)	\$ 5,022,000
Capital Value (CV)	\$ 10,725,000
Estimated Current Market Value (ECMV)	\$ 13,406,250

LV and CV are taken from the Current Rating Database – with values based on the 1 September 2015 QV valuation. The ECMV is based on CV plus 25% - the percentage is the average difference between the current CV and actual sales prices achieved within the CBD over the past year. The values do not take into account revenue generated by leases or other commercial activity.

Please advise if further detail is required.

Nicolas Wells
Strategic Property Unit

Attachments 1. Aerial Photograph
 2. Schedule



 Hamilton City Council Te kaunihera o Kirikiriroa	Scale :- 1 : 508	
	Date :- 05/10/2017	

Disclaimer: Hamilton City Council does not guarantee that the data shown on this map is 100% correct.

Cadastral Information is from Land Information New Zealand, Crown Copyright Reserved

VICTORIA ON THE RIVER TO EMBASSY PARK - ESTIMATED VALUES

09.10.2017

Plan No.	Address	Legal Description	Area (m2)	Rates No.	Building or Tenant Name	Owner	LV (\$)	CV (\$)	ECMV (\$)
1	266 Victoria Street	Lot 3 DP 19882	240	47	Victoria Dentists	266 Limited (Gareth John Munro & Mathew David Stark)	250,000	820,000	1,025,000
2	260 Victoria Street	Lot 2 DP 19882	240	46	Victoria Building	Golden Pagoda Limited (Chong Kiat Ng)	250,000	560,000	700,000
3	254 Victoria Street	Lot 1 DP 19882	301	45	Mexico	Donald Eon Fraser & Peter Stewart Morton	270,000	1,070,000	1,337,500
4	246 Victoria Street	Lot 9 DP 19882	465	48		Donald Eon Fraser & Peter Stewart Morton	165,000	345,000	431,250
5	250 Victoria Street	DP 21270 and Lot 1 DPS 4128	645	44	Dough Bros	Donald Eon Fraser & Peter Stewart Morton	415,000	660,000	825,000
6	242 Victoria Street	DP 21270 and Lot 1 DPS 4129	126			Donald Eon Fraser & Peter Stewart Morton	Included in rates no. 44		
7	240 Victoria Street	Lot 1 DPS 71126 (Unit 1 DPS 83326)	1,517	47425	Victoria Legal Chambers	Weidong Luo & Aiqun Chen	111,000	220,000	275,000
		Lot 1 DPS 71126 (Unit 2 DPS 83326)		47426		Weidong Luo & Aiqun Chen	93,000	195,000	243,750
		Lot 1 DPS 71126 (Unit 3 & FDU 9 DPS 83326)		47427		Christopher Murray Earl & Lynden Ann Earl	93,000	250,000	312,500
		Lot 1 DPS 71126 (Unit 4 DPS 83326)		47422		Somnath Basu & Deepa Rao	130,000	260,000	325,000
		Lot 1 DPS 71126 (Unit 5 DPS 83326)		47423		Kalel Trustees Limited (Mayuri Haribhai & Ryash Mahat Vather)	130,000	250,000	312,500
		Lot 1 DPS 71126 (Unit 6 DPS 83326)		52650		Carl Peter de Leeuw	160,000	290,000	362,500
		Lot 1 DPS 71126 (Unit 7 & FDU 23 DPS 83326)		52651		Michael Bruce Joseph Curran	160,000	325,000	406,250
		Lot 1 DPS 71126 (Unit 8 & FDU 22 DPS 83326)		47428		Christopher Murray Earl & Lynden Ann Earl	520,000	630,000	787,500
8	238 Victoria Street	Lot 2 DPS 71126 (Unit 1 & 7 DPS 74169)	897	37	The Terrace	Core Family Trustee Limited (Tony Raoul Morgan & Helen Mary Jarman)	230,000	565,000	706,250
		Lot 2 DPS 71126 (Unit 2 & 8 DPS 74169)		58823		Thomas Scott-Simmonds, Jacob Scott-Simmonds & Alexander Scott-Simmonds	230,000	460,000	575,000
		Lot 2 DPS 71126 (Unit 3 & 9 DPS 74169)		39		Murray John Vereker Bindon & Ellice Taner Trustees Limited	230,000	565,000	706,250
		Lot 2 DPS 71126 (Unit 4 & 10 DPS 74169)		40		Joanne Michele Bailey & Murray James Barker & Gary & Sheryl Dawson	230,000	460,000	575,000
		Lot 2 DPS 71126 (Unit 5 & 11 DPS 74169)		41		Martinus Cornelius Maria De Leeuw & Pieternella Frederika De Leeuw	230,000	460,000	575,000
		Lot 2 DPS 71126 (Unit 6 & 12 DPS 74169)		42		E G Clark Family Trust Limited (Eric Gerald Clark)	230,000	460,000	575,000
9	236 Victoria Street	Lot 2 DPS 78928	120	28	Wonderhorse	Mohammed Orabi Dahroug	108,000	315,000	393,750
10	232 Victoria Street	Lot 1 DPS 78928	238	29	Three Leg Frog	Tang Developments Limited (Zhongjie Tang)	300,000	600,000	750,000
11	226 Victoria Street	Lot 1 DPS 5322	374	27	Snapshot	Snapshot Limited (Phiona Baskett)	335,000	550,000	687,500
12	220 Victoria Street	Lot 1 DPS 11296 (Unit 3 DPS 76681)	93	26	Victoria Street Dairy	Max David Dawson, John Stuart Dawson & Andrew Max Dawson	77,000	190,000	237,500
		Lot 1 DPS 11296 (Unit 4 DPS 76681)		25		Debbie Marie Futter & James Paul Puati	75,000	225,000	281,250
			5,256				5,022,000	10,725,000	13,406,250

Council

PUBLIC EXCLUDED MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 16 November 2017 at 3.44pm.

PRESENT

Chairperson	Mayor A King
Deputy Chairperson	Deputy Mayor M Gallagher
Members	Cr J R Casson
	Cr S Henry
	Cr D Macpherson
	Cr G Mallett
	Cr A O'Leary
	Cr R Pascoe
	Cr P Southgate
	Cr L Tooman
	Richard Briggs – Chief Executive
	Lance Vervoort – General Manager Community
	David Bryant – General Manager Corporate
	Justine Allen – Civic Events Manager
	Lee-Ann Jordan – Governance Manager
	Becca Brooke – Governance Team Leader
	Rebecca Watson – Committee Advisor

Crs Bunting and Taylor were noted as apologies (on Council Business) in the open session of the meeting.

■ [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

Council Report

Item 7

Committee: Council

Date: 19 April 2018

Author: Amy Viggers

Authoriser: Becca Brooke

Position: Committee Advisor

Position: Governance Team Leader

Report Name: Confirmation of Elected Member Briefing Notes - Open - 15 March 2018

Report Status	<i>Open</i>
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Staff Recommendation

That the Council confirm the open notes of the Elected Member Briefing held on 15 March 2018 as a true and correct record.

Attachments

Attachment 1 - Elected Member Briefing Notes - 15 March 2018

Elected Member Briefing Notes - Open – 15 March 2018

Attachment 1

Date:	15 March 2018
Venue:	Committee Room 1, Hamilton City Council.
In Attendance:	Mayor King, Deputy Mayor Gallagher, Crs Henry, Mallett, Hamilton, Tooman, Pascoe, Taylor, and Macpherson.
Apology for Full Session:	Crs Bunting, Southgate, O’Leary, Casson.
Apology for early departure	Mayor King, Crs Tooman, and Pascoe.

Discussion

The briefing session covered the following topics in the open session:

1. Heritage Management
2. Rototuna Town Centre Comprehensive Development Plan

There were a number of key points arising from the discussions:

Item 7

1 Heritage Management
(presentation was provided)

The City Planning Policy Team Leader spoke to the presentation noting that the briefing was in response to a previous request from Elected Members. A further report will be presented to the 19 April 2018 Council meeting to request a plan change be prepared.

Elected Members asked questions concerning the implications of heritage building getting Earthquake prone status.

2 Rototuna Town Centre Comprehensive Development Plan
(Presentation was provided)

The Business and Planning Manager and City Planning Policy Team Leader provided the development history of Rototuna Town Centre. It was noted that a report would be presented at the 10 April 2018 Growth and Infrastructure Committee Meeting which would include a timeline indicating when Elected Members would be able to have further involvement in the process.

Elected Members asked questions concerning the following:

- Community amenity location’s.
- Elected Member involvement in concept development.
- Feasibility and options study.

Council Report

Item 8

Committee: Council

Date: 19 April 2018

Author: Amy Viggers

Authoriser: Becca Brooke

Position: Committee Advisor

Position: Governance Team Leader

Report Name: Confirmation of Elected Member Briefing Notes - Open - 22 March 2018

Report Status	<i>Open</i>
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Staff Recommendation

That the Council confirm the open notes of the Elected Member Briefing held on 22 March 2018 as a true and correct record.

Attachments

Attachment 1 - Elected Member Briefing Notes - Open - 22 March 2018

Elected Member Briefing Notes –22 March 2018 – Open

Attachment 1

Time and date:	22 March 2018
Venue:	Committee Room 1, Hamilton City Council
In Attendance:	Mayor King, Deputy Mayor Gallagher, Crs Henry, Mallett, Tooman, Hamilton, O’Leary, Hamilton, Taylor, Bunting and Southgate
Apology for Full Session:	Cr Casson
Apologies for lateness/early departure:	Crs Bunting and Southgate

Discussion

The briefing session covered the following topics in the open session:

1. NPS-UDC Future Proof Residential and Business Development Capacity Assessment Report
2. Project Echo (Bats)

There were a number of key points arising from the discussions:

Item 8

1. **NPS-UDC Future Proof Residential and Business Development Capacity Assessment Report** *(Presentation was provided)*

The Team Leader Economic Growth and Urban Policy introduced the presentation, noting that Hamilton City was identified as a ‘High Growth’ urban area and was therefore required to comply with all National Policy Statement of Urban Development Capacity (NPS-UDC) policies.

Elected Members asked questions in relation to the following:

- Statistics and tracking of creation of new jobs
- Timeframes to produce census data
- Attraction of businesses and people to Hamilton
- Population growth statistics
- Use of 30 years as a planning period
- Measurement of infrastructure capacity
- Differences between industrial, commercial and retail land usage

2. Project Echo (Bats)
(Presentation was provided)

Staff and Project Echo representatives spoke to the presentation, noting that long tailed bat population was now listed as nationally critical and work was required to ensure they did not become extinct. It was also noted that Hamilton was one of the few urban locations in NZ to have bats inside the city area, and the vital importance of the river and gully systems in maintaining the bat populations.

Staff undertook to provide an update to Elected Members via email regarding the impact of construction work on native animals, in particular native lizards and bats.

Elected Members asked questions in relation to the following:

- Funding for Project Echo
- Gully restoration work
- Areas that bats roost
- Threats to bat populations

Council Report

Committee: Council **Date:** 19 April 2018
Author: Amy Viggers **Authoriser:** Becca Brooke
Position: Committee Advisor **Position:** Governance Team Leader
Report Name: Confirmation of Elected Member Briefing Notes - Open - 27 March 2018

Report Status	<i>Open</i>
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Staff Recommendation

That the Council confirm the open notes of the Elected Member Briefing held on 27 March 2018 as a true and correct record.

Attachments

Attachment 1 - Elected Members Briefing Notes - Open - 27 March 2018

Elected Member Briefing Notes – Open – 27 March 2018

Date:	27 March 2018
Venue:	Council Chambers, Hamilton City Council
In Attendance:	Mayor King, Deputy Mayor Gallagher and Crs Hamilton, Pascoe, O’Leary, Taylor, Bunting, Macpherson, Southgate, Mallett, Casson, and Tooman.
Apology for Full Session:	Cr Henry.

Discussion

The briefing session covered the following topics in the open session:

- 1. Rotokauri SHA – Funding and infrastructure issues**
(presentation was provided)

The Executive Director Special Projects and the Economic Growth and Planning Manager spoke to the presentation. It was noted that the statement of intent negotiation was moving forward positively and a report would be brought to Council.

Elected Members asked questions concerning how community focus was to be achieved by the developers for the Special Housing Area.

Council Report

Committee: Council **Date:** 19 April 2018
Author: Amy Viggers **Authoriser:** Becca Brooke
Position: Committee Advisor **Position:** Governance Team Leader
Report Name: Chair's Report - 19 April 2018

Report Status	<i>Open</i>
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Recommendation

That the Council:

- a) receives the report;
- b) defers the Founders Theatre future use of site report to the 24 May meeting of Council; and
- c) delegates the Mayor to upgrade the current Memorandum of Understanding with Ieper to a Sister City Memorandum of Understanding if he reasonably believes it is beneficial to the city.

Attachments

Attachment 1 - Chair's Report - 19 April 2018



Chair's Report

Item 10

Chengdu

Chengdu being a Sister City to Hamilton have invited two representatives from Hamilton City Council to attend the Global Innovation and Entrepreneurship Forum as they do each year. Travel, accommodation, food and attendance to the forum is covered by the Chengdu Municipal Government. This year Deputy Mayor Martin Gallagher and Cr Rob Pascoe will be our official representatives to the forum.

Chengdu have asked for a local artist to design a piece of art to represent Hamilton in Chengdu. This is at Chengdu's expense. I asked Creative Waikato to run a process to select an artist, and have invited a representative here today to talk to Council about that process and who they are recommending.

Ieper

We continue to support a strong relationship with Ieper in Belgium. We currently have a Memorandum of Understanding with Ieper supporting cultural engagement. There is a possibility this MOU could be upgraded to a Sister City relationship. This will have no additional cost to the city but solidify the relationship between our cities for future generations.

In July, I intend to attend a celebration in Ieper. The Deputy Mayor may also attend. Formalities are being worked on by staff.

I have also extended an invitation to the Mayor of Ieper or their representative to attend armistice celebrations in Hamilton this November for the centenary.

Mayoral Forum and Waikato Plan

I will provide a verbal update at the meeting on the Mayoral Forum and Waikato Plan.

Deferral

A report was due to be presented at the April 19th Council meeting to put forward a business case and financial proposal for an alternative future use (creative and/or community hub) for Founders Theatre. Whilst working through this staff have highlighted a need to take into account a series of interconnected issues prior to being able to present this.

Attachment 1

Recommendation

That the Council:

- a) receives the report;
- b) defers the Founders Theatre future use of site report to the 24 May meeting of Council; and
- c) delegates the Mayor to upgrade the current Memorandum of Understanding with leper to a Sister City Memorandum of Understanding if he reasonably believes it is beneficial to the city.

Andrew King
Mayor - Hamilton City Council
Love Hamilton

Council Report

Item 11

Committee: Council **Date:** 19 April 2018
Author: Chad Hooker **Authoriser:** Sean Murray
Position: Director of Operations **Position:** General Manager Venues,
Tourism and Major Events
Report Name: FMG Stadium Waikato - Proposed Development

Report Status	<i>Open</i>
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Purpose

1. To seek the Council's approval for the Chiefs Rugby Club Limited (The Chiefs) to proceed with a capital infrastructure project to install new corporate hospitality suites at FMG Stadium Waikato.
2. The Council needs to approve the commercial terms of the agreement with The Chiefs as it involves a long-term agreement to use a council-owned venue and may be of public interest.
3. Representatives from The Chiefs (Sean Austin – Commercial Manager and Dallas Fisher – Board Member) will be present at the meeting and available to answer questions, as will H3 staff.

Staff Recommendation

4. That the Council:
 - a) receives the report; and
 - b) delegates the Chief Executive to negotiate the commercial terms of the agreement with the Chiefs Rugby Club Limited.

Executive Summary

5. The Chiefs wish to invest in installing new corporate hosting facilities at FMG Stadium Waikato.
6. The proposed facility consists of 14 new container-style corporate suites for 20 people each, to be constructed at the eastern end of the ground behind the Goal Line Terrace seating area parallel to Tristram St.
7. The Chiefs will pay all building and installation costs as well as all ongoing maintenance costs including depreciation. At the end of the term of the agreement The Chiefs will be responsible for all removal and re-instatement costs.
8. The project is subject to the independent approval of several consents. As the road controlling authority, the Council needs to approve the use of the road reserve and this will be done via an encroachment licence application. A resource consent application and building consent application will also be required to be lodged to Council separately.
9. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendation in this report has a low level of significance.

Background

10. The Chiefs are a key hirer of FMG Stadium Waikato with a long-term venue hire agreement in place to host Investec Super Rugby matches at the venue. Currently they are contracted to play a minimum of five home round robin matches each season at the stadium plus any play-off games.
11. The current venue hire agreement expires on 30 September 2020 with a right of renewal for a term equivalent to the term of The Chiefs licence with NZ Rugby to operate a Super Rugby franchise.
12. The Chiefs and their hosting of Super Rugby matches at FMG Stadium Waikato contribute to the local community through providing both significant economic and social benefits.
13. At present FMG Stadium Waikato has eight corporate spaces available to the Chiefs, with total capacity of 800 people approximately. The Chiefs consistently sell-out all their allocated hospitality space for their home matches and have demand for additional corporate hosting facilities at the venue that cannot be delivered within the current stadium configuration.
14. As the Council has no interest in building new facilities at the stadium, The Chiefs have offered to pay for the design and construction of 14 new 20-person corporate suites at the eastern end of the ground parallel to Tristram St.
15. **Location**
16. Several potential locations were considered for the new suites and the Tristram St end of the ground was agreed with The Chiefs as the most appropriate as it:
 - does not reduce the existing ground capacity (25,000)
 - does not impact upon emergency egress routes and plans
 - has good views of the field
 - is a relatively straightforward construction location
 - minimises any impact on neighbours
 - offers an opportunity to relocate the existing big screen at the end of the ground to sit more centrally (i.e. behind the goal posts opposite the new big screen at the Tristram St end).
17. The base for the new suites comprises of eight containers that will sit immediately outside the venue on reserve land and road reserve. Both the Parks and Open Spaces and City Transportation Units have been consulted and are supportive of this project.
18. Acceptable footpath widths will be maintained on non-event days and on event days when large crowds are present, the road is always closed to ensure pedestrian safety.
19. **Design**
20. The corporate suites have been designed by Auckland-based architect Frank Tonetti from Architectura who designed the container buildings at the Wero Whitewater Centre in Manukau.
21. The corporate suites will be built upon a base of eight shipping containers that will be pinned into the ground. Seven transportable building units (providing for two suites each) will then be mounted on top of the container base and connected with an access walkway. A building consent will be required.
22. The access walkway behind the suites will cantilever out over the Tristram St footpath providing covered pedestrian access most of the way between Gates 1 and 4. A deck on the front of each suite will cantilever out over the existing fence and aisle along the back of the Goal Line Terrace area within the ground.

23. Perforated screens will be installed behind the corporate suites to help define the spaces, provide some separation between the corporate suites and the general-public and ensure the structure is more visually interesting.
24. Plans, an elevation and artist's impressions of the new corporate suites are included as attachment one.
25. To ensure the containers on the ground level facing Tristram St are presented to a high standard, signage will be installed to tell the history of the stadium. This 'story wall' concept will be a point of interest for patrons on event days and will also be visible to residents and visitors at any time.
26. H3 will work with the stadium's naming rights partner FMG, to cover the cost of designing and installing the 'story wall' signage on the outside of the boxes at ground level as a part of their naming right arrangements with Council.
27. A concept design for the story wall is included as attachment two.
28. Suite holders will be permitted to install a sign on the balustrade of each suite facing into the stadium.
29. The only external signage will be one stadium name sign, directional signage along with the story wall at ground level.
30. The boxes are designed to be semi-permanent so they can be removed relatively easy if required.
31. **Temporary Stand**
32. In the past the capacity of the ground has been increased for some events by building a temporary stand at the eastern end of the ground over part of Tristram St and part of Willoughby Park. The stadium has a resource consent to build up to 5,000 additional seats (6,000 were allocated for Rugby World Cup in 2011) and this requires closing Tristram St and Willoughby Park for an extended period. This resource consent ends this year and will not be reapplied for at this time.
33. Due to significant cost increases to build temporary structures a temporary stand has not been required by any hirer since 2009, other than for the 2011 Rugby World Cup and the 2017 NZ Lions Series. Neither of these events are expected in Hamilton again for at least the next 10 years and there is no other expected demand for additional temporary seating capacity.
34. Although the installation of the new corporate suites will impact upon the future installation of any temporary stand, this can still be built if required. This could be done by either removing the corporate suites (in whole or part) or by building a taller temporary stand to allow patrons to see over the new structure. This will be provided for within the agreement with the Chiefs in case it may be required in the future.
35. **Timing**
36. The new corporate boxes are expected to be installed at the end of this year to be ready for the 2019 HSBC NZ Sevens and 2019 Chiefs season.
37. The construction programme is yet to be confirmed, but should be relatively short given most key elements of the new structure will be brought in and assembled rather than being fully constructed on-site.

38. **Compliance**

39. There are three consent approvals required of the Council. They are as follows:

40. **Use of the Road Reserve**

41. City Transportation staff have confirmed an encroachment licence will be required as part of the proposed location does sit on the road reserve.

42. As the Road Controlling Authority, a report will come to Council for approval in due course.

43. **Resource Consent**

44. A resource consent application will be lodged shortly by the Council's consultant Mitchell Daysh.

45. As the property owner, H3 (the Council) is applying for the resource consent at our cost (estimated at between \$10-\$15,000).

46. Although no neighbours are deemed to be affected, we have informed the two commercial properties (owners and tenants) directly across the road from the stadium on Tristram St of the concept plans, due to their proximity to the proposed structure.

47. As the project is now public, and as a courtesy, we will also send a letter to all neighbours around the stadium to advise them of The Chiefs' plans, should anyone wish to comment.

48. **Building Consent**

49. Subsequent to the above, a Building Consent application for the construction of the proposed corporate boxes will then be lodged by The Chiefs as per normal Council process.

50. **Commercial Agreement**

51. Key terms have been agreed in principle between the parties (as outlined below). A licence agreement for the use of the space is being prepared by Tompkins Wake to confirm details of the arrangement.

52. The term of the agreement with The Chiefs will be 10 years with an option to renew this for a further term of up to 10 years.

53. The Chiefs have agreed to pay all building and installation costs including all design and building consent fees. This is a significant investment in the facility. The Chiefs will also cover all ongoing maintenance costs, insurance and depreciation.

54. The Chiefs will pay H3 \$2,142.86 per installed box for an annual fee of \$30,000 + GST, subject to annual CPI adjusted increases. This is in addition to their existing venue hire fees.

55. The Chiefs will sub-licence the corporate suites (subject to agreed terms and conditions) to its sponsors for no less than a year at a time. The suite holders will have access to all public ticketed events at the stadium, with The Chiefs managing access to all rugby events and H3 providing access to all other public ticketed events.

56. Upon termination of the agreement The Chiefs will be responsible for complete removal of the corporate suites and any reinstatement works.

Significance and Engagement Policy:

57. **Significance**

58. Staff considered the following factors under the Significance and Engagement Policy:

The level of financial consequences of the proposal or decision required.

59. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendations in this report have a low level of significance.

60. **Engagement**

61. Given the low level of significance determined, the engagement level is low. No engagement is required in relation to the recommendation.

Financial Considerations:

62. The Chiefs have agreed to pay all building and installation costs, including all design and building consent fees. The Chiefs will cover all ongoing maintenance costs, insurance and depreciation. This is a significant investment in venue.
63. Council will apply for the resource consent and encroachment licence at our cost (\$10-\$15,000)
64. In addition to existing venue hire fees, Council will receive from the Chiefs \$2,142.86 per installed box for an annual fee of \$30,000 + GST.

Options:

65. Staff are not proposing any other options. If Council does not approve the recommendation, the proposed development will not proceed at this time.

Risk:

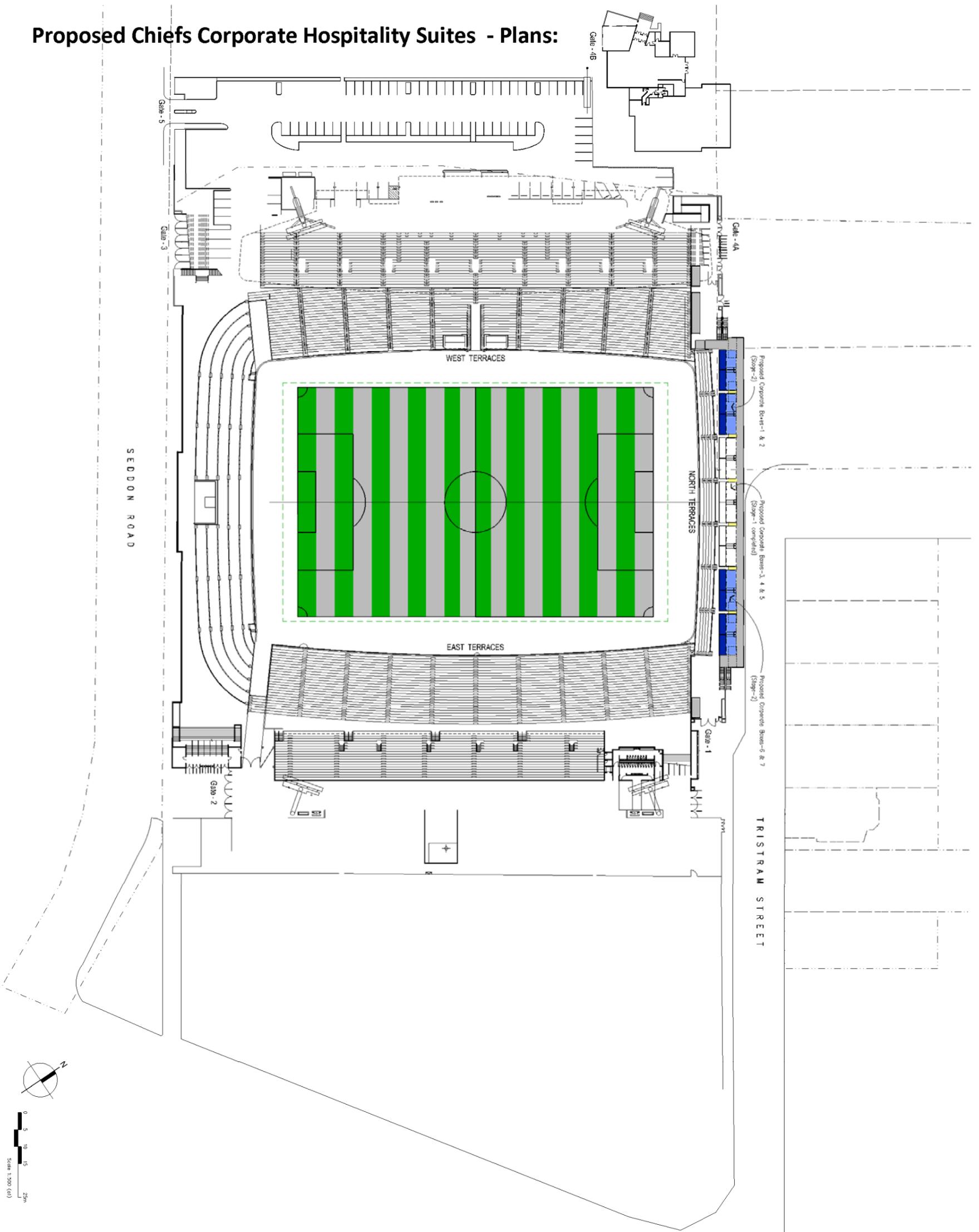
66. Staff have assessed and believe there are no risks in approving the recommendation, noting that the proposed development is subject to a number of compliance requirements as per paragraph 37-48.
67. If Council chose not to approve the recommendation then a potential risk is the lost opportunity for attracting more patronage and commercial opportunities for both parties.

Attachments

Attachment 1 - Concept Plans and Artist Impressions - Proposed Corporate Hospitality Suites

Attachment 2 - Concept Drawings - Proposed Story Wall

Proposed Chiefs Corporate Hospitality Suites - Plans:



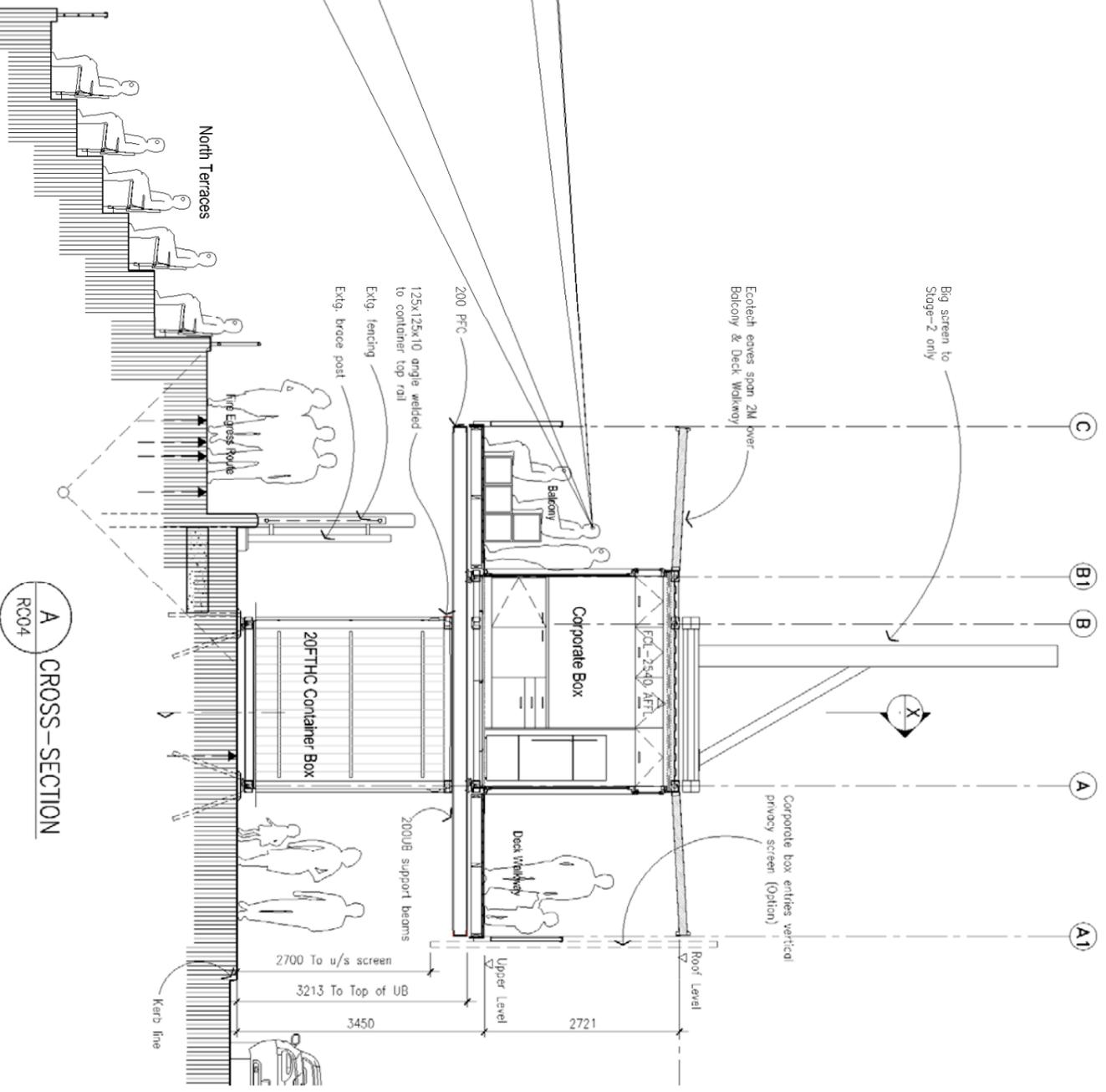
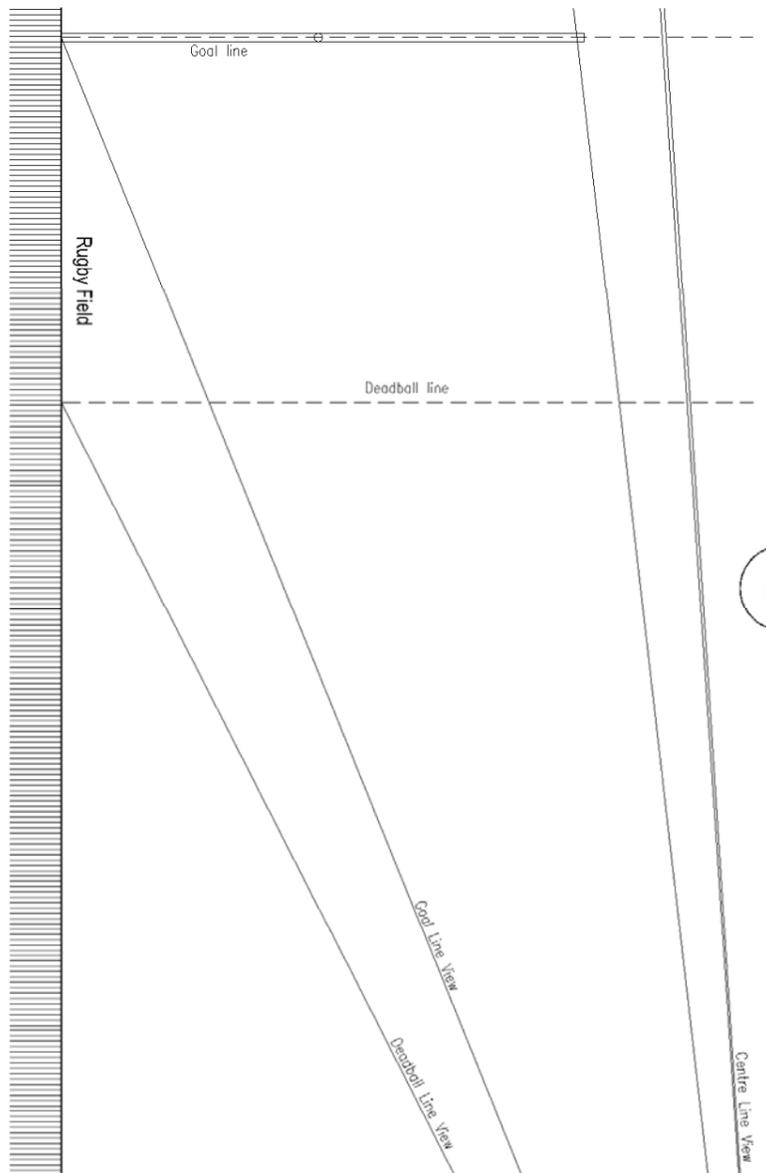
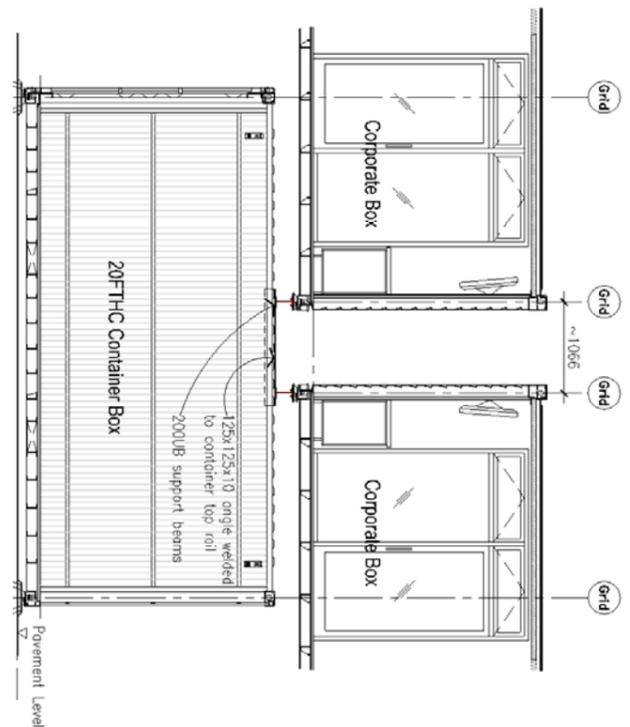
NOTES

1. It is the contractor's responsibility to check and verify all dimensions, levels and grades on site prior to commencing work.
2. The contractor shall be responsible for obtaining all necessary consents with the NZ Building Code (NZBC) and Environment Canterbury.
3. It is the contractor's responsibility to ensure that all products/materials and fixtures used are listed and specified in the contract documents.
4. The contractor shall be responsible for all costs related to the project of installation, etc.

Project Name
Proposed Corporate Boxes for FMG STADIUM
 Location: Park, Tristram Street, Hamilton, New Zealand
 Date: Oct 2017
 Scale: 1:500 (A1)
 Drawing Number: FMG-V55192-RC001
 Revision: -

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REVISIONS
 - 31.10.17 Resource Consent Issue



Note
 - All dimensions to be confirmed on site by surveyor prior to manufacture
 - ? Surveyor to confirm site dimensions & co-ordinates for Box-3, 4 & 5



NOTES
 1. It is the contractor's responsibility to check and verify all dimensions, levels and angles on site prior to commencing work.
 2. It is the contractor's responsibility to ensure that all work complies with the NZ Building Code 1992 or amendments thereof and all relevant New Zealand standards.
 3. The contractor shall ensure that all products/materials and finishes shall be fixed and applied in strict accordance with manufacturers specifications.
 4. The copyright of these drawings and all parts thereof remain the property of Architectura Ltd.

REVISIONS
 - 31/10/17 Resource Consent Issue



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Project Name
 PROPOSED CORPORATE BOXES FOR
 FMG STADIUM
 Hibernia Park, Tisham Road
 Hornilton, New Zealand
Drawing Title
 SECTIONS
Date Oct 2017 **Scale** 1:50 (A2) **Drawing Number** FMG-V5stlg2-SK04 **Revision**

Proposed Chiefs Corporate Hospitality Suites - Artist Impressions:

Main Camera Position View



Willoughby Park View



Front View



Interior Views



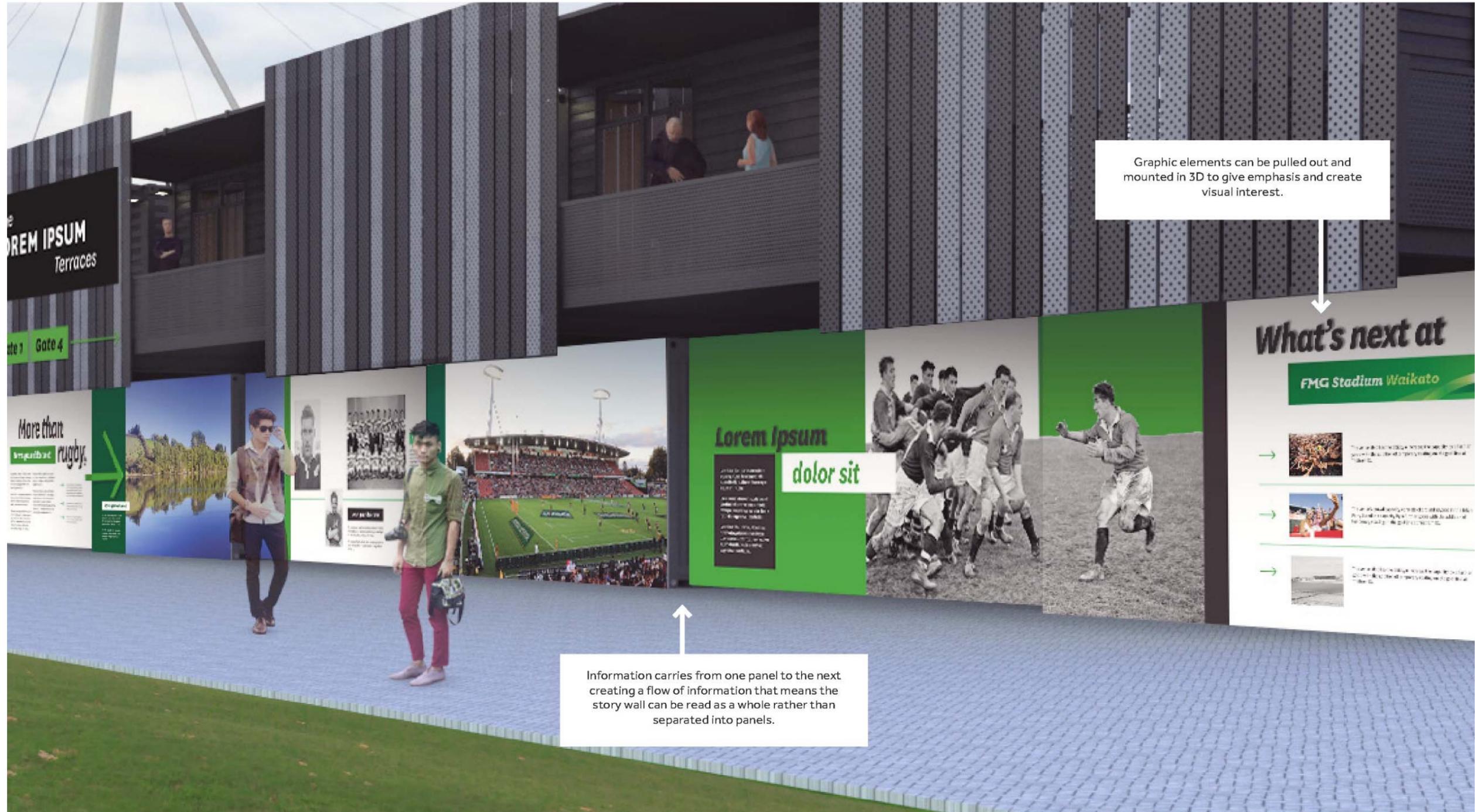
Birds Eye View - bulk and location



The story wall makes the most of all 100 metres, utilising striking imagery, graphic elements and type to create a flow of information that will draw people in and encourage them to read on and interact with the history and stories of the FMG Stadium.



Concept Drawing - Proposed Story Wall



Graphic elements can be pulled out and mounted in 3D to give emphasis and create visual interest.

Information carries from one panel to the next creating a flow of information that means the story wall can be read as a whole rather than separated into panels.

LED wash lighting at night creates a striking visual impact and safe haven for pedestrians and sports fans .



Council Report

Item 12

Committee: Council **Date:** 19 April 2018
Author: Charlotte Catmur **Authoriser:** Chris Allen
Position: Waste Minimisation Advisor **Position:** General Manager City Infrastructure
Report Name: Deliberation and adoption of the 2018-2024 Waste Management and Minimisation Plan

Report Status	<i>Open</i>
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Purpose

1. To inform the Council on the outcomes of the consultation on the proposed 2018-2024 Waste Management and Minimisation Plan.
2. To inform the Council on the staff recommended changes as a result of the consultation on the proposed 2018-2024 Waste Management and Minimisation Plan.
3. To seek adoption of the revised 2018-2024 Waste Management and Minimisation Plan.

Staff Recommendation

4. That the Council:
 - a) receives the report; and
 - b) adopts the 2018-2024 Waste Management and Minimisation Plan.

Executive Summary

5. The Growth and Infrastructure Committee approved the Statement of Proposal and proposed 2018-2024 Waste Management and Minimisation Plan (Waste Plan) for public consultation on 12 September 2017.
6. The public consultation opened on 9 October 2017 and closed on 19 November 2017.
7. The consultation resulted in a total of 342 submissions. Analysis of the submissions has been completed and a summary has been included in this report (Attachment 1).
8. Of the 342 submitters, 35 indicated that they wished to be heard in support of their submission, but only eight attended to present at the hearing. The verbal and written submissions were received at the 1 March 2018 Regulatory and Hearings Committee meeting.
9. As a result of the submissions three key changes are recommended to the proposed 2018-2024 Waste Plan. They are:
 - Increases to three waste minimisation targets for 2024
 - A new action for services on targeted waste streams including electronic waste
 - An additional section on circular economy and zero waste as part of what informs the waste plan.

10. The updated version of the 2018-2024 Waste Plan is attached (Attachment 2) and it is recommended that this be adopted by Council.
11. If the 2018-2024 Waste Plan is not adopted there is a high likelihood that the Ministry for the Environment will withhold the Council's waste minimisation funding as the Council will not have an adopted Waste Management and Minimisation Plan.
12. Staff consider the matters in this report have low significance and that the recommendations comply with the Council's legal requirements.

Background

13. The Waste Management Act 2008 (WMA 2008) requires that the Council adopts a Waste Management and Minimisation Plan every 6 years. The 2012 Waste Management and Minimisation Plan (Waste Plan) was adopted on 5 April 2012.
14. The WMA 2008 outlines the process and content for the Waste Plan. It states that If a council does not have a valid Waste Plan then they are not eligible for the waste levy funding from the Central Government. The Council currently receives this funding, of around \$570,000 each year, to support the implementation of the Waste Plan. This funding is at risk if the Council does not adopt the plan.
15. The review of the 2012 Waste Plan commenced in March 2017. Staff engaged stakeholders internally and externally in the review and development of the proposed 2018-2024 Waste Plan.
16. The Waste Taskforce, established in March 2017, created a subgroup for the period April 2017 to August 2017 for the review and development of the Waste Plan. Three external organisations were invited to be part of the subgroup, they were Waikato Regional Council, University of Waikato and Go Eco. The representatives from these organisations supported staff and Elected Members in the development of the Waste Plan.
17. The 2017 Waste Assessment was commissioned to support the review of the 2012 Waste Plan and the development of the 2018-2024 Waste Plan. The Waste Assessment is available on the Have your Say site - https://haveyoursay.hamilton.govt.nz/strategy-research/wasteplan/supporting_documents/2017%20HCC%20Waste%20Assessment.pdf
18. On 12 September 2017 the Growth and Infrastructure Committee approved the commencement of public consultation in regard to the Statement of Proposal on the proposed 2018-2024 Waste Management and Minimisation Plan (Waste Plan) from 9 October 2017.
19. The public consultation opened on 9 October 2017 and closed on 19 November 2017 and resulted in a total of 342 submissions being received.
20. A Waste Plan Hearing was held at the 1 March 2018 Regulatory and Hearings Committee meeting. Of the 342 submitters 35 indicated that they wished to be heard, but only eight attended and presented to the committee meeting.
21. The Committee considered both the verbal and written submissions and provided staff with several questions for response. Answers to these questions are included in this report and in Attachment 3.

Discussion

Consultation process

22. In accordance with the Local Government Act 2002 Special Consultative Procedure and the Waste Minimisation Act 2008, submissions on the proposed 2018-2024 Waste Plan were invited over six weeks, starting 9 October 2017.

23. The consultation process included a media release, notices in the Hamilton Press, the Council website and Facebook pages. Radio ads were also run throughout the consultation period and a *Business after 5* event was held in partnership with Hamilton Central Business Association.
24. The Statement of Proposal was included in the October edition of City News. It was also available along with the Proposed 2018-2024 Waste Plan and 2017 Waste Assessment at all public libraries, the main municipal building and on the Have your Say website.
25. Submissions could be made in a few ways, online via the Hamilton City website 'Have your Say', by post or by email.

Submission summary

26. During the consultation period 342 submissions were received. The key outcomes of the submission were:
 - 96.2 per cent indicated that the Council should be doing more to reduce, reuse and recycle our waste in Hamilton.
 - Overall responses indicated that the Council should be doing more across all 9 themes proposed in the 2018-2024 Waste Plan, with education, litter and illegal dumping and waste services being the top 3 priorities.
 - 51 per cent indicated that the nine themes cover the work the Council needs to do on waste management and minimisation. 71 per cent of the responses that indicated the themes did not cover the work the Council needs to do were from the Go Eco submission form. These submissions called for stronger action by central government and a greater focus on emissions reduction by the Council.
27. A full summary of the results is included in Attachment 2. Full copies of the submissions are available on the Have your Say site - <https://haveyoursay.hamilton.govt.nz/strategy-research/wasteplan/>
28. As part of the Hearings on 1 March 2018 Councillors posed questions to staff. A full list and response to the questions is provided in Attachment 3. Some of the questions, relate to the changes made because of the submissions and are addressed within this report.

Outcomes of the consultation

29. The consultation on the proposed 2018-2024 Waste Plan has resulted in staff proposing three amendments to the document. These are summarised below and have been incorporated in to the revised 2018-2024 Waste Plan (Attachment 2)
30. Change 1 – include narrative on circular economy and zero waste in the section about what informs the Waste Plan.
 - Including a zero waste target was raised by all Go Eco submissions and by some of the submissions direct to the Council.
 - The data on waste generation, flows, types and processing is lacking and therefore understanding the impact of a zero waste target is difficult.
 - Staff have recommended this is captured as being part of what informs the revised 2018-2024 Waste Plan alongside commentary on the circular economy, which will be key to achieving zero waste in the long run.
 - The circular economy, as opposed to the linear economy, is where things are designed with longevity, recycling and remanufacturing in mind and there are limited leakage of materials out of the system.

31. Change 2 – Amend the waste minimisation targets

- Submissions called for the Council to do more overall on waste reduction and recycling, to achieve this the revised 2018-2024 Waste Plan needs to set targets that will drive more action across Hamilton.
- The proposed changes to the targets are below. The targets for the kerbside service have been aligned to the diversion rates that will be achievable under the level of service proposed in the 2018-2028 10 year plan.

ORIGINAL TARGETS PROVIDED IN CONSULTATION DOCUMENT	2016 (Kilograms/ per annum)	Target (Per cent)	2024 (Kilograms/ per annum)	Difference from 2016 to 2024 (Kilograms)
Per capita rubbish to landfill	780	decrease 5%	741	-39
Per capita material diverted from landfill	820	increase 10%	902	82
Per capita kerbside rubbish to landfill	152	decrease 10%	136.8	-15.2
Per capita kerbside recycling	57	increase 10%	62.7	5.7

REVISED TARGETS FOR THE 2018-2024 WASTE PLAN	2016 (Kilograms/ per annum)	Target (Per cent)	2024 (Kilograms/ per annum)	Difference from 2016 to 2024 (Kilograms)
Per capita rubbish to landfill	780	decrease 10%	702	-78
Per capita material diverted from landfill	820	increase 10%	902	82
Per capita kerbside rubbish to landfill	152	decrease 25%	114	-38
Per capita kerbside recycling	57	increase 50%	85.5	28.5

- The recommended change to the per capita rubbish to landfill is from a decrease of 5 per cent to a decrease of 10 per cent. This change matches the per capita increase in diversion, as a percentage and in the overall kilogram change required. The data on general waste to landfill and diversion is relatively poor, however we do know that there are materials that are going to landfill e.g. Organics, timber and plastics that could be recycled. We do not have an assessment on what percentage could be reduced overall at this stage. This is part of the work that will be done around ongoing data gathering improvements.
- The recommended change to the per capita kerbside rubbish to landfill is from a decrease of 10 per cent to a decrease of 25 per cent and a recommended change to the per capita kerbside recycling from an increase in 10 per cent to an increase in 50 per cent. These targets will be primarily met by the change to the kerbside service and also by a reduction in waste generated and put out at the kerbside. The data the Council has on the composition of the kerbside rubbish and recycling is good and provides staff with the information to develop targeted education and behaviour change projects to meet these targets.

- The revised version of the Waste Plan also states that the targets will be reviewed every year and amended if required as a result of changes in the situation, for example if a container deposit scheme is introduced there will be significant changes to the kerbside service.
32. Change 3 – additional action for electronic waste collection
- Given the strong feedback from residents and industry on the need for improved electronic waste services, staff recommend including an additional action under the theme of services in the 2018-2024 Waste Plan.
 - The proposed action is - *Identify and implement services for targeted waste streams including electronic waste.*
33. Minor amendments have been made to the data in the 2018-2024 Waste Plan as staff have received updated information on waste to landfill and waste diverted from landfill since the proposed 2018-2024 Waste Plan was released. The numbers in the 2018-2024 Waste Plan have been updated to reflect the new information. The changes are minor and only account for slight seasonal variations.
34. These proposed changes will largely be met by the waste minimisation funding. The change to two of the targets is closely linked to the decisions being made on the kerbside collection service as part of the 2018-2018 10 Year Plan. The target has been set in line with the draft proposal for level of service. If there are changes to the level of service staff will assess the impact on the targets.
35. If the recommendation is not approved there is a high likelihood that the Ministry for the Environment will withhold the Council's waste minimisation funding as the Council will not have an adopted Waste Management and Minimisation Plan. The 2012 Waste Plan was adopted on 5 April 2012.

Options

36. No options are available for Council to consider because the Council is required to have a Waste Management and Minimisation Plan under the Waste Minimisation Act 2008.

Financial Considerations

37. The total cost to complete this project is \$70,000, which is funded through the waste minimisation fund.

Type of Costs	2017/18
Operating Expenditure	
Waste assessment and solid waste audit 2017	\$ 45,000
Waste Management and Minimisation Plan	\$ 15,000
Consultation	\$ 10,000
Total Opex	\$70,000

38. The Waste Assessment and solid waste audit were completed by external consultants and involved data gathering and analysis. The development of the Waste Plan included engaging a consultant to facilitate workshops with Elected Members, external representatives and staff. It also includes the staff time to develop the plan and the graphics and design of the Waste Plan.

39. The consultation is outlined in paragraphs 22 and 23 and included radio, print and online advertising.
40. Ongoing costs for implementing, monitoring and reviewing the Waste Plan will be met by the waste minimisation funding and is part of the 2018-2028 10 Year Plan.
41. The financial implications of not adopting the Waste Plan are as follows:
- The funding for the Council's waste minimisation activities is currently met by the waste minimisation funding the Council receives from the central government. If the Council does not have an adopted Waste Plan the funding will cease.
 - The actions identified in the Waste Plan will be funded, predominantly, through the waste minimisation funding. Any projects, like the rubbish and recycling service change, that require additional funding will be considered through long term plan and annual plan funding processes.

Legal and Policy Considerations

42. Staff confirm that the staff recommendation complies with the Council's legal and policy requirements.

Sustainability Considerations

43. The 2018-2024 Waste Plan is the principle way that the Council will delivery on "Sustainability Principle 10 - Council works with its communities to minimise the production of waste and maximise opportunities to recycle" over the next six years.

Risks

44. The 2018-2024 Waste Plan sets non-binding targets for the Council to achieve in 2024. The way these targets will be met will depend on upcoming decisions through the 2018-2028 10 Year Plan. The draft 2018-2028 10 Year Plan includes a substantial change to the way waste is managed in Hamilton.

Significance & Engagement Policy

Significance

45. Given the statutory requirement to consult, staff have not considered the key considerations under the Significance and Engagement Policy to assess the significance of the matter(s) in this report.

Engagement

46. Community views and preferences are already known to the Council through the statutory consultation that was undertaken between 9 October 2017 and 19 November 2017 and at the Hearings on 1 March 2018..
47. Given the low level of significance determined, the engagement level is low. No engagement is required.

Attachments

Attachment 1 - Summary of consultation on the proposed 2018-2024 Waste Plan

Attachment 2 - Revised 2018-2024 Waste Management and Minimisation Plan

Attachment 3 - Responses to Elected Members questions from 1 March 2018 Waste Plan Hearings .

Item 12

PROPOSED 2018-2024 WASTE MANAGEMENT AND MINIMISATION PLAN

CONSULTATION RESPONSES - SUMMARY

WHO SUBMITTED?

A total of 342 submissions were received on the proposed 2018-2024 Waste Management and Minimisation Plan. Of these, 236 responses were direct to the Council and 106 were through Go Eco's submission platform.

The majority, 335, of submissions were from individuals and only 7 were from businesses/organisations.

There was a broad age range of submitters through the Council platform, as shown in Figure 1. The Go Eco submission form did not capture the age of respondents.

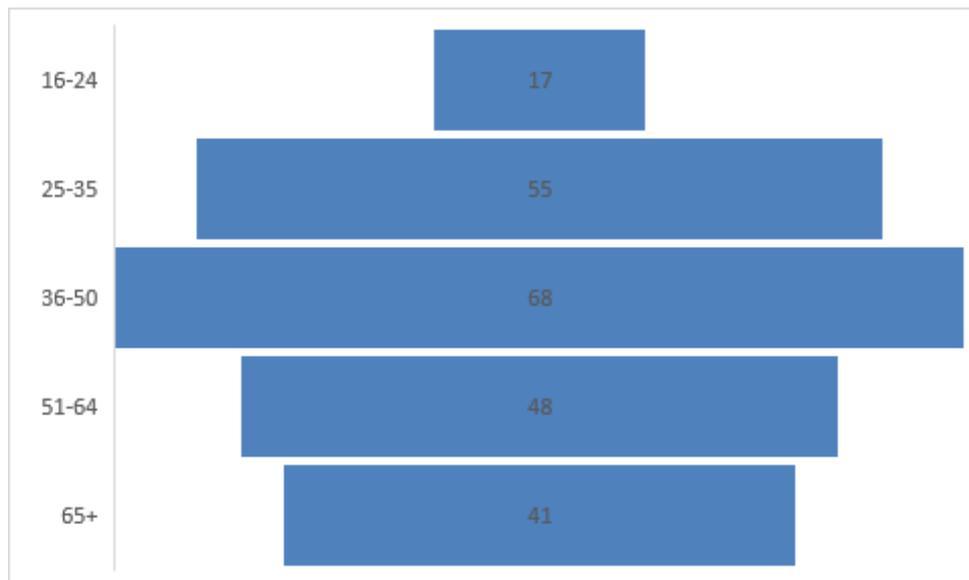


FIGURE 1 – NUMBER OF RESPONDENTS FROM EACH AGE RANGE

The majority (83%) of the submitters live in Hamilton, 10% did not supply an address and 7% (23 submitters) live outside of Hamilton. Of those residing outside of Hamilton, most live in the Waikato.

The submitters who failed to supply a location were all through the Go Eco platform as the Council's Have Your Say platform requires submitters to provide a location.

There were submissions from residents across Hamilton. Figure 2 shows the suburbs in Hamilton where submitters stated they live.

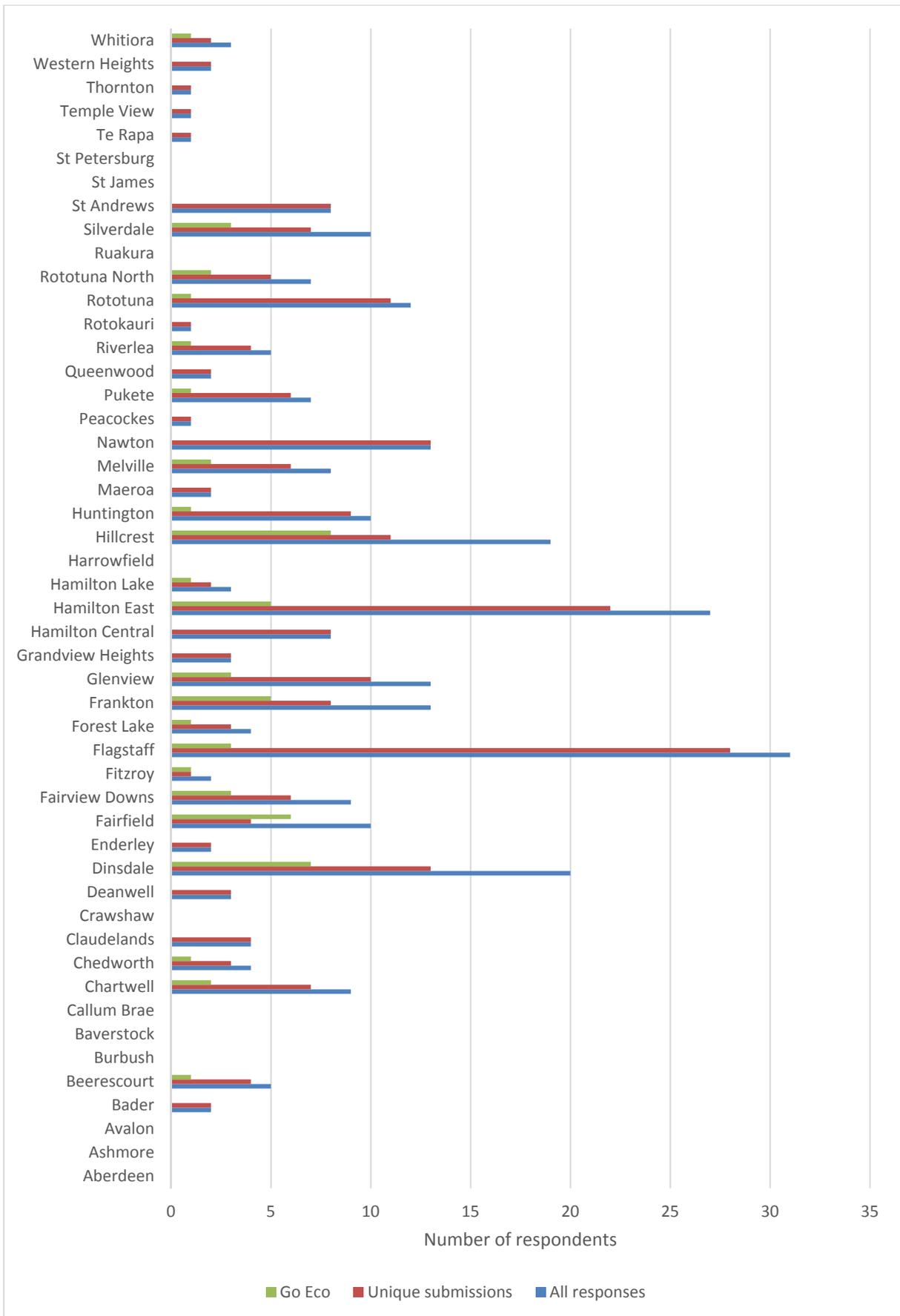


FIGURE 2 – SUMMARY OF RESPONDENTS ANSWERS TO WHERE THEY LIVE IN HAMILTON

QUESTIONS ON THE WASTE MANAGEMENT AND MINIMISATION PLAN

The following section of this summary report highlights the outcomes of the consultation in relation to the 3 questions that were asked about waste management and minimisation in Hamilton.

Q1. DO YOU THINK WE SHOULD BE DOING MORE TO MINIMISE WASTE IN HAMILTON?

Overall 329 respondents (96.2%) stated that we should be doing more to minimise waste in Hamilton.

Do you think we should be doing more to reduce, reuse and recycle our waste in Hamilton?	All submissions	Go Eco platform submissions	Council platform submissions
Yes	329 (96.2%)	106 (100%)	223 (94.5%)
No	12 (3.51%)	0 (0%)	12 (5.08%)
No response	1 (0.29%)	0 (0%)	1 (0.42%)

Only 12 respondents answered no to question 1. The age range of the no respondents is shown in figure 3.

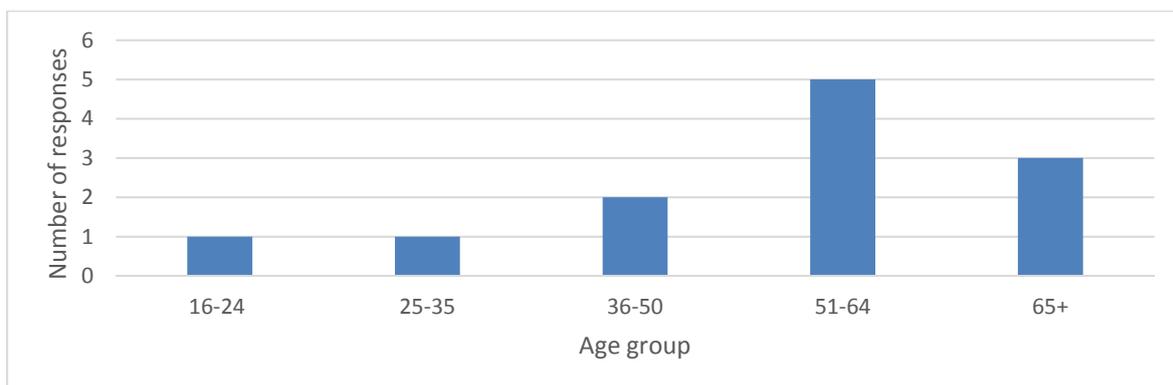


FIGURE 3 – AGE GROUP OF RESPONDENTS WHO ANSWERED NO TO QUESTION 1

WHY SHOULD HAMILTON DO MORE ON WASTE MINIMISATION

Most of the 329 respondents who answered yes to Question 1 provided commentary on why they answered yes.

The key themes raised by the submitters direct to the Council include:

- Increased kerbside recycling
- Increased recycling services overall
- Improving waste minimisation education
- Better management of e-waste and batteries
- Reducing packaging waste
- Construction and demolition waste recycling
- Banning of plastic bags
- Increased composting
- Introduction of product stewardship

The 106 submitters through the Go Eco platform stated that Hamilton should have a target of zero waste to landfill.

These themes were reiterated in many of the verbal submissions at the hearings on 1 March 2018. In addition to these themes, the verbal submissions raised concerns around littering and illegal dumping.

QUESTION 2. OF THE NINE THEMES SHOULD WE DO MORE, THE SAME OR LESS?

Respondents were asked what areas of waste management and minimisation the Council should do more, the same or less of. The nine areas were summarised in the consultation document. They were:

Theme	Explanation and example actions
Services	<ul style="list-style-type: none"> - Implementation of a new rubbish and recycling service - Review central city waste services to identify and implement opportunities for improved waste minimisation in this area
Partnerships	<ul style="list-style-type: none"> - Partner or work with key sectors and groups including Iwi, business, health related organisations, the community sector, the construction and demolition industry, local government organisations, non-government organisations and other key stakeholders to undertake research and actions on various waste issues. Identify and support community and business champions in waste reduction and avoidance.
Events	<ul style="list-style-type: none"> - Improve waste minimisation at events held at Council facilities - Support event organisers to implement waste minimisation at events.
Education	<ul style="list-style-type: none"> - Develop targeted waste minimisation programs. - Promote food waste reduction and the beneficial reuse of organic material.
Litter and illegal dumping	<ul style="list-style-type: none"> - Develop and implement a plan to reduce illegal dumping and littering.
Grants	<ul style="list-style-type: none"> - Evaluate the current grant model and investigate and implement opportunities for low interest loans and/or targeted grants.
Data	<ul style="list-style-type: none"> - Ensure access to information on waste from the Council, private waste collectors and facilities. Capture data on quantities, Composition, origin and destination, and the use of the service, in line with the National Waste Data Framework. Monitor and report on waste related activities.

Council management	- Implement best practice waste avoidance, reduction and minimisation within the Council's sites and operations. And share knowledge and experience gained from such activities.
Regulation	- Update the Solid Waste Bylaw for regional consistency, to facilitate data collection and to ensure it supports the changes in kerbside service and implement waste licensing for operators and collectors.

The theme with the highest number of Do more responses was Education. A total of 293 (84.9%) respondents indicated that the Council should do more on education.

How much focus should we give each of the 9 themes of waste management and minimisation?	All submissions			
	Do more	About the same	Do less	No response
Services	272 (78.6%)	56 (16.2%)	3 (0.9%)	15 (4.3%)
Partnerships	239 (69.7%)	75 (21.9%)	7 (2.0%)	22 (6.4%)
Event Waste	261 (76.1%)	59 (17.2%)	4 (1.2%)	19 (5.5%)
Education	293 (84.9%)	34 (9.9%)	3 (0.9%)	15 (4.3%)
Litter and illegal dumping	281 (81.9%)	47 (13.7%)	1 (0.3%)	14 (4.1%)
Waste minimisation grants	251 (73.2%)	62 (18.1%)	8 (2.3%)	22 (6.4%)
Data	216 (63.0%)	91 (26.5%)	9 (2.6%)	27 (7.9%)
Council management	230 (67.1%)	77 (22.4%)	11 (3.2%)	25 (7.3%)
Regulation	235 (68.3%)	76 (22.1%)	9 (2.6%)	24 (7.0%)

All of the responses through the Go Eco platform (106 submitters) answered do more to all of the 9 themes. Figure 4 summarises the responses for all 9 themes and is presented in order of priority in relation to do more responses.

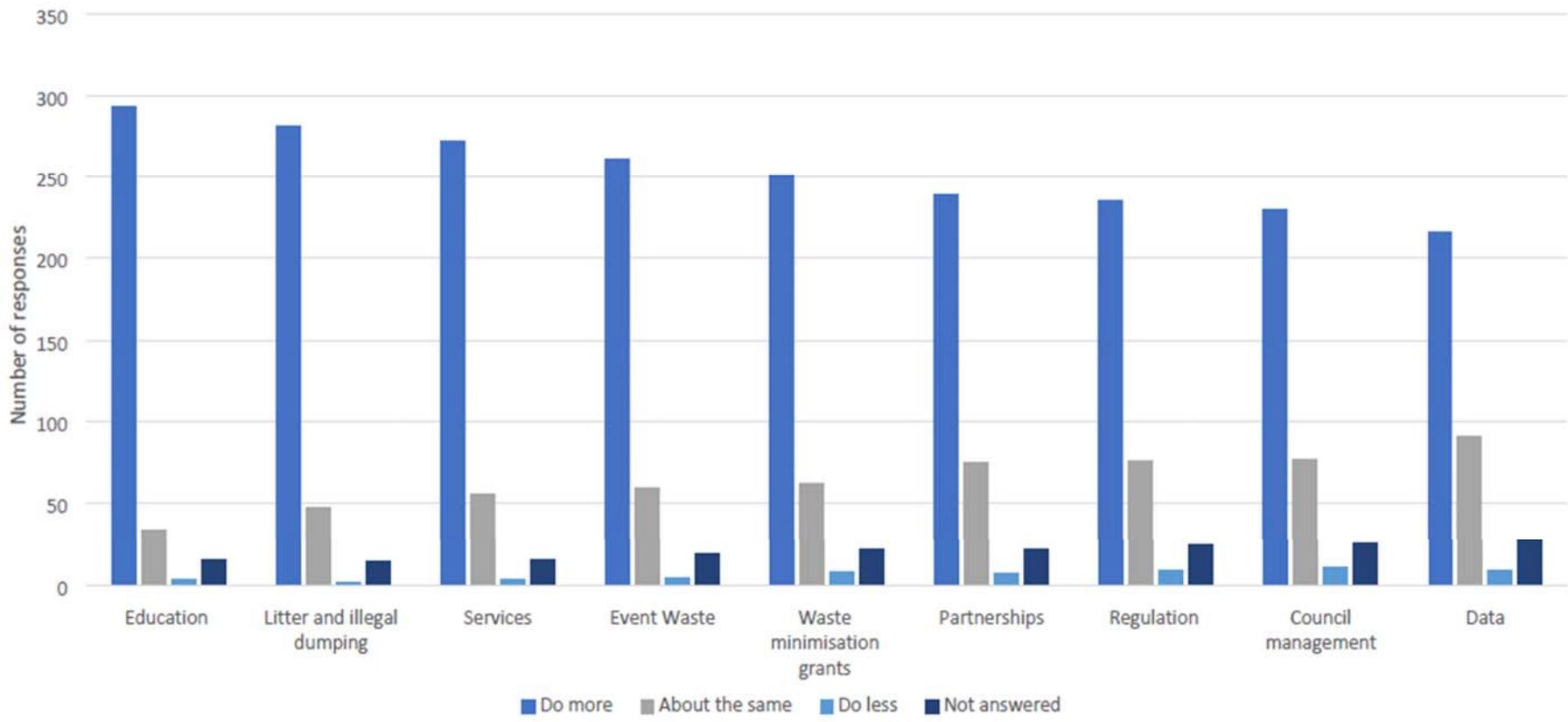


FIGURE 4 - RESPONSES ON WHAT COUNCIL SHOULD DO MORE, THE SAME OR LESS OF, LISTED IN ORDER OF PRIORTY

The responses to question 2 differed by age group. The responses to each of the themes by age group are presented in the next 9 figures (Figures 5 to 13)

Attachment 1



FIGURE 5 - RESPONSES ON WHETHER THE COUNCIL SHOULD DO MORE, THE SAME, OR LESS ON WASTE SERVICES, BY AGE GROUP

Item 12

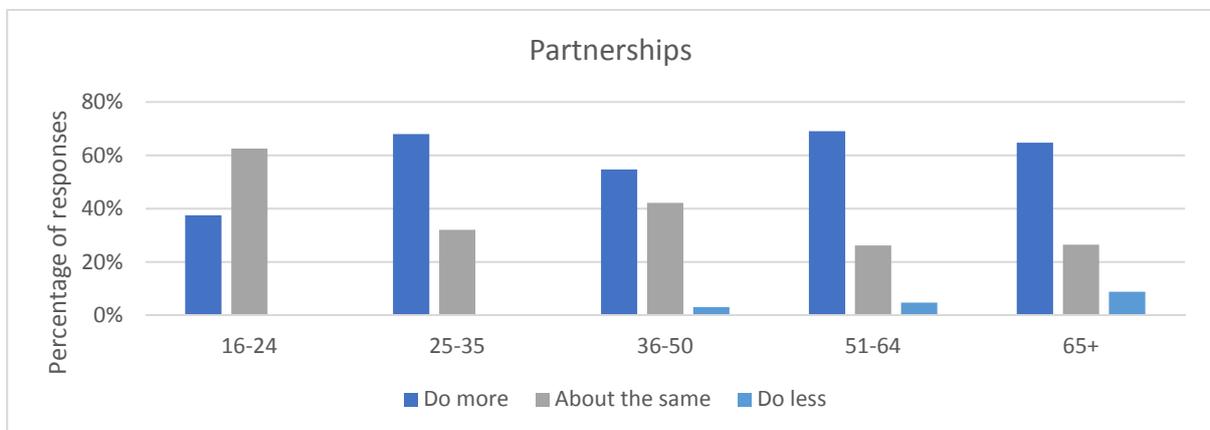


FIGURE 6 - RESPONSES ON WHETHER THE COUNCIL SHOULD DO MORE, THE SAME, OR LESS ON PARTNERSHIPS, BY AGE GROUP

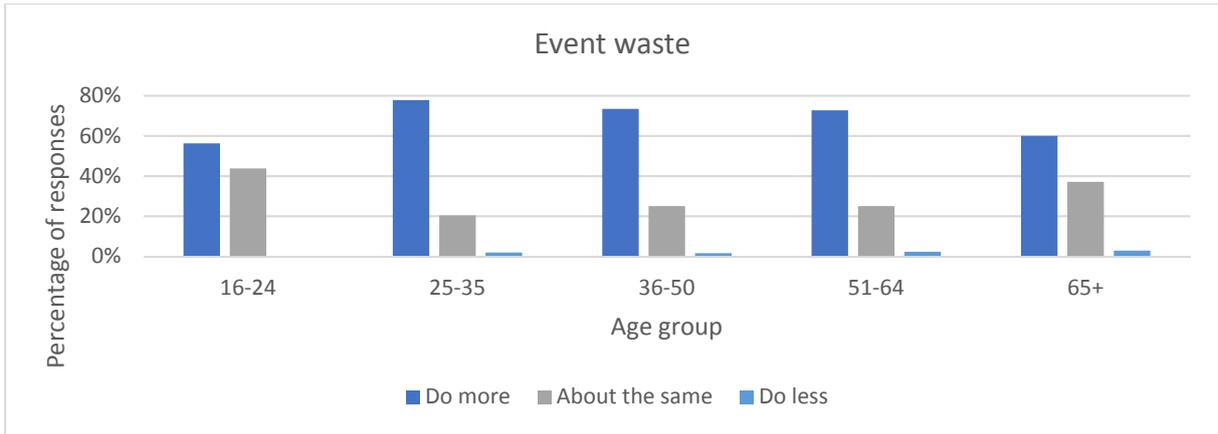


FIGURE 7 - RESPONSES ON WHETHER THE COUNCIL SHOULD DO MORE, THE SAME, OR LESS ON EVENT WASTE, BY AGE GROUP

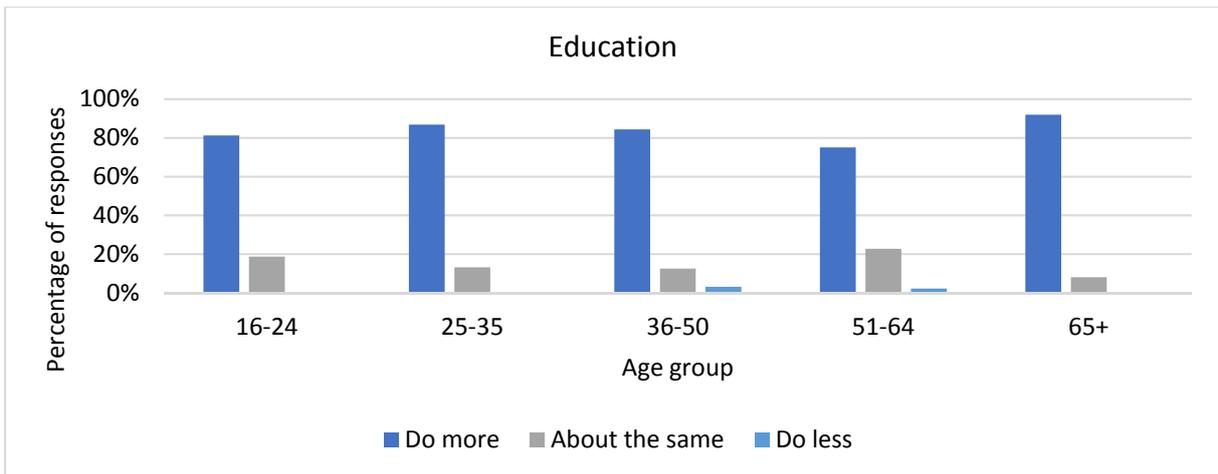


FIGURE 8 - RESPONSES ON WHETHER THE COUNCIL SHOULD DO MORE, THE SAME, OR LESS ON EDUCATION, BY AGE GROUP

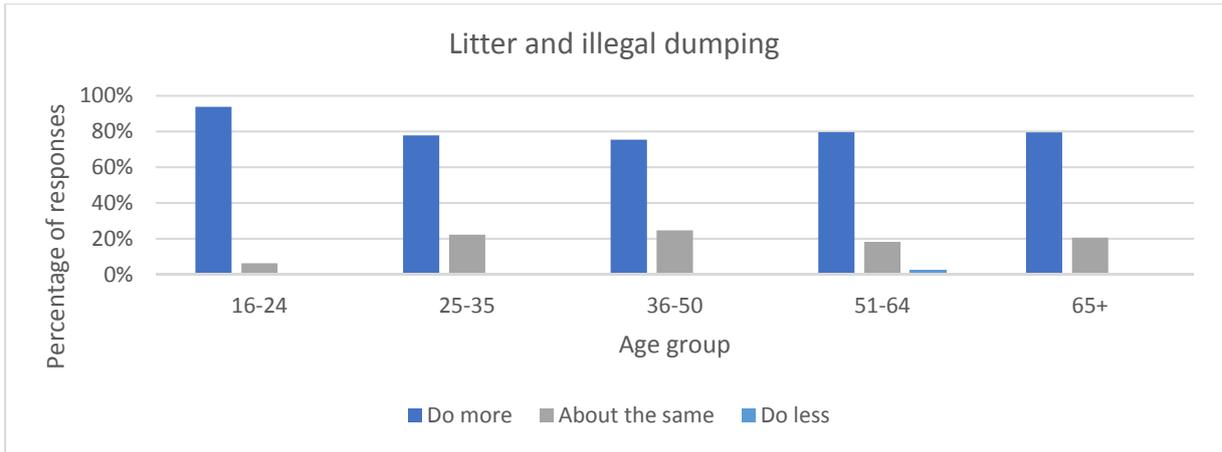


FIGURE 9 - RESPONSES ON WHETHER THE COUNCIL SHOULD DO MORE, THE SAME, OR LESS ON LITTER AND ILLEGAL DUMPING, BY AGE GROUP



FIGURE 10 - RESPONSES ON WHETHER THE COUNCIL SHOULD DO MORE, THE SAME, OR LESS ON WASTE GRANTS, BY AGE GROUP

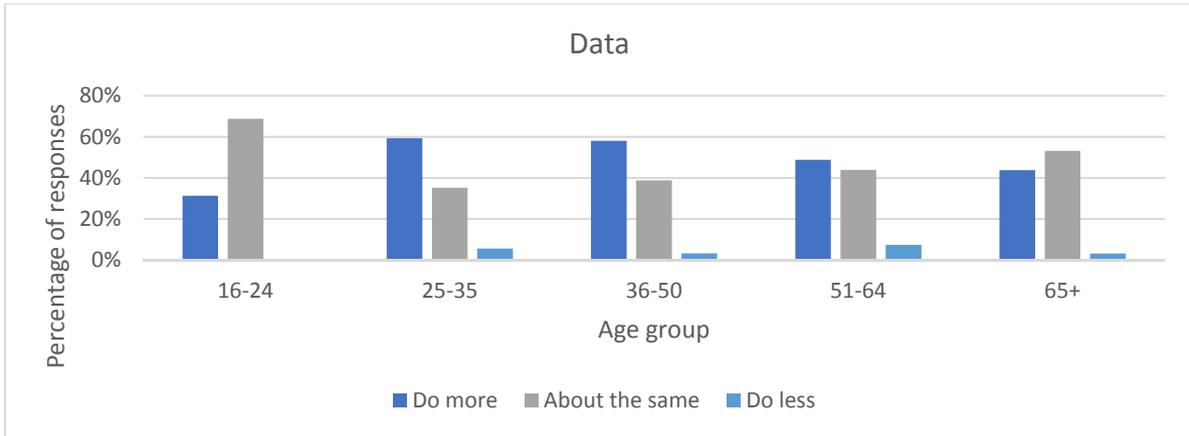


FIGURE 11 - RESPONSES ON WHETHER THE COUNCIL SHOULD DO MORE, THE SAME, OR LESS ON DATA, BY AGE GROUP

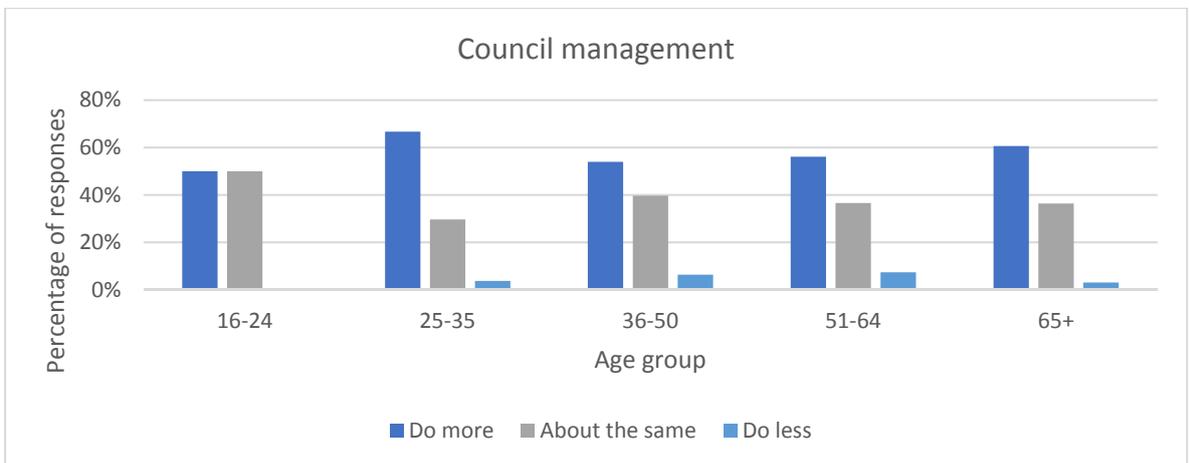


FIGURE 12 - RESPONSES ON WHETHER THE COUNCIL SHOULD DO MORE, THE SAME, OR LESS ON COUNCIL MANAGEMENT, BY AGE GROUP

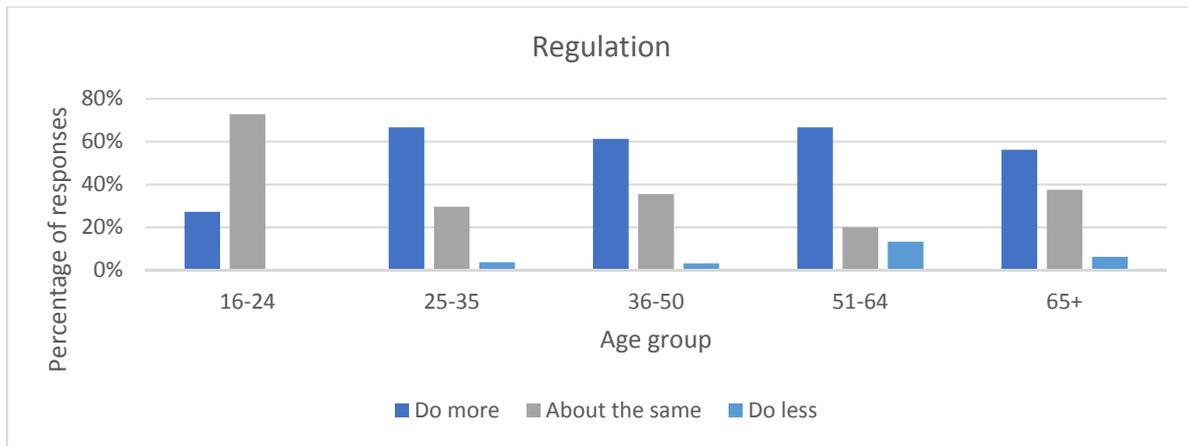


FIGURE 13 - RESPONSES ON WHETHER THE COUNCIL SHOULD DO MORE, THE SAME, OR LESS ON REGULATION, BY AGE GROUP

QUESTION 3. DO YOU THINK THAT THIS PLAN COVERS THE WORK THAT THE COUNCIL NEEDS TO DO ON WASTE?

Of the 342 submissions received, 51% of the respondents thought that the themes cover all the work that the Council needs to do on waste.

Do you think that the nine key themes cover all the work the Council needs to do on waste management and minimisation?	All submissions	Submissions direct to Council
Yes	174 (50.9%)	174 (73.7%)
No	150 (43.9%)	44 (18.6%)
Not Answered	18 (5.3%)	18 (7.6%)

Of the 150 respondents who answered no to this question, 106 were from the Go Eco platform. The majority of the Go Eco submitters stated that this was because more lobbying of central government on waste reduction is required and that the Council needs a co-ordinated plan to reduce emissions.

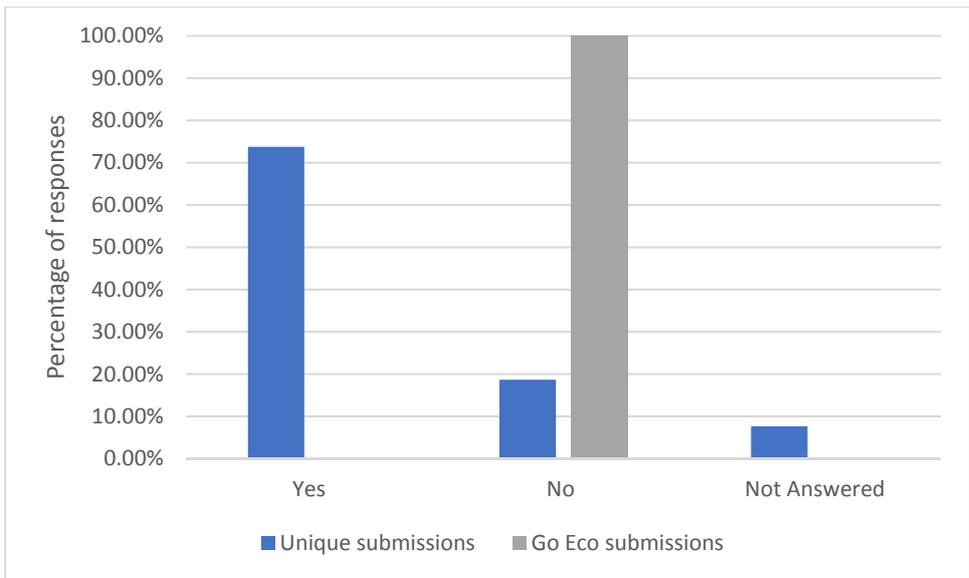


FIGURE 14 - RESPONSE TO WHETHER TO THE PLAN COVERS THE WORK THE COUNCIL NEEDS TO DO ON WASTE, BY SUBMISSION PLATFORM

Hamilton City Council **Waste Management and Minimisation Plan**

2018-2024



hamilton.govt.nz

 **Hamilton City Council**
Te kaunihera o Kirikiriroa

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11	3. Challenges we face in managing our waste
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12	5. Our approach to waste management and minimisation
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Executive Summary

Hamilton's original Waste Management and Minimisation Plan (Waste Plan) was adopted in 2012 and most of the activities from the 2012-2018 Waste Plan have been completed. However, throughout the years we have seen an increase in waste to landfill. Hamilton produced an estimated 245,700 tonnes of waste in 2016. Of this, approximately 120,099 tonnes was sent to landfill (49 per cent) and 125,600 tonnes was reused, recycled or composted (51 per cent).

Despite our efforts to minimise waste, we appear to have sent about 33 per cent more waste to landfill in 2016 compared to 2012. However, the lack of good quality waste data from private waste operators makes it hard to tell the exact amount.

Our kerbside rubbish has increased by about 11 per cent and our kerbside recycling has reduced by about 12 per cent.

This matches a national trend in increasing waste to landfill and declining recycling. National information indicates there has been a 20 per cent increase in waste to landfill across New Zealand since 2014.

The Waste Minimisation Act 2008 places an obligation on all councils to promote effective and efficient waste management and minimisation within their city or district. However, it may be that stronger central government intervention is required in the form of product stewardship schemes and national regulation, as the Council does not have the right legislative tools to be able to address big waste issues such as tyres, packaging or e-waste. We intend to take a strong position advocating to central government for this to happen.

Hamilton City Council also intends to focus on the avoidance, reduction and minimisation of waste in our city. We will make the most of our waste resources, foster innovation and maximise the opportunities that can be created from resource recovery.

This Waste Plan sets out goals, objectives and targets to guide us towards waste avoidance, reduction and recovery. Thirty-three activities are detailed and will be carried forward into the Council's long-term and annual plans to ensure the resourcing is available to deliver on our Plan.



120,099 TONNES
= 7500 BUSES

Proposed activities include:

- Implementing a new rubbish and recycling kerbside collection.
- Partnering with key sectors and groups including business, health related organisations, the community sector; the construction and demolition industry, and local government organisations, non-government organisations and other key stakeholders to achieve a reduction in waste to landfill.
- Improving waste minimisation at events held at Council sites.
- Making the most of opportunities to address the growing construction and demolition waste issue, including waste avoidance, reuse and recovery.
- Updating the Solid Waste Bylaw for regional consistency, to facilitate data collection and to ensure it supports the changes in kerbside service.

VISION **Hamilton:** where waste minimisation and resource recovery are an integral part of our lifestyle and economy

GOALS What we want to achieve in the medium term

<p>1</p> <p>Reduce quantity of all material entering the waste stream, and increase resource recovery</p>	<p>2</p> <p>Increase innovation and opportunity from waste resources.</p>	<p>3</p> <p>Hamilton community is a leader in waste minimisation.</p>
<p>4</p> <p>Waste and resource recovery infrastructure meets Hamilton's growing needs.</p>	<p>5</p> <p>Recognise and celebrate innovation in waste minimisation and avoidance.</p>	

OBJECTIVES What we need to achieve in the short-term

- 1 Hamiltonians are choosing to engage in waste minimisation.
- 2 Hamilton's waste diversion is continually increasing.
- 3 All Hamiltonian have access to affordable and resilient waste and resource recovery services.
- 4 Hamilton City Council is a leader by example in minimising waste.
- 5 Hamilton City Council is partnering with others to achieve efficient and effective waste minimisation and management.
- 6 Hamilton City Council is influencing Central Government's commitment to waste minimisation.
- 7 All Hamilton City Council's regulatory decision making considers responsible waste and resource recovery.



1.0 Introduction

We all generate rubbish and recycling through our daily activities, at home, when we are at work and when we are out and about. Since 2012 our waste to landfill from Hamilton has increased by approximately 33 per cent, as our population grows the volume of waste going to landfill is going to increase if we don't take any action.

By sending our waste to landfill we are throwing away valuable resources that could be recovered and reused to create new products. We are also creating problems for future generations, as landfills continue to cause environmental harm for decades after closure.

Waste minimisation involves reducing our waste, reusing and then recycling or recovering the resources.

The Waste Plan sets out the Council's Strategy for managing and minimising the waste generated by households, businesses and industries in Hamilton. The Council directly manages less than 15 per cent of the waste generated in Hamilton and we need to work together with the community, business and industry to influence what happens with the rest of the waste. Our Waste Plan has been prepared in accordance with the requirements of the Waste Minimisation Act 2008.

1.1 Why do we need a waste plan?

This is the Council's plan to ensure we have the infrastructure and services in place to manage waste and that we are supporting our community to avoid, reduce and recycle waste.

By minimising our waste, we work towards:

- preserving and reusing resources – reducing the need for virgin material and the environmental costs associated with them
- creating new opportunities in the reuse and recycling sectors, for employment and innovation
- only using landfill for wastes that have no recovery options.

The actions set out in this Plan will be carried forward into the long term and annual plan process to ensure the resourcing is available to deliver the Waste Plan's goals and objectives.

The Waste Minimisation Act 2008 (WMA 2008) places an obligation on all councils to promote effective and efficient waste management and minimisation within their city or district.

The WMA 2008 requires the Waste Plan to:

- consider the Waste Hierarchy
- ensure waste does not create a nuisance
- have regard to the New Zealand Waste Strategy and other key government policies
- consider the outcomes of the Waste Assessment
- follow the Special Consultative Procedure set out in the Local Government Act (2002).

Councils also have obligations under the Health Act 1956 to ensure waste management systems protect public health.

1.2 What types of waste does our Plan cover?

The Waste Plan covers all solid waste and diverted material in the city, whether they are managed by the Council or not. Liquid and gaseous waste are not included, except where they interact with solid waste systems, for example hazardous waste like chemicals and the outputs from wastewater treatment plants.

This does not necessarily mean the Council is going to have direct involvement in the management of all waste – but there is a responsibility for the Council to at least consider all waste in the city, and to suggest areas where other groups, such as businesses or households, could take action themselves.

1.3 What informs the Waste Plan?

Our Waste Plan is informed by local, national and international data, knowledge and theory. We have researched what other councils here in New Zealand and overseas are doing and have developed a Plan that meets our needs here in Hamilton, while being consistent with international and national best practice.

1.3.1 Waste hierarchy

The waste hierarchy is an internationally-used approach to waste management and minimisation. It has strongly influenced the Strategy and actions outlined in this Waste Plan.

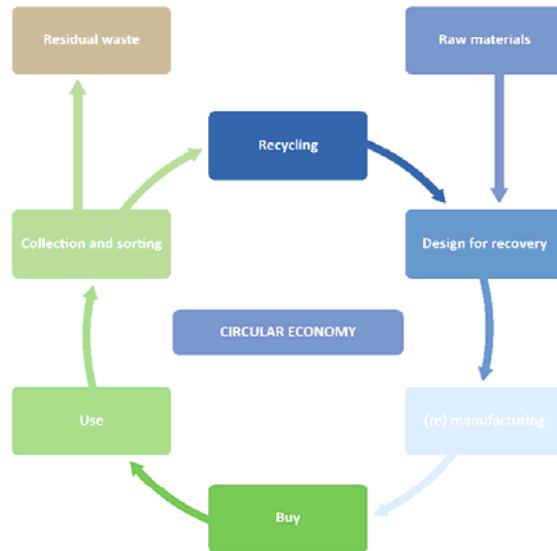
The waste hierarchy is a simple framework for the different ways we can think about waste. Preventing waste from occurring in the first place is the easiest way to manage waste. We currently focus too much on the bottom part of the hierarchy, when we should be focusing on the top.



1.3.2 Circular economy and zero waste

The transition from the linear economy – ‘take, make, buy, dispose’ - to the circular economy is underway in many parts of the world. It is one of the key changes required as part of the global journey to zero waste. The principles of the circular economy underpin the strategy and actions of this Waste Plan.

“The essential concept at the heart of the circular economy is to ensure we can unmake everything we make.”
 – **Ministry for the Environment, 2018¹**



¹ www.mfe.govt.nz/waste/circular-economy

1.3.3 New Zealand Waste Strategy

The 2010 New Zealand Waste Strategy: Reducing Harm, Improving Efficiency (NZWS) is the central government's core document concerning waste management and minimisation in New Zealand.

The two goals of the NZWS are:

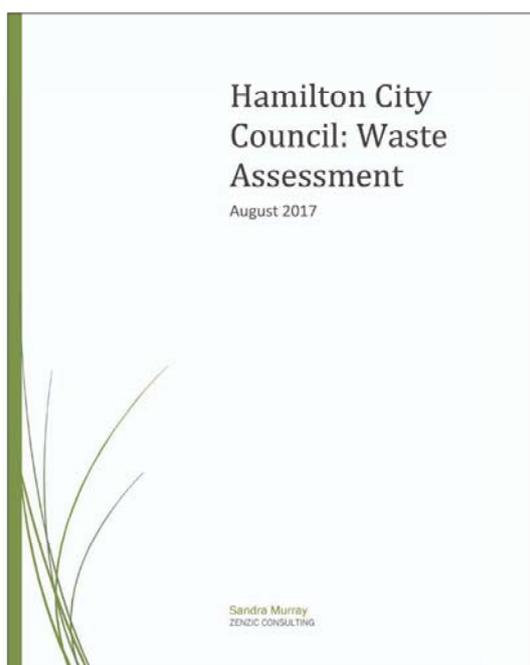
1. Reducing the harmful effects of waste.
2. Improving the efficiency of resource use.

The NZWS provides high-level, flexible direction to guide the use of the legislation, regulation and conventions related to the management and minimisation of waste in New Zealand. As per section 44 of the WMA 2008, we have given regard to the NZWS when preparing our Waste Plan.

1.3.4 Waste Assessment 2017

This Waste Plan is based on the 2017 Waste Assessment (WA). The WA is a technical document that outlines waste flows, volumes, services and facilities provided by both the Council and private operators. It also sets out more detail on the plans, policies and legislation the Council has to take into account when developing the Waste Plan.

A summary of the WA is included in this Waste Plan but the full 2017 WA is available on the Council's 'Fight the Landfill' website.



1.3.5 Te Whakawhanaunga a Te Kaunihera ki te Iwi Maaori

The Council recognises Maaori as tangata whenua (indigenous people of the land) with kaitiakitanga (guardianship) status and ownership rights regarding their lands and that Maaori are assured the same rights as other citizens.

The Local Government Act 2002 reinforces the importance of continuing to foster such relationships, the necessity of good communication and the value of Maaori heritage and values in New Zealand's progress as a distinctive nation.

To assist in delivering services to Maaori, the Council currently has specific partnership and service agreements with:

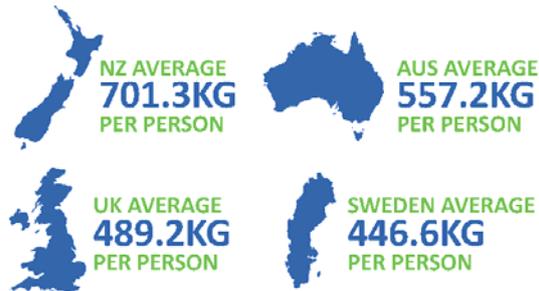
- Te Haa o te whenua o Kirikiriroa (THaWK) – an iwi group representing local mana whenua (Maaori with historic ties to the Hamilton/Kirikiriroa area) on issues relating to the management of Hamilton's natural and physical resources.
- Te Runanga o Kirikiriroa (TeROK) – an urban iwi authority representing maataa waka (Maaori/Pacific from other areas) on the impact of the Council's policies. Te Runanga provides a range of services, support, advice, and technical expertise that assist Council to meet the needs of the Maaori community in Hamilton.

These partnerships and agreements ensure mana whenua perspectives and maataa waka views are represented in decisions about the city, its community capacity and natural and physical resources.

2.0 The problem: our waste

In New Zealand we are generating more and more waste. Since 2014 the amount of waste going to landfill across New Zealand has increased by 20 per cent². As we continue to grow, it is likely this increase will continue unless we take action.

In New Zealand we are one of the highest producers of municipal waste in the world.



To understand the opportunities for waste minimisation, we need to first understand more about the waste we are generating.

2.1 How much waste is going to landfill from Hamilton?

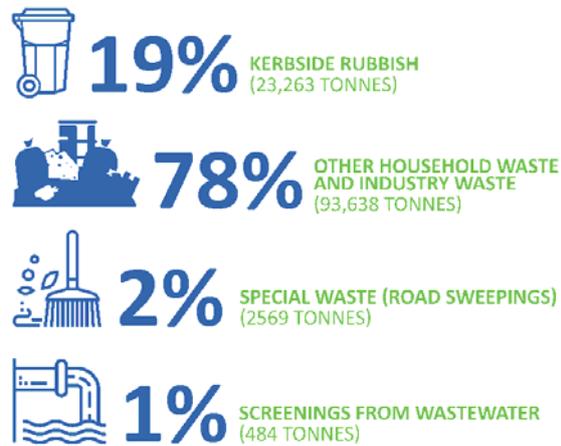
Disposal to landfill is at the bottom of the waste hierarchy and this is where about 49 per cent of Hamilton's waste is going. An estimated total of 120,099 tonnes of solid waste was disposed of to landfill from Hamilton in 2016³. This is equivalent to approximately 780kg per person in 2016.

From 2012 to 2016 we've seen an increase of waste going to landfill from Hamilton of approximately 33 per cent.



The reliability of the estimates for different types of waste varies. Some waste to landfill data comes unverified from private waste operators, while other waste data and sludge tonnages are managed by the Council or council contractors.

Based on this data, we have estimated where our waste to landfill is coming from. The largest proportion comes from industry and other household waste (the waste not collected at the kerbside).



Of the general waste to landfill, only 19 per cent was related to the Council-managed kerbside rubbish service, which serviced 54,288 households in 2016⁴. Kerbside rubbish was 23,263 tonnes in 2016, an average of 429kg per household and an increase of 11 per cent since 2012.

² Review of the effectiveness of the Waste Disposal Levy 2017, Ministry for the Environment
³ This excludes waste to non-landfill, as this amount is unknown.
⁴ Average number of households serviced by the kerbside rubbish collection for 2016

2.1.1 What's in our rubbish bags?

Every few years, the Council undertakes an audit of kerbside rubbish bags. This helps us to understand what rubbish is getting thrown away and what services our community needs.

In 2017 we found that the single biggest thing in our rubbish bags was food waste at 37 per cent. In total, around 50 per cent is organic material that could be composted. Plastics were the second biggest category, of which over half was plastic bags and film.

This is a breakdown of what we found contained in an average black bag.



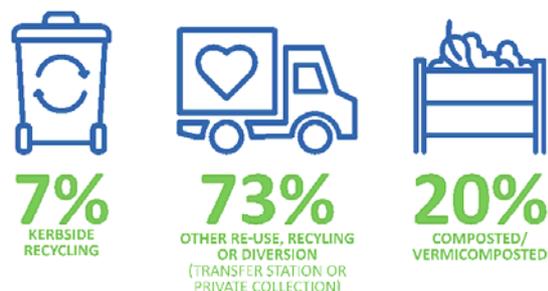
2.1.2 What are we throwing away at the transfer station?

As well as understanding what is in our rubbish bags, we can take a look at what materials are going to landfill from the two transfer stations in Hamilton. We found that over 50 per cent of what is going to landfill is made up from timber, plastics and organic waste.



2.2 How much recycling are we doing?

Recycling is in the top half of the waste hierarchy and is an important part of waste minimisation. An estimated 51 per cent of all waste collected in 2016 in the Hamilton area was recovered and reused, recycled or composted.



The largest quantity of material recovered was from commercial recycling, while kerbside recycling makes up less than 10 per cent of recycled material.

In 2008 we were diverting 34 per cent of our kerbside waste, in 2016 this dropped to 27 per cent diversion. There are a few reasons for this decline – we aren't reading newspapers as much anymore and we are throwing more rubbish away. We recycle about 57kg per person per annum through our kerbside recycling services. This is lower than for comparable areas in New Zealand.

2.3 Future demand

While the factors likely to impact future demand for waste minimisation and management vary and are difficult to predict, they include:

- Considerable overall population and household growth and intensification.
- Economic growth.
- Construction and demolition activity.
- Changes in lifestyle and consumption. eg increase in use of electronics.
- Changes in the collection service or recovery of materials.

From 2013, the population of Hamilton is projected to grow 29.5 per cent by 2033, and 50.3 per cent by 2063.

By 2033, 21.2 per cent of Hamilton's population is likely to be aged 65 years and over, compared to 11.2 per cent in 2013. By 2063 that proportion is projected to reach 34.5 per cent.

This suggests changes in waste generation will occur over time but no dramatic shifts are expected.

3.0 Challenges we face in managing our waste

The Council directly manages less than a quarter of the waste generated in Hamilton. Our ability to influence what happens with the other three-quarters varies. This alone makes managing and minimising Hamilton’s waste difficult.

Some issues we face include:

- WASTE TO LANDFILL INCREASING**: Icon of a bar chart with increasing bars.
- RECYCLING DECREASING**: Icon of a recycling symbol with a downward arrow.
- LACK OF DATA & INFORMATION**: Icon of an information symbol (i) inside a speech bubble.
- NEED TO DEVELOP INFRASTRUCTURE FOR FUTURE GROWTH**: Icon of industrial buildings.
- DESIGN OF NEW HOUSING TO MEET STORAGE & COLLECTION REQUIREMENTS**: Icon of houses.
- ILLEGAL DUMPING & LITTER**: Icon of a person dumping trash into a bin.
- GROWTH IN SPECIFIC WASTE STREAMS, EG. C&D, E-WASTE**: Icon of a battery with a plus sign and a circular arrow.
- LACK OF CENTRAL GOVERNMENT LEADERSHIP**: Icon of three people silhouettes inside a hexagonal frame.

The current low cost of landfill in New Zealand means there is not enough of an economic incentive for widespread investment in waste minimisation behaviour, infrastructure and services. This increases the continued reliance on landfill, rather than an increased focus on the top of the waste hierarchy – reduce, reuse and recycle. Landfill costs will increase, as they have done overseas. By acting now, we can minimise the risk for Hamiltonians.

3.1.1 Regional and sub-regional issues

Some waste streams have been identified as national or regional issues which the Council has little control over. Significant issues where national, regional or sub-regional cooperation is likely to improve outcomes for councils have been identified as:

a) Shared responsibility for waste/product stewardship

The WMA 2008 places the greatest responsibility for minimising and managing waste onto local councils. However, we only control a small part of the waste stream and in order to achieve significant waste minimisation, other parties need to share the responsibility. In particular:

- manufacturers of products
- organisations responsible for end of life product or service
- regional council and central government.

b) Consistent education and engagement

Providing consistent messaging across the region and country will help people to understand and take ownership of their waste.

c) Infrastructure capacity

There are gaps in our knowledge of what waste infrastructure will be required regionally in the future and whether there will be sufficient capacity for future demand. This is particularly so for potential new services (eg. food waste, landfills or transfer stations). In order for infrastructure to be financially viable, a minimum volume of waste material is often required. Regional development of infrastructure may enable sufficient volume of material to achieve viability.

d) Inconsistent services and data hinder joint working and shared services

Collaboration and developing shared services may lead to improved outcomes and cost savings in service provision. However, variability in services and data capture can hinder joint working.

Similarly, identifying regional waste volumes can be challenging as different councils collect data and information on different waste streams, using variable methodologies.

3.1.2 Long-term and global considerations

While they do not immediately affect Hamilton’s waste flows, international activities can have a big impact on New Zealand’s waste industry.

Some of the recycling collected in New Zealand is exported to Indonesia or Asia, particularly China. China has in recent years tightened measures around the acceptance of recycled materials, requiring a higher standard of recycled product to gain approval for import into China and in some cases ceasing to accept material.

Restrictions on the acceptance of recyclable material mean changes to collection and sorting methodologies to either achieve onshore processing or export standards. This may impact the costs associated with recycling.

Also of concern are the effects of climate change and rising unrest in many countries. International conflict has the potential to disrupt recycling supply chains. As New Zealand has few processing facilities for kerbside recyclables, we are vulnerable should export markets be disrupted.

More information on these challenges are outlined in our 2017 Waste Assessment, available on our ‘Fight the Landfill’ website.

4.0 Hamilton's waste minimisation performance

The 2012-2018 Waste Plan was Hamilton's first plan developed under the WMA 2008. It was adopted on the 5 April 2012. We have made good progress with many of the actions but we have still seen an increase in waste to landfill.

Key achievements in the implementation of the 2012 Waste Plan include:

- A grants programme for innovative waste minimisation activities and projects.
- A comprehensive review of the kerbside collection service, Lincoln St Transfer Station and Hamilton Organics Centre.
- Development of our 'Fight the Landfill' branding.
- Introduction of enforcement for littering and illegal dumping.
- Co-design of a Waste Awareness Strategy by community groups and Hamilton, Waikato and Waipa district and Waikato regional councils.

This Waste Plan builds on the achievements of the 2012 Waste Plan while including new actions that focus on moving further up the waste hierarchy.

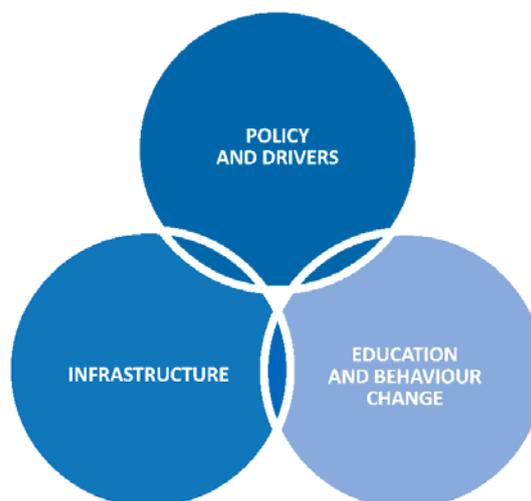
5.0 Our approach to waste management and minimisation

Our waste to landfill is increasing, as are our overall volumes of waste. We have a growing population, more houses and industry development, all of which will bring significant benefit to Hamilton but will also generate more waste to manage.

Effective waste management and minimisation requires three key elements:

- **Policy and drivers** – we need the right policies and incentives to change practices. These can be put in place by central, regional or local government and can also be led by industry. Examples include Hamilton's Solid Waste Bylaw and the WMA 2008.
- **Infrastructure** – if we don't have the appropriate infrastructure to manage our waste and to support diversion from landfill, it makes diversion very difficult and costly. Examples include the kerbside rubbish and recycling collection service and the transfer station.
- **Education and behaviour change** – to create the change required, we need to ensure that we are all informed about the actions we should and shouldn't be taking. Examples of education initiatives include the Council's Contestable Waste Minimisation Fund and the plastic free July campaign.

These key elements provide the foundation for the way the Council approaches waste management and minimisation.



6.0 What do we want the future to look like?

As Hamilton grows, we want to change the way we think about our waste. Sending waste to landfill is getting more expensive and is a waste of valuable resources. Together we can change the amount of waste that we are generating and create value from these resources.

6.1 Our Strategy

Our Strategy outlines the short-medium-and long-term outcomes we want to achieve here in Hamilton. To deliver these outcomes we will work with the private and community sectors, central government and territorial and regional councils.

Vision:

Hamilton: Where waste minimisation and resource recovery are an integral part of our lifestyle and economy.

Goals: *What we want to achieve in the medium term*

1. Reduce quantity of all material entering the waste stream, and increased resource recovery.
2. Increased innovation and opportunity from waste resources.
3. Hamilton community is a leader in waste minimisation.
4. Waste and resource recovery infrastructure meets Hamilton's growing needs.
5. Recognise and celebrate innovation in waste minimisation and avoidance.

Objectives: *What we need to achieve in the short term*

1. Hamiltonians are choosing to engage in waste minimisation.
2. Hamilton's waste diversion is continually increasing.
3. All Hamiltonians have access to affordable and resilient waste and resource recovery services.
4. Hamilton City Council is a leader by example in minimising waste.
5. Hamilton City Council is partnering with others to achieve efficient and effective waste minimisation and management.
6. Hamilton City Council is influencing central government's commitment to waste minimisation.
7. All Hamilton City Council's regulatory decision-making considers responsible waste and resource recovery.

6.2 Targets

We are setting four waste minimisation targets for Hamilton over the next six years; these targets will help us understand how we are tracking with our progress. We will monitor and review our progress against our targets and assess whether they need to be amended over the next 6 years.

To meet these targets, we will need to work together to reduce our waste generation and increase our recycling.



7.0 What are we going to do?

Our action plan sets out how we intend to work towards our vision, goals and objectives. It sets out clear, practical initiatives that the Council will implement, either on our own or jointly. While the action plan forms part of the Waste Plan, it is intended to be a 'living' document that can be regularly updated to reflect current plans and progress⁴.

7.1 Our proposed activities

Our action plan includes thirty-three activities that we believe will enable us to achieve our vision for Hamilton. They can be summarised into key themes:



SERVICES

Implement new rubbish and recycling services, support associated education campaigns and review Central Business District (CBD) service.



PARTNERSHIPS

Partner or work with key sectors and groups including Iwi, business and industry; health related organisations; the community sector, the construction and demolition industry; and local government organisations, NGOs and other key stakeholders to undertake research and actions on various waste issues.

Identify and support community and business champions in waste reduction and avoidance.



EVENTS

Improve waste minimisation at events held at Council sites and support event organisers to implement waste minimisation at events



EDUCATION

Support information and education programmes that raise awareness and promote waste minimisation, including developing multi-language resources



LITTER & ILLEGAL DUMPING

Keep the streets clean by clearing litter and illegal dumping; and develop and implement a plan to reduce illegal dumping and littering.



GRANTS

Issue grants to third parties for the purpose of promoting or achieving waste minimisation and manage grants.



DATA

Ensure access to information on waste from both council and private waste collectors and facilities. Capture data on quantities, composition, origin and destination, and the use of the service, in line with the National Waste Data Framework. Monitor and report on waste related activities.



COUNCIL MANAGEMENT

Implement best practice waste avoidance, reduction and minimisation within Council sites and operations; and share knowledge and experience gained from such activities.



REGULATION

Update the Solid Waste Bylaw for regional consistency, to facilitate data collection and to ensure it supports the changes in kerbside service; and implement waste licensing for operators and collectors.

⁴ Under the WMA 2008, waste plans can be updated without triggering the need for a formal review of the Waste Management and Minimisation Plan, as long as the changes are not significant and do not alter the direction and intent of the Waste Management and Minimisation Plan.

7.2 Considerations

The action plan outlines the high level intentions for actions to meet the Council's obligations under the WMA 2008. Further work will be required to determine the costs and feasibility of some projects, which may impact how, when or if they are implemented. Detailed assessments of some actions will be carried out prior to their implementation.

In some instances, the delivery of the actions set out in this action plan will depend on the development or amendment of contractual arrangements with providers. The nature of these contractual arrangements cannot be pre-empted and may impact the nature, timing or cost of these projects.

Therefore, exactly what services are delivered will ultimately depend on the outcomes of the procurement process.

7.3 The Council's intended role

The Council intends to oversee, facilitate and manage a range of programmes and interventions to achieve effective and efficient waste management and minimisation within Hamilton. The Council will do this through our internal structures responsible for waste management. The Council is responsible for a range of contracts, facilities and programmes to provide waste management and minimisation services to the residents and ratepayers of the city.

In addition the councils in the Waikato and Bay of Plenty regions will continue to work together to deliver activities that will support us in achieving our Strategy.

7.4 Action plan

The detailed action plan below sets out all the activities we may take under each of the nine themes, the proposed timeline, how it will be funded and the Waste Plan objectives each activity will meet.



7.4.1 Services

The Council delivers a range of waste services already and there is scope to review additional services that will support increased waste minimisation in Hamilton.

Ref	Activities	New or existing	Timeframe	Potential funding mechanism	Objectives
1	Implement new rubbish and recycling services and undertake a comprehensive education and information campaign to support the implementation.	New	2018-2021	Levy and rates	1,2,3,4,5,7
2	Provide and promote hazardous waste disposal services for household hazardous waste.	Existing	Ongoing	Levy	1,2,3,5,7
3	Review CBD waste services to identify and implement opportunities for improved waste minimisation in this area.	New	2018-2024	Levy and rates	1,2,3,4,5,7
4	Identify and implement services for targeted waste streams including electronic waste	New	2018-2024	Levy and rates	1,2,3,5,6,7



7.4.2 Partnerships

The Council only manage about a quarter of the waste generated in Hamilton. If we are going to achieve our vision, goals and objectives we need to work with others in our community.

Ref	Activities	New or existing	Timeframe	Potential funding mechanism	Objectives
5	Recognise the interests of Iwi and other cultures and encourage and support mechanisms to build capacity and participation in sustainable waste management.	Existing	Ongoing	Levy	1,2,3,5,6
6	Work with business and industry organisations to assist local businesses to reduce waste and increase recycling.	New	2018-2024	Levy	1,2,3,5,6,7
7	Partner with the Waikato District Health Board and other health-related organisations regarding the management of medical waste.	New	2018-2024	Levy, partnerships	1,2,3,5
8	Partner with the community sector to identify efficiencies or opportunities for cooperation/partnership, particularly around reuse of materials.	New	2018-2024	Levy, rates, partnerships	1,2,3,5,6
9	Identify and support community and business champions in waste reduction and avoidance.	New	2018-2024	Levy	1,2,5
10	Collaborate with local government organisations, NGOs and other key stakeholders to undertake research and actions on various waste issues including (but not limited to) influencing central government regulation and product stewardship for key waste streams such as electronic waste, tyres, plastic bags, packaging, etc.	Existing	Ongoing	Levy	1,2,3,5,6
11	Collaborate with key stakeholders to investigate and implement opportunities to address the growing construction and demolition waste issue, including waste avoidance, reuse and recovery.	New	2018-2024	Levy, rates, partnerships	1,2,3,5,6,7



7.4.3 Events

Events are an increasing source of waste generation, but they are also a great opportunity for education on waste minimisation.

Ref	Activities	New or existing	Timeframe	Potential funding mechanism	Objectives
12	Improve waste minimisation at events held at Council sites.	New	2018-2024	Levy, rates, partnerships	1,2,4,5,7
13	Support event organisers to implement waste minimisation at events.	New	Ongoing	Levy, partnerships	1,2,3,5,7



7.4.4 Education

A key part of achieving our vision, goals and objectives is making it easy for all Hamiltonians to do the right thing. To do this the Council needs to ensure the right information is accessible and available for our community.

Ref	Activities	New or existing	Timeframe	Potential funding mechanism	Objectives
14	Support information and education programmes that raise awareness and promote waste minimisation, including developing multi-language resources.	New	By 2020	Levy	1,2,3,4,5,7
15	Promote reducing food waste and the beneficial re-use of organic material.	Existing	Ongoing	Levy	1,2,3,4,5,7
16	Develop targeted waste minimisation information and education programmes eg. for youth, elderly, business and construction and demolition industry.	New	2018-2024	Levy	1,2,3,4,5,6



7.4.5 Litter and illegal dumping

Keeping Hamilton clean is an important part of waste management and minimisation. The Council already has a strong enforcement programme for illegal dumping, but we are still experiencing increasing incidents of littering and illegal dumping.

Ref	Activities	New or existing	Timeframe	Potential funding mechanism	Objectives
17	Keep the streets clean by clearing litter and removing illegally-dumped material.	Existing	Ongoing	Rates	1,2,4,5,7
18	Develop and implement a plan to reduce illegal dumping and littering, including education and strong enforcement.	Existing	2018-2024	Levy, rates, partnerships	2,5,6,7



7.4.6 Grants

The Council started the Contestable Waste Minimisation Fund (CWMF) as part of the 2012 Waste Plan implementation. The \$50,000 annual fund has successfully funded a range of projects, providing community groups and businesses with an opportunity to pilot new ideas and to get projects up and running.

Ref	Activities	New or existing	Timeframe	Potential funding mechanism	Objectives
19	Issue grants to third parties for the purpose of promoting or achieving waste minimisation and manage grants.	Existing	Ongoing	Levy	1,2,3,4,5
20	Evaluate the current grant model and investigate and implement opportunities for low interest loans and/or targeted grants.	New	By Dec 2019	Levy	1,2,3,4,5



7.4.7 Data

Having good data is important for the Council to make informed decisions on our waste management and minimisation priorities.

Ref	Activities	New or existing	Timeframe	Potential funding mechanism	Objectives
21	Ensure access to information on waste from both the Council and private waste collectors and facilities. Capture data on quantities, composition, origin and destination and the use of the service, in line with the National Waste Data Framework.	Existing – expanded	Ongoing	Levy, rates	2,3,4,5,6,7
22	Monitor and report on waste-related complaints received through the Council's service request system.	Existing	Ongoing	Rates	2,3,4,5,6,7
23	Carry out community surveys on waste management and minimisation services within the city.	New	Ongoing	Levy	2,3,4,5,6,7
24	Ensure a household rubbish and recycling composition analysis is undertaken at least every three years for both the Council and private kerbside services.	Existing	Ongoing	Levy	2,3,4,5,6,7
25	Monitor progress and support WasteMINZ National Waste Data Framework project.	New	Ongoing	Levy	3,5,6,7
26	Monitor and report on the Council's contracted waste services including rubbish and recycling collection data from the kerbside.	Existing – expanded	Ongoing	Levy, rates	2,3,4,5,6,7



7.4.8 Council management

Council staff will implement the actions contained within this Waste Plan and will ensure that Council is 'learning by doing' with waste minimisation.

Ref	Activities	New or existing	Timeframe	Potential funding mechanism	Objectives
27	Fund waste minimisation advisors to lead waste management and minimisation within the Council and coordinate the implementation of this Plan.	Existing	Ongoing	Levy	1,2,3,4,5,6,7
28	Review of the 2018-2024 Waste Plan and development of the 2024-2030 Waste Plan.	Existing	2023-2024	Levy	1,2,3,4,5,6,7
29	Ensure that services provided by the Council are in line with and promote current health and safety guidelines.	Existing	Ongoing	Rates	3,7
30	Implement best practice waste avoidance, reduction and minimisation within Council sites and operations; and share knowledge and experience gained from such activities.	Existing	By 2024	Levy	1,2,4,5,7



7.4.9 Regulatory

Effective Bylaws and Plans will be integral to delivering a range of waste minimisation actions. They can provide the Council with both the driver for change and the ability to undertake enforcement.

Ref	Activities	New or existing	Timeframe	Potential funding mechanism	Objectives
31	Update the Solid Waste Bylaw for regional consistency, to facilitate data collection and to ensure it supports the changes in kerbside service.	New	2018/19	Levy, rates	2,3,4,5,6,7
32	Implement waste licensing for operators and collectors, potentially as part of a regional or sub-regional initiative.	New	By Dec 2019	Levy, rates	2,3,4,5,6,7
33	Implement and enforce requirements for any properties and developments to ensure waste management and minimisation considerations are taken into account at the design phase, including storage space requirements and access for collection vehicles.	Existing – expanded	In conjunction with the Council planning processes	Levy, rates	1,2,3,4,5,6,7



8.0 Funding the Plan

Now that we have outlined the actions we need to take, our next step is to understand how we can best fund these activities. The Council have a range of options available to us to fund the actions in this plan, these include:

- **General Rates** - a rate that is paid by all ratepayers.
- **User Pays Charges** - paying for services you use, for example, transfer station gate fees.
- **Targeted Rates** - a rate that is set to fund a particular activity or group of activities. It can align to the provision or availability of service.
- **Waste Levy Funding** - The central government redistributes 50 per cent of the funds from the waste disposal levy to local authorities. This money must be applied to waste minimisation activities outlined in the Council's Waste Plan.
- **Waste Minimisation Fund** - Ministry for the Environment use most of the remaining 50 per cent of the levy money on funding projects. Anyone can apply to the Waste Minimisation Fund for funding.
- **Private sector funding** - The private sector may undertake to fund/supply certain waste minimisation activities, for example, in order to look to generate income from the sale of recovered materials, etc. The Council may look to work with private sector service providers where this will assist in achieving the Waste Plan's goals.

Funding considerations take into account a number of factors including the following:

- Prioritising harmful wastes.
- Waste minimisation and reduction of residual waste to landfill.
- Full-cost pricing - 'polluter pays'.
- Public good vs. private good component of a particular service.
- The environmental effects of production, distribution, consumption and disposal of goods and services should be consistently costed, and charged as closely as possible to the point they occur to ensure that price incentives cover all costs.
- Protection of public health.
- Affordability.
- Cost-effectiveness.

The potential sources of funding for each of the actions are noted in the action plan. Budgets to deliver the activities set out in this Waste Plan will be carefully developed through our Annual Plan and Long-Term Plan processes. The mix of funding tools to be used is determined through the Revenue and Financing Policy, this Policy is reviewed every three years in line with the Long-Term Plan.

The approach taken will be to implement as many of the activities as possible while controlling costs and, where possible, taking advantage of cost savings and efficiencies. It is anticipated that by setting appropriate user charges, reducing costs through avoided disposal, more efficient service delivery from working collaboratively and targeted application of waste levy money, the increased levels of waste minimisation as set out in this Waste Plan will be able to be achieved without overall additional increases to the average household cost.

8.1 Waste levy funding

The Council receives, based on population, a share of national waste levy funds from the Ministry for the Environment. It is estimated that at the current rate of \$10 per tonne our Council's total share of waste levy funding will be approximately \$570,000 per annum. The WMA requires that all waste levy funding received by councils must be spent on matters to promote waste minimisation and in accordance with their waste plans.

Waste levy funds can be spent on ongoing waste minimisation services, new services, or an expansion of existing services. The funding can be used on education and communication, services, policy research and reporting, to provide grants, to support contract costs, or as infrastructure capital. We intend to use our waste levy funds for a range of waste minimisation activities and services as set out in the action plan – including participating in sub-regional, regional and national activities.

In addition, we may make an application for contestable waste levy funds from the Waste Minimisation Fund, either separately, with other councils, or with another party. The Waste Minimisation Fund provides additional waste levy funds for waste minimisation activities.

8.2 General and Targeted Rates

General and Targeted Rates are used for a range of waste management and minimisation services, for example the residential kerbside rubbish and recycling service is funded through general residential rates, as is the clearing of litter and illegal dumping. Any changes to the services funded through General or Targeted Rates will happen through the 10-Year Plan planning process. As this is a six year plan, there will be two opportunities to seek funding through the 10-Year Plan, firstly in 2018 and then again in 2021. All Hamiltonians have the opportunity to have a say on the waste management and minimisation activities in the 10-Year Plan processes.

8.3 Funding business and community actions

The Council recognises that we can't implement this Waste Plan by ourselves. We need to work with businesses and community groups to achieve the vision in the most efficient and effective way possible. Councils have the ability under the WMA 2008 to provide grants and advances of money to any person, organisation or group for the purposes of promoting or achieving waste management and minimisation, as long as this is authorised by the Waste Plan.

The Council currently offer a total of \$50,000 per year in contestable funding for waste minimisation activities. We intend to continue having a grants programme. The grants programme will be evaluated to identify if low interest loans or targeted grants could be utilised to achieve good waste minimisation outcomes.

9.0 Monitoring, evaluating and reporting progress

This Waste Plan contains 32 actions, as well as a set of waste minimisation targets. Progress against each of these actions and targets will be reported to Council at the end of each year.

Two of the actions - the development of a regionally consistent Solid Waste Bylaw and implementation of the National Waste Data Framework (NWDF) will contribute to the development of a set of standard indicators for reporting purposes.

Indicative metrics for each of the actions are presented in the table below. Specific metrics for each action will be developed and agreed as part of the Waste Plan implementation.

Theme	Indicative Metrics
Services	<ul style="list-style-type: none"> New services implemented in line with the contract. Reporting of annual volumes of hazardous waste collected via Council-provided services.
Partners	<ul style="list-style-type: none"> Identification of champions and detail of support provided.
Events	<ul style="list-style-type: none"> 50 per cent reduction in waste to landfill from events (baseline required). Number of events incorporating waste avoidance and minimisation activities.
Education	<ul style="list-style-type: none"> Annual reporting of education programme outcomes.
Litter and illegal dumping	<ul style="list-style-type: none"> Community satisfaction with litter rates. Measured during community surveys. 10 per cent reduction in litter and 15 per cent reduction in illegal dumping compared to 2017 data.
Grants	<ul style="list-style-type: none"> Successful implementation of annual grants programme.
Data	<ul style="list-style-type: none"> Data available for analysis by 2020. No weeks with more than 20 complaints about uncollected kerbside household rubbish and recycling. Audit carried out three yearly. All waste data collected in alignment with NWDF.
Council management	<ul style="list-style-type: none"> Health and Safety incident reports received from contractor at each contractor meeting - no serious incidents reported. Report on number of sites implementing waste minimisation; with quarterly reporting to track progress against waste and recycling rates.
Regulatory	<ul style="list-style-type: none"> All waste collectors and operators are licensed by 2020. New developments meet the needs of the kerbside collection service.

Updates on how the Council is tracking with meeting these metrics will be provided through the Council's 'Fight the Landfill' website fightthelandfill.co.nz.

10. Glossary of terms

Disposal	Final deposit of waste into or onto land, or incineration.
Diverted material	Anything that is no longer required for its original purpose and, but for commercial or other waste minimisation activities, would be disposed of or discarded.
Landfill	Tip or dump. A disposal facility as defined in S.7 of the Waste Minimisation Act 2008, excluding incineration. Includes, by definition in the WMA, only those facilities that accept 'household waste'. Properly referred to as a Class 1 landfill.
Resource recovery	a) extraction of materials or energy from waste or diverted material for further use or processing; and b) includes making waste or diverted material into compost.
Recycling	The reprocessing of waste or diverted material to produce new materials.
Reduction	a) lessening waste generation, including by using products more efficiently or by redesigning products; and b) in relation to a product, lessening waste generation in relation to the product.
Reuse	The further use of waste or diverted material in its existing form for the original purpose of the materials or products that constitute the waste or diverted material, or for a similar purpose.
Rubbish	Waste, that currently has little other management options other than disposal to landfill.
Treatment	a) means subjecting waste to any physical, biological, or chemical process to change its volume or character so that it may be disposed of with no or reduced adverse effect on the environment; but b) does not include dilution of waste.
Waste	Means, according to the WMA: a) Anything disposed of or discarded. b) Includes a type of waste that is defined by its composition or source (for example, organic waste, electronic waste, or construction and demolition waste). c) To avoid doubt, includes any component or element of diverted material, if the component or element is disposed or discarded.
Waste Assessment (WA)	A document summarising the current situation of waste management in a locality, with facts and figures, and required under the Waste Minimisation Act. A Waste Assessment must be completed whenever a Waste Management and Minimisation Plan is reviewed.
Waste diversion	Means diverting waste from landfill and accessing the economic opportunity from the resource.
Waste hierarchy	A list of waste management options with decreasing priority – usually shown as 'reduce, reuse, recycle, recovery, treat, dispose.
Waste minimisation	Means the reduction of waste; and the reuse, recycling, and recovery of waste and diverted material.
Waste resources	Means any waste material that has value that can be recovered, reused or recycled.
Waste stream	Has the same definition as Waste.

Further Information

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 fightthelandfill.co.nz

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Version: September 2018

QUESTIONS RAISED BY ELECTED MEMBERS AT THE WASTE PLAN HEARINGS ON 1 MARCH 2018

Attachment 3

Item 12

Question	Response
Breakdown of where respondents are from	<p>The majority (83%) of the submitters live in Hamilton, 10% did not supply an address and 7% (23 submitters) live outside of Hamilton. Of those residing outside of Hamilton, most live in the Waikato.</p> <p>A full breakdown of suburbs is provided in the attachment - <i>Summary of the consultation on the proposed 2018-2024 Waste Plan</i>.</p>
Outline key facts raised by Go Eco in the report. Including data on organic waste	<p>A summary of the data highlighted by the verbal Go Eco submission is included in the 2018-2024 Waste Management and Minimisation Plan. The data has been updated in the revised 2018-2024 Waste Plan as new information was provided to the Council in December 2017.</p> <p>A full breakdown of the data is presented in 2017 Waste Assessment (https://haveyoursay.hamilton.govt.nz/strategy-research/wasteplan/supporting_documents/2017%20HCC%20Waste%20Assessment.pdf).</p> <p>Key figures that were discussed include:</p> <ul style="list-style-type: none"> - 50% of waste in the average kerbside rubbish bag is organic material that could be recovered, of which 75% was food waste. - Overall organic waste from the transfer stations and the kerbside collection made up 21.3% of the waste going to landfill. - The per capita increase in kilograms of kerbside rubbish from 2012 to 2016 was 5kg. - The per capita decrease in kilograms of kerbside recycling from 2012 to 2016 was 14kg.

<p>Construction and demolition waste – what are the rules? What are the proposed future options for managing the waste? Can we set a target for this waste stream in the Waste Plan?</p>	<p>There are 2 actions included in the Waste Plan that relate to construction and demolition waste. They are:</p> <ul style="list-style-type: none"> - <i>Action 11 - Collaborate with key stakeholders to investigate and implement opportunities to address the growing construction and demolition waste issue, including waste avoidance, reuse and recovery.</i> - <i>Action 33 - Implement and enforce requirements for any properties and developments to ensure waste management and minimisation considerations are taken into account at the design phase, including storage space requirements and access for collection vehicles.</i> <p>Setting a target for construction and demolition waste would be ideal. Unfortunately, the poor data makes setting reliable targets very difficult. The proposed changes re data collection should improve this and if appropriate a target could be set as an outcome of action 11 or 33.</p> <p>There is more that can be done with the construction and demolition waste. As per the approach outlined in the Waste Plan it is a mix between having the right policy and drivers, infrastructure and education. One area that can be prioritised initially is how to reduce the waste generated in the first place.</p> <p>The Solid Waste Bylaw has limited controls in relation to containing waste material on site. Waste not contained on the site could be considered littering and could result in a fine of up to \$400. Additional controls will be investigated as part of the implementation of the Waste Plan.</p>
<p>Data collection – What are the issues and risks with collecting/not collecting data?</p>	<p>A lack of robust data is a key challenge for the Council, it hinders our ability to make well informed decisions and exposes the Council to a risk of stockpiles and abandoned sites.</p> <p>Staff have attempted to introduce solid waste licensing. The current approach to licensing in the Solid Waste Bylaw would mean that any waste collector or operator that manages over 40 tonnes per year would be required to have a licence. The conditions of the licence would include providing data to the Council on volumes and types of waste managed and where they are ending up. There has been significant resistance by the waste industry to solid waste licensing. Investigation is underway into a regional licensing scheme for the Waikato and Bay of Plenty, this would resolve some of the concerns of the waste industry around commercially sensitive data. The Council is involved in this project and will be advocating for it to be implemented as soon as possible.</p> <p>The current approach to accessing information is through a solid waste audit, this is a costly process and requires a contractor to work with the transfer stations to understand their data and to present in a form</p>

	<p>that is useful to the Council. There are significant gaps in this data and it also fails to deal with any inappropriate disposal.</p>
<p>E-waste collection points – what can the Council do?</p>	<p>There are many approaches that are used across New Zealand for the collection of e-waste. Examples from other councils include:</p> <p>Kapiti Coast District Council – A 20ft shipping container at the transfer station dedicated to e-waste that is then taken to Tokoroa when it is full for dismantling. The full cost of recycling is charged to the person dropping the item off.</p> <p>Waipa District Council – An e-day held in March 2018, this was a one-off event in Te Awamutu. The costs were subsidised by the Council, most items were between \$5-10 to recycle. The Council collected 19 tonnes of electronic waste in one day. There were Hamilton residents that took their e-waste to Te Awamutu for the e-day.</p> <p>Auckland Council – The Council run an inorganic collection that allows residents to put out their electronic waste along with other waste items. The collection system has recently been through a review and has new requirements. Each household must book a collection during their collection week and they must leave the inorganic waste on their property and not on the berm. Items that can be reused, repaired and resold are taken to a central warehouse where community groups can access the items for resale or reuse. The e-waste collected that can't be used is taken for dismantling to a facility in Auckland.</p> <p>An additional action has been included in the 2018-2024 Waste Plan to emphasise the need to implement a solution to e-waste in Hamilton. This will include assessing the best way to manage e-waste with the changes to the service from 1 July 2020 and the use of collection points across the City.</p> <p>As this is a growing waste stream and was identified as a high priority for residents through the consultation the timing of this action will be prioritised.</p> <p>There is the potential to use schools as drop off points where they have appropriate storage and space. This will be investigated as part of the implementation of the Waste Plan.</p>

<p>Bricks – more information on byfusion bricks and the viability in Hamilton. Are the bricks fire retardant?</p>	<p>The Byfusion technology could be introduced in Hamilton. Given the current position in the contract negotiations for the operation of the transfer station and the kerbside service further investigation into Byfusion will need to be done in line with the contract.</p> <p>Prior to progressing any discussions, evidence of an end market for the bricks would be required. It is key that for any recycled product there is an economically viable and sustainable market.</p> <p>Information on the Byfusion website states that their “upcoming plans include a full array of ASTM fire rating tests based on internationally accepted standards”.</p>
<p>Comingled recycling – what are the issues and risks with contamination and how can it be addressed?</p>	<p>Contamination in comingled recycling collected in wheelie bins can be an issue. There are a range of ways this issue can be dealt with that align with the overall approach to waste management outlined in the Waste Plan, they are:</p> <p>Infrastructure and services</p> <ul style="list-style-type: none"> - By providing good services, eg. Appropriate size rubbish bins and recycling bins and food waste bins and easy to access drop off points the potential for contamination is minimised. - In the collection truck there are cameras that can be used to identify when a recycling bin contains non-recyclables. - The materials recovery facility is designed in a way that means that either manual or mechanical separation of contamination can happen once the material has been collected. <p>Education</p> <ul style="list-style-type: none"> - Information provided to households in an easy to understand and useful format, eg. Magnet on the fridge, sticker on the bin and through an app. <p>Policy and drivers</p> <ul style="list-style-type: none"> - Appropriate policy and regulations to ensure compliance can be achieved, for example in the Council Solid Waste Bylaw and the rubbish and recycling service contract. <p>Some councils in New Zealand have introduced a ‘three strike rule’ this means that if a household is caught including non-recyclables in their recycling bin three times they have that service removed for a period of time. The Council may look to introduce this through the review of the Solid Waste Bylaw.</p>

	<p>If the material collected in the wheelie bins is too contaminated, this is usually over 12% then there is a risk that the load will have to be landfilled as it will not be accepted by the processing facility. This issue is part of the contract discussions that are underway for the post 1 July 2020 contract.</p> <p>The wheelie bin is the main place where contamination will occur. The current approach at the transfer station does not require much sorting by the customer and where there is a sorting requirement there are staff to help inform the customer of where things should go. Any changes to the transfer station under the post 1 July 2020 contract will address any risks of contamination.</p>
How do we stop wheelie bins being left on the kerbside	<p>There will be a strong education and communications program around the roll out and ongoing operation of the service. This will include bringing wheelie bins in is for security purposes, leaving bins on the kerb can be seen as an indication that the resident is away. We will include this in our messaging around bringing bins back on to your own property.</p> <p>The Council may look to include a requirement in the Solid Waste Bylaw around when wheelie bins must be removed from the kerbside. The Council would consult on the details of this through the review of the Solid Waste Bylaw.</p>
Targets – can we change the proposed targets for the Waste Plan?	<p>Amended targets and the rationale are included in the Council report. The recommended changes are:</p> <ul style="list-style-type: none"> - change to the per capita rubbish to landfill from a decrease of 5 per cent to a decrease of 10 per cent. - change to the per capita kerbside rubbish to landfill is from a decrease of 10 per cent to a decrease of 25 per cent - change to the per capita kerbside recycling from an increase in 10 per cent to an increase in 50 per cent.
Economics – what are the costs to send all of the material to landfill versus recycling	<p>The basic costs of a kerbside service include:</p> <ul style="list-style-type: none"> - Container for the material to be placed in - Collection cost of the material - Processing or disposal costs. <p>Some of the costs remain fairly constant, for example the collection costs include the truck and driver costs which are paid over the life of a contract. The cost of processing the recyclables also remains fairly constant.</p> <p>The cost of disposal to landfill, although fairly stable at the moment is likely to increase over time as the landfill levy and emissions trading scheme units increase.</p>

	<p>The price of the recyclable material also varies depending on the commodities markets and the quality of the recyclable material.</p> <p>The draft Business plan includes full assessments of the do noting option versus the recycling options, it is available here - http://www.hamilton.govt.nz/AgendasAndMinutes/20160920%20-%20Finance%20Committee%20Meeting%20-20%20September%202016%20-%20Rubbish%20and%20Recycling%20Services%20-%20Business%20Case%20and%20Appendices.PDF</p>
<p>How do we stop green waste ending up in the rubbish wheelie bin?</p>	<p>There are a few ways that the Council can minimise the amount of green waste ending up in the rubbish wheelie bin. These can be grouped by the overall approach the Council is proposing around waste:</p> <p>Infrastructure</p> <ul style="list-style-type: none"> - The size of the wheelie bin proposed for rubbish is appropriate to the amount of rubbish currently generated by the average household once food waste and the additional recyclables have been removed. - The wheelie bins will include RFID tags which will provide us with data from each household. This data will enable the Council and the contractor to undertake targeted campaigns on issues like green waste in the wheelie bin. - By ensuring there are appropriate services in place, eg. Private collection services, drop off services, home composting networks will all help to minimise the risk. <p>Education</p> <ul style="list-style-type: none"> - Information on what can and can't go in the rubbish bin. By providing residents with the information on where the material should go will go part of the way to minimise the amount of green waste in the wheelie bin. - An easy to use app/website with information on where the green waste should go and options for home composting as well. <p>Policy and drivers</p> <ul style="list-style-type: none"> - If required the Council can look at amending rules around what can go in the rubbish bin.

Council Report

Committee:	Council	Date:	19 April 2018
Author:	Natasha Ryan	Authoriser:	Lance Vervoort
Position:	Key Projects Programme Manager	Position:	General Manager Community
Report Name:	River Plan Progress		

Report Status	<i>Open</i>
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Purpose

1. To inform Council on progress on the FY2017/18 River Plan programme of works.
2. To seek approval to defer construction of the upper level connection between Victoria on the River and Embassy Park.
3. To seek approval of an upgrade alternative for the existing CBD Jetty project.

Staff Recommendation

4. That the Council:
 - a) receives the report;
 - b) defers construction of the upper level connection between Victoria on the River and Embassy Park until staff report back to Council in July 2018 on revised costs and other matters; and
 - c) approves the alternative for the Jetty being a new jetty structure with ramp and pontoon (Option A of this report).

Executive Summary

5. This report recommends deferring the upper level connection between Victoria on the River (VOTR) and Embassy Park until:
 - There is an acceptable level of certainty regarding the future height of the boardwalk associated with the Waikato Regional Theatre and how the design is impacted if that connects through to VOTR, at that revised level, as opposed to as originally designed.
 - Geotechnical issues are resolved sufficient to consent a design, and
 - Staff have reported back on the costs, timing and risks associated with the above.
6. Staff also recommend that the Council invest more of the FY2017/2018 River Plan budget into upgrading the existing jetty, located below the Waikato Museum, so that it provides a better level of service (accessible, less frequently flooded and usable with greater variation in water level) and there is certainty regarding the structural integrity of the sub-structure.

7. The financial impact of the recommendations in this report will be to reduce the sum set aside for the VOTR to Embassy Park connection. This may potentially be topped up through external funding partnerships.

Background

8. The May 2017 Community and Services Committee established a River Plan Task Force comprising the Mayor, Deputy Mayor, Councillors Taylor, Southgate, O’Leary, GM Community and the Special Projects Manager, finishing on 31 December 2017 with the purpose to:
 - Recommend the 2017/18 Annual Plan work programme to the 27 June 2017 Community and Services Committee subject to the budget being confirmed in the 2017/18 Annual Plan; and
 - Undertaken engagement with the Donny Trust and other external funders on the river plan projects.
9. The FY2017/18 portfolio of projects developed by the River Plan Task Force include the following two projects addressed by this report:
 - Upper level connection from Victoria on the River to Embassy Park: an accessible connection between the upper path stub at Victoria on the River to Embassy Park.
 - Existing Jetty Upgrades: located below the museum, upgrades are necessary in order to make the jetty safe for vessels to dock.
10. An update of the remainder of the FY2017/18 River Plan projects is included in Attachment 2. Collectively, these projects support the strategic imperative to “Build a great river city” and respond to the vision, themes and principles of the Hamilton City River Plan.

Discussion

Upper level connection from VOTR to Embassy Park

11. The purpose of this project is to provide an accessible path for all, between Victoria on the River (VOTR) and Embassy Park. It forms the next step in delivering a connection between some of the city’s key cultural assets in the city centre alongside the Waikato River.
12. A boardwalk was designed and Building Consent application lodged in October 2017. This connected the path stub at VOTR and Embassy Park at the level adjacent to the top of the stairs / bottom of the ramps. The consent was not obtained because further geotechnical investigations are required. This issue was signaled to Task Force members in October 2017 and works proceeded on VOTR, which opened in January 2018. The geotechnical issues are being worked through.
13. In late 2017, staff became aware that the Waikato Regional Theatre design allows for a boardwalk to continue past the theatre at a height, which is not yet determined, but which is influenced by a number of factors regarding the function of the theatre. Indications from the project team are that if all goes well, these heights will be known in May 2018 at which time it will be possible to review the connection from VOTR to Embassy Park to determine if it needs redesign.
14. At present, the theatre is proposed for opening in July 2021. Given the relatively short timeframe it appears prudent to defer the construction of the connection from VOTR to the theatre. This will prevent early or unnecessary costs associated with constructing the path before the connection can be completed, but it should be noted that inflation will apply to the overall construction cost.

15. The option to defer presents an opportunity to take time to understand and potentially resolve the following issues in a considered manner. Given the theatre timeframes, staff propose to report back no earlier than July 2018 on:
 - High level design resulting from any changes to the path levels at the theatre
 - Consideration of appropriate mitigation for neighbouring property owners' concerns
 - Working through the issues raised by the building consent application.
16. The risk profile for the project is not expected to change as a result of a decision to defer. Investigation of the above issues will improve understanding of the associated costs.

Existing CBD Jetty Upgrades

17. The purpose of this project is to provide a safe location for boats to dock close to the central business district. Tourism operators advise that the presence of a boat service which connects the city centre to the gardens will make the city more attractive to multiple night visits.
18. At present, the future jetty proposed as part of the Ferrybank Development Plan is unfunded in the draft 10-Year Plan. Therefore, the existing jetty, located below the Waikato Museum carpark, may have to serve the Central Business District for some time into the future.
19. The budget was set with the intention of a temporary fix, replacing the deck and adding a pontoon.
20. There are three issues with the current jetty and proposed upgrades:
 - Strengthening is required to safely allow larger vessels to dock, this adds time and cost due to testing, resource consenting and access to marine engineers. Further, there is inadequate information regarding the sub-soil structure to have confidence regarding the longevity of the structure in a flood event.
 - The existing jetty is not always accessible by boat because the water is not deep enough.
 - The water level fluctuates by around 4m which poses constraints on what can be designed.
21. The pontoon option is not feasible within the budget due to the water level fluctuations and an alternative is discussed below along with an option which is a longer term solution with a better level of service. Sketches of these two options are shown in Attachment 1.

	Option A: Better Level of Service	Option B: Least Cost
Description	A cost effective timber deck over metal piles, with a ramp to pontoon.	New deck on top of existing piles with steps and additional piles at docking end.
Inundation*	Will be overtopped in a 1 in 5 year event. Deck level approx. 15.5m RL.	Will on average be overtopped multiple times a year. Deck level approx. 13.6m RL.
Disability Policy	Accessible when the river levels are moderate (not high or low).	Not accessible.
Summary of Benefits	<ul style="list-style-type: none"> - Increases visits to the gardens and in the central city. - Encourages additional overnight visits to Hamilton. - Integrates with master plan for the area. - Supports proposed project connecting jetty, museum and VOTR, being discussed with external funders. 	

	Option A: Better Level of Service	Option B: Least Cost
Key Risks/Issues	<ul style="list-style-type: none"> - Resource consent requirements not fully resolved. - America's cup impacting available contractors and engineering specialists. - Geotechnical unknowns. 	<ul style="list-style-type: none"> - Greater risk of injuries due to stairs and jetty/boat interaction - Uncertainty regarding structural longevity
Consenting	<ul style="list-style-type: none"> - Archaeological authority (underway) - Building consent - Resource consent 	<ul style="list-style-type: none"> - Archaeological authority (underway) - Building consent - Resource consent
Tangata whenua	- Feedback pending	
Costs**	- Estimated \$550,000	<ul style="list-style-type: none"> - Estimated \$280,000 - Unbudgeted OPEX recommended for structural assessments following flood events.
Timing	- Uncertainty regarding timing due to America's cup impacting availability of marine engineers and contractors. Staff will provide a verbal update.	

* Flood levels are based on historic Waikato Regional Council data. Frequency of flooding is expected to increase with climate change.

** Detailed design will confirm the final cost and construction timing.

22. Staff recommend Option A due to the associated benefits outlined in the table above, and the risks associated with Option B.

Financial Considerations

23. The River Plan has an allocation of \$1,250,000 Capital Expenditure and \$247,700 Operating Expenditure, funded through the FY2017/18 Annual Plan. Of that \$750,000 has been earmarked by the Task Force towards the VOTR to Embassy Park connection and \$200,000 towards the jetty.
24. The financial impact of the recommendation is to reallocate funds from the VOTR to Embassy Park project towards the jetty, as shown in the following table:

	FY17/18 Allocation	Proposed Reallocation***
Other Projects		
- Museum Path		
- Wayfinding Signs	300,000	300,000
- Vegetation Management Plan		
- Furniture and Materials Palette		
Jetty	200,000	550,000
VOTR to Embassy Park	750,000	400,000
Total	1,250,000	1,250,000

*** The distribution of forecast costs for FY17/18 are subject to detailed design, they are indicative at present and will be updated verbally during the meeting.

25. This leaves a shortfall for the VOTR to Embassy Park project. External funding options are being investigated and staff will also report back on this in July 2018.
26. The table below summarises the deferral as a result of the recommendations:

	Proposed Allocation	FY17/18 Forecast Spend***	Forecast Deferral***
Other Projects	300,000	300,000	-
Jetty	550,000	80,000	470,000
VOTR to Embassy Park	400,000	110,000	290,000
Total	1,250,000	490,000	760,000

*** Forecast spend and deferrals are subject to detailed design and construction progress and will be updated verbally during the meeting.

27. It is anticipated that the forecast cost to complete the VOTR to Embassy Park connection will increase as a result of the additional design and later construction. Further, the deferred amount available for that project will be significantly reduced due to the increase in allocation towards the jetty. As mentioned previously, the cost to complete will be updated in the report back.

Legal and Policy Considerations

28. Staff confirm that the recommendations comply with the Council's legal and policy requirements.

Cultural Considerations

29. The following tangata whenua representative organisations have been consulted and an opinion on the two options is pending:
- Waikato Tainui
 - Te Haa o te Whenua o Kirikiriroa
30. This has the potential to impact the ability to obtain a resource consent for either option. Staff will provide a verbal update.

Sustainability Considerations

31. This project is consistent with Sustainability Principle 5 because walking, cycling and public transport are promoted.

Significance & Engagement Policy

Significance

32. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendation(s) in this report has/have a medium level of significance

Engagement

33. Community views and preferences are already known to the Council through consultation undertaken as part of the River Plan.

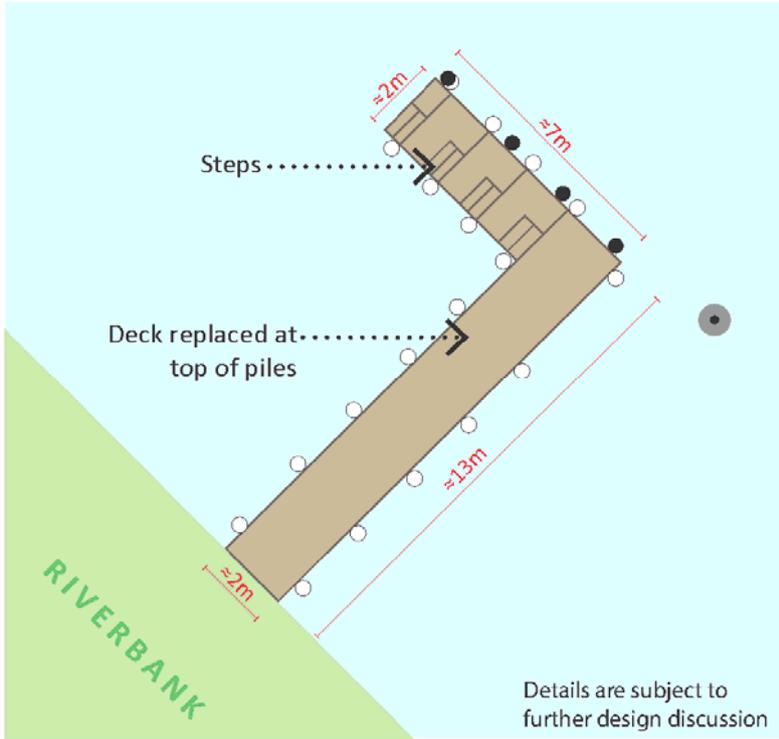
Attachments

Attachment 1 - Jetty Options

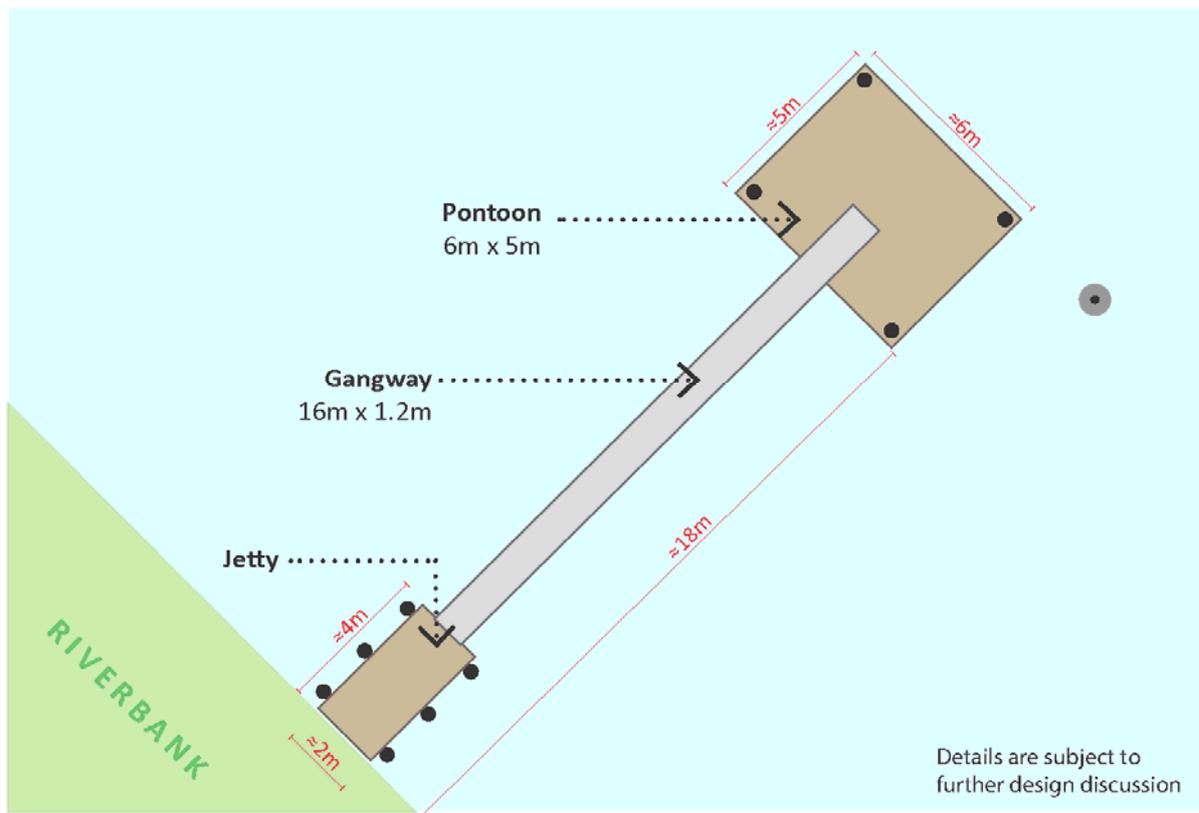
Attachment 2 - River Plan Progress Report .

Item 13

LEAST COST OPTION



BETTER LEVEL OF SERVICE



River Plan Progress Update

Item 13

1. This report provides an update on the Financial Year 2017/2018 River Plan projects, as at March 2018, in the following order
 - Master Plan – Ferrybank to Victoria on the River
 - Museum to Grantham Street Accessible Path
 - Victoria on the River
 - River Plan Furniture and Materials Palette
 - Vegetation Management Plan
 - Wayfinding Strategy
 - External River Plan website

Master Plan — Ferrybank to Victoria on the River

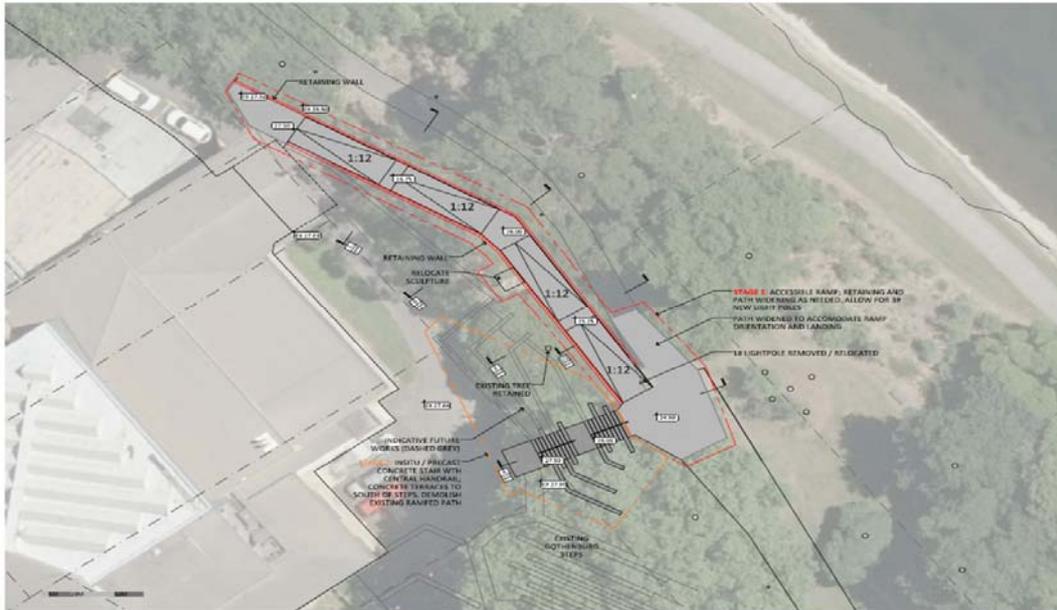
2. Purpose: a plan showing connections between Ferrybank and Victoria on the River, which is intended to ensure that the community infrastructure which may be constructed independently comes together into a cohesive asset for the city.
3. Currently being developed by Wraight Athfield Landscape Architects, with completion due in May 2018.

Museum to Grantham Street Accessible Path

4. Purpose: Construct an accessible connection between the existing path from Grantham Street to the river side front of the Waikato Museum. This is part of the jigsaw that, when complete will provide an accessible connection alongside the river between the Council's cultural assets from Grantham Street to Victoria on the River.
5. Consultation with relevant tangata whenua representatives has commenced and an application for the Archaeological Authority has been lodged. This project is in an archaeologically rich area of Hamilton and while a reasonable budget is allowed for this item, there is a risk that the level of investigation exceeds the budget and timeframes predicted. Construction is programmed for May.
6. The works are shown as Stage 1 in **Figure 1** (the stairs are not included at this stage).

Attachment 2

Figure 1 Proposed Accessible Path



Victoria on the River

- 7. Purpose: Create a public space connecting the city centre from Victoria Street with the river corridor.
- 8. The site was opened 25 January 2018. Public feedback has been very positive and the park continues to be well used by members of the public. Complaints (noise, bikes and skateboards) are reported at a level consistent with other similar public spaces.
- 9. The main physical works contract is now in the defects liability period. The remaining elements of work, separate to that contract are:
 - Shade sails will be installed prior to next summer.
 - Public mural: scheduled for completion this financial year.
 - MESH Sculpture: The programme is being led by MESH who are currently working through the associated engineering issues and finalising funding.

River Plan Furniture and Materials Palette

- 10. Purpose: Set a framework for future projects to ensure a consistent look and feel (in terms of furniture and materials) along the extent of the river path.
- 11. The document has been drafted and feedback provided. Some elements are being refined using the Waikato Museum to Grantham Street Accessible Path project.

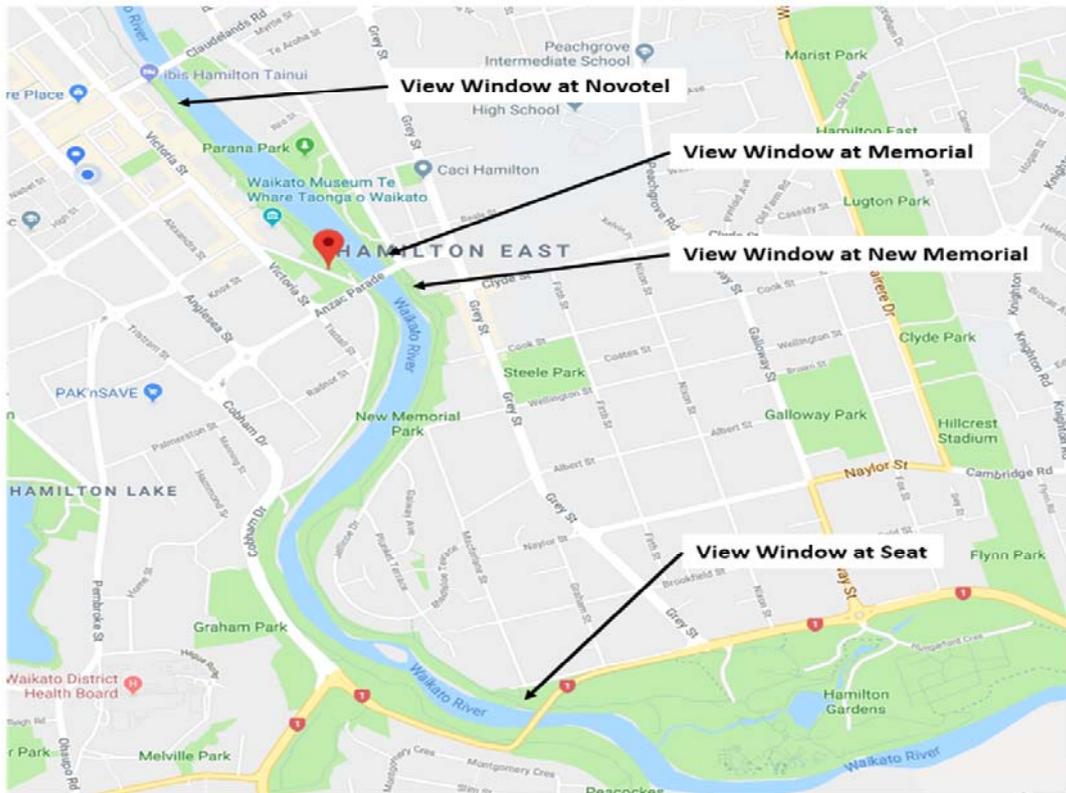
Vegetation Management Plan

- 12. Purpose: allow better visual engagement with the river throughout the city.
- 13. Surveying of vegetation within the river corridor has been undertaken or is in the process of being completed for all areas except:
 - Eastern bank between Swarbricks Landing and Claudelands Bridge

- Eastern bank from Pukete Bridge north, and
- Both banks from Cobham Drive south.

14. Implementation of the Vegetation Management Plan is unfunded within the draft 10-Year Plan and the surveys undertaken will become increasingly obsolete with time. As a result, staff have ceased further survey work and will use the small sum of unspent money to undertake vegetation works at the locations shown in Figure 2.

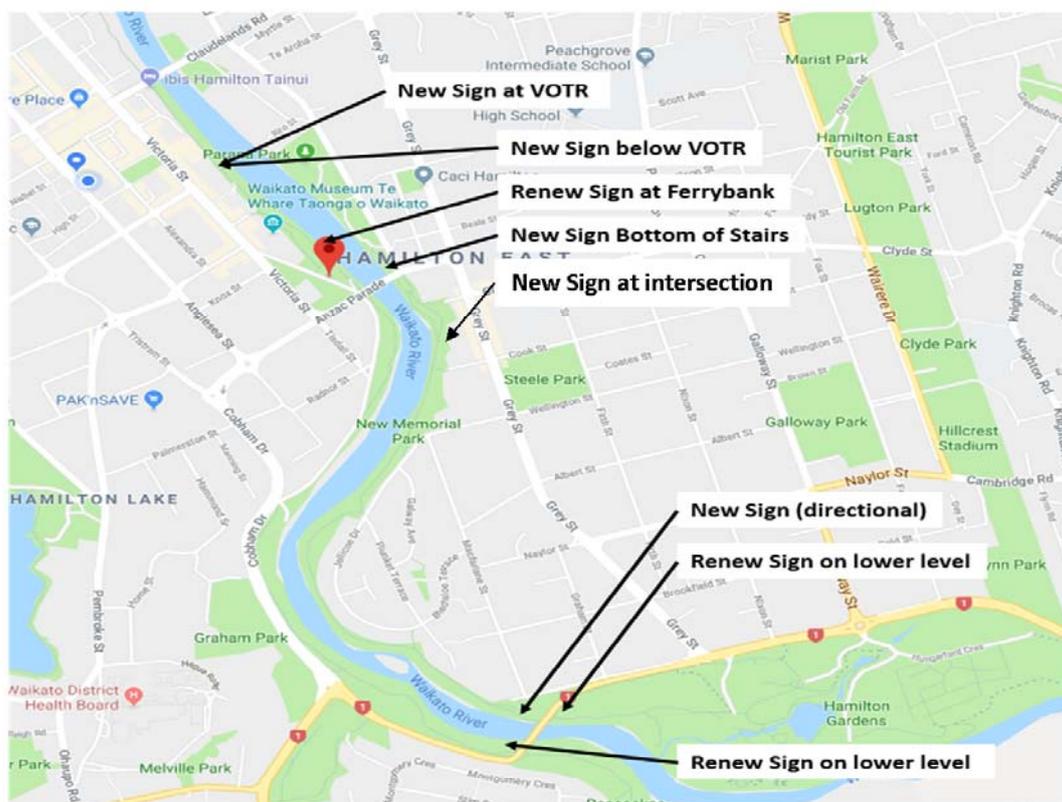
Figure 2 Proposed Vegetation Clearance



River Plan Wayfinding Strategy

15. Purpose: to allow people to explore the River Path with confidence. Funding has been allocated for developing a document outlining the signage family, consistent with the Council brand and identifies appropriate signs in the following locations:
- West bank: between Cobham Drive Bridge and London Street
 - East bank: between Hamilton Gardens and Anzac Parade
16. Funding has also been allocated for installation of a very small number of signs this financial year. The proposed locations are shown Figure 3.

Figure 3 Proposed Wayfinding Signs



External River Plan website

17. <http://www.hamiltoncityriverplan.co.nz/> is an external hosted website which no longer reflects the focus for the current council and creates expectations which may not be met. Because the website is externally hosted, updating it accumulates costs which are not specifically budgeted for. In the next quarter, River Plan website visitors will be redirected to the Council website where updated information will be provided.
18. Bringing the website presence “in house” also allows staff to adapt more quickly to opportunities to update it and link to other relevant corporate pages.
19. The internal website content will reiterate the principles and themes of the River Plan, provide a summary of existing achievements, explain current projects and include identified unfunded projects.

Council Report

Item 14

Committee: Council
Author: Mark Brougham
Position: Programme Manager - Analysis & Research
Report Name: Draft HCC Submissions to the Draft 2018-28 Long Term Plans of Waikato Regional Council, Waikato District Council and Waipa District Council

Date: 19 April 2018
Authoriser: Sean Hickey
Position: General Manager Strategy and Communications

Report Status	<i>Open</i>
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Purpose

- To seek the Council's Approval of HCC's draft submission to:
 - Waikato Regional Council's Draft 2018-28 Long Term Plan.
 - Waikato District Council's Draft 2018-28 Long Term Plan.
 - Waipa District Council's Draft 2018-28 Long Term Plan.
- The three draft submissions are attached to this report.

Staff Recommendation

- That the Council:
 - receives the report;
 - approves HCC's draft submission to:
 - Waikato Regional Council's Draft 2018-28 Long Term Plan.
 - Waikato District Council's Draft 2018-28 Long Term Plan.
 - Waipa District Council's Draft 2018-28 Long Term Plan.
 - notes the approved submissions will sent to the respective councils by 20 April 2018; and
 - notes the approved submissions will then be uploaded to HCC's website.

Background

- Waikato Regional Council, Waikato District Council and Waipa District Council are currently consulting on their Draft 2018-28 Long Term Plans.
- The submission closing dates are 16 April 2018 for Waikato Regional Council and Waikato District Council and 20 April 2018 for Waipa District Council.

6. A small extension to the submission closing dates were sought and approved from Waikato Regional Council and Waikato District Council to enable the draft submissions to be considered and approved at the 19 April Council meeting i.e. from 16 to 20 April 2018.
7. Waikato Regional Council and Waikato District Council made a presentation on their Draft 2018-28 Long Term Plan at the 5 April 2018 LTP Council Briefing Session.
8. Following the presentations, Elected Members advised staff to prepare a Council submission to each of the three respective councils.
9. The content of the attached draft submissions is based on Elected Member feedback at the 5 April 2018 LTP Council Briefing session.

Attachments

Attachment 1 - HCC's Draft submission to WRCs Draft 2018-28 LTP

Attachment 2 - HCC's Draft submission to WDCs Draft 2018-28 LTP

Attachment 3 - HCC's Draft submission to Waipa DCs Draft 2018-28 LTP .

DRAFT 1**Submission by
Hamilton City Council****Waikato Regional Council's Draft 2018-28 Long Term Plan****19 April 2018**

1.0 INTRODUCTION

- 1.1 Hamilton City Council (HCC) would like to thank representatives of the Waikato Regional Council (WRC) for the opportunity to make a submission to its Draft 2018-28 Long Term Plan (DLTP).
- 1.2 We would also like to thank Councillor Barry Quayle, Councillor Jane Hennebry, Councillor Russ Rimmington, Mike Garret (Chief Financial Officer) and Bill McMaster (Team Leader, Transport and Infrastructure) for making a presentation on WRC's DLTP at HCC's 5 April 2018 LTP Council Briefing session.
- 1.3 HCC believes having its views represented to WRC on behalf of the city's residents is extremely important, particularly given that at June 2018, Hamilton accounted for 36 percent of the Waikato Region's population. i.e. 168,700 of 467,200 residents. This proportion is projected to increase to 40 percent by June 2043 (224,800 of 562,100 residents).
- 1.4 HCC would therefore like to provide feedback on the following:
 - The Proposed Hamilton to Auckland Rail Service
 - Public Transport Services in Hamilton
 - The Proposal to establish a new Waikato Regional Theatre in Hamilton
 - WRC's Investment Fund and External Borrowing
 - Funding Regionally Significant Projects
 - Water Fees and Charges
 - Landuse Fees and Charges
 - Information Fees and Charges
 - Catchment Management Officers for Central Zone
 - Catchment Rates for New Works
 - WRC Central Zone Management Plan
 - Freshwater Management - Monitoring

2.0 PROPOSED HAMILTON TO AUCKLAND RAIL SERVICE

- 2.1 HCC is supportive of the Government's priority/policy to provide substantial funding towards an interim rail service between Hamilton and Auckland.
- 2.2 We endorse the proposal in the Waikato Regional Council's Draft 2018-28 Long Term Plan supporting a passenger rail start up project that is in part funded through a targeted rate charged to Hamilton ratepayers i.e. Under Option 2 in the Waikato Regional Council's Draft 2018-28 Long

Term Plan, this would see the majority of Hamilton ratepayers paying less than \$30 per year towards the service.

- 2.3 Similarly, HCC also endorses the proposal in Waikato Regional Council's Draft Regional Land Transport Plan currently being consulted on that supports a daily rail service between Hamilton and Auckland.
- 2.4 Prior to all councils making decisions on their respective LTPs, HCC expect to be further advanced in respect of more detailed government policy and will be more informed by the passenger demand survey that is currently underway.
- 2.5 Local government also expects to be better informed by the recently released Draft 2018 Government Policy Statement on Land Transport.
- 2.6 In this period, WRC and HCC also expect to advance discussions with government and KiwiRail on the rolling stock ownership model and the makeup of the cost information they have provided.
- 2.7 As part of its commitment to the service, HCC has made land purchases (around \$6 million) that are in close proximity to The Base to provide a rail station and a future park and ride facility to support the rail service.
- 2.8 HCC is also supportive of Waikato District Council's capital funding provision of \$500,000 in 2020 in its Draft 2018-28 LTP for infrastructure to support a passenger rail service i.e. the Tuakau Rail Platform.
- 2.9 A significant number of Waikato District residents are likely to make regular use of the Hamilton to Auckland rail service (especially residents living in Huntly and Tuakau) and particularly in light of the continued substantial growth over recent years in the Pokeno-Hamilton corridor.
- 2.10 Given this, HCC has advocated in its submission to Waikato District Council's Draft 2018-28 Long Term Plan that WDC should subsidise the operation of the Hamilton to Auckland rail service to the same level as HCC ratepayers.

3.0 PUBLIC TRANSPORT SERVICES IN HAMILTON

- 3.1 HCC is supportive of the public transport services provided by WRC within Hamilton and recognise the important role that these services provide for ensuring a safe and cost-effective mode of transport within the city.
- 3.2 HCC endorse the proposal to include an additional \$2.7 million to provide for increased services into growing parts of the city and to address bus travel time reliability issues.
- 3.3 We also support investment into an increased level of service for public transport between Cambridge and Hamilton.
- 3.4 HCC note the strong linkages that these activities have in delivering on the Strategic Priority 'Access' that is set out in the recently released Draft 2018 Government Policy Statement on Land Transport.
- 3.5 The one network approach to delivering access solutions within the city, including the development of a Mass Transit Plan, is strongly supported by HCC.

4.0 NEW WAIKATO REGIONAL THEATRE IN HAMILTON

- 4.1 HCC supports the community foundation Momentum Waikato to lead a community-driven project to build a new Waikato Regional Theatre and creative precinct for the Waikato Region at the southern end of Victoria Street on the banks of the Waikato River.
- 4.2 The \$73 million project will significantly enhance Hamilton's central city and provide a nationally significant performance centre attracting international artists as well as a home for the city and regions vibrant artistic and creative communities.
- 4.3 HCC has committed, in principle, \$25 million funding provision from Hamilton ratepayers (with funding to commence in 2019/20) towards the new regional theatre.
- 4.4 Momentum Waikato is raising a further \$48 million. This will comprise \$13 million from central government and a proposed \$5 million from WRC. The balance of \$30 million will come from other sources.
- 4.5 HCC notes that WRC has assessed this proposal against their proposed Community Facilities Framework and that it meets the criteria for being an asset that provides regional benefit.
- 4.6 This assessment has also been confirmed by PricewaterhouseCoopers, who have undertaken an independent peer review.
- 4.7 HCC strongly supports the premise the Waikato Regional Theatre will be a regional facility based on historical utilisation of Founders Theatre by regional organisations and ticket sales data showing significant % of purchasers from outside Hamilton City.
- 4.8 HCC would support the alignment of conditions of WRC's contribution with HCC's own conditions to be contained in a Memorandum of Understanding (MOU) with Momentum Waikato. Such a MOU would address concerns regarding levels of community use, other funding criteria, financial sustainability and clarification over the establishment of the Building Maintenance reserve fund, among others.
- 4.9 HCC therefore **supports Option 2**, as outlined in WRC's DLTP, to fund the new Waikato Regional Theatre i.e.:
- \$5 million collected from the Waikato Region (excluding Hamilton ratepayers) to fund the capital component, with \$4.5 million coming from the three primary beneficiaries outside Hamilton - Waikato, Waipa and Matamata-Piako ratepayers - with \$0.5 million coming from the remainder of the region's ratepayers.
 - \$300,000 per year collected from the Waikato Region towards the ongoing asset maintenance reserve fund. Again, this figure excludes Hamilton ratepayers, with HCC making an annual asset maintenance grant of \$1.1 million.

5.0 WRC's INVESTMENT FUND AND EXTERNAL BORROWING

- 5.1 HCC notes that WRC propose borrowing externally to fund various infrastructure, new works and other projects with long-term regional benefits, as opposed to using monies from its Investment Fund.

5.2 WRC acknowledge on page 12 of the DLTP Consultation Document that this is a significant shift in their funding/borrowing regime/protocol, that they currently have no external debt, and that this is the first time they will be borrowing externally.

5.3 HCC would urge caution to WRC in taking this approach.

6.0 FUNDING REGIONALLY SIGNIFICANT PROJECTS

6.1 HCC is supportive of WRC's approach to considering providing funding for regional facilities that offer significant benefit for the Waikato Region. Such an approach needs to be undertaken on a fair and equitable basis for the region's ratepayers.

6.2 To this end, HCC supports WRC's development of a Community Facilities Framework as outlined on page 23 of the DLTP Consultation Document.

6.3 As you will be aware, HCC is proposing to contribute \$4 million (\$2 million in 2021/22 and \$2 million in 2022/23) towards a multi-sport indoor recreation centre being developed by the University of Waikato, pending a detailed business case.

6.4 The proposed Indoor Recreation Centre will be based on the University Campus in Hamilton to cater for the needs of a growing city and will also service the wider Waikato Region. The proposed indoor recreation centre is supported by Sport Waikato and aligns with the recommendations from the Waikato Regional Sports Facilities Plan.

6.5 HCC is requesting that WRC provide funding of an additional \$2 million towards construction of the University of Waikato Indoor recreation facility via the Community Facilities Framework to ensure other surrounding residents and ratepayers in the region support this sub-regional facility.

7.0 WATER FEES AND CHARGES

7.1 WRC is proposing to increase its annual fees and charges that would see HCC's main water take charge increasing from \$17,933 to \$27,821, a significant increase of \$9,888 (or 55%).

7.2 There needs to be consideration for an alternative cost/charge rate for municipal users and another for commercial, as for municipal users there is no profit associated with the water take.

8.0 LANDUSE FEES AND CHARGES

8.1 HCC notes that for major and minor landuse activities, including earthworks and sediment discharges, there are no fees associated with WRC compliance monitoring. Under their respective territorial authority roles, both WRC and HCC have responsibilities for monitoring these landuse activities.

8.2 It is important that WRC is able to resource compliance monitoring for these major and minor activities to ensure that impacts on the environment are avoided, mitigated and minimised. WRC should review landuse annual charges to ensure that WRC is resourced to fulfil its role in monitoring earthworks and sediment discharges.

9.0 INFORMATION FEES AND CHARGES

9.1 WRC charges for spatial data, hazard information and advice, technical information and advice, property information, historic information and records. Hamilton City sits within the Waikato

Region Central Zone, and carries out integrated catchment management planning for the purpose of managing multiple catchments within this zone.

- 9.2 HCC also carries out planning and works under the HCC and WRC Service Level Agreement 'Project Watershed'. These activities have shared benefits to both WRC and HCC. Collaboration between the parties is key to ensuring continuation of shared benefits.
- 9.3 The charging for information sought by HCC for these particular planning purposes adds unreasonable and unfair costs to HCC. HCC should have easy access to data, hazard, technical, historic and property information for mutual benefit. WRC fees and charges should not be applied to information that relates to catchment management planning and service level agreements.

10.0 CATCHMENT MANAGEMENT OFFICERS FOR CENTRAL ZONE

- 10.1 WRC has proposed a new FTE position for catchment management for the central zone. HCC supports the addition of a FTE position relating to catchment management planning and service level agreements.

11.0 CATCHMENT RATES FOR NEW WORKS

- 11.1 Erosion is managed by both HCC and WRC under their respective territorial responsibilities. Erosion attributed to growth can be managed with funding mechanisms such as development contributions. However, some erosion is natural and due to inherent soil makeup and climate change, as evident in non-urbanised streams and rivers.
- 11.2 WRC has provided an LTP program for Catchment New Works. However, the proposed funding appears to be significantly underfunded over the course of 10 years. By way of example, Te Awa O Katapaki catchment erosion mitigation works will be in the order of \$2.4 million.
- 11.3 HCC has requested LTP funding under its own Draft 2018-28 LTP and a third of the costs from WRC under a joint Project Watershed Funding Agreement. The funding in WRC's DLTP is less than 20 percent of the requested funding and it is not clear if this funding will go to Te Awa O Katapaki catchment. The impact is that citywide, erosion works will have to be significantly reduced over the course of 10 years. Under this scenario erosion could worsen or put property at risk.
- 11.4 HCC recommends that WRC reviews catchment new works funding to align with Project Watershed funding request.

12.0 WRC CENTRAL ZONE MANAGEMENT PLAN

- 12.1 The WRC Central Zone Management Plan has a number of objectives and focus areas relating to catchment **management**. These include erosion control, sharing data and methodologies, environmental enhancement, catchment management planning, biodiversity, stormwater quality and quantity management, stream maintenance, and flood mitigation. HCC is developing Integrated Catchment Management Plans for catchments which has mutual benefit for both WRC and HCC in consent activities. Plan development is robust but resource and time intensive. Many Central Zone objectives could be met if catchment management plans could be developed and mutually funded.
- 12.2 HCC recommends that WRC's DLTP funding is reviewed to ensure that Central Zone Management Plan objectives can be met and implementation actions can be adequately funded. HCC looks forward to collaborating further with WRC on how some of these actions can be progressed.

13.0 FRESHWATER MANAGEMENT - MONITORING

- 13.1 The National Policy Statement for Freshwater Management 2014 was amended in 2017 and included new requirements of WRC, including development of a monitoring plan that monitors for microbial health, MCI, matauranga maori and the health of indigenous flora and fauna (Policy CB1 and CB4).
- 13.2 Further to this, this data needs to be accessible and visible to the public. HCC has been investigating how freshwater monitoring can be of mutual benefit to both WRC and HCC and has included some of the criteria above. However, HCC is unable to significantly extend funding and it is not clear if WRC's DLTP has provided additional funding for these new activities.
- 13.3 DLTP funding should be reviewed to ensure that WRC is able to meet its monitoring responsibilities under the NPS for Freshwater Management.

14.0 FURTHER INFORMATION AND HEARINGS

- 14.1 Should the Waikato Regional Council wish to discuss the points raised by HCC, or require additional information, please contact Sean Hickey (General Manager Strategy and Communications) on 07 838 6432, email Sean.Hickey@hcc.govt.nz in the first instance.
- 14.2 HCC **does wish to speak** at the WRC hearings in support of this submission.

Yours faithfully

Richard Briggs
CHIEF EXECUTIVE

DRAFT 1



Te kaunihera o Kirikiriroa

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www.hcc.govt.nz

**Submission by
Hamilton City Council**

Waikato District Council's Draft 2018-28 Long Term Plan

19 April 2018

1.0 INTRODUCTION

- 1.1 Hamilton City Council (HCC) would like to thank Mayor Allan Sanson, Kurt Abbot, Vishal Ramduny and Brian Cathro from the Waikato District Council (WDC) for making a presentation on its Draft 2018-28 Long Term Plan (DLTP) at HCC's 5 April 2018 Council Briefing session.
- 1.2 In particular, HCC would like to provide feedback on the following:
 - The proposed Hamilton to Auckland Rail Service.
 - Safety on Roads Bordering Hamilton and Waikato District.
 - Shared Library Services.
 - Hamilton to Cambridge Cycleway (Te Awa).
 - Review of Waste Management and Minimisation Plan.
 - Funding Regionally Significant Projects

2.0 PROPOSED HAMILTON TO AUCKLAND RAIL SERVICE

- 2.1 HCC is supportive of the Government's priority/policy to provide substantial funding towards an interim rail service between Hamilton and Auckland.
- 2.2 We endorse the proposal in the Waikato Regional Council's Draft 2018-28 Long Term Plan supporting a passenger rail start up project that is in part funded through a targeted rate charged to Hamilton ratepayers i.e. Under Option 2 in the Waikato Regional Council's Draft 2018-28 Long Term Plan this would see the majority of Hamilton ratepayers paying less than \$30 per year towards the service.
- 2.3 Similarly, HCC also endorses the proposal in the Waikato Regional Council's Draft Regional Land Transport Plan currently being consulted on that supports a daily rail service between Hamilton and Auckland.
- 2.4 Prior to all councils making decisions on their respective Long Term Plans, HCC expect to be further advanced in respect of more detailed government policy and will be more informed by the passenger demand survey that is currently underway. Local government also expects to be better informed by the recently released Draft 2018 Government Policy Statement on Land Transport.

- 2.5 In this period, the Waikato Regional Council and HCC also expect to advance discussions with government and KiwiRail on the rolling stock ownership model and the makeup of the cost information they have provided.
- 2.6 As part of its commitment to the service, HCC has made land purchases (around \$6 million) that are in close proximity to The Base to provide a rail station and a future park and ride facility to support the rail service.
- 2.7 HCC is supportive of and acknowledges WDC's capital funding provision of \$500,000 in 2020 in its Draft 2018-28 LTP for infrastructure to support a passenger rail service i.e. the Tuakau Rail Platform.
- 2.8 A significant number of WDC residents are likely to make regular use of the Hamilton to Auckland rail service (especially residents living in Huntly and Tuakau) and particularly in light of the continued substantial growth over recent years in the Pokeno-Hamilton corridor.
- 2.9 Given this, HCC believes that WDC should subsidise the operation of the Hamilton to Auckland rail service to the same level as HCC ratepayers.

3.0 SAFETY ON ROADS BORDERING HAMILTON AND WAIKATO DISTRICT

- 3.1 In the past few years there has been significant growth in residential development in Rototuna resulting in growth in the traffic volumes on roads that straddle the borders of HCC and WDC.
- 3.2 The increased traffic volumes and speeds on these roads are resulting in safety concerns being expressed by residents in Waikato District and Hamilton.
- 3.3 HCC lowered the speed limit on the shared sections of Kay Road and Horsham Downs Road on 1 March 2013 to 80km/h. HCC believes it is very important for WDC to address the current inconsistency in speed limit on the section of Kay Road between Osborne Road and River Road that sits wholly within Waikato District.
- 3.4 HCC also request that consideration is given to lowering the speed limit on the approach to Hamilton on River Road and Gordonton Road in accordance with the Speed Management Plan.
- 3.5 HCC note that the connection of Borman Road to Kay Road will be completed in this financial year i.e.2017/18. We request that consideration is given to the safety of the intersection of River Road and Kay Road to cater for the potential increase in vehicles using this intersection, along with urbanisation of Kay Road.

4.0 SHARED LIBRARY SERVICES

- 4.1 Recently WDC undertook consultation around the current agreement for Library services that is in place with HCC. We understand that it is WDC's intention to renegotiate this agreement in the upcoming months.
- 4.2 WDC residents use of Hamilton Libraries equates to 11 percent of the total use of our service, with WDC presently paying \$300,000 per annum, or 4.8 percent of the direct costs (excluding overheads), which we believe represents value for money.
- 4.3 HCC supports collaboration between our councils and the opportunity for shared Library services.

5.0 HAMILTON TO CAMBRIDGE CYCLEWAY (TE AWA)

- 5.1 HCC is fully supportive of the partnership approach that has taken place in the development of the Hamilton to Cambridge cycleway project and looks forward to working closely with WDC on the construction of this important cycleway connection.
- 5.2 As WDC will be aware, HCC is contributing \$4 million towards the cycleway in 2019/20, with WDC contributing \$800,00 per annum for three years commencing 2018/19 i.e.\$2.4 million in total (\$1.2 million from ratepayers and a \$1.2 million NZTA subsidy).
- 5.3 This is a regionally significant cycleway project which will provide further choice in how our communities travel between our neighbouring districts.

6.0 REVIEW OF WASTE MANAGEMENT AND MINIMISATION PLAN

- 6.1 HCC notes that WDC is in the process of reviewing its Waste Management and Minimisation Plan and will be seeking feedback on its new draft plan in May 2018.
- 6.2 Having recently undertaken a similar review, HCC believes there are opportunities to share ideas and lessons in this space for mutual benefit.
- 6.3 HCC would like involvement in this project and engage with WDC at appropriate parts of the process as it progresses the review, particularly regarding the relationship and impact on regional waste services.

7.0 FUNDING REGIONALLY SIGNIFICANT PROJECTS

- 7.1 HCC is supportive of the Waikato Regional Council's (WRC's) approach to considering providing funding for regional facilities that offer significant benefit for the Waikato Region. Such an approach needs to be undertaken on a fair and equitable basis for the region's ratepayers.
- 7.2 To this end, HCC supports WRC's development of a Community Facilities Framework as outlined on page 23 of their Draft 2018-28 Long Term Plan Consultation Document.
- 7.3 As you will be aware, HCC is proposing to contribute \$4 million (\$2 million in 2021/22 and \$2 million in 2022/23) towards a multi-sport indoor recreation centre being developed by the University of Waikato, pending a detailed business case.
- 7.4 The proposed Indoor Recreation Centre will be based on the University Campus in Hamilton to cater for the needs of a growing city and will also service the wider Waikato Region. The proposed indoor recreation centre is supported by Sport Waikato and aligns with the recommendations from the Waikato Regional Sports Facilities Plan.
- 7.5 HCC would like WDC to note that we are requesting that WRC provide funding of an additional \$2 million towards construction of the University of Waikato Indoor recreation facility via the Community Facilities Framework to ensure other surrounding residents and ratepayers in the region, including those in Waikato District, support this sub-regional facility.

8.0 FURTHER INFORMATION AND HEARINGS

- 8.1 Should the Waikato District Council wish to discuss the points raised by HCC, or require additional information, please contact Sean Hickey (General Manager Strategy and Communications) on 07 838 6432, email Sean.Hickey@hcc.govt.nz in the first instance.

8.2 HCC **does wish to speak** at the Waikato District Council hearings in support of this submission.

Yours faithfully

Richard Briggs
CHIEF EXECUTIVE

DRAFT 1**Submission by
Hamilton City Council****Waipa District Council's Draft 2018-28 Long Term Plan****19 April 2018**

1.0 INTRODUCTION

- 1.1 Hamilton City Council (HCC) would like to thank Waipa District Council for the opportunity to make a submission to its Draft 2018-28 Long Term Plan.
- 1.2 In particular, HCC would like to provide feedback on the following:
 - Hamilton to Cambridge Cycleway (Te Awa).
 - Increased PT Services Between Cambridge and Hamilton.
 - Funding Regionally Significant Projects.

2.0 HAMILTON TO CAMBRIDGE CYCLEWAY (TE AWA)

- 2.1 HCC is fully supportive of the partnership approach that has taken place in the development of the Hamilton to Cambridge cycleway project and looks forward to working closely with Waipa District Council on the construction of this important cycleway connection.
- 2.2 This is a regionally significant cycleway project which will provide further choice in how our communities travel between our neighbouring districts.
- 2.3 As Waipa District Council will be aware, HCC is contributing \$4 million towards the cycleway in 2019/20.
- 2.4 HCC acknowledges that Waipa District Council already has funding provision of around \$1.5 million in place to complete the section of the cycleway between the Avantidrome and Hamilton.

3.0 INCREASED PT SERVICES BETWEEN CAMBRIDGE AND HAMILTON

- 3.1 HCC supports ongoing investment in the development of increased Passenger Transport (PT) services between Cambridge and Hamilton.

4.0 FUNDING REGIONALLY SIGNIFICANT PROJECTS

- 4.1 HCC is supportive of Waipa District Council's approach to considering providing funding for regional facilities that offer significant benefit for the Waikato Region. Such an approach needs to be undertaken on a fair and equitable basis for the region's ratepayers.

- 4.2 To this end, HCC supports the Waikato Regional Council's development of a Community Facilities Framework as outlined on page 23 of their Draft 2018-28 Long Term Plan Consultation Document.
- 4.3 As you will be aware, HCC is proposing to contribute \$4 million (\$2 million in 2021/22 and \$2 million in 2022/23) towards a multi-sport indoor recreation centre being developed by the University of Waikato, pending a detailed business case.
- 4.4 The proposed Indoor Recreation Centre will be based on the University Campus in Hamilton to cater for the needs of a growing city and will also service the wider Waikato Region. The proposed indoor recreation centre is supported by Sport Waikato and aligns with the recommendations from the Waikato Regional Sports Facilities Plan.
- 4.5 HCC would like Waipa District Council to note that we are requesting that the Waikato Regional Council provide funding of an additional \$2 million towards construction of the University of Waikato Indoor recreation facility via the Community Facilities Framework to ensure other surrounding residents and ratepayers in the region, including those in Waipa District, support this sub-regional facility.

5.0 FURTHER INFORMATION AND HEARINGS

- 5.1 Should Waipa District Council wish to discuss the points raised by HCC, or require additional information, please contact Sean Hickey (General Manager Strategy and Communications) on 07 838 6432, email Sean.Hickey@hcc.govt.nz in the first instance.
- 5.2 HCC **does not wish to speak** at the Waipa District Council hearings in support of this submission.

Yours faithfully

Richard Briggs
CHIEF EXECUTIVE

Council Report

Item 15

Committee: Council **Date:** 19 April 2018
Author: Hannah Windle **Authoriser:** Blair Bowcott
Position: Programme Manager - Special Projects **Position:** Executive Director Special Projects
Report Name: Submissions in respect of 1) Government Proposal to make KiwiRail an Approved Public Organisation; and 2) Land Transport Management (Regional Fuel Tax) Amendment Bill

Report Status	<i>Open</i>
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Purpose

- To seek the Council's approval on HCC's draft submissions to:
 - The Government proposal to make KiwiRail an Approved Public Organisation; and
 - The Land Transport Management (Regional Fuel Tax) Amendment Bill.
- The two draft submissions are attached to this report.

Staff Recommendation

- That the Council:
 - receives the report;
 - approves HCC's draft submission to:
 - The Government proposal to make KiwiRail an Approved Public Organisation;
 - The Land Transport Management (Regional Fuel Tax) Amendment Bill;
 - notes the approved submissions will be sent to the respective organisations by 20 April 2018; and
 - notes the approved submissions will then be uploaded to HCC's website.

Background

Proposal to make Kiwi Rail an Approved Public Organisation

- The Minister of Transport, Hon Phil Twyford, is currently seeking views on KiwiRail becoming an Approved Public Organisation under the Land Transport Management Act 2003 (LTMA).
- The recently released draft Government Policy Statement on Land Transport 2018 (GPS 2018) provides funding for rail.
- To enable KiwiRail to receive funding from the National Land Transport Fund (NLTF) and streamline the NLTF process, it is recommended that KiwiRail becomes an Approved Public Organisation under section 23 of the LTMA.

7. The closing date for feedback is 20 April 2018.

Land Transport Management (Regional Fuel Tax) Amendment Bill

8. Public submissions are also being called for on the Land Transport Management (Regional Fuel Tax) Amendment Bill.
9. The Bill proposes to introduce a mechanism for funding transport infrastructure programmes that would otherwise be delayed or not funded, by introducing regional fuel taxes of a maximum of 10 cents per litre plus GST.
10. The process will initially be available to the Auckland region, followed by other regions from 1 January 2021.
11. The closing date for submissions is 20 April 2018.

Attachments

Attachment 1 - HCC's Draft Submission Government Proposal to make KiwiRail an Approved Public Organisation

Attachment 2 - HCC's Draft Submission to the Land Transport Management (Regional Fuel Tax) Amendment Bill

Draft 1

**Submission by
Hamilton City Council**

Consultation on KiwiRail becoming an Approved Public Organisation

19 April 2018

1 PURPOSE

- 1.1 This feedback is in support of the proposal by the Minister of Transport, the Hon Phil Twyford, to make KiwiRail an approved public organisation under the Land Transport Management Act 2003 (LTMA).

2 NATIONAL POLICY CONTEXT

- 2.1 The recently released draft Government Policy Statement (GPS) on Land Transport 2018 provides funding for rail through the National Land Transport Fund (NLTF).
- 2.2 To enable KiwiRail to receive funding from the NLTF, and streamline the NLTF funding process, it would need to be made an approved public organisation under section 23 of the LTMA.

3 FEEDBACK

- 3.1 Hamilton City Council (HCC) is supportive of the proposal to make KiwiRail an approved public organisation under the LTMA.
- 3.2 HCC is specifically supportive of funding passenger rail through the NLTF and notes that it is clearly government policy to commence a Hamilton to Auckland passenger rail service.
- 3.3 HCC, in partnership with Waikato Regional Council, the Ministry of Transport, Auckland Transport and Auckland Council is in the process of finalising a business case to enable this interim service to get underway in 2019.
- 3.4 HCC believes that the service requires significant central government funding assistance, and that enabling KiwiRail to be funded by the NLTF will allow this to happen.
- 3.5 HCC's support of enabling KiwiRail to be eligible for NLTF funding is subject to the NLTF funds being maintained at a level to fund the GPS priorities and not at the expense of reduced levels of service across other categories of GPS expenditure.

- 3.6 HCC has also included in its Draft 2018-28 Long Term Plan a substantial amount of funding for infrastructure that would support a passenger rail service.

4 FURTHER INFORMATION

- 4.1 Should the Ministry of Transport and Government require clarification of the points raised in this submission, or further information, please contact Chris Allen (General Manager City Infrastructure) on 07 838 6748, email chris.allen@hcc.govt.nz in the first instance.

Yours faithfully

Richard Briggs
CHIEF EXECUTIVE

Draft 1

Submission by Hamilton City Council

LAND TRANSPORT MANAGEMENT (REGIONAL FUEL TAX) AMENDMENT BILL

19 April 2018

1 PURPOSE

- 1.1 This Bill proposes to introduce a mechanism under which regional fuel taxes can be established to provide a way for regions to fund transport infrastructure programmes that would otherwise be delayed or not funded.
- 1.2 The revenue from a regional fuel tax is proposed to be collected by the regional council responsible for the region where the taxed fuel is delivered for sale or consumption, and then dispersed to the council(s) within the region which are undertaking the transport works agreed.

2 PROPOSED PROCESS FOR ESTABLISHING A REGIONAL FUEL TAX

- 2.1 The Bill provides a process for establishing a regional fuel tax where a region's Regional Transport Committee (RTC) considers that there are 1 or more capital projects that would benefit the region, but they cannot be fully funded from sources other than a regional fuel tax within the timeframe desired by the council.
- 2.2 The process includes:
 - A (regional) council making a proposal that sets out the proposed tax rate, the duration of the tax, the transport programme and projects that the tax will fund, and how the proposal contributes to the relevant regional transport plan, the relevant GPS, and other relevant statutory documents.
 - A council consulting the community before finalising a proposal.
 - A council submitting its proposal to the joint Ministers.
 - The joint Ministers accepting or rejecting the proposal and, if accepting it, recommending the making of an Order in council to implement a regional fuel tax in that region.

3 HAMILTON CONTEXT

- 3.1 Hamilton City Council (HCC), at the direction of its Elected Members, has been in ongoing discussions with the current Government regarding the possibility of a fuel tax for Hamilton.
- 3.2 Hamilton faces significant funding challenges to maintain and grow its transport network. The draft 10 Year Plan 2018-28 contains significant expenditure on the transport

infrastructure programme to maintain the existing network; a large renewals programme; investment in the Access Hamilton Transport Improvement Programme which aims to improve the balance between road safety, public transport, cycling and walking; and substantial investment to accommodate growth in the city.

- 3.3 Many of the high cost transport projects required to enable growth that HCC is delivering are also regionally significant, and are recognised as such in the Waikato Regional Land Transport Plan (both draft and operative) and the Waikato Regional Policy Statement as part of the regional strategic transport network. The cost to open up new growth areas and provide regionally significant networks is of a scale that is exceptional for a local authority in the New Zealand context.
- 3.4 The opportunity to raise additional revenue from a fuel tax would provide the opportunity to advance regionally significant transport projects, which will be able to be completed sooner than current fiscal constraints allow, while at the same time relieving pressure on rates as the primary funding source for the transport activity.
- 3.5 HCC has also supported the inclusion of an action in the Draft Waikato Regional Land Transport Plan 2018-48 (RLTP) to investigate the application of a future regional or sub-regional fuel tax as an alternative transport funding solution.

4 FEEDBACK

- 4.1 In principle, HCC is supportive of the Bill that will enable regions to apply for a fuel tax to fund transport infrastructure programmes from 1 January 2021.
- 4.2 HCC is in a position where it is facing significant costs to provide transport infrastructure that is recognised as regionally significant in a number of statutory and non-statutory documents.
- 4.3 HCC recognises Central Government's earlier comments to Council that the size of the fuel tax area needs to be of a scale to avoid potential leakage (users seeking cheaper fuel outside of the area) and is of the opinion that a sub-regional approach may address this concern, as opposed to a full regional approach.
- 4.4 We note that the current fuel tax legislation, and proposed Amendment Bill, is designed to operate as a regional funding mechanism (rather than local or sub-regional). We seek an amendment to allow for a sub-regional approach. Where a sub-regional approach is sought, it needs to be able to demonstrate that 'potential leakage' is not significantly different as compared to a regional approach.
- 4.5 HCC is supportive of investigating the potential for a fuel tax at a sub-regional level, and Waikato District Council (WDC) is consulting on this through their Draft 2018-28 Long-Term Plan with the same intent. The combined area of these two councils is substantial, with a number of aligned transport challenges. The addition of 1-2 more councils to this area would create a large sub-region within the current Waikato boundary.
- 4.6 We note under the current Local Authority Petroleum Tax Scheme (LAPT), only seven councils out of the 10 territorial local authorities in the Waikato Region are part of the scheme, making it sub-regional. The remaining four councils (Otorohanga, Waitomo, Taupo and Rotorua) are part of a separate areas LAPT scheme.

5 FURTHER INFORMATION

- 5.1 Should the Ministry of Transport and Government require clarification of the points raised in this submission, or further information, please contact Blair Bowcott (Executive Director - Special Projects), email blair.bowcott@hcc.govt.nz in the first instance.

Yours faithfully

Richard Briggs
CHIEF EXECUTIVE

Council Report

Committee:	Council	Date:	19 April 2018
Author:	Amy Viggers	Authoriser:	Becca Brooke
Position:	Committee Advisor	Position:	Governance Team Leader
Report Name:	Recommendation from the Growth and Infrastructure Committee - Ruakura Reservoir Bulk Watermains		

Report Status	<i>Open</i>
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1. To seek the Council's approval for a recommendation from the Growth and Infrastructure Committee at its meeting on 10 April 2018, in respect of a Ruakura Reservoir Bulk Watermains.
2. The 10 April 2018 Growth and Infrastructure Committee agenda and minutes are available via the following link:

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

Recommendation from the Growth and Infrastructure Committee

3. That the Council approves the award of Contract 17141 to West Construction 2011 Ltd for the installation of a new bulk water supply to Ruakura with an Approved Contract Sum of \$4,200,000.00

Attachments

There are no attachments for this report

Council Report

Item 17

Committee: Council **Date:** 19 April 2018
Author: Amy Viggers **Authoriser:** Becca Brooke
Position: Committee Advisor **Position:** Governance Team Leader
Report Name: Recommendation from the Growth and Infrastructure Committee - Private Developer Agreement Tasman Greig Development Limited

Report Status	<i>Open</i>
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1. To seek the Council's approval for a recommendation from the Growth and Infrastructure Committee at its meeting on 10 April 2018, in respect of a Private Developer Agreement with Tasman Greig Development Limited.
2. The 10 April 2018 Growth and Infrastructure Committee agenda and minutes are available via the following link:

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

Recommendation from the Growth and Infrastructure Committee

3. That the Council approves \$2.335 million be included on the Risk and Opportunities Register for the land acquisition and road construction, and that this cost be offset by savings from CE15090, Roading Upgrades and Development in Rotokauri.

Attachments

There are no attachments for this report

Resolution to Exclude the Public

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of Council Public Excluded Minutes - 15 March 2018) Good reason to withhold information exists under Section 7 Local Government	Section 48(1)(a)
C2. Confirmation of Elected Member Briefing Notes - Closed - 13 March 2018) Official Information and Meetings Act 1987	
C3. Confirmation of Elected Member Briefing Notes - Closed - 22 March 2018)	
C4. Confirmation of Elected Member Briefing Notes - Closed - 27 March 2018		
C5. New Lease - Verandah Cafe - Hamilton Lake Domain		

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

Item C1.	to maintain legal professional privilege	Section 7 (2) (g)
Item C2.	to maintain legal professional privilege	Section 7 (2) (g)
Item C3.	to maintain legal professional privilege	Section 7 (2) (g)
Item C4.	to enable Council to carry out negotiations	Section 7 (2) (i)
Item C5.	to avoid the unreasonably, likely prejudice to the commercial position of a person who supplied or is the subject of the information	Section 7 (2) (b) (ii)