

Notice of Meeting:

I hereby give notice that an ordinary Meeting of the Growth and Infrastructure Committee will be held on:

Date: Tuesday 14 February 2017
Time: 9.30am
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Growth and Infrastructure Committee OPEN AGENDA

Membership

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

Quorum: A majority of members (including vacancies)

Meeting Frequency: Six weekly

Lee-Ann Jordan
Governance Manager

7 February 2017

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Purpose:

The Growth and Infrastructure Committee is responsible for:

1. Guiding sustainable physical development and growth of Hamilton to meet current and future needs, through oversight of land-use planning, and aligned provision of fit-for-purpose network infrastructure.
2. Governance of efficient, safe and sustainable roading and transport, three waters, and waste management that enables Hamilton's economy and adds to the liveability of the city.
3. Governance of Hamilton's economic agenda and investment development opportunities consistent with Council's vision for the city.

In addition to the common delegations on page 9, the Growth and Infrastructure Committee is delegated the following Terms of Reference and powers:

Terms of Reference:

1. To monitor and provide advice on the development and implementation of urban growth and development strategies, land use, and spatial plans in line with national policy requirements.
2. To provide direction on strategic priorities for core city infrastructure aligned to city development, and oversight of strategic projects associated with those activities.
3. To provide direction and monitor Council's approach to development contributions.
4. To assess proposals for Private Developer Agreements and, if appropriate, to recommend such agreements to the Finance Committee for approval.
5. To provide advice on the development and implementation of the 30 Year Infrastructure Plan.
6. To provide direction regarding Council's involvement in regional alliances, plans, initiatives and forums for spatial planning, joint infrastructure and shared services (for example, Future Proof, Regional Transport Committee).
7. To consider the impacts of land use and urban development on the environment.
8. To enhance Hamilton's economic position by promoting Hamilton as a business-friendly and business-enabled city and providing advice on strategic initiatives, plans, projects and potential major developments relating to economic and business development.
9. To provide clear direction on Council's strategic priorities to organisations and groups for which Council facilitates funding, aligned with these Terms of Reference, and to oversee those funding arrangements and receive their strategic and business plans and annual performance reports.

The Committee is delegated the following powers to act:

- Approval of purchase or disposal of land for network infrastructure, or parks and reserves for works and other purposes within this Committee's area of responsibility that exceeds the Chief Executive's delegation.
- Approval of Private Developer Agreements within the budget approved under the Long Term Plan.
- Approval of any proposal to stop any road, including hearing and considering any written objections on such matters.
- Approval of funding for Business Improvement District(s) and Hamilton and Waikato Tourism.

The Committee is delegated the following recommendatory powers:

- Adoption of the 30 Year Infrastructure Plan to Council.
- Approval of additional borrowing to Finance Committee.
- Approval of Private Developer Agreements for unfunded growth projects to Finance Committee.
- Approval of city boundary changes to Council.
- The Committee may make recommendations to Council and other Committees

Oversight of Policies:

- *Business Improvement District (BID) Policy*
- *Connections and Charging Policy for Three Waters Policy*
- *Development Contributions Policy*
- *Earthquake-Prone, Dangerous & Insanitary Buildings Policy*
- *Growth Funding Policy*
- *Hamilton Gateways Policy*
- *Sale and Disposal of Council Land Policy*
- *Speed Management Policy*
- *Streetscape Beautification and Verge Maintenance Policy*

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1 Apologies

2 Confirmation of Agenda

The Committee to confirm the agenda.

3 Declaration of Interest

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

4 Public Forum

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

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

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

If you have any questions regarding Public Forum please contact Democracy by telephoning 07 838 6439.

Committee: Growth and Infrastructure Committee

Date: 14 February 2017

Report Name: General Managers' Report

Author: Kelvyn Eglinton
Chris Allen

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Hamilton Plan, Central City Transformation Plan (CCTP), Economic Development Agenda</i>
Financial status	<i>There is no budget allocated</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Council's Significance Policy, a decision in accordance with the recommendation is not considered to have a high degree of significance</i>

1. Purpose of the Report

2. To inform the Committee on topical issues, areas of concern for elected members, customers or the public.

Recommendations from Management

That:

- a) the report is received; and
- b) the Committee delegates authority to the Chief Executive to enter into a licence to occupy with WEL Networks Ltd for 2 car parking spaces in the Caro Street Car Park for the purposes of WEL installing and operating a charging station for 2 electric vehicles for an initial term of 10 years with rights of renewal.

3. Attachments

4. Attachment 1 - Hamilton's Housing Market and Economy - Growth Indicator Report - November 2016
5. Attachment 2 - Electric Vehicles
6. Attachment 3 - Levels of Service Guide - Footpaths

7. SPCA closure (GM City Growth)

8. In consultation and discussion with Ministry for Primary Industries (M PI) who administer the Animal Welfare act and recommend 'authorised organisations' status to the Minister, it was determined that the cost, time and qualification standards required to achieve 'authorised organisation' status means that we are no longer pursuing this option but we are confident that we can achieve similar outcomes as a result of the MOU with the SPCA.
9. In lieu of becoming an 'approved organisation' under the Animal Welfare Act the SPCA and Animal Control has signed a Memorandum of Understanding (MOU) whereby:
 - Animal Control will act as a foster carer for SPCA (allow receipt of animals);
 - Animal Control can receive stray cats on behalf of SPCA and retain protections under the Animal Welfare Act;
 - Animals received only need to be retained for seven days and remain on SPCA books before being passed to a rescue centre, adopted or euthanized;
 - SPCA will make a gradual return to services commencing from late January;
 - Animal Control currently holds five cats and has moved four litters of kittens to various rescue organisations;
 - Assisted SPCA with 13 welfare cases;
 - The volume of kittens is manageable for Animal Control within existing staffing. However, rescue organisations are now totally full so we expect more demand for us in the next month; and
 - The MOU with SPCA will be enduring, allowing Animal Control to deal with stray cats into the future.

10. Temple View Scoping Report (GM City Growth)

11. The Temple View Scoping Report was released to the parties (WD Jolly, WJ & MR Lavery, The Church of the Latter-day Saints of Jesus Christ and the New Zealand Temple View Historical Society) to the Temple View appeals in December 2016.
12. The Scoping Report, prepared by Economic Growth & Planning staff and internally reviewed by City Infrastructure and the Growth Project Governance Group (PGG), is a gap analysis of the information known and what would be required if a structure plan was to be undertaken for the Temple View area as a whole. The report sets out the potential constraints and opportunities that would need to be considered if accommodating additional development in this area.
13. The key findings:
 - The completion of ICMPs for the two catchments that Temple View fall within (estimated completion by 2019/2020 financial year) is required;
 - There is no infrastructure growth investment programmed in either 10 Year Plan or 30 year Infrastructure Strategy;
 - Neither Future Proof or HUGs specifically identifies Temple View as being needed for future greenfield residential growth;
 - The extent of development opportunities beyond the existing Temple View settlement will be largely determined by environmental constraints such as topology and soil conditions as well as the feasibility of infrastructure servicing;

- The preparation of a structure plan for the area is an appropriate mechanism to investigate and inform the potential for development opportunities as assist with funding programming in the future;
- The scoping report also highlights that there have been ad hoc development on the fringes of Temple View area in the past and the establishment of a structure plan embedded into the District Plan would avoid the inefficiencies that arise from such ad hoc residential development; and
- Structuring Planning of the area would allow the planning framework for the long term development of the area to be understood and programmed in a comprehensive, sustainable and integrated manner while also meeting the requirements of Future Proof, Waikato Regional Council, HUGs and the indicators in the Partly Operative District Plan.

14. To date, two of the four parties' representatives have advised that there are no fundamental concerns with the report or its conclusions. Staff are presently following up with the remaining two parties (WJ & MR Laverty and the New Zealand Temple View Historical Society) on whether they wish to provide feedback.

15. Temple View Resource Consent Application (GM City Growth)

16. The Church of Jesus Christ of Latter Day Saints Trust Board has submitted a resource consent application which seeks consent for multiple activities within Comprehensive Development Plan Area 1 (CDP1) on the former Church College campus in Temple View.

17. The proposal involves:

- Removal of all remaining non-heritage buildings being the former Matthew Cowley administration building, former classrooms 1 to 5 inclusive and the privacy wall that screened the classrooms from Tuhikaramea Road;
- Removal of the David O McKay Building (B Ranked heritage building (H106));
- Development of a mix of residential activities/buildings (single dwellings/duplex dwellings/apartments);
- Development of a commercial precinct (including a childcare facility, retail tenancies and some residential units);
- Provision of water, wastewater and stormwater infrastructure; and an internal roading Network;
- Associated earthworks; and
- Associated landscape and amenity areas.

18. The application was publicly notified on Saturday 21 January with submissions closing on Monday 20 February.

19. A proposal summary, the complete application, assessment of environmental effects and plans as well as two peer review reports commissioned by Council are available on the Hamilton City Council Website: <http://www.hamilton.govt.nz/pna>.

20. Chief Executive/General Manager Executive Engagement Sessions (GM City Growth)

21. The first of these sessions were held in October and November last year. They were split into two groups, Property Developers and Commercial Developers.
22. The objectives of these sessions are:
 - For Council senior management to understand plans and constraints of the development sector (residential and commercial) from those who directly invest in property development.
 - That those directly investing in property development understand the constraints and challenges of Council from a sequencing, timing, funding and political perspective.
 - Better understanding between the two parties such that future growth and infrastructure regimes for planning, funding and staging are informed, clear and understood.
 - That the sub-regional to city wide approach (including Hamilton city boundary expansion) to land use planning, infrastructure and timing is understood by, and informed by, those who are directly investing in property development.
 - Those who are directly investing in property development are able to communicate directly with Council, such that it is unfiltered, uninhibited or captured by third parties.
 - To obtain developer views and alignment on central government policy to assist HCC influence the agenda setting in these areas.
23. The sessions were well received and are scheduled again for 13 February and 20 February.

24. Developers' Forums (GM City Growth)

25. The Developers and Consultants Forum is a quarterly meeting designed to inform and generate discussion with the development community, consultants and other external parties.
26. Agendas are set via an industry liaison group and by canvassing senior leadership/key staff and include significant emerging issues, development trends and updates on key developments. The topics covered aim to link with our organisational purpose of improving the wellbeing of Hamiltonians by advocating for Hamilton and providing quality infrastructure, public services and regulatory functions.
27. The agenda for the last meeting in December included staff updates on the District Plan, National Policy Statement (NPS), Housing Infrastructure Fund, an update from New Zealand Transport Agency on the Expressway developments around the city, Waikato Regional Council Healthy Rivers consultation and an overview of the Waikato Health Board's relocation into the Alexandra Street CBD offices.
28. Typical attendance average at these forums is 60 people made up of developers, consultants, staff and the property community.
29. This year we will be looking to discuss the Hamilton Housing Accord, NPS submission, Housing Infrastructure Fund, WRC Healthy Rivers, etc., with input from senior management.

30. Quarterly Growth Update (GM City Growth)

31. A growth indicator report, "Hamilton's Housing Market and Economy" was circulated to elected members in December.
32. This document is attached (Attachment 1).

33. It was resolved that this information would be provided to the Committee on a quarterly basis and will thus be reported at March, June, September and December Growth & Infrastructure Committee meetings.

34. Regulatory functions (GM City Growth)

35. Owing to a number of queries, questions and concerns around various issues raised by Councillors around regulatory functions and legislative requirements such as loitering, vagrancy, footpath signage, City Safe and Building Control activities, an Elected Member Update session will be held in late March which will cover Council's powers and limitations around regulatory, legislative and compliance.

36. Heritage update (GM City Growth)

37. Minister of Culture and Heritage – funding

38. In January, Council wrote to potentially eligible heritage building owners, as below:

- *Late 2016, the Minister of Culture and Heritage, the Honourable Maggie Barrie, announced the availability of a fund for owners of heritage listed buildings to assist with earthquake strengthening. The closing date for this funding round is the 9 February 2017.*
- *Of the scheduled heritage buildings in the District Plan 43 are also on the Heritage New Zealand Pouhere Taonga List. Of those 43, we have deemed 11 to be potentially eligible for this fund. These buildings meet the Funding's criteria of being earthquake prone, in private ownership and not used for residential living (e.g. a dwelling).*
- *Staff have contacted those 11 building owners via post to advise them of this funding opportunity.*
- *For full detail on the fund can be found on the Ministry's webpage www.mch.govt.nz or <http://heritageequip.govt.nz/>*

39. Key reasons for the difference between Council's District Plan Heritage List and that of the Heritage New Zealand Pouhere Taonga list.

- *The protection of historic heritage (Built form and archaeological) is managed via the City's District Plan (Chapter 19), the Resource Management Act (s.6(f) the protection of historic heritage from inappropriate subdivision, use, and development), and the Heritage New Zealand Pouhere Taonga Act.*
- *The criteria for inclusion on to either The List or the schedule in the DP are similar, test of significances at a national level rather than a more regional/local level. The List is more confined to those items that are of greatest significance to New Zealand's historical and cultural heritage (categorising heritage items either: Category 1 - of special or outstanding historical or cultural significance or value or Category 2 - places of historical or cultural significances or value).*
- *The List provides information at a national level of New Zealand's society and cultural history, is to be used as a key resource for local authorities and is a resource for the purposes of the Resource Management Act.*
- *The District Plan, in addition to those specific items on The List recognises additional items that are significant to, and important in representing the City's specific historical and cultural heritage.*

- *As the list is an information tool only, not equating as automatic protection, it needs to be linked with the RMA requirements (e.g. the District Plan). To enable statutory provisions to be put in place to manage the protection of all identified heritage items.*

40. Electric Vehicles (GM City Infrastructure)

41. In May 2016 government launched an Electric Vehicle Programme with an aim to increase the uptake of electric vehicles in New Zealand. The programme includes a target to double the number of electric vehicles every year to reach approximately 64,000 vehicles by 2021.
42. The Ministry of Transport has responsibility for the co-ordination and delivery of the programme with support from New Zealand Transport Agency (NZTA), Energy Efficiency and Conservation Authority (ECCA), Ministry of Business Innovation and Employment, Inland Revenue Department and the Accident Compensation Corporation.
43. Key components of the programme include:
 - Road user Charges exemptions for light electric vehicles and heavy electric vehicles
 - Work across government and the private sector to investigate bulk purchasing
 - Support the development and roll out of public charging infrastructure
 - A nation-wide electric vehicle information and promotion campaign
 - A contestable fund of up to \$6million per year to support innovation
 - Enabling electric vehicles to access bus and high occupancy vehicle lanes
 - Review of tax depreciation rates and the method for calculating fringe benefit tax
 - Review ACC levies for plug in hybrid electric vehicles
 - Establishment of an Electric Vehicles leadership Group
44. Attached to this report is an overview of the programme (Attachment 2).
45. Of particular interest to HCC is supporting the development and roll out of public charging infrastructure. On 19 January 2017 NZTA published National Guidance for Public Electric Vehicle Charging Infrastructure which gives us confidence that any investment can be well directed.
46. Staff have been working with WEL Networks Ltd who propose to install and operate 2 back to back WEL branded EV charging stations in the Council owned Caro Street Car park. WEL will meet the costs of providing and installing the charger WEL propose initially that use of the charger will be free but reserve the right in consultation with HCC to charge vehicles for use.
47. HCC will enter into a licence to occupy for the 2 car parking spaces for an initial 10 year term at no cost to WEL and will also meet the costs involved with site lighting and CCTV coverage.
48. A number of CBD options were looked at and this one was chosen because of the ready availability of power, lighting and CCTV technology as well as proximity to the I-site. WEL Networks have installed an EV charging station at their Maui Street Offices as per the photograph below.



49. Government has also set up a contestable fund to support innovation. The first round of bidding has been finalised and 15 conditionally approved projects worth \$3.5million are listed in Attachment 2. A second funding round with up to \$6.0Million available is likely to be open for applications in late February/March 2017. The fund will provide up to 50% funding for projects that will demonstrate and showcase low emission vehicle technologies in high-profile, visible ways that will help to normalise the technology.
50. Downer Construction has deployed an electric vehicle into the Infrastructure Alliance fleet.

51. Maintenance Strategy for Footpaths(GM City Infrastructure)

52. Following an inspection of footpaths in Hamilton East /Peachgrove Road by staff and some Councilors in response to a complaint, the Chair has asked that staff provide a summary of the visit and the footpath maintenance strategy. The footpaths visited had surface related faults as well as other issues such as overhanging vegetation.
53. Currently we have 1,100km of footpaths which is a fairly equal split of concrete and asphalt, with some cobblestones in town centre areas. Approximately \$2,500,000 of the Transport budget is allocated this financial year for footpath renewal and \$530,000 for maintenance.
54. There is no specific budget to create new footpaths and the discretionary transport capital budgets would need to be utilized for this purpose. Footpath maintenance and renewal does not receive NZTA funding.
55. An 'all faults' assessment of all the footpaths in the city is completed annually based upon the attached Level of Service (LOS) document (Attachment 3). As of the 18 January 2017 there were 7084 priority 3 & 4 faults and 40 priority 5 jobs to complete. Priority 5 jobs are completed as soon as possible as these are safety related.
56. The Council's activity management plan sets a target of 5 faults or less per 100m meaning that 97.8% of our network is complying with the desired level of service.
57. Tree roots were acknowledged as having a very negative impact on the infrastructure (overhead power lines included) and Infrastructure Alliance staff are working with Parks and Open Spaces to address tree species, future designs and funding for the existing network issues.
58. The Council's Beautification policy was also discussed which outlines very clear guidelines for the areas that get priority attention for vegetation management.
59. Some of the faults that were observed on the site inspection had already been identified and programmed for repair in late January and early March.

60. There are some selected areas in the City that have cobblestone footpaths which are much more expensive to maintain and renew. Frankton is an example where the cobblestones have reached the end of their useful life, and a decision has been made through the Frankton Neighborhood Plan to replace the cobblestones with asphalt and decorative strips only of paving stones. This will be much more cost effective in the long term and it is expected to look good.
61. The Shared Zone in Worley Place has utilized cobblestones to match Garden Place to create a pedestrian friendly area and to keep traffic speeds down. Cobblestones are even more challenging when they have to carry vehicle loadings and they will need more regular maintenance than traditional asphalt. Since their installation in 2011 there have been a number of repairs required including early this year.
62. Prior to the recent work, the Infrastructure Alliance looked at both long term and short repairs including full removal and pavement redesign. It considered traffic patterns, current design and any future use with possible changes in the City Centre Transformational Plan.
63. The best benefit cost option for repair was to remove and relay several large portions, which has now been completed. The problems we have experienced will mean that alternative options for surfacing will be comprehensively looked at for any future projects that have areas subject to traffic load

64. NZ Post proposal for use of Paxster Vehicles on footpaths (GM City Infrastructure)

65. NZ Post is progressively rolling out Paxsters in NZ as part of their efficiency programme. The number of letters being sent has decreased while the number of parcels has been increasing. Posties on bikes are not able to handle the number of parcels, and so there have been more courier vehicles delivering into residential areas. The Paxster allows for the delivery of letters and parcels from one vehicle.



66. NZ Post has contacted staff seeking approval under the Land Transport (Road User Rule), for which approval from the Road Controlling Authority is required:
67. City Transportation staff met with NZ Post just prior to Christmas and have agreed that the following key steps need to be worked through prior to formal approval by Council:
- Assessment paperwork from NZ Post confirming areas they intend to use the Paxster and outcomes of their hazard assessments
 - Appropriate Traffic Management Plans and their approval
 - Consultation with the Advocacy Users Group – ie Living Streets, Blind Foundation, CCS Disability and CAW

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- 68. NZ Post are more than happy to host a group and present on their H&S plans, training plans and hazards assessment methodology as well as demonstrate the Paxster in use to any groups/stakeholders who have an interest in understanding more about this proposal.
- 69. Delegation for signing this approval as the Road Controlling Authority is currently with the Chief Executive.

70. Speed Management (GM City Infrastructure)

- 71. Speed management involves a number of actions including speed limit changes, education and enforcement.
- 72. Calls are regularly received from the public expressing concerns about the speed of vehicles using their streets.
- 73. We currently have three speed trailers which are deployed to locations where concerns have been expressed – the trailers provide an instant reminder to the driver of the speed that they are travelling and we receive positive feedback on reduced speeds in the areas that they are deployed. We currently have a list of 53 sites that are programmed for a week-long visit by a speed trailer, which equates to approximately a 2 month wait for most requests. Staff proactively deploy the trailers at certain times of the year also e.g. back to school time and for events like Bike Hamilton.
- 74. We also have 4 SIDs (Speed Indicating Devices) which are fixed permanently for at least 6 months at a time and use a solar panel to power the sign. The current locations are:
 - River Road near Te Huia
 - Horsham Downs Road near Moonlight
 - Boundary road near Oakley
 - Dinsdale Road near Caernarvon



Speed Trailer
(moved weekly)



Speed Indicator Device
(fixed for at least 6 months)

75. There is currently a moratorium on speed limit changes and it is proposed that a full report will be brought to the March 2017 meeting of this Committee to discuss the next steps in the review of the current Speed Management Policy and development of a Speed Management Plan.

76. Auckland to Hamilton Passenger Rail (GM City Infrastructure)

77. Council received an update at its Strategy and Policy Committee of 30 August 2016 on the inter-regional transport strategy as it relates to passenger rail and the potential for land banking sites for passenger rail stations in Hamilton, specifically in Frankton and Te Rapa.

78. Council requested staff to provide a further comprehensive report for the appropriate committee of the new council, with reference to a commuter rail link between Hamilton and Auckland with specific reference to future-proofing available land in Hamilton for commuter rail.

79. In 2011 a report on passenger rail opportunities was completed and at that time there were discussions at various levels about potential Hamilton rail stops at the following locations on the Main North Island Trunk Line and the East Coast Main Trunk Line:

- Tasman Road (opposite the Base)
- Frankton Rail Station
- Kahikatea Drive
- Previous CBD Underground Rail Station
- Claudelands
- Ruakura

80. There appears to be a developing community desire to review the 2011 business case for the Auckland to Hamilton Commuter Rail. Staff believe that this is work that should be overseen by the Waikato Regional Council as was the case in 2011.

81. The Regional Transport Committee (RTC) has been kept informed on consultation that Auckland Transport, Auckland Council and NZTA were undertaking in regard to an Auckland

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Transport for Future Urban Growth (TFUG) project. The purpose of this project was to develop a high level network plan, identifying what major infrastructure is required over the next 30 years to support future growth in Auckland.

- 82. There were projects identified for the southern area that aimed to improve connectivity and travel time reliability for people and freight movements between Auckland and Waikato.
- 83. A copy of the Southern Auckland Network Plan can be found here:
<https://at.govt.nz/media/1972209/network-for-the-south.pdf>
- 84. Out of this process a project team has been put together to develop a North Waikato Transport- Programme Business Case. This is being reported through the Future Proof Implementation Committee (Land Use Strategy) and RTC (Transport Programme) and the project includes a review of public transport services in North Waikato to service the strong growth expected in Tuakau and Pokeno over the next 10-20 years.
- 85. The business case approach will enable key stakeholders to develop a shared and common understanding of public transport problems in the north Waikato area and to identify potential solutions/options that could deliver the best public transport outcomes for the community.
- 86. Extending passenger rail early to Tuakau was a key issue in 2011 as part of the Auckland to Hamilton passenger rail service review. Public Transport is included in the current scope of the North Waikato Transport- Programme Business case project. The Hamilton City Transport Manager has been invited to sit on the team overseeing the business case and will request that any extension to Tuakau is in the context of the bigger objective to get services to Hamilton.
- 87. It is expected that there will be some engagement on this issue in the first half of 2017 through the Futureproof Strategy review and that the programme business case should be completed about August 2017, at which point a decision will be made on the merits of progressing any passenger rail project further.
- 88. Notwithstanding the above, Staff have been progressing further work on land requirements to future proof a commuter rail service at Tasman Road and will report back in more detail to the March 2017 Growth and Infrastructure Committee on all of the future proofing opportunities.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group Kelvyn Eglinton, General Manager City Growth
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Hamilton's Housing Market and Economy

Growth Indicator Report

November 2016



hamilton.govt.nz

 **Hamilton City Council**
Te kaunihera o Kirikiriroa

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9. Housing Affordability
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Introduction

This report presents the latest summary information about Hamilton's economy and residential housing market. It uses Hamilton City Council (HCC) data and provides analysis of recent and historical trends in Hamilton's residential consenting and development activity, and in the wider housing market. It also provides an overview of the local economy.

Key findings

- Over the last two years Hamilton has experienced its strongest residential housing boom in both the volume of new dwellings and average sale prices since the 2008 financial crisis.
- Economic indicators such as GDP in key sectors, reduced unemployment and levels of new consents have shown strong positive trends over the same period.
- Hamilton's economy (3.6 per cent) grew quicker than New Zealand's economy (2.7 per cent) last year and has been doing so since 2014.
- Housing affordability has deteriorated and Hamilton is now less affordable than the last peak in 2007. Wages have not been growing at the same rate as house prices but have been higher than inflation.
- Despite strong economic activity there is risk of economic instability. This is due to the cyclical nature of economic growth and the current unsteady geopolitical landscape.
- 1011 new dwelling approvals were granted in the year to October 2016 represented in 674 consents. These consents represent an increase of eight per cent in number and 19 per cent in value compared to the same period in 2015. There is some evidence of a flattening in this trend over the last few months.
- In the year ended October 2016, a total of 685 new houses were approved for construction, an increase of 61 houses, or 10 per cent compared to the same period in 2015. The number of townhouses, flats and units decreased by 44, or 12 per cent.
- Hamilton has remained strong in healthcare over the past 15 years and has recently had strong growth in electricity, gas, water and waste services and manufacturing.
- Hamilton's estimated unemployment rate has dropped but remains higher than the national average. A youthful population such as in Hamilton typically leads to higher unemployment levels.

Key Facts

Population Estimate (as at June 2016)

161,200

.....

City Area

11,093ha

.....

Number of Households (as at 30 June 2015)

56,385

.....

Number of employees (as at 30 June 2015)

85,358

.....

Number of businesses (as at 30 June 2015)

13,925

Source: Statistics New Zealand most recent annual estimates based on household survey results and the 2013 Census.

New Residential Building Consents

Number of dwellings, consents and new residential buildings by type

For the calendar year to October 2016 1011 new residential dwellings (includes houses, apartments, townhouses and units), valued at \$264m, were approved for construction in Hamilton.

This compares to 938 for the same period last year representing an increase of 8 per cent in number or 73 dwelling consents. An estimate (not an official forecast) for the total number of dwellings for the year to end 2016 is 1271, which would be 92 more dwellings than the total in 2015.

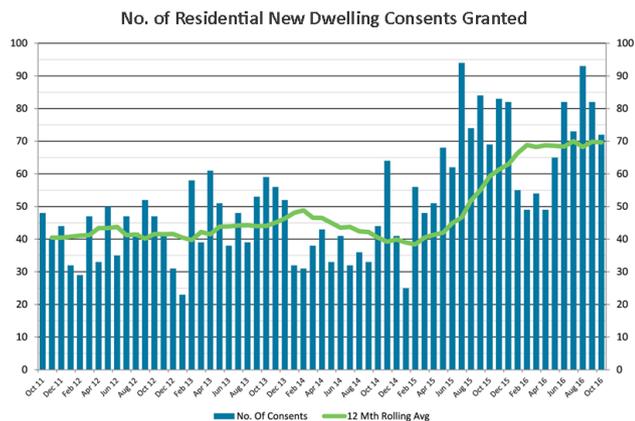
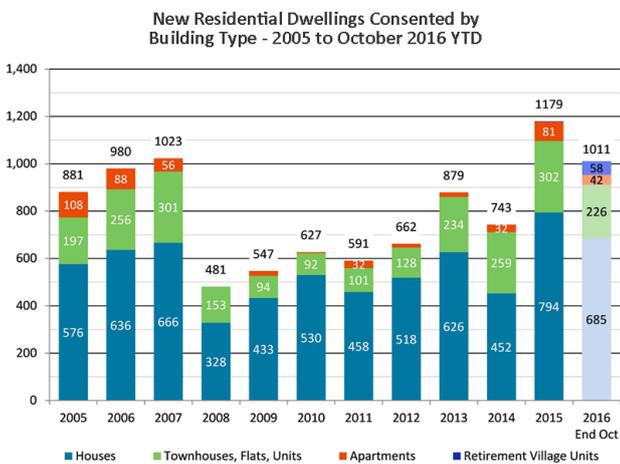
The 1011 new dwelling approvals were represented in 674 consents (some consents are for more than one dwelling). These new dwelling consent approval numbers represent an increase of eight per cent in number and 19 per cent in value compared to the same period in 2015.

Building consents issued for new houses resulted in the construction of a total floor area of 166,836m² during the year to October 2016, an increase of 11 per cent from the same period last year. During this period, a total of 685 new houses were authorised for construction, an increase of 61 houses or 10 per cent compared to the same period in 2015. The number of townhouses, flats and units decreased by 44, or 12 per cent. Despite this, there has been an overall and steady increasing trend of higher density dwellings since the 2008 financial crisis.

The 12-month rolling average graph of monthly new dwelling consents shows an average of around 70 consents per month over the last year. This compares to a longer run average back to 2012 of between 40 to 50 consents. This is another illustration of the timing and scale of the current housing demand boom. Note however that there appears to be a level of stabilisation in new consents from April 2016 onwards.

The shortage of skilled workers, increased land prices and the new Reserve Bank's loan to value ratio (LVR) rules could be the reasons which have stopped the consent volume from increasing further.

A rolling average is used here to remove some of the highs, lows and seasonality of monthly data and enable better trend analysis.



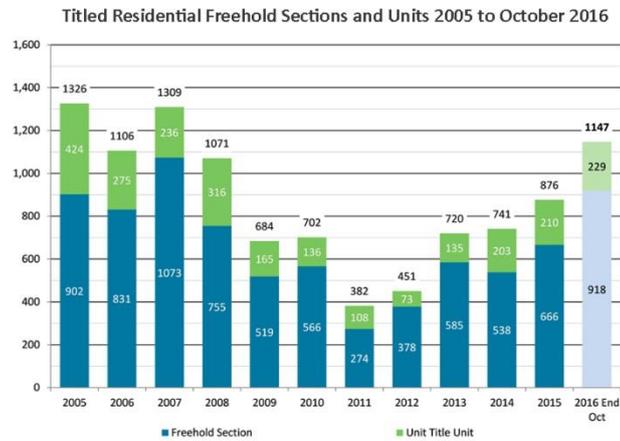


New Residential Sections and Unit Titles (224C)

In the year to October 2016, a total of 1147 residential titles were approved (i.e. issued 224c), made up of 918 residential freehold sections and 229 unit titles.

This substantial increase of 23 per cent in number compared to the same period in 2015. While this part year (to October 2016) already represents an increase compared to the full 2015 year, it should be noted that the number of titles issued in the latter part of a calendar year is usually low (there were only 11 between October and December in 2015).

Speaking generally, for new residential dwellings a separate title (referred to as a section 224c certificate) will be obtained usually before building, and when the dwelling is completed a Code Compliance Certificate (CCC) will be sought prior to it being lived in or sold. In conjunction with the consent data earlier in this report, the graphs on this page help describe this “development cycle”. Note that time lags prevent direct comparisons between building consents, title, and CCC for any given year.





New Completed Dwellings (CCC)

In the calendar year to October 2016, a total of 823 Code Compliance Certificates (CCC) were issued to new residential dwellings.

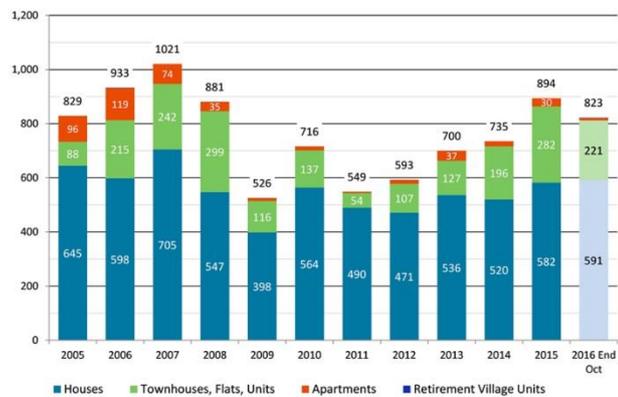
This represents an increase of 13 per cent compared to the same period in 2015. It includes standalone houses, apartments, townhouses and units.

Strong demand for sections and increased land prices have encouraged developers and land owners to progressively release more sections into the market over the last four years. This allowed more houses to be constructed, as the graph illustrates.

Also, new Reserve Bank's loan to value ratio (LVR) rules apply to investment properties, but exempt first home buyers and investors who purchase new dwellings.

The lag time between the granting of building consent and the receiving of CCC typically varies from five to 24 months. Over 2015 and 2016, on average it took 11 months to complete a residential dwelling from the granting of building consent.

New Dwellings Completed (CCC) by Building Type to October 2016 YTD

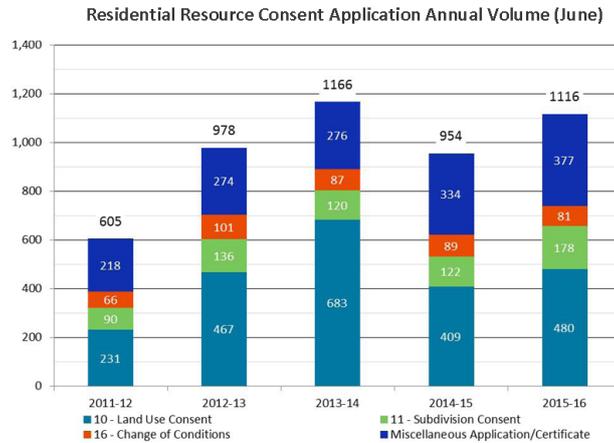


Residential Resource Consents By Type

The total number of consent applications to HCC for the financial year ended June 2016 increased 17 per cent compared to the previous year.

The increase in volume is mainly from Land Use Consents and Subdivision Consents. The number of Land Use Consents processed increased by 71 applications and Subdivision Consent applications increased by 56 from previous fiscal year.

Increased resource consent activity is strongly connected to the housing market boom currently being experienced, reflected in high levels of development activity in the city.



Housing Market

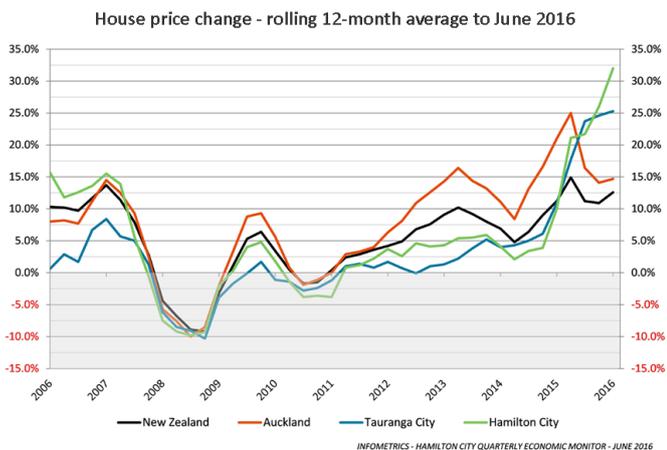
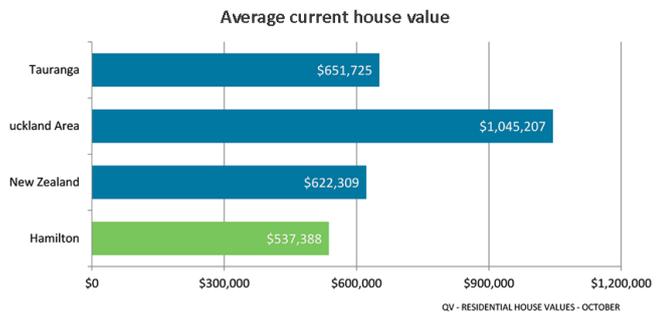
The average house price in Hamilton for the year to June 2016 was up an unprecedented 32 per cent compared with a year earlier.

Hamilton house price growth exceeded that of Auckland, Tauranga, and New Zealand. However, average house values are lower in Hamilton than all of the above despite the rapid growth over the last year.

Annual house sales for the year ending June 2016 increased by 33 per cent to 4386. This compares with the ten year average of 2865. Historically low interest rates for mortgages are facilitating higher levels of debt to be serviced despite low income growth, driving up house prices.

Auckland house price growth has flowed into neighbouring regions, including Hamilton, as a result of the LVR and Auckland's sustained increased house prices. It is increasingly hard to save for a house deposit in Auckland.

The extent of this flow from Auckland to Hamilton is difficult to quantify though due to data limitations around internal migration and reasons why people have shifted.





Residential House Prices and Sales Volumes

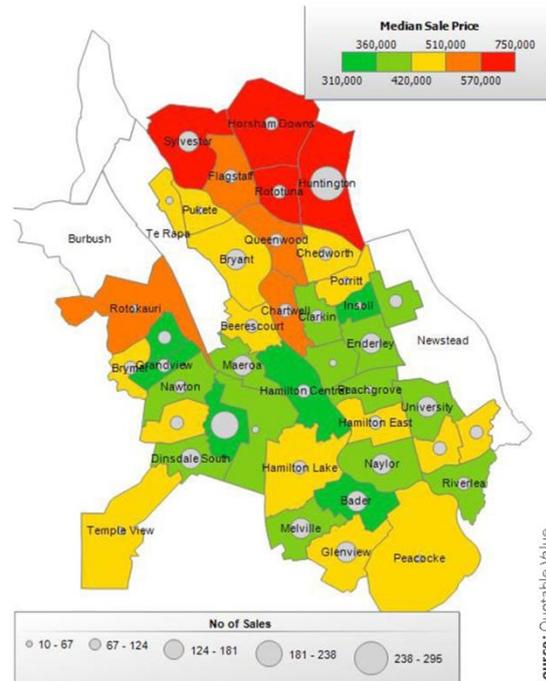
During the year to July 2016, both dwelling sale prices and volumes in Hamilton were highest in northern suburbs (collectively "Rototuna") which is Hamilton's largest and most mature growth cell.

House prices in Rototuna are on average more than the balance of the city as the suburb is comprised mostly of modern and newly built dwellings which have not depreciated, and because the typical dwelling built in Rototuna is a large family detached house.

Sales volumes in Frankton and surrounding suburbs were high, but sales prices were lower than the Hamilton average. Growth cells in early stages of development such as Rotokauri and Peacocke show low volumes of sales but at relatively high prices.

Generally speaking, southern suburbs have lower sales prices and volumes than the northern suburbs.

Data used here includes standalone houses, duplexes, apartments, townhouses, and private retirement units. It does not include sections. Circle sizes on the heat map represent the number of sales and colour indicates sale price bands. Figures are rolling 12-month medians to July 2016.



Source: Quotable Value



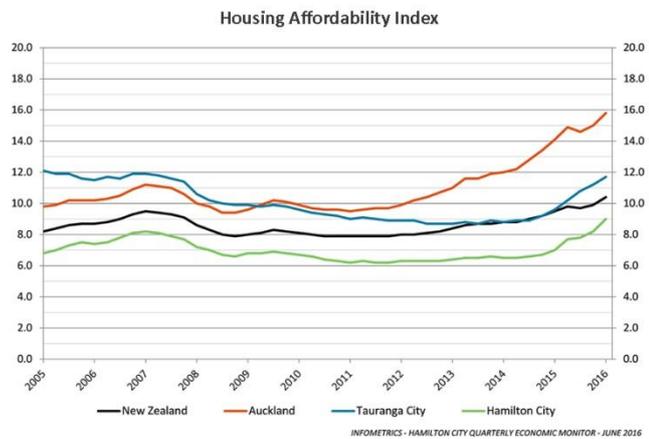
Housing Affordability

Hamilton’s affordability has decreased compared to New Zealand. Although this has been the trend for all major North Island cities, Hamilton is still the most affordable.

This affordability index measures the ratio of the average current house value to average annual earnings. A higher ratio means less affordable housing.

This index has rapidly increased over recent months as incomes remained subdued coupled with high house price growth.

Another component of housing affordability (not factored into this index, for reasons of simplicity) is mortgage rates. A risk not captured in this graph is that first home buyers could be burdened with significant debt if the interest rate substantially increased, further deteriorating housing affordability.



Gross Domestic Product

Hamilton's GDP is estimated to be \$7.7b (\$2010) for the year to June 2016. This represents an increase of 3.6 per cent over the past year.

Hamilton's economy has grown strongly over the past 15 years, averaging three per cent per annum. The exception being during the widespread recession following the 2008/09 global financial crisis (GFC).

Hamilton's economy grew quicker than the New Zealand economy (2.7 per cent) last year and has been doing so since the 2014 financial year.

A key driver of growth, both in Hamilton and New Zealand, has been a migration-fuelled population increase, which has pushed up consumer demand and is forcing higher levels of construction activity.

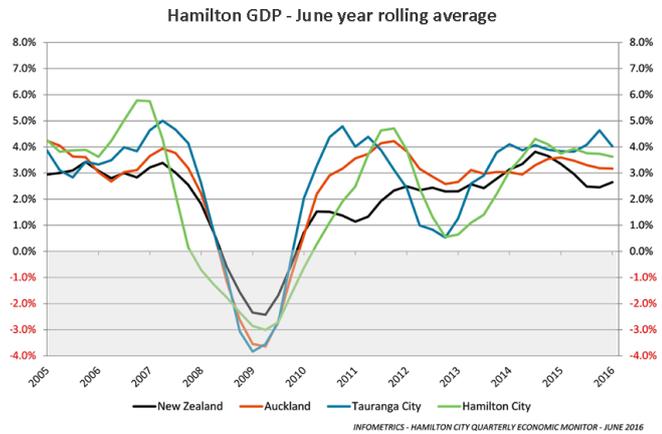
Hamilton's GDP has been driven over the last five years particularly by the electricity, gas, water and waste services, manufacturing and the healthcare and social assistance sectors. These sectors have increased by \$161m, \$160m and \$121m respectively over this period.

Dairy product manufacturing is Hamilton's biggest export sector comprising approximately 60 per cent of Hamilton's total exports across all sectors.

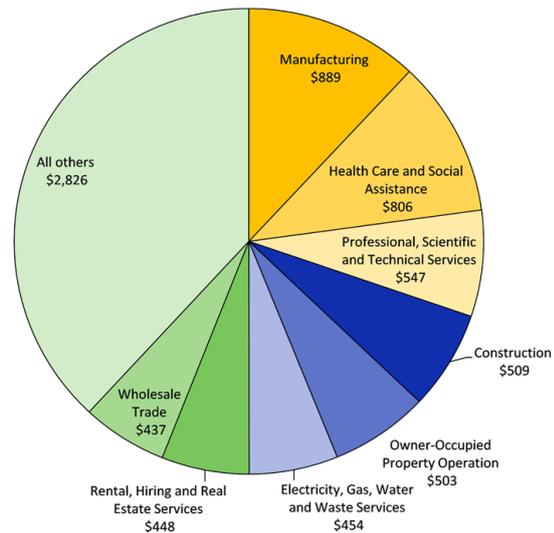
Exports were heavily affected by the GFC. As this sector makes up a large portion of both exports and the greater manufacturing sector, this explains why manufacturing had such a sharp decline in GDP from 2008 to 2010.

Productivity in Hamilton has increased by 1.5 per cent per year on average from 2010 to 2015. This is higher than the New Zealand average (1.1 per cent).

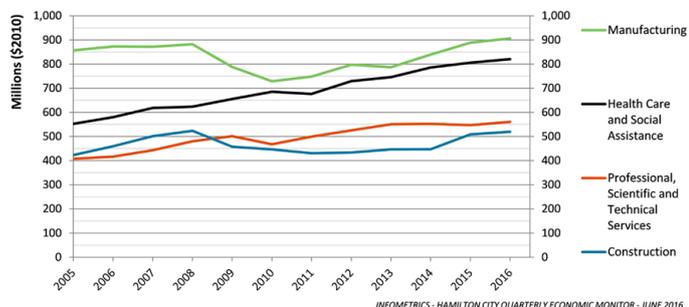
Productivity in New Zealand is higher than in Hamilton although this can be attributed to the city's specialisation in labour intensive industries such as healthcare and social assistance.

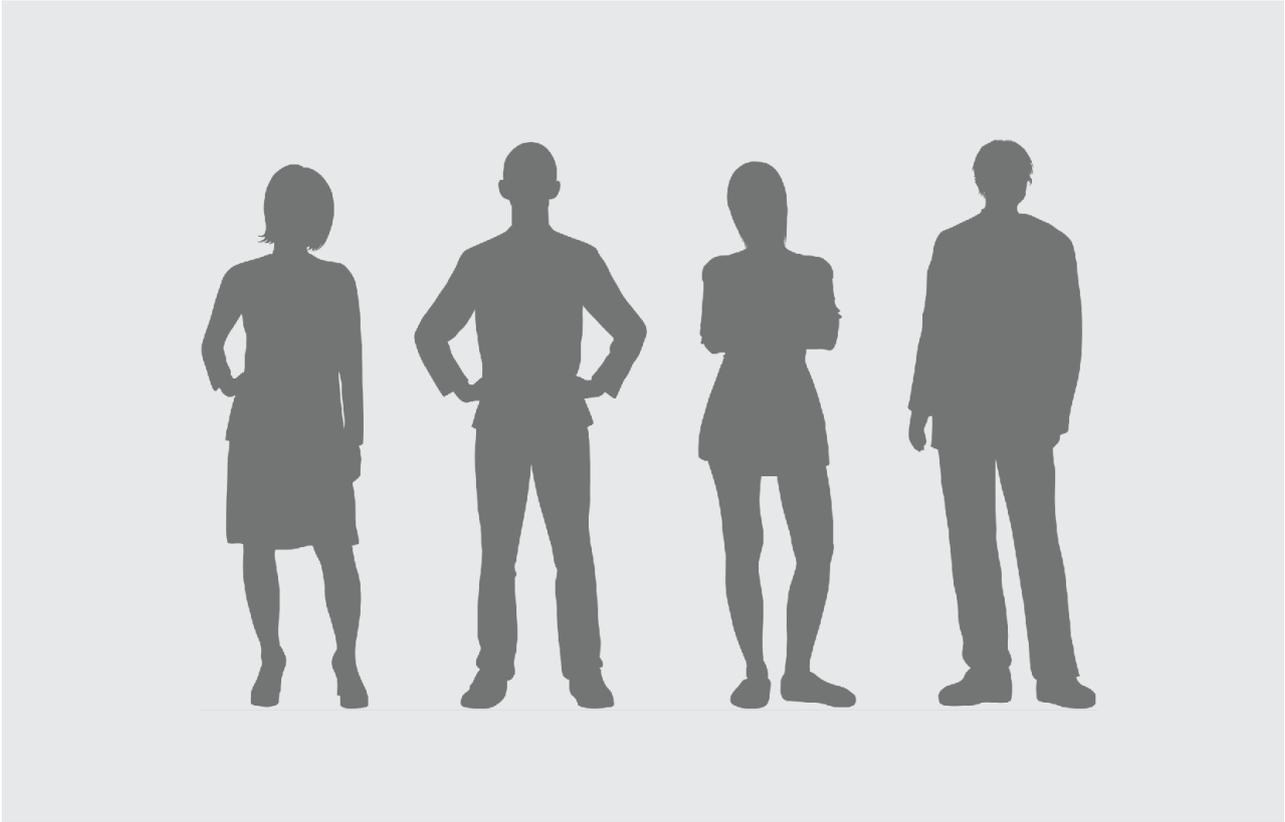


Hamilton sectors by GDP June 2015 (\$ million)



Top four Hamilton sectors by GDP - June year





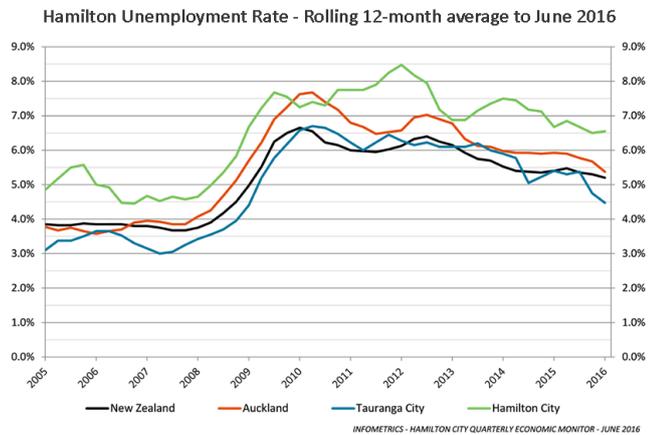
Unemployment

The annual average unemployment rate in Hamilton was 6.6 per cent in June 2016, improved from 6.7 per cent a year earlier.

The unemployment rate in Hamilton was higher than in New Zealand, which averaged 5.2 per cent for the year to June 2016.

Unemployment is dropping despite strong population growth driven by high migration. This is due to strong business conditions driving employment growth.

Amongst other factors such as low inflation, high migration has kept labour cost pressures relatively subdued. This situation could be about to change due to reputed labour market shortages, stricter immigration criteria being implemented and an increase in this quarter's inflation.

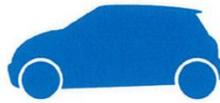


Further Information

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ELECTRIC VEHICLES

DRIVING AN EV FUTURE

What is an electric vehicle?

Electric vehicles are charged from an external electricity source.

They can be powered in two ways:

1. solely by electric batteries. These are commonly known as pure electric vehicles; or
2. a combination of electric batteries and a petrol or diesel engine. These are commonly known as plug-in hybrid electric vehicles.

Hybrid vehicles that use a combination of a petrol or diesel engine, a battery or an onboard electric motor are not included in this definition of electric vehicles because their batteries cannot be charged from an external electricity source.

Why are electric vehicles good for New Zealand?

Electric vehicles have the potential to make a meaningful contribution to the transition to a low-carbon economy, without compromising individual mobility or economic growth.

New Zealand is well placed to benefit from electric vehicles and the Government is committed to supporting the uptake of them.

New Zealand is one of the most EV-ready and friendly countries in the world. That's because:

-  Just over 80 percent of the country's electricity is generated from renewable sources
-  New Zealand has more than enough consented renewable electricity generation waiting to support the widespread adoption of electric vehicles
-  Increased use of electric vehicles will replace petrol and diesel with clean, green, locally produced energy, lessening our reliance on imported oil
-  High renewable energy levels mean that the emission reduction benefits of electric vehicles in New Zealand are greater than in other countries
-  New Zealand motorists drive on average 29 kilometres per day. Average commutes in urban centres are even shorter, at about 22 kilometres a day—a distance electric vehicles can handle easily without recharging
-  85 percent of New Zealand homes have off-street parking, meaning electric vehicles can be easily charged overnight at home
-  New Zealand's 230-volt electricity system means every home has the potential to charge an electric vehicle
-  Electric vehicles are cheaper to run than petrol or diesel vehicles. On average, charging an electric vehicle at home is equivalent to buying petrol at 30 cents a litre, compared to petrol, which is around \$2 a litre.

New Zealand Government

The move from petrol and diesel to low emission vehicles is a natural evolution. Increased use of electric vehicles will replace petrol and diesel with clean, green, locally produced energy.

The Government wants to encourage the switch sooner, rather than later.

By starting to replace New Zealand's fleet with electric vehicles now, we can begin to significantly reduce our greenhouse gas emissions.

What are the barriers to uptake?

The biggest barriers currently limiting greater uptake of electric vehicles are:

-  relatively higher purchase prices compared to equivalent petrol and diesel vehicles
-  the limited variety of electric vehicle models available in New Zealand
-  the perceived limited travel range of electric vehicles, and access to convenient charging locations
-  a lack of awareness of electric vehicles, uncertainty about the total costs of ownership, expectancy of battery life, and misconceptions about electric vehicles.



Electric Vehicles Programme Overview

New Zealand is well placed to benefit from electric vehicles and the Government is committed to supporting the uptake of them.

That's because electric vehicles have the potential to make a meaningful contribution to the transition to a low-carbon economy, without compromising individual mobility or economic growth. New Zealand has about three million light vehicles on the roads, and transport produces around 17 percent of New Zealand's greenhouse gas emissions. By starting to replace our fleet with electric vehicles now, we begin the journey to reduce emissions.

New Zealand is one of the most electric vehicle-ready and friendly countries in the world. That's because just over 80 percent of the country's electricity is generated from renewable sources.

By making the most of our renewable advantage, the emission reduction benefits of electric vehicles in New Zealand are greater than in other countries. That makes the move from petrol and diesel to low emission vehicles a natural evolution, where vehicles are powered by clean, green, locally produced energy.

The Government wants to encourage the switch sooner, rather than later.

That's why in partnership with the private sector and local government a substantive package of measures has been jointly developed to increase the uptake of electric vehicles in New Zealand.

The Government's Electric Vehicles Programme

The Government, together with industry and local government, has set a target of doubling the number of electric vehicles in New Zealand every year, to reach approximately 64,000 by 2021. This is about two percent of New Zealand's current light vehicle fleet.

To help achieve these goals, the Government has launched its Electric Vehicle Programme. The Ministry of Transport has responsibility for the coordination and delivery of the Electric Vehicles Programme, with support from the NZ Transport Agency, Energy Efficiency and Conservation Authority, Ministry of Business, Innovation and Employment, Inland Revenue Department and the Accident Compensation Corporation.

The Government's Electric Vehicles Programme has several key elements:

New Zealand Government



Extending the Road User Charges exemption for light electric vehicles

Providing an exemption from Road User Charges (RUC) is a way to encourage the switch to electric vehicles.

That's why the Government is extending the exemption from RUC for light electric vehicles until 2021 to align with the target of doubling the number of electric vehicles registered each year. The value of the exemption to the typical vehicle owner is about \$600 per year.

Operators of light electric vehicles - such as cars and SUVs - are estimated to receive road user charges exemptions valued at approximately \$36 million by 2021.



Introducing a new Road User Charges exemption for heavy electric vehicles

The Government will introduce a new RUC exemption for heavy electric vehicles, such as buses and trucks.

The value of this exemption varies depending on the weight of the vehicle, and distance travelled per year, but will be higher than for light electric vehicles. The new exemption will remove barriers for heavy vehicle owners, making it easier to transition to electric powered heavy vehicles.

The new exemption will be in place until two percent of the heavy vehicle fleet is electric or 31 December 2025, whichever is reached first.



Work across Government and the private sector to investigate bulk purchasing

Electric vehicle availability in New Zealand is currently limited.

The Government has directed the Ministry of Business, Innovation and Employment to investigate coordinated bulk purchase of electric vehicles across public and private sector fleets.

The main aim of partnering with the private sector is to increase the supply of electric vehicles, by combining purchasing orders for government and corporate fleets. Bulk buying can also reduce electric vehicle costs, making electric vehicles even more cost competitive.

Working together will encourage vehicle manufacturers, importers and traders to bring more electric vehicles to our shores. This will help meet – and grow – the demand from government and business corporate buyers.

The Government will draw on existing relationships with vehicle manufacturers nationally and internationally to make this happen.



Support the development and roll-out of public charging infrastructure

New Zealand does not need major upfront investment in new infrastructure to support electric vehicles at this time. That's because the domestic 230 volt power supply is suitable for charging electric vehicles at home, with 85 percent of New Zealand homes having off-street parking. This is high by international standards.

But there is still a need for public charging infrastructure. The private sector is already investing in the installation of public infrastructure, with several companies installing charging facilities at public and private locations. The Government's role in supporting the development and roll-out of public charging infrastructure moves to be one that:

-  ensures public charging infrastructure is safe, reliable and developed in a cohesive manner
-  clarifies the regulatory framework for charging infrastructure
-  promotes the availability and use of the public charging infrastructure, such the development of standards for signage to indicate on-street charging infrastructure is reserved for electric vehicles.



A nation-wide electric vehicle information and promotion campaign

The Energy Efficiency and Conservation Authority will lead an information and promotion campaign over the next five years. \$1 million per year will be spent on the campaign.

Putting better quality information about electric vehicles and their benefits in the hands of people, households and businesses will address knowledge barriers, such as lack of awareness, uncertainty about the total costs of vehicle ownership, expectancy of battery life, charging opportunities and requirements, and other misconceptions about low emissions vehicles.



A contestable fund of up to \$6 million per year to support innovation

To help drive changes in New Zealand's approach to electric vehicles, a contestable fund will be established to encourage innovation in promoting, enabling and accelerating the uptake of low emission vehicles.

The fund will provide up to \$6 million a year to help innovative businesses, non-profit organisations, individuals and local governments to encourage low emissions vehicle use. To be funded, projects will be required to commit co-funding.

A set of standard criteria will be applied to assess all initiatives on a fair basis to ensure core objectives under the fund are achieved.

The fund will be administered by the Energy Efficiency and Conservation Authority.

Funding will be available later in 2016. Further details about the fund will be released in due course.



Enabling electric vehicles to access bus and high occupancy vehicle lanes

Access by electric vehicles to bus and high occupancy vehicle lanes (lanes where a vehicle must have more than a certain number of occupants) will be of value to households and businesses. Access to such lanes will mean electric vehicles will be able to travel more quickly than vehicles otherwise held up in traffic.

The Government will make changes to the Land Transport Act and Rules to allow electric vehicles to drive in bus and high occupancy vehicle lanes on the State Highway network, which it controls. One example is the Northern Busway in Auckland.

At the same time, the changes will also empower road controlling authorities to allow electric vehicles into special vehicle lanes (such as bus lanes) on their local roading networks.



Review of tax depreciation rates and the method for calculating fringe benefit tax for electric vehicles

The Government wants to remove any financial disincentives for the uptake of electric vehicle uptake, and ensure that electric vehicles are able to compete on an equal footing as petrol and diesel vehicles and are not being unfairly disadvantaged.

The Government has therefore directed the Inland Revenue Department to review, in consultation with industry groups, the depreciation rate and the method used for calculating fringe benefit tax as they relate to electric vehicles.

If the reviews demonstrate that electric vehicles are being disadvantaged, it could result in changes to put electric vehicles on a level playing field with petrol and diesel vehicles.

The results of the review are expected to be reported back to Ministers in early 2017.



Review ACC levies for plug-in hybrid electric vehicles

ACC currently has different approaches to collecting levies for petrol and non-petrol powered vehicles.

The Government has directed the Ministry of Business, Innovation and Employment to investigate and report back to Ministers by the end of 2016 on how hybrid petrol-electric vehicles are levied to ensure owners of these vehicles pay fair ACC levies.



Establishment of an Electric Vehicles Leadership Group

The Government's Electric Vehicles Programme has been developed with co-operation and support from the private sector and local government to ensure it delivers measures that will have the greatest impact to increase the uptake of electric vehicles in New Zealand.

To reflect the partnership, and to provide ongoing leadership and coordination, the Government will establish an Electric Vehicles Leadership Group.

Up to eight representatives from business, local and central government will be represented on the Leadership Group.

Further details about the Leadership Group will be released in due course.

More information

More information about the Electric Vehicles Programme is at www.transport.govt.nz/ev

New Zealand Government



LOW EMISSION VEHICLES CONTESTABLE FUND: CONDITIONALLY APPROVED PROJECTS

The projects needed to contribute to at least one of the following objectives:

- Increasing the variety and supply of electric vehicles (EVs) available
- Improving the availability of servicing or charging infrastructure in areas where demand is not fully developed
- Increasing demand for EVs
- Developing innovative products or systems to take advantage of growing EV usage

The fund's investment focus for the first funding round was demonstration projects that can be implemented relatively quickly. These projects needed to result in:

- Lessons on how to overcome challenges to implementing new low emission vehicle technologies that can be used to replicate the same outcomes elsewhere
- Investor and consumer confidence in the viability of these technologies in New Zealand
- Opportunities to scale-up the demonstration model
- Increased visibility of EVs and the associated technology and infrastructure

THE PROJECTS CONDITIONALLY APPROVED FOR FUNDING ARE:

Foodstuffs (NZ) Ltd: Electric grocery delivery vans

Foodstuffs NZ will use 28 100% electric delivery vans at a range of Four Square, New World and PAK'nSAVE stores throughout New Zealand and install public charging stations at some of the supermarkets where these vans are based. This will be a highly visible and influential demonstration of a fully electric zero emission van for delivery services.

Auckland Transport: Smart Pole electric vehicle charging in public spaces

Auckland Transport will replace two existing street poles with Smart Poles to demonstrate the potential of this scalable technology for repetitive deployment of public infrastructure to support EV charging, and other functions such as way-finding signage, push-to-talk emergency calling, WiFi, adaptive street lighting and other sensors.

Waste Management NZ Ltd: Establishment of two electric truck conversion facilities

Waste Management is converting three trucks to 100% plug-in electric by EMOSS in the Netherlands. The first of these arrived in Auckland in December 2016 and will shortly commence trials. The remaining two are expected to arrive in early 2017. Upon successful completion of these trials, this project will contribute funding towards the design and conversion of two further diesel trucks with different power demands and establish an electric truck conversion and service facility in Auckland. This facility will convert additional heavy vehicles from Waste Management's fleet and assist other New Zealand fleets with their designs, avoiding the high initial costs of freighting overseas. This project will develop heavy electric vehicle skills and jobs, which will in turn help facilitate uptake of EVs in New Zealand.

Auckland Transport: Demonstration of an electric bus

Auckland Transport will receive co-funding for a 100% electric bus and associated charging infrastructure to be used by Auckland bus operators in regular operation over a range of routes to gather data and enable assessments as to the best operating environment for electric buses on New Zealand roads. This information will be shared with other public transport funders and providers to build awareness and understanding of the potential of electric buses.

Tranzit Group Ltd: Demonstration of an electric bus (in association with Auckland University of Technology)

Tranzit Group will demonstrate the use of a 100% electric bus and associated charging infrastructure to assess the feasibility of operating an electric bus fleet in a New Zealand urban environment. The electric bus will be used on services under contract with AUT - between University campuses on the North Shore, Central City and South Auckland.

Mevo Ltd: Demonstration of 50 electric vehicle car share scheme

The Mevo project will demonstrate a car sharing fleet of 50 high quality plug-in hybrid electric vehicles (PHEVs) in Wellington's CBD. This includes the installation of 64 kerbside charging stations, throughout the CBD. Regular users are expected to be local businesses including Victoria University Wellington, Meridian Energy and Biz Dojo, and local residents. A quarter of the kerbside charging stations will be available for public EV charging.

Z Energy Ltd: Demonstration and promotion of electric car sharing (in association with Mevo Ltd)

Z Energy will encourage its customers to experience driving an electric vehicle via the Mevo car sharing service. Z will lease and host MEVO electric vehicles at two centrally located Z sites in Wellington, making the technology visible and accessible to a broad range of customers. Promotions will encourage visitors to these Z sites to obtain and use a single-use code for a free temporary registration with Mevo and one hour use of any Mevo car at a discounted rate.

Green Cabs Ltd: Introduction of electric vehicles into the taxi fleet to prove commercial viability

Green Cabs led the way on the use of (non-plug-in) hybrid cars as taxis; this project will pilot the use of a range of electric vehicles in their commercial taxi fleet. The project will help to normalise and demystify EVs through high visibility and ride experience.

Auckland Transport: Establishment of priority parking and 60 charging stations for electric vehicles at park and ride facilities in Auckland

Auckland Transport will raise the profile of electric vehicles in Auckland by giving EVs priority parking and installing 60 charging stations at Auckland Transport public parking and park and ride sites across the region. This project will use strategically located sites to maximize the visibility of priority EV parking and use of charging infrastructure to the public, and will gather data for assessment of future investment opportunities.

Thames-Coromandel District Council: Three fast charging stations for electric vehicles on the Coromandel Scenic Touring Route

This project will establish a network of three fast charging stations around the Coromandel Peninsula in order to promote the region to the domestic and tourist EV-driving market. The fast chargers will be located at Tairua, Whitianga and Coromandel Town, which are not on any current plans for EV charging infrastructure rollout. The provision of a strategically positioned network of fast chargers

will promote the use of New Zealand's abundant renewable electricity supply to tourists, and stimulate the popularity of electric vehicles.

Unison Networks Ltd: Two fast charging stations for electric vehicles to create the Electric Thermal Explorer Highway between Taupo and Napier

Unison Networks will install two fast chargers on the 'Thermal Explorer Highway' route between Taupo and Napier. As well as being a popular tourism route, this highway is also the primary transport link between the Central North Island and Hawke's Bay region. This project is expected to remove a barrier to EV uptake in the Central North Island and promote the use of New Zealand's abundant renewable electricity to the tourist market.

The Warehouse: Installation of charging stations at 20 Warehouse stores

The Warehouse will install, and provide free for six months, electric vehicle charging stations at 20 stores in areas that are underserved for EV charging. This project, and the promotion of it by the Warehouse, will make EV charging infrastructure highly visible to large numbers of shoppers.

Hutt City Council: Public EV charging station in a large carpark/parking building

Hutt City Council will promote the installation of electric vehicle charging infrastructure in commercial carparks by running a competitive tender for an EV charger in a large car park. It is hoped that this process will lead carpark owners to conclude that installing EV charging infrastructure should be a business as usual practice.

Counties Power Limited: Fast charging station in Pukekohe

Counties Power will install a public fast charging station in Pukekohe, which does not currently have fast charging infrastructure. This will enable increased use of electric vehicles by local businesses and is also expected to be used by EV owners travelling to Pukekohe to watch race events.

PowerNet Limited: Encouraging EV uptake in Southland business fleets

PowerNet will engage with, encourage and facilitate Southland businesses (initially targeting 10 businesses) to incorporate one or more electric vehicles (EVs or PHEVs) into their fleet mix. The vehicles will be highly visible to the public. PowerNet will also supply and install charging infrastructure at an agreed business location.

Item 5

Attachment 2

Level of Service Guide - Footpaths



Note:

- ❖ The **All faults** programme are used to identify both maintenance and renewal sites.
- ❖ Isolated dig outs and overlays can be used, but if the maintenance costs are high then the footpath should form part of the renewal programme.
- ❖ Isolated hazards can be cut and removed, if multiple tree roots are present then it should form part of the renewal programme.
- ❖ Repair to footpath due to tree roots maybe delayed until Arborist inspects them and decides what is required
- ❖ CBD has higher priority
- ❖ Greater priority given on higher used footpaths, especially routes identified on the Network Operating Framework.

Infrastructure Alliance



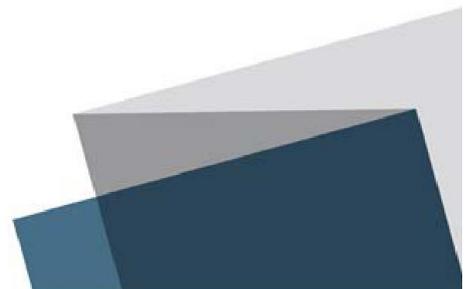
Physical Address: 16 Manchester Place, Te Rapa, Hamilton
 Postal Address: P.O.Box 20049, Te Rapa, Hamilton
 Phone: 07 850 6640

Infrastructure Alliance Level of service Guide

Defect	General Damage - [Age] cracking, delamination of slurry surface, lichen, potholes, vehicle damage, patches or missing cobbles.		
Definition	Footpaths are made up of asphalt, concrete and cobbles within Hamilton. General damage is any damage that affects the footpath pavements integrity and allows water to enter the pavement.		
Condition	3 - Acceptable - Monitor	4 - Poor - Intervention	5 - Very Poor - Safety
Example Photos			
Defect Description	Cracks/patches but has no deformation/holes or tripping hazards	Cracks and some deformation/holes or tripping hazards	Multiple cracks/potholes/missing cobbles or trip hazards and patched over larger areas
Typical Treatment	Monitor	Put onto renewals program or program to repair isolated patches	Dig out replace pavement/cobbles

Defect	Trip Hazards - Tree roots, potholes, unfilled or settlement of trenches, settlement.		
Definition	Deviations from profile which may cause tripping hazard within the concrete, asphalt or cobble footpath.		
Condition	3 - Acceptable - Monitor	4 - Poor - Intervention	5 - Very Poor - Safety
Example Photos			
Defect Description	Minor hazard < 15mm – potential to trip	Any tree roots/trench/lip or depression >15mm <50mm	Any tree root/trench or lip >50mm causing trip hazard to pedestrian
Typical Treatment	Monitor	Put onto renewals program or program to repair isolated patches	Make safe/dig out and replace

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 Phone: 07 850 6640



Committee: Growth and Infrastructure Committee
Date: 14 February 2017
Report Name: New Zealand Transport Agency Update
Author: Chris Allen

Status	<i>Open</i>
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Recommendation from Management

That the report is received.

1. Attachments

- There are no attachments for this report.

3. Purpose of Report

- Parekawhia McLean, Central North Island Director, New Zealand Transport Agency will provide the Committee with an update from the Agency.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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Committee: Growth and Infrastructure
Committee

Date: 14 February 2017

Report Name: Dinsdale Roundabout Petition

Author: Jason Harrison

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Access Hamilton</i>
Financial status	<i>There is no budget allocated</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Council's Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

2. To inform the Committee of a petition received regarding concerns about traffic flows and delays at Dinsdale Roundabout and staff advice on this in accordance with standing orders.
3. To endorse the physical work changes to Dinsdale Roundabout proposed by New Zealand Transport Agency (the Transport Agency).

4. Executive Summary

5. In April/May 2016 changes were made to Dinsdale Roundabout to address safety of pedestrians in the vicinity of the roundabout and to reinforce the network hierarchy with changes at the Rifle Range Road intersection. Safety/capacity improvements for traffic through the intersection were also undertaken.
6. The changes were a joint initiative by the Transport Agency and Council that were delivered using a co-funded single contract.
7. On 3 November 2016 Council received a petition from Dinsdale residents seeking to have the two lanes from Tuhikaramea Road reinstated, white lines remarked and cones removed.
8. The Transport Agency and Council have met with the petition representatives on two separate occasions and changes are proposed to address the concerns raised in the petition.

Recommendation from Management

That:

- a) the report is received; and
- b) the Committee endorses the changes proposed by the New Zealand Transport Agency to Dinsdale Roundabout which include the re-instatement of two lanes on the Tuhikaramea Road approach plus minor adjustments to some islands at the roundabout and associated road marking.

9. Attachments

10. Attachment 1 - Sample Dinsdale Roundabout Petition_3Nov2016
11. Attachment 2 - Dinsdale Roundabout Proposed 2017 Physical Works (Draft)

12. Background

13. Dinsdale Roundabout forms part of the state highway network (SH23 – Whatawhata Road & Massey Street) that runs through the city and is controlled by the Transport Agency.
14. The Transport Agency had previously investigated the safety of pedestrians in the vicinity of the Dinsdale Roundabout after a pedestrian fatality on Whatawhata Road near Poaka Ave in 2014.
15. Council had also identified changes to the Rifle Range Road/Massey Street intersection after complaints and feedback highlighted Rifle Range Road was being used by trucks as a bypass (of the state highway network). The complaints centered around the noise, volume, and vibrations the trucks generated along Rifle Range Road. Safety concerns for pedestrians (including school children) trying to cross Rifle Range Road had also been expressed due to the speed that vehicles were exiting off Massey Street.
16. In April/May 2016 changes were made to the Dinsdale Roundabout, the key changes included:
 - Reducing the Tuhikaramea Road and Dinsdale Road approaches to a single lane
 - Replacing ‘zebra’ pedestrian crossings with signalised crossings at the Whatawhata Road shopping centre and Massey Street next to Frankton School
 - Relocation/upgrade of the bus stop on Whatawhata Road
 - Installation of informal pedestrian crossing points on the Dinsdale Road and Killarney Road approaches
 - Removal of the Rifle Range Road left-turn slip lane
 - Installation of an off-road cycle facility at Rifle Range Road/Massey Street intersection.
17. Improvements proposed by the Transport agency and by Council were delivered using a co-funded single contract with the Council local road component funded within Council’s 2015-16 Minor Improvement Programme (Contract No. 15349).
18. While the safety improvements have been supported by various groups (i.e. CCS Disability, Living Streets) the Transport Agency and Council have received community feedback expressing concern about the impact the works have had on traffic flows and delays.

19. Public Petition

20. On 3 November 2016 Council received a petition seeking to have the two lanes from Tuhikaramea Road reinstated, remark of white lines and removal of cones. A copy of a sample page from the petition is included (Attachment 1).
21. Standing orders (section 3.19) require a valid petition to be considered by the appropriate Committee, together with staff advice, within 60 days of receipt (or 2 meeting cycles). A valid petition in normal circumstances must amongst other things contain more than 100 signatures of residents of Hamilton City, all being on the Electoral Roll for Hamilton City and eligible to vote.

22. This is the first meeting cycle of the Growth and Infrastructure Committee since receipt of the petition. The petition contains more than the required number of signatures and staff have deemed it to be valid.
23. Since receiving the petition staff have organised two meetings with the petition representatives. These meetings included Transport Agency staff, HCC staff and elected members from Hamilton City Council.
24. The first meeting was on 21 November 2016. A number of issues were raised that were taken away by staff from Transport Agency and Council to work through and report back to this group. The key issues raised were:
 - Reducing Tuhikaramea Road approach from two lanes to a single lane (Longer queues; difficulty accessing/merging from Dinsdale shops)
 - Reducing Dinsdale Road approach from two lanes to a single lane (Longer queues)
 - Operation of the signalised pedestrian crossing on Whatawhata Road (Pedestrian confusion negotiating a staggered signalised pedestrian crossing)
 - Removal of the Rifle Range Road left-turn slip lane (Difficult for right turning traffic out of Rifle Range Road to know if city bound traffic on Massey Street is turning left onto Rifle Range Road or going straight ahead)
 - Concern about the impact of future growth in the area on the intersection.
25. At the follow up meeting on 12 December 2016, the Transport Agency advised that they were prepared to make changes to the Dinsdale Roundabout which include the re-instatement of two lanes on the Tuhikaramea Road approach, along with some minor adjustments at the roundabout and associated road markings (Attachment 2). The changes are expected to improve peak-time flows with two lanes flowing between Tuhikaramea Road and Massey Street as well as provide better opportunities for motorists from Dinsdale Road to enter the roundabout.
26. In addition to the changes proposed, the Transport Agency is continuing to look at the phasing and operation of the pedestrian signals on Whatawhata Road.
27. No physical changes to Rifle Range Road are proposed as removal of the slip lane was undertaken to discourage use by trucks as a bypass. There is no ability to provide increased separation between the roundabout and Rifle Range Road to ease gap selection for right turn out movements from Rifle Range Road.
28. Before implementing the changes staff from both the Transport Agency and Council will meet with the petition representatives to confirm the proposed changes (following detailed design) and share the communication plan for this next phase of work.
29. Staff from both the Transport Agency and Council will be working together to complete further monitoring once the changes have been made, including the entrance to Dinsdale Road and exit onto Rifle Range Road.

30. Financial and Resourcing Implications

31. The cost associated with the next phase of physical works will be met by the Transport Agency, who will lead the design and letting of the contract works.
32. Council staff will be supporting this next phase of physical works by assisting with the preparation and co-ordination/release of an updated communication plan, feedback on the designs, engagement with the petition representatives, and post-physical works monitoring.

33. Next Steps

34. The indicative timeframe for completing the physical changes are:

- During February 2017: the Transport Agency to finalise the design, and re-engage with Council and petition representatives
- February/March 2017: the Transport Agency to procure the physical works contract, and agree communications approach with Council
- Rollout of communication plan and implementation of physical works will occur as soon as practicable following the above two steps.

35. Risk

36. When the physical works are undertaken there is the possibility of disruption/delays to commuters. While some disruption/delays are unavoidable this aspect of the works will be managed through the construction management and communication plans.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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Petition to NZ Transport Agency

To propose Dinsdale Roundabout change be amended.

Confirmed 164
Electoral Roll registered names.

- To have traffic flow and reduce congestion. Reducing entry onto Dinsdale roundabout with a single lane has increased congestion and increased travel time for daily commuters.
- To have motorists and pedestrians feel safe. Traffic being congested for too long, motorists taking risks – going on inside of traffic to go left at Jasmine Ave, doing U turns for alternate route.
- Free up accessibility to local Dinsdale shops/medical centres and bus services. Access from Tuhikaramea Road is unsafe and difficult. Local businesses are noticing a downturn in business.

GOAL: To have two lanes exiting Tuhikaramea Road on to the roundabout. To remark the white lines and remove cones utilizing existing road for motorists. Along with Hamilton City Council and NZTA we hope to achieve a safe solution to traffic flow.

Print Name	Address	Signature
Karen Fisher	68 Duncan Rd RD2	Chapman
Cheryl King	37A Wellington St, Hamilton	[Signature]
C. E. Ralph	1 Langley Place Rongon	[Signature]
150:107 122:27 210:60 Cherisse Martin	4 Allen St, Frankton	[Signature]
E. York	6 Lettberg St Dinsdale	E. M. York
Pare ROBSON	37 Dominion Rd Ham	P. Robson
Valda Worth	2469 Kataramea Rd	[Signature]
Hingata Rousey	12 ...	[Signature]
Minnie Brinkley	Sample Only	W. Brinkley
232:150 Vonnice Soutas	Confirmed 164	[Signature]
Juli Seng	electoral roll	[Signature]
192:56 Hendrika Philipp	registered names	[Signature]
242:179 Kerri Tanaka		[Signature]
Davina Crouch	131 Walsh Road	[Signature]
Jed Baker	28 Wallis Street	[Signature]
65:00 Reverangi Ekotone	3A Maitland St	[Signature]
Rawera Rawera	3A Maitland St	[Signature]
188:19 Natasha Patterson	20 Jasmine Ave Hamilton	N. Patterson
Jimie Thompson	10 Riccarton pl.	[Signature]
281:16 Julie Wright	48A Livingstone Ave	[Signature]
Heather Brickland	Frankton School	[Signature]
Ben Hayes	Killarney Rd	[Signature]
AWHINA PIRNELL	7 Gadsden	[Signature]
161:160 A. Meister	90 Poaka Avenue	A. Meister
272:9 Karen White	62E Campbell St	K. White



PROJECT
SH23 & SH26

CLIENT



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REGISTRATION

FOR INFORMATION ONLY

PROJECT MANAGEMENT INITIALS

DESIGNED	CHECKED	APPROVED

ISSUE/REVISION

REV

DATE

DESCRIPTION

KEY PLAN

PROJECT NUMBER

6034287

SHEET TITLE

Dingsdale Roundabout
Minor Improvements Concept
Option A

SHEET NUMBER

6034287-SK5-10-CI-000A



Key components of proposed physical work changes (Status: Draft)

Attachment 2

Item 7

Committee: Growth and Infrastructure
Committee

Date: 14 February 2017

Report Name: On Street Parking Supply in
CBD

Author: Robyn Denton

Report Status	Open
Strategy, Policy or Plan context	Access Hamilton
Financial status	There is no budget allocated
Assessment of significance	Having regard to the decision making provisions in the LGA 2002 and Council's Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance.

1. Purpose of the Report

2. To inform the Committee of all opportunities to increase the on street parking numbers in the Central City as an input to the work that the Central City Parking Control Task Force is undertaking.
3. To seek approval to implement angle parking on sites assessed as "easy to Implement" with any costs met from the discretionary transport budget.

4. Executive Summary

5. A desk top assessment has been undertaken to identify sites suitable for potentially implementing angle parking within the Central Business District (CBD) of Hamilton.
6. A series of 'rules of thumb' have been used to determine the suitability of the sites and the ease of implementation for angle parking. Sites have then been ranked as either:
 - Easy to implement
 - Will require some effort
 - Will require significant effort to implement
7. It is recommended that the easy to implement sites are progressed immediately, while further work is carried out on the remaining sites to confirm the extent of work required, the actual number of additional carparks that would result from the work, the cost to implement and funding opportunities.

Recommendations from Management

That the Committee:

- a) the report is received;
- b) approves implementation of additional parking for sites assessed as “easy to implement” with costs of up to \$25,000 met from the discretionary transport budget;
- c) approves the initiation of a bylaw process to reduce the speed limit in Knox Street to 30 km/h to support the implementation of angle parking; and
- d) approves further investigation of additional parking for sites assessed as “requiring some effort to implement” to be reported back to the Committee through the Central City Parking Control Taskforce.

8. Attachments

9. Attachment 1 - Sites that are easy to implement
10. Attachment 2 - Sites that will require some effort to implement
11. Attachment 3 - Sites that will require significant effort to implement.

12. Background

13. Council as part of the Access Hamilton Transport Strategy report to its 13 December 2016 meeting resolved the following:

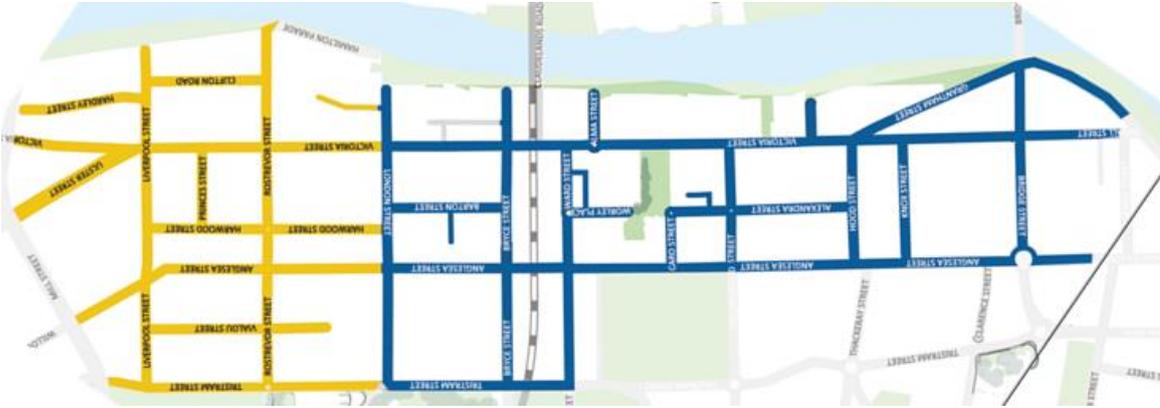
Council request staff to report back to the Growth and Infrastructure Committee in February 2017 identifying all opportunities to increase the on street parking numbers in the Central City.

14. The intent of the resolution was to undertake an early stocktake of on street parking opportunities so that the information could be used by the Central City Parking Control Task Force which is due to report back to Committee by June 2017. Staff have attempted to identify “all” opportunities as required by the resolution regardless of the implementation difficulties.
15. The following ‘rules of thumb’ have been used to assist with the preliminary desktop assessment of opportunities for introducing angle parking:
 - In order to gain the most benefit from angle parking, there needs to be long lengths of kerbline that are uninterrupted by vehicle crossings.
 - For every three parallel carparks, you can generally install four angle carparks which are 2.5m wide (these are reasonably narrow carparks)
 - Angle parks need to be 4.3m deep if the vehicle is parking up against a kerb and the nose of the vehicle is able to hang over the adjacent footpath or garden.
 - For slow speed streets (i.e. 30km/h) it is possible to remove the manoeuvre space behind the angle parks but it then requires the through traffic to wait for any vehicles that are backing out. Worley Place is an example of this type of layout. A carriageway width of about 12.3m is required to cater for two-way traffic in this low speed environment with angle parking on one side and parallel on the other.
 - For higher speed streets (i.e. 50km/h), there is a need to provide manoeuvre space behind the angle parking so that vehicles backing out of the carpark don’t interrupt the through traffic. Ward Street (Anglesea St to Tristram St) is an example of this type of layout. A carriageway width of about 18m is required to cater for two-way traffic, with angle parking on one side and parallel parking on the other.

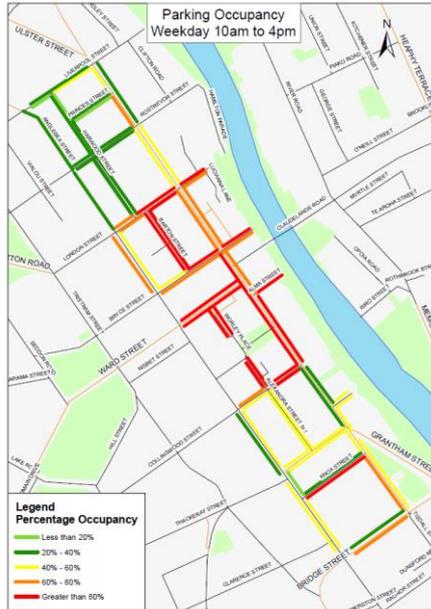
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- 16. Staff are aware that cyclists generally dislike angle parking because it increases the likelihood of them being hit by reversing vehicles. It is therefore necessary to consider the Biking Plan hierarchy of routes as part of the assessment process.
- 17. Sites have then been ranked as either:
 - Easy to implement
 - Will require some effort
 - Will require significant effort to implement
- 18. The current parking provisions in the CBD are managed in two distinct ways:
 - Blue Zone: maximum of 2 hour parking, \$2 per hour charge applicable between 9am and 3pm. Monday to Saturday inclusive. Free parking on Sundays and public holidays
 - Yellow Zone: time restrictions vary

These two zones are illustrated in the map below.



- 19. Based on current parking layouts, we have 631 general on-street carparks (i.e. not mobility, loading zone, bus stops, motorcycle stops) in the Blue Zone and 312 general on-street carparks in the Yellow Zone.
- 20. Assessing the level of parking demand is currently completed via a parking occupancy survey completed three times a year using a vehicle equipped with automatic number plate recognition (ANPR) cameras.



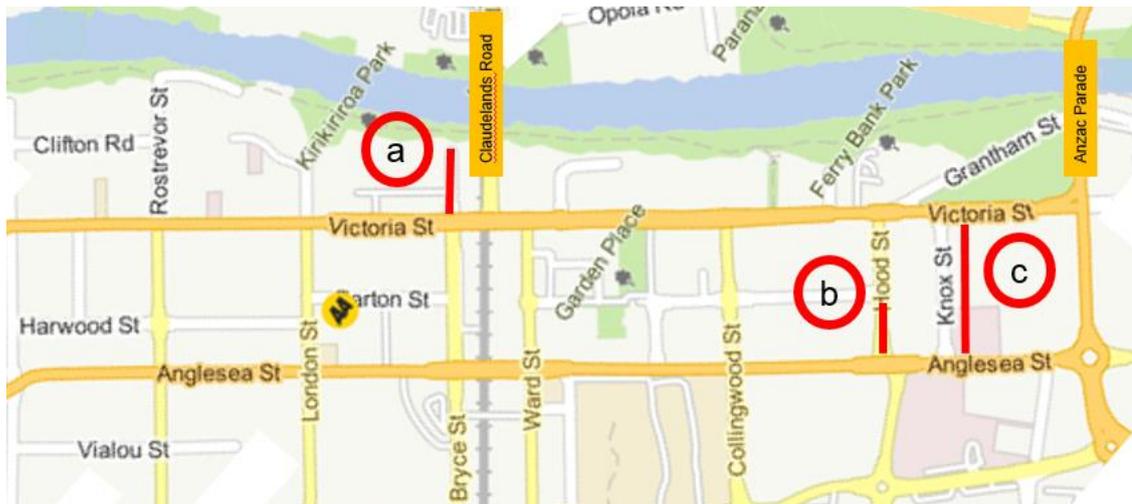
The map to the left shows the level of demand for each street in the CBD between 10am and 4pm in October 2016.

Parking demand is greatest (red/orange) in the central (downtown) CBD and then generally decreases (yellow/green) as you move away from this area.

21. Sites that will be easy to implement

22. The ‘easy to implement’ sites are listed and shown in the map below:

	Site	Estimated additional carparks	Current level of parking demand
a	Bryce St - between Victoria St and the river	2	high
b	Hood St - between Alexandra St and Anglesea Street	2	high
c	Knox St - between Anglesea St and Victoria St	13	high



23. These sites have been assessed as ‘easy to implement’ because they will only require road marking and signage changes that can be implemented at a cost of up to \$25,000.

24. Both Bryce Street and Hood Street already have a 30km/h speed limit in place. Staff recommend that the speed limit on Knox Street also be lowered to 30km/h if these changes to the parking layout are undertaken.

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25. Further detail on each of these sites is provided in Attachment One.

26. Sites that will require some effort to implement

27. The locations that ‘will require effort’ to implement are listed and shown in the map below:

	Site	Estimated additional carparks	Current level of parking demand
d	Harwood St - between London St and Rostrevor St	6	low
e	Barton St – between London St and Bryce St	7	high
f	Ward St –between Victoria St and Worley Pl	3	high
g	Worley Place – between Ward St and the shared zone	2	high
h	Caro St –between Anglesea St and Alexandra St	12	n/a
i	Alexandra St –between Caro St and Collingwood St	3	high
J	Hood St – between Alexandra St and Victoria St	2	low
k	Victoria St – between Grantham St and Anzac Parade	11	medium



28. These sites require more than just road marking and signage to implement. The works would need to include physical changes to kerblines and generally will require additional detailed investigation to fully understand the extent of work required and the actual number of additional carparks that will result from the work.

29. Further information on the work needed to complete these sites is included in the site assessments included in Attachment two.

30. Sites that require significant effort to implement

31. The locations where additional parking could be provided, but which will require either significant funding or effort including significant public engagement are shown below:

	Site	Estimated additional carparks	Current level of parking demand
l	Victoria St – centrally London St to Liverpool Street	TBC additional investigation needed	Low – medium
m	Victoria St – both sides between Bryce St to London Street	TBC additional investigation needed	medium
n	Garden Place	91	Not applicable



- 32. These three sites require significant investment into physical works to completely change the existing road layout. They will also require significant consultation in order to implement, with changes to Garden Place being the most complex.
- 33. Additional information on these sites is included in Attachment Three.

34. Financial and Resourcing Implications

- 35. The works required to complete these changes could be funded as set out below:

Type of sites	Funding sources
Easy to implement	Integrated Transport Initiatives
Will require some work to implement	Integrated Transport Initiatives
Will required significant work to implement	Specific funding via 10 Year Plan 2018/28

- 36. It is not expected that any of these works would attract an NZ Transport Agency subsidy (51%).

37. Risk

- 38. Consultation will be required for the majority of these changes. At this stage, no consultation has been undertaken either with the Central Business Association or the adjacent business owners. This will be completed once a decision has been made about whether or not the proposals are to proceed.
- 39. In the case of the Garden Place option, the existing Pedestrian Mall status will require removal. Under Section 336 of the Local Government Act 1974, if Council decides to alter the Pedestrian Mall status it would need to complete a Special Consultative Procedure. Council would then need to make a declaration of its intentions having considered any submissions received during the consultation process.

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- 40. Those who wish to appeal the declaration are allowed one month to do so following the date of declaration of intention. The declared change would not take effect until any appeals to the declaration have been heard by the Environment Court. Council would face the costs associated with defending its decision.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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Sites that are easy to implement

Site a: Bryce Street – Victoria Street to river



Bryce Street east of Victoria Street is a 12.3m wide cul-de-sac which provides access through to Bryce Lane and Lucianna Lane which in turn link through to London Street.

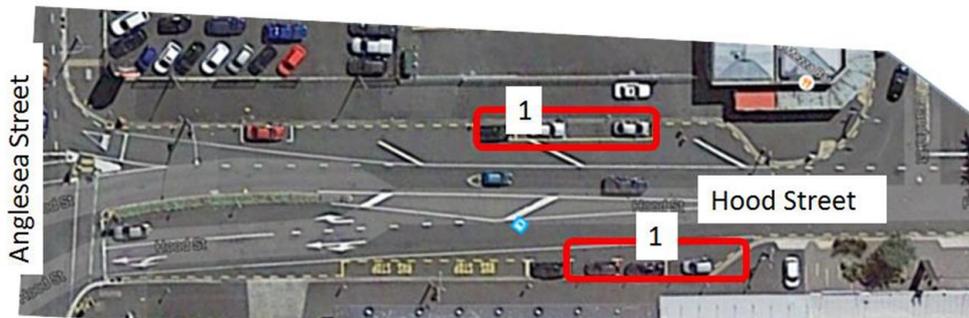
The speed limit on this section of road is 30km/h and it is possible that angle parking could be introduced in the area shown red below.



This section of Bryce Street is a key link for cyclists down to the river path.

Site b: Hood Street – Anglesea Street to Alexandra Street.

There are two areas of potential for easily introducing angle parking in Hood Street between Anglesea Street and Alexandra Street as shown in the diagram below:



Hood Street already has a 30km/h speed limit in place. This section of Hood Street is not on the primary or secondary routes of the Biking Plan.

Site c: Knox Street

Knox Street currently has a flush median along its length. On the southern side there are minimal vehicle crossings which would mean that angle parking along this side would result in a good increase in the number of carpark on street.

Currently there are 23 carpark, a loading zone and a mobility carpark on the southern side.



There would need to be minor work at the Anglesea Street intersection to define the angle parking. Removal of the central flush median will be required.

It is estimated that there is probably room for the installation of 36 carpark plus provision for loading and mobility carpark. Estimated additional carpark 13.



There is a reasonably high level of parking demand on this side of Knox Street – probably because there is not currently a charge for parking on this side, only a time limit. The northern side of the road has a noticeably lower level of usage, probably due to the fact that there is a charge made to use these parks.

Knox Street is not on the primary or secondary routes of the Biking Plan.

The speed limit for this street would need to be reviewed with the aim of lowering it to 30km/h.

Sites that would take some effort to implement

Site d: Harwood Street - London Street and Rostrevor Street

Harwood Street between London Street and Rostrevor Street currently has a speed limit of 50km/h and parking occupancy is generally around 50%. While in close proximity to Barton Street (which has very high levels of occupancy), it is not particularly easy for a pedestrian to cross London Street between Barton Street and Harwood Street.

There are large numbers of off-street carparks provided in the immediate vicinity of this street – as can be seen in the arterial photo below.



This section of Harwood Street is approximately 10.7m wide. It narrows to approximately 8.9m north of Rostrevor Street.

Introducing angle parking in this section of Harwood Street would make access very tight (similar to the situation that we have at Ward Street between Victoria Street and Worley Place) and careful consideration would have to be given before it would be possible to recommend angle parking for this street. Consideration would need to include the truck movements for servicing adjacent businesses, and whether a one way direction would be needed.

Current parking demand/occupancy in this section is low to average and changes to the pricing regime would be recommended as the first change in this area to encourage more parking.

This street is not on the primary or secondary routes of the Biking Plan.

Site e: Barton Street



Barton Street currently has parallel parking on both sides and a speed limit of 30km/h.

It is likely that angle parking could be introduced on one side. The western side would appear to be the most productive as there are less vehicle crossings on this side.



The centreline markings would have to be removed to accommodate the new layout, with consideration being needed in regard to the Loading Zones – which may need to be switched to the other side of the road in order to provide the longer parking facilities for use by trucks.

This street is not on the primary or secondary routes of the Biking Plan.

Site f: Ward Street – Victoria Street to Worley Place.



Ward Street is currently two-way – being changed from one way (westbound) as part of the City Heart upgrade in 2011.

This section of Ward Street has a speed limit of 30km/h and high levels of parking occupancy currently.



We could consider angle parking on one side of Ward Street but it would require making Ward Street one way. This section of Ward St is a couple of metres narrower than Worley Place and there would not be sufficient room left once angle parking is introduced to allow two lanes of moving traffic. In order to link in with the angle parking already in Worley Place (which is on the eastern side of the road) it would be desirable to have this one way traffic moving westbound from Victoria St and then south bound on Worley Place.



Additional investigation would be required to consider the implications on Worley Place, the shared zone, the intersection of Worley/Caro/Alexandra, and how this area of the CBD would work in conjunction with the various other sites that have been identified as part of this initial assessment.

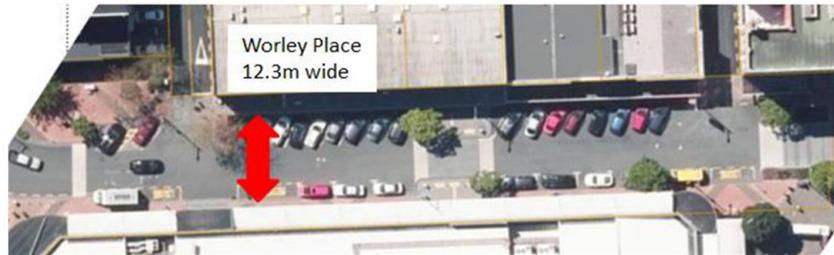
This street is not on the primary or secondary routes of the Biking Plan.

Site g: Worley Place – Ward Street to the Shared Zone

If Ward Street (Victoria to Worley) were to be made one way, then it would require Worley Place to also become one way. The street is potentially wide enough to have angle parking on both sides with a single narrow lane for one way traffic through the centre.

The loading zones through this section are well used currently and have been located in consultation with Kiwi Income Properties Limited to enable easy and efficient servicing of the Centre Place facilities. It would therefore be likely that not all of the western side of Worley Place could be converted to angle parking due to the need to cater for trucks to park in this length.





This street is not on the primary or secondary routes of the Biking Plan.

Site h: Caro Street

As part of the development of the Central City Transformation Plan, a proposal was developed for making Caro Street One Way (east bound from Anglesea Street to Alexandra Street) and introducing angle parking on the southern side. Caro Street has a 30km/h speed limit in place currently and only one carpark – the rest of the street is dedicated to a loading zone, a bus stop (city shuttle) and coach parking (for longer term visits).

A scheme has been drawn up (see below). The two coach parks on the southern side would be removed but it is recommended the bus stop (City Shuttle) and coach parking on the northern side remains at this stage. This proposal would result in an increase of 12 carparks and allow for the introduction of an additional mobility carpark.



A mixture of P120 and shorter term (P15 or P30) parking would be recommended - with the latter aimed at providing parking for visitors to I Site and library.

The project will require some changes to the kerblines at either intersection – with any changes at Caro Street being temporary until the shared zone is extended on Alexandra Street through to Collingwood Street.

This street is not on the primary or secondary routes of the Biking Plan.

Site i: Alexandra Street - Caro Street to Collingwood Street

The Central City Transformation Plan (CCTP) has identified the development of a shared zone in the section of Alexandra Street between Caro Street and Collingwood St - linking into the

Worley Place shared zone. Major funding would be required to make this change, and it would reduce the amount of parking available.



Alexandra Street current layout.



Artists impression of shared zone in Alexandra Street.

The speed limit on this section of road is 30km/h.

The road width is approximately 12.4m – so a similar parking regime as that in place for Worley Place could be considered. There are loading zones on both sides of the street that would need to be reviewed to understand the types of vehicles using these to determine if angle loading zones would work.

The intersections at either end of this section would also need to be looked at to see how the angle parking worked in with the splitter islands.

This section of Alexandra Street is on the city shuttle route – something that would need to be carefully considered at the time of making any changes to the layout of this street as it will become too narrow for a bus and car to pass easily if there are vehicles parked either side (one side being angle parking). Relocation of the route was considered to be likely at the time of creating the shared zone – with the route potentially being moved down to Collingwood Street instead. A new bus stop would be required – but this location would work well for servicing the new DHB offices that are being developed in the old Farmers Building.

This street is not on the primary or secondary routes of the Biking Plan.

Site j: Hood Street – Anglesea Street to Alexandra Street.

Further to the two sites identified as being easy to implement, there is potential for introducing angle parking in Hood Street between Anglesea Street and Alexandra Street as shown in the diagram below.



Changes will be required to the kerblines to remove the left slip turn from Anglesea Street and allow for the installation of an additional two carparks. There would be a need to relocate traffic signal poles at the corner too, so this would add to the cost.

This street already has a 30km/h speed limit in place.

Some modelling of the intersection would be needed to ensure that this change would not have adverse impact on the operation of Anglesea Street – but the initial thoughts are that this would help reduce the rat running that happens currently to get to the free left slip onto Anzac Parade via Victoria Street.

This street is not on the primary or secondary routes of the Biking Plan.

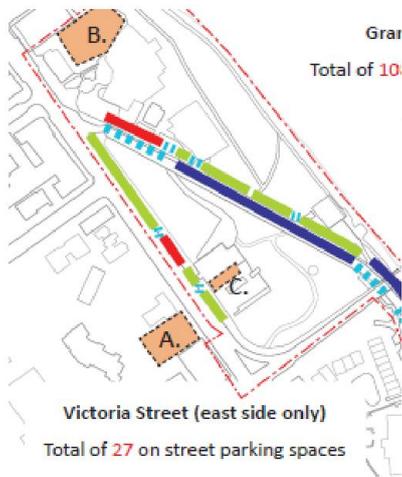
Site k: 16.0 Victoria Street south

As part of the Riverbank Redevelopment Project (under the River Plan) consideration was given to increasing the parking on Victoria Street between Hood Street and Anzac Parade.

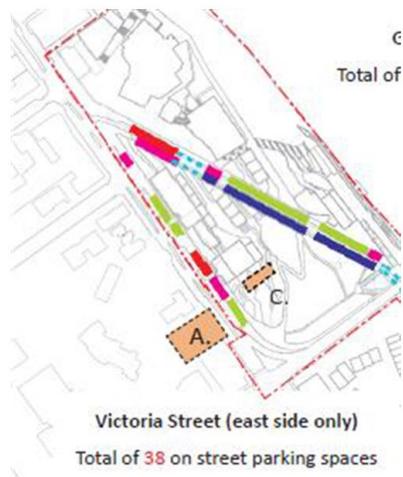
The increased parking along with the bus stop were aimed at providing improved opportunities for visitors to park and use the proposed playground and various other facilities included in the redevelopment of this area – including commercial and residential activities.

This parking scheme would result in the loss of a south bound travel lane, but this was felt to be reasonable. It is proposed that the street be upgraded to look and feel like the section north of Hood Street including the provision of a central median island and planting.

Parking demand/occupancy in this section of Victoria Street is medium.



Victoria St – existing parking provision



Victoria St – proposed angle parking eastern side

This street is on a proposed primary route in the Biking Plan.

Sites that will require significant effort to implement

Site I: Victoria Street – London to Liverpool

The current form and function of this area of the CBD is expected to need to change in response to increasing numbers of residential dwellings that are being encouraged through the District Plan changes.

Victoria Street is a key route within the Passenger transport network and is a proposed primary route in the Biking Plan.

Current traffic flows at this end of Victoria Street are higher than Anglesea Street or Tristram Street so any changes to the current capacity of this section of road will require careful consideration and modelling to understand the impact on the surrounding network.

Current parking demand/occupancy in this section is low to average and changes to the charging regime would be recommended as the first change in this area to encourage more parking.

Option A

Due to the current traffic flows three lanes (1 south bound and 2 north bound) are required, so angle parking could only be accommodated on one side of the street.

It is estimated that an extra 14 carparking could be gained from introduction of angle parking.

While it is feasible to introduce angle parking in Victoria Street, any changes are likely to have negative impacts on traffic and passenger transport flows. The introduction of angle parking would also limit the opportunities for introducing cycle lanes in this section.

Option B

The Central City Transformation Plan includes a scheme that will require a complete rebuild of the road and footpaths (which would end up significantly wider accommodating off road cycling) with parking being proposed in the centre of the road.

The plan shown below is an artist's impression and has not been fully developed. It would be expected to yield more carparks, but would result in the loss of a travelling lane in each direction. This change in capacity would have consequences on Anglesea Street and further work would be needed to fully understand the impact on the overall transport network in this area.



Site m: Victoria Street – Bryce to London

The Central City Transformation Plan recommends the extension of the 'avenue of trees' in from south of Claudelands Rd through from the intersection of Bryce Street to London Street.



Central areas of angle parking are accommodated within the 20m carriageway – with a single travel lane in each direction and parallel parking adjacent to the footpath.

The speed limit is 30km/h and the buses do have difficulty moving through when longer vehicles have parked in the central median.



North of Bryce Street, Victoria Street has 2 travel lanes in each direction and traffic volumes in excess of Anglesea Street.

There are limited opportunities for pedestrians to easily cross the road and the speed limit is 50km/h.



There is sufficient width to accommodate a layout similar to that in the southern end of Victoria Street, it would just be a project that would require significant changes to the central islands and therefore cost more than some other areas to implement. There is an average parking demand/occupancy in this section of Victoria Street.

This street is a proposed primary route in the Biking Plan.

Site n: Garden Place

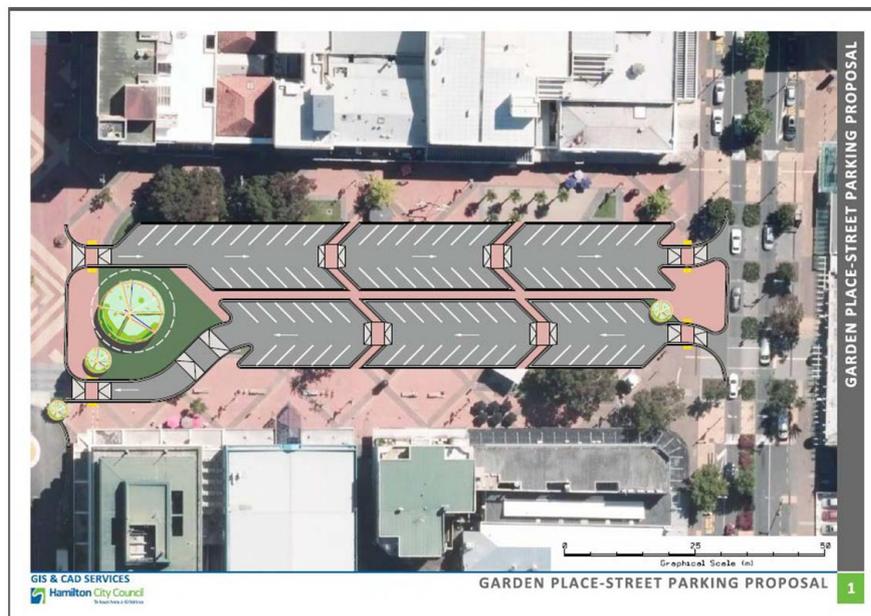
Garden Place has had many changes made over the years, and most recently it had a Pedestrian Mall status implemented in conjunction with the establishment of the shared zone extension of Worley Place.

Consideration has been given to the development of a parking layout which will increase the parking availability in the central CBD.

The following is an artist's impression included in the Central City Transformation Plan which would allow for one way traffic (from the shared zone through to Victoria Street) on the northern side of Garden Place and introduction of approximately eight carparks.



An additional scheme has been drafted which would result in the majority of the Garden Place being available for parking by vehicles. The proposed layout is shown below:



The above drawing provides an initial indication of what could be developed for this area but is only for illustration purposes. Further consideration of the impact on the existing infrastructure (eg fountains) and activities (eg Christmas tree) would be required in consultation with the wider community and adjacent businesses, property owners and residents in Garden Place before the proposal could be finalized.

The cobblestones in Garden Place are not designed for regular traffic use, and removal of the existing features including the lawns, fountains, trees, stage etc along with construction of new travel lanes and parking areas will require significant funding to implement.

Under Section 336 of the Local Government Act 1974, if Council decides to alter the Pedestrian Mall status to allow parking it would need to complete a Special Consultative Procedure in order to uplift the Pedestrian Mall status. Council would then need to make a declaration of its intentions having considered any submissions received during the consultation process.

Those who wish to appeal the declaration are allowed one month to do so following the date of declaration of intention. The declared change would not take effect until any appeals to the declaration have been heard by the Environment Court.

Committee: Growth and Infrastructure Committee **Date:** 14 February 2017

Report Name: Appointments to the Regional Public Transport Plan Development Subcommittee **Author:** Lee-Ann Jordan

Status	<i>Open</i>
---------------	-------------

1. Purpose of the Report

- To seek a recommendation to Council for approval of Hamilton City Council appointments to the Regional Public Transport Plan Development Subcommittee.

3. Executive Summary

- At its 15 December 2016 Meeting, Waikato Regional Council re-established the Regional Public Transport Plan Development Subcommittee for the purpose of preparing and recommending a draft 2018-2028 Regional Public Transport Plan for public consultation.
- Hamilton City Council has been asked to appoint two representatives to this Subcommittee. The terms of reference (Attachment 1) proposes the representatives are drawn from the Hamilton Regional Transport Committee or the Hamilton Public Transport Committee representatives (Crs Macpherson and Tooman).

Recommendation from Management *(recommendation to Council)*

That the Growth and Infrastructure Committee recommends to Council, the appointment of Hamilton City Council's representatives on the Regional Public Transport Plan Development Subcommittee as follows:

- Councillor ___
- Councillor ___

6. Attachments

- Attachment 1 - Regional Public Transport Plan Development Subcommittee - Terms of Reference - January 2017
- Attachment 2 - Regional Public Transport Plan Development Subcommittee - HCC Appointment Letter from Waikato Regional Council - January 2017

Regional Public Transport Plan Development Subcommittee

- REPORTING TO:** Strategy and Policy Committee
- CONSTITUTION:** One Waikato Regional Council member appointed to the Hamilton Public Transport Joint Committee who shall be the Chair
- One of either the Chair or Deputy Chair of the Regional Transport Committee who shall be the Deputy Chair
- Two members appointed by Hamilton City Council drawn from either the Hamilton RTC representative or the two Hamilton City Council representatives on the Hamilton Public Transport Joint Committee.
- One elected member from the RTC who shall be from a territorial authority funder of public transport services.
- One person representing the New Zealand Transport Agency (NZTA) to be appointed by the NZTA.
- QUORUM:** Three (3)
- MEETING FREQUENCY:** Monthly or as required
- OBJECTIVE:** By 31 October 2017 prepare and recommend to the Waikato Regional Council for public consultation a draft 2018-2028 Regional Public Transport Plan that has been prepared in accordance with and complies with the requirements of the LTMA 2003.
- SCOPE OF ACTIVITY:**
1. Develop the draft 2018-2028 Regional Public Transport Plan and recommend it to Council for public consultation.
 2. Ensure all policy developed in the Regional Public Transport Plan is consistent with the Regional Land Transport Plan.
- POWER TO ACT:**
1. To prepare the draft 2018-2028 Regional Public Transport Plan.
- POWER TO RECOMMEND:**
1. To recommend the draft 2018-2028 Regional Public Transport Plan for adoption.

File No: 03 04 31
Document No: 9816247



Richard Briggs
Hamilton City Council
Private Bag 3010
Hamilton 3240

Private Bag 3038
Waikato Mail Centre
Hamilton 3240, NZ

18 January 2017

waikatoregion.govt.nz
0800 800 401

Dear Richard

RE: Regional Public Transport Plan Development Subcommittee – Member Appointments

At its meeting on 15 December 2016, Waikato Regional Council confirmed its Committee Structure. A Regional Public Transport Plan Development Subcommittee has been established to prepare and recommend for public consultation, a draft 2018-2028 Regional Public Transport Plan.

Hamilton City Council is invited to appoint two (2) representatives to this subcommittee. These members must be drawn from either the Hamilton RTC representative or the two Hamilton City council representatives on the Hamilton Public Transport Joint Committee. Given that Cr Dave Macpherson and Cr Leo Tooman are the two Hamilton City Council representatives on these committees, they will automatically gain membership.

A copy of the extract of the Council decision and "Terms of Reference 2016-2019 Triennium" are attached.

Please contact us with any queries you may have.

Yours sincerely

Tracey Deane
Democracy Advisor

HE TAIAO MAURIORA	HEALTHY ENVIRONMENT
HE ŌHANGA PAKARI	STRONG ECONOMY
HE HAPORI HIHIRI	VIBRANT COMMUNITIES

The extract from the Minutes of the Waikato Regional Council Meeting, held 15 December 2016, Resolution WRC16/372, as below.

WRC16/373

2. THAT pursuant to Clause 30, Schedule 7 of the Local Government Act 2002, Waikato Regional Council adopts the:

- a. Committee Structure 2016-2019 Triennium (Doc#9607392), and**
- b. Terms of Reference 2016-2019 Triennium (Doc#8781464) incorporating the amended Terms of Reference for the Hearings Appointment Subcommittee and CE Employment and Remuneration Committee as tabled.**

The motion was put and carried (WRC16/373)

Committee: Growth and Infrastructure
Committee

Date: 14 February 2017

Report Name: Taskforce Update - Verbal
Report

Author: Chris Allen

Status	<i>Open</i>
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Purpose of the verbal report is to inform the Committee on the progress of the Parking Taskforce and the Access Hamilton Taskforce.

Recommendation from Management

That the verbal report is received.

Committee: Growth and Infrastructure
Committee

Date: 14 February 2017

Report Name: Meteor Theatre - Access Ramp **Author:** Nicolas Wells

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Disability Policy</i>
Financial status	<i>There are no financial impacts. One Victoria Trust will pay all costs.</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Council's Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance.</i>

1. Purpose of the Report

- To seek approval for the construction of a new access ramp for the Meteor Theatre, 1 Victoria Street, Hamilton.

3. Executive Summary

- Council gifted the Meteor Theatre to One Victoria Trust (OVT) on 24 January 2014.
- Access to the Meteor Theatre is difficult for elderly patrons, parents with young children, or people with disabilities.
- OVT has applied to Council for permission to erect a new access ramp and stairs on the footpath outside the main entrance (shown on Attachments 1 and 2). Permission is required because the ramp encroaches into adjoining Council-owned land (legally road).
- Council's lawyers advise that the best way of formalising the encroachment is through a variation to the existing Deed of Gift between Council and OVT.
- The new ramp will improve the accessibility and enhance the amenity of the theatre.
- OVT will pay all costs associated with construction, maintenance and compliance.

Recommendations from Management

That the Committee:

- the report is received;
- approves the construction of a new accessible entrance ramp and stairs for the Meteor Theatre; and
- authorises the Chief Executive officer to execute all instruments required to give effect to this resolution.

10. Attachments

11. Attachment 1 - Meteor Theatre Ramp - Perspective Drawing
12. Attachment 2 - Meteor Theatre Ramp - Construction Drawings
13. Attachment 3 - Meteor Theatre Ramp - Variation of Deed of Gift

14. Key Issues

15. Variation of Deed of Gift
16. Council's Solicitors, Tompkins Wake, have prepared a Variation to the Deed of Gift (Attachment 3) which allows for the construction of the new access ramp on the footpath outside the Meteor Theatre.
 - The ramp will be owned and maintained by OVT.
 - OVT will comply with all legal obligations, and pay all costs.
17. Compliance and Consultation
18. The plans have been reviewed by the relevant Council officers who are satisfied that all compliance requirements have been met.
19. OVT has consulted with all affected Network Utility Operators and provided their consent to construction of the new ramp.
20. Access Coordinator Gerri Pomeroy from CSS Disability Action Waikato was consulted and provided feedback on the initial concept plans. Based on the feedback provided the ramp was reduced to 1.8m width to ensure there remained enough space on the footpath.
21. Council staff have confirmed that the ramp will enhance access to the theatre and will not detrimentally affect the functioning of the footpath. There will be sufficient width remaining to accommodate all users.

22. Financial and Resourcing Implications

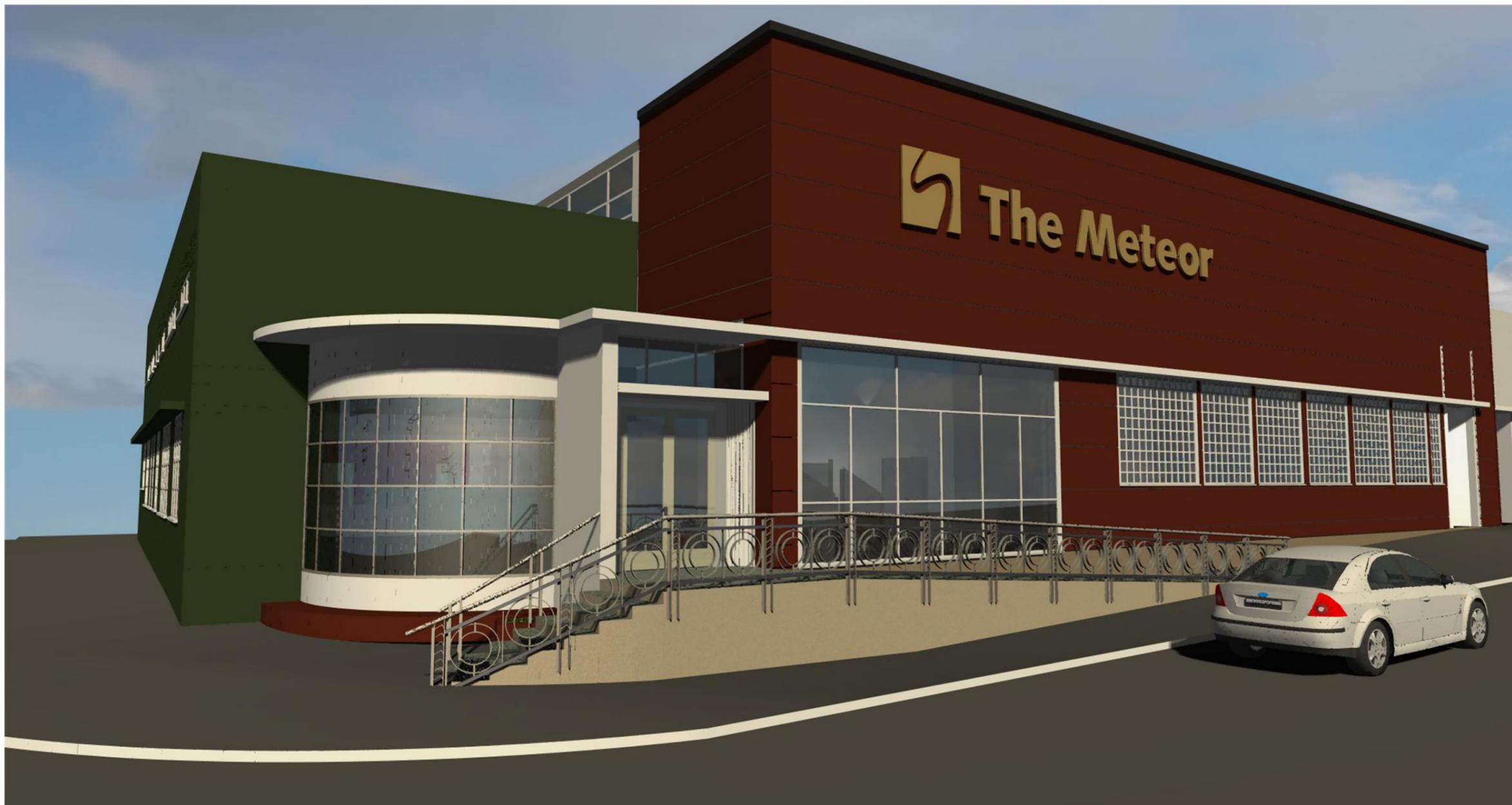
23. There are no financial or resourcing implications. All costs are paid by OVT.

24. Risk

25. Risk is transferred to OVT and Council is indemnified against all potential claims (clause 9 of the Variation of Deed of Gift).

Signatory

Authoriser	Kelvyn Eglinton, General Manager City Growth
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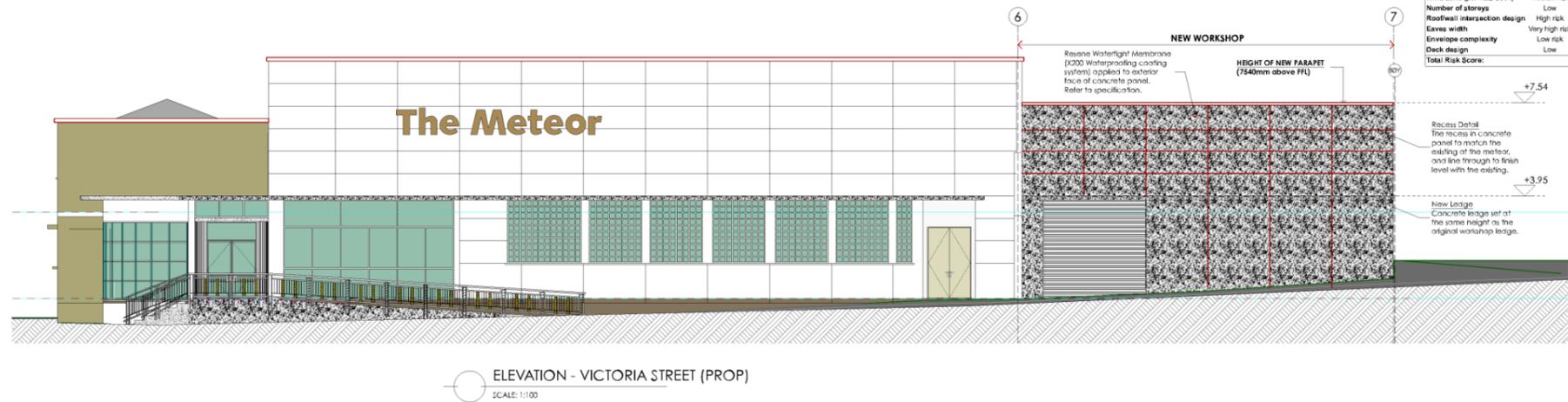
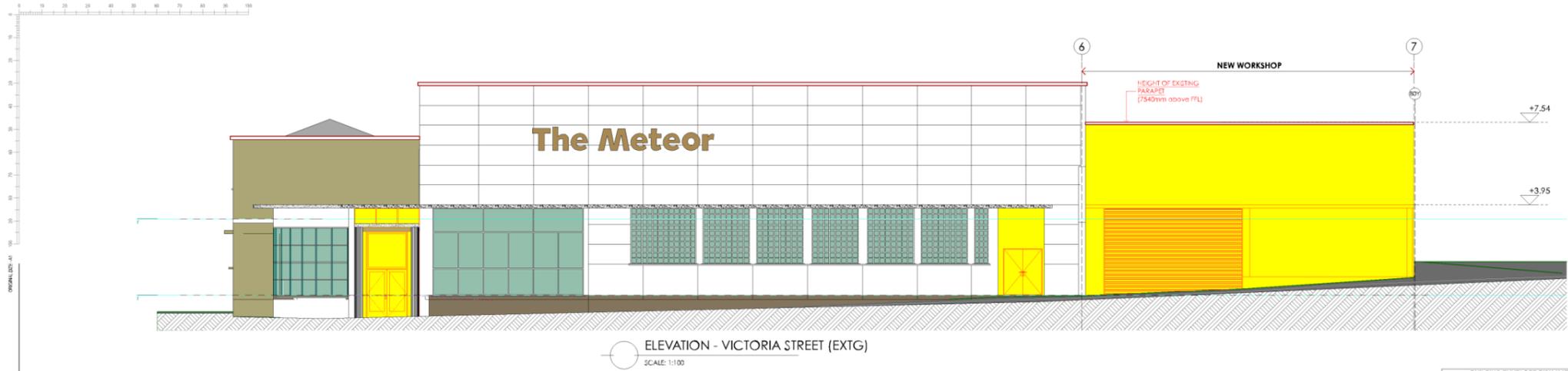
METEOR THEATRE RAMP
HAMILTON CITY COUNCIL
VICTORIA STREET, HAMILTON

Antanas Procuta ARCHITECTS SK.01 - PERSPECTIVE 1
FOR DISCUSSION

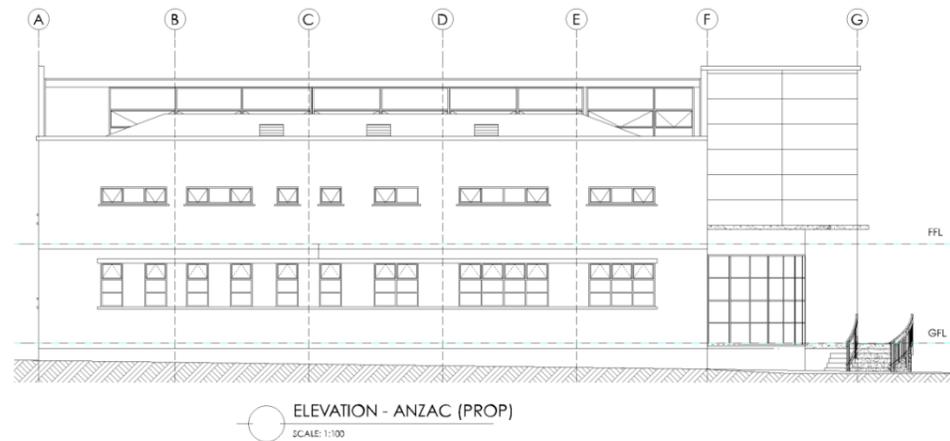
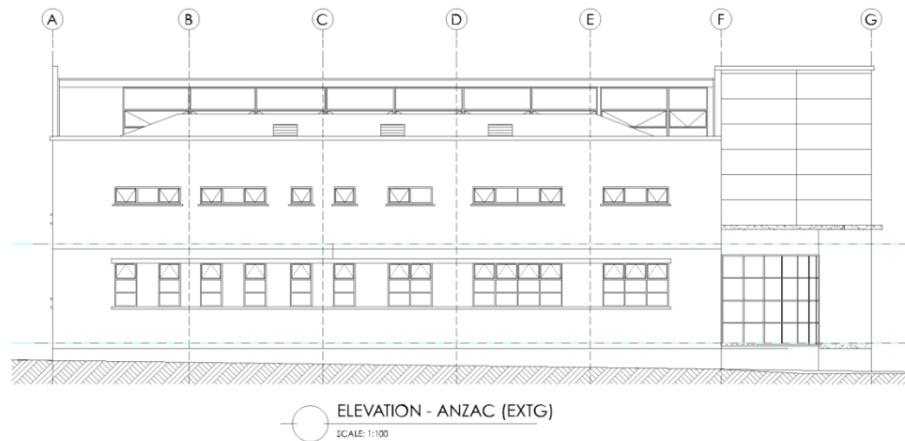
12-023
31 JANUARY 2014

3 Bridge Street, Hamilton
mail@APArchitects.co.nz
T: 07 839 6521 F: 07 839 6520

This drawing is copyright © Antanas Procuta Architects Ltd



BUILDING ENVELOPE RISK MATRIX		
All Elevations		
Risk Factor	Risk Severity	Risk Score
Wind zone (per NZS 2004)	Medium risk	0
Number of storeys	Low	0
Roofwall intersection design	High risk	3
Eaves width	Very High risk	5
Envelope complexity	Low risk	0
Deck design	Low	0
Total Risk Score:		8



ORIGINAL SIZE: A1
 21/11/16 11:58 AM
 \Projects\New\Current\Projects\2017\12-023_Dev\Working\Ext - Meteor Stage 02_Dev\Stage 02_Dev\12-023 METEOR (EXT) 17 Rev.ppt

NOTES
 - Read in conjunction with Specifications, Schedule and the Contract Documents.
 - Ensure that you are aware of all variations and revisions.
 - It is the responsibility of the Contractor to verify all dimensions, prior to manufacture.
 - If in doubt please ask.

REV	DATE	DETAIL	REV	DATE	DETAIL

PAUA
 pauaarchitects.co.nz
 3 Anzac Parade, Hamilton
 office@pauaarchitects.co.nz
 T: 07 859 6521

PROJECT
METEOR THEATRE
 One Victoria Trust
 Victoria Street, Hamilton
SHEET
EXTERIOR ELEVATIONS

BUILDING CONSENT			
SCALE	1:100 @ A1		
PROJECT NO.	12-023	SHEET NO.	A-04
ISSUE DATE	18 NOV 16	REVISION NO.	

**VARIATION OF DEED OF GIFT
WITH RIGHTS OF REVOCATION
AND LICENCE TO OCCUPY**

between

HAMILTON CITY COUNCIL

and

ONE VICTORIA TRUST BOARD INCORPORATED

GAB-348176-2195-6-V2:gb

WESTPAC HOUSE
430 VICTORIA STREET
PO BOX 258, DX GP20031
HAMILTON 3240
NEW ZEALAND
PH: 07 839 4771
www.tomwake.co.nz



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GAB-348176-2195-6-V2:gb

DEED dated

2016

PARTIES

- (1) **HAMILTON CITY COUNCIL ("HCC")**
- (2) **ONE VICTORIA TRUST BOARD INCORPORATED ("Trust")**

BACKGROUND

- A. HCC and the Trust entered into a Deed of Gift with Rights of Revocation dated 24 January 2014 ("Deed of Gift") which is attached to this Deed as Schedule 1.
- B. The Deed of Gift relates to a gift of the building located at 1 Victoria Street, Hamilton known as the Meteor Theatre ("Theatre") but specifically excludes the land on which the building is situated.
- C. HCC owns the land on which the building is located being Lot 1 DPS 12797 comprised in identifier SA10C/928 and which adjoins the legal road known as Victoria Street, Hamilton ("Road").
- D. The Trust now wishes to construct a ramp which encroaches onto the Road and which will provide additional access to the Theatre as shown on the plan attached to this Deed as Schedule 2 ("Encroaching Structure").
- E. HCC has agreed to grant the Trust a licence to occupy that part of the Road required to enable the Encroaching Structure to be constructed ("Property") on the terms and conditions set out in this Deed.

OPERATIVE PART:

1. GRANT OF LICENCE

- 1.1 Pursuant to the general power contained in section 45 of the Public Works Act 1981 for HCC to grant a licence to occupy land held for a public work and in consideration of the Licence Fee, HCC grants to the Trust, and the Trust accepts, a licence to occupy the Property ("Licence") on the terms and conditions set out below.

2. VARIATION OF DEED OF GIFT

- 2.1 The Deed of Gift is varied to incorporate the provisions of this Deed and to provide that any revocation or termination of the Deed of Gift shall also terminate this Deed.

3. PERMITTED USE

- 3.1 The licence to occupy the Property is solely for the purpose of an access ramp ("Permitted Use").

GAB-348176-2195-6-V2:gb

4. TERM

- 4.1 The term of the Licence will be until such time this Deed is terminated in accordance with clause 11 of this Deed.

5. LICENCE FEE

- 5.1 During the term of this Deed the Trust shall pay to HCC an annual Licence Fee of \$1.00 per annum plus Goods and Services Tax under the Goods and Services Act 1985 ("Licence Fee") if demanded in writing on or before 1 July in each year.
- 5.2 HCC may review the Licence Fee to a fair market licence fee for the Licence at any time by giving written notice to the Trust nominating what HCC considers to be the fair market Licence Fee and the Trust shall pay such Licence Fee from the date of notification.
- 5.3 Where any payment of a Licence Fee is more than seven (7) days late, the amount overdue shall incur interest at the rate of 12 percent per annum from the date it was due for payment until the date the amount overdue, plus all interest accrued under this clause, has been paid.

6. APPROVAL OF HCC

- 6.1 The Trust shall:
- (a) Obtain the prior written approval of HCC to the plans and specification of the Structure to be constructed on the Property before the commencement of the construction of the Encroaching Structure;
 - (b) Ensure that the design of the Encroaching Structure shall be structurally safe and provide to HCC a certificate from a registered engineer on completion certifying that the Encroaching Structure is safe;
 - (c) Obtain and comply with the requirements of any building consent or resource consent; and
 - (d) Construct the Encroaching Structure in a good and workmanlike manner.

7. TRUST'S OBLIGATIONS

- 7.1 The Trust shall:
- (a) Only use the Property for the Permitted Use;
 - (b) Not interfere with the free and unobstructed passage of vehicles and pedestrians lawfully using the Road;
 - (c) Comply with the terms of all permits, consents, statutes, orders, regulations and bylaws relating to the Property;
 - (d) Maintain the Encroaching Structure and the Property in good order, repair and condition at all times to the satisfaction of HCC in all respects;
 - (e) Keep the Property free from rubbish and other unsightly or offensive material;

- 3 -

- (f) When attending to the alternation, repair, maintenance or removal of the Encroaching Structure:
- (i) give HCC notice in writing of the proposed works at least 10 working days prior to commencing the works;
 - (ii) comply with any requirements of HCC in respect to the proposed works;
 - (iii) ensure that the any work is carried out in a safe manner and the provisions of the Health and Safety at Work Act 2015 are complied with;
 - (iv) cause as little inconvenience as possible to members of the public; and
 - (v) restore and make good any damage done to the Road and when removing the Encroaching Structure comply with the provisions of clause 13 below.

8. **DAMAGE OR DESTRUCTION**

8.1 If the Encroaching Structure is destroyed or damaged then in such case:

- (a) The Trust may at its option rebuild or repair the Encroaching Structure in a good and workmanlike manner and in doing so shall comply with its obligations under clause 7; and
- (b) If the Trust does not rebuild or repair the Encroaching Structure in the reasonable timeframe specified by HCC, then in such case HCC may terminate this Deed by notice in writing to the Trust and the provisions contained in clauses 13.1 and 13.2 shall apply.

9. **RISK AND INDEMNITY**

- 9.1 The Trust shall use the Property entirely at the Trust's own risk in every respect. HCC shall have no liability to the Trust or any other person(s) for any damage or loss whatsoever suffered by the Trust or other person(s) in respect of the Property and its use.
- 9.2 The Trust indemnifies HCC against all costs, claims, actions and proceedings made against HCC arising out of or in connection to the use of the Property by the Trust or any other person.

10. **PUBLIC LIABILITY INSURANCE**

- 10.1 The Trust shall, at its own cost, obtain from a reputable insurance company a public liability insurance policy in the joint names of the Trust and HCC for such sum and on such terms as required by HCC and the Trust shall maintain such policy of insurance during the term of this Deed and deliver a copy of the policy and evidence of the payment of premiums to HCC upon demand.

GAB-348176-2195-6-V2:gb

11. TERMINATION

- 11.1 HCC may immediately terminate this Deed by notice in writing to the Trust if any provision of this Deed is breached by the Trust including a breach under clause 8.1(b).
- 11.2 If for any reason the Deed of Gift is revoked or terminated this deed will automatically be terminated and the provisions of clause 13 shall be complied with.

12. NO ASSIGNMENT

- 12.1 This Deed is personal to the Trust. The Trust shall not assign, sub-licence or otherwise deal in any manner with this Deed.
- 12.2 The Trust shall notify all prospective purchasers of the Theatre that the Encroaching Structure is on public road. On any sale of the Theatre, HCC may, at its sole discretion, require the Encroaching Structure to be removed and the Property to be reinstated in accordance with clause 13 below. If HCC does not require the Encroaching Structure to be removed then prior to settlement of the sale the purchaser must enter into a new Encroachment Licence with HCC.

13. REMOVAL OF ENCROACHING STRUCTURE

- 13.1 The Trust shall at the end or earlier termination of the term and at the discretion of HCC, at the Trust's own cost, remove the Encroaching Structure and reinstate the Road and make good any resulting damage to the standard as required by Hamilton City Council's City Transportations Unit Manager or such other person as nominated by Hamilton City Council. If the Encroaching Structure has not been removed and the Road has not been reinstated within five (5) working days after the date of termination HCC may remove the same and carry out such works as required to reinstate the Road at the Trust's cost in all respects.
- 13.2 The cost of making good resulting damage and the cost of removal and reinstatement shall be recoverable from the Trust as a debt and HCC shall not be liable to pay any compensation nor be liable for any loss suffered by the Trust.

14. NO LEASE

- 14.1 This Deed does not create any exclusive right, lease, tenancy, interest or interest in the Property.

15. SUITABILITY

- 15.1 No warranty or representation expressed or implied has been made or is made by HCC that the Property is now suitable or will remain suitable or adequate for use by the Trust or that any use by the Trust will comply with the bylaws or ordinances or other requirements of any authority having jurisdiction.

16. COSTS

- 16.1 The Trust will pay all costs arising out of and in connection to this Deed including without limitation HCC's costs (including administration and legal costs) of the preparation and completion of this Deed and HCC's legal costs (as between solicitor and client) of and incidental to the enforcement or attempted enforcement of this Deed.

17. **OWNER OF ROAD**

17.1 HCC has entered into this Deed in its capacity as the owner of the Road and not as a regulatory authority. The two roles are different and nothing in this Deed shall restrict or bind Hamilton City Council in its regulatory capacity. Any consents or agreements given herein shall not be construed as consent or agreement by Hamilton City Council in its regulatory capacity.

18. **INTERPRETATION**

18.1 In this Deed, unless the context otherwise requires:

- (a) The term "working day" has the same meaning given to it by the Property Law Act 2007.
- (b) Whenever the words "includes" or "including" are used in this Lease, they are deemed to be followed by the words "without limitation".
- (c) Any covenant or agreement on the part of two or more persons will bind those persons jointly and severally.
- (d) Reference to any statute, regulation, ordinance, or bylaw will be deemed to extend to all statutes, regulations, ordinances, or bylaws amending, consolidating or replacing the same.

EXECUTED as a deed

SIGNED for and on behalf of)
ONE VICTORIA TRUST BOARD)
INCORPORATED in the presence of:)

Witness signature

Witness name:

Occupation:

Address:

SIGNED for and on behalf of)
HAMILTON CITY COUNCIL by)
)
)

- 6 -

SCHEDULE 1

Deed of Gift

GAB-348176-2195-6-V2:gb

**DEED OF GIFT WITH RIGHTS OF
REVOCATION**

between

Hamilton City Council

and

The One Victoria Trust Board Incorporated

GRK-348176-1184-23-V2.1

DEED dated

24 JANUARY

2014

PARTIES

1. HAMILTON CITY COUNCIL ("Donor"); and
2. THE ONE VICTORIA TRUST BOARD INCORPORATED ("Donee")

each a party and together the parties.

BACKGROUND

- A. The Donor is the owner of the Property.
- B. The trustees of the Donee presented the Proposal to the Donor on 28 August 2013.
- C. The Donee is a charitable and not-for-profit organisation incorporated under the Charitable Trusts Act 1957 on 4 September 2013.
- D. The Donor wishes to gift the Property and the Funds to the Donee on the terms set out in this Deed.
- E. The Donee wishes to accept the gift of the Property and the Funds on the terms set out in this Deed.

OPERATIVE PART:

1. DEFINITIONS AND INTERPRETATION

1.1 **Definitions:** In this deed, unless the context indicates otherwise:

- (a) **Business Day** means a day on which banks are open for business in Hamilton, New Zealand but excluding Saturday or Sunday and "Business Days" has a corresponding meaning;
- (b) **Donee** means The One Victoria Trust Board Incorporated;
- (c) **Donor** means Hamilton City Council;
- (d) **Equipment** means those assets owned by the Donor and now located within the Property, a list of which is to be agreed between the parties as soon as practicable after the Settlement Date (and failing agreement, resolved via the dispute resolution procedure outlined in clause 6) and to be included as Schedule 2;
- (e) **Funds** means the sum of \$75,000 per annum payable to the Donee during the Revocation Period in the manner set out in clause 2.7;
- (f) **KPIs** means the key performance measures that the Donee must achieve during the Revocation Period as set out in Schedule 4;

GRK-348176-1184-23-V2:1

M. [Signature]

- 3 -

- (g) **Property** means the building owned by the Donor situated at 1 Victoria Street, Hamilton known as the Meteor Theatre and shown in the floor plan set out in Schedule 1, together with the Equipment, but specifically excluding the land on which the building is situated;
- (h) **Proposal** means the proposal presented to the Donor by the trustees of the Donee on 28 August 2013 as set out in Schedule 3;
- (i) **Report** means the report that the Donee must provide to the Donor in accordance with Schedule 4(e), such report to include:
- (i) the latest set of financial accounts prepared for the Donee, together with its latest annual report;
 - (ii) certification from the Donee's trustees that the Donee has kept the Property unencumbered and free from any charges whatsoever and has not offered the Property as security;
 - (iii) evidence of all insurance required by Schedule 4(h);
 - (iv) details of the activities undertaken by the Donee in the year immediately past to achieve the KPIs;
 - (v) details of whether or not the KPIs have been achieved;
 - (vi) a plan setting out the proposed activities to achieve the KPIs in the coming year; and
 - (vii) any other details reasonably requested by the Donor;
- (j) **Revocation Period** means the period from the date of this Deed until the third anniversary of the Settlement Date except in relation to clause 2.5(a), where, in relation to the obligations in clause 2.5(a) the Revocation Period will end on the final expiry date of the Soda Inc. Lease (or such earlier date as the Soda Inc. Lease is lawfully terminated);
- (k) **Right of Revocation** means the Donor's right to revoke the gift of the Property, and any Funds not already advanced to the Donee, in accordance with clauses 2.5(a) and 4 of this Deed;
- (l) **Settlement Date** means Friday, 31 January 2014 or such other date as the parties may agree;
- (m) **Soda Inc. Lease** means the Deed of Lease dated 6 July 2009 between the Donor as Landlord and Soda Inc. Limited as Tenant and as may be varied by agreement between the Landlord and Tenant up to the Settlement Date; and
- (n) **Transitional Plan** means the practical matters to be agreed between the parties so as to ensure the smooth transition of all ongoing activities at the Property and the transfer of all locking systems, utilities, services, and the like, a list of which is to be agreed between the parties as soon as practicable after the Settlement Date and included as Schedule 5.

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- 1.2 **Interpretation:** In this Deed, unless the context indicates otherwise:
- (a) **Defined Expressions:** expressions defined in the main body of this Deed have the defined meaning throughout this Deed, including the background and the Schedules;
 - (b) **Headings:** clause and other headings are for ease of reference only and will not affect this Deed's interpretation; and
 - (c) **Clauses:** references to clauses are to clauses in this Deed; and
 - (d) **Legislative references:** references to specific legislation contained in this Deed are deemed to be replaced by references to any legislation that modifies, substitutes for, or succeeds that legislation.
2. **GIFT OF PROPERTY AND FUNDS**
- 2.1 Subject to clause 4, the Donor gifts:
- (a) the Property to the Donee free of any debt, income tax or transfer expenses on the Settlement Date; and
 - (b) the Funds to the Donee as set out in clause 2.7.
- 2.2 As per the valuation dated 27 September 2013 prepared by Matt Snelgrove and already distributed to the parties, the parties acknowledge that the Property is valued at \$1,100,000.
- 2.3 Risk in the Property will pass to the Donee on the Settlement Date.
- 2.4 After settlement occurs, the parties agree that the Donor will have no responsibilities whatsoever in relation to or in connection with the Property except for in its regulatory capacity.
- 2.5 The Donee acknowledges that:
- (a) it will receive the Property subject to the Soda Inc. Lease, a copy of which the Donee acknowledges prior receipt of. Subject to clause 4, from and including the Settlement Date the Donee will become the Landlord under the Soda Inc. Lease, and will assume all of the Landlord's rights and obligations under the Soda Inc. Lease. The Donee acknowledges that it is an essential term of this Deed that the rental payable by Soda Inc. under the Soda Inc. Lease remains at nil for the Term of the Soda Inc. Lease (including any renewal terms). As an essential term of the gift detailed in clause 2.1, the Donee undertakes that it will not at any time during the term or any renewal of the Soda Inc. Lease require payment of rental by Soda Inc. under the Soda Inc. Lease, nor will it attempt to charge or recover such rental. A breach of the undertaking by the Donee in this clause 2.5(a) will give rise to a Right of Revocation. This clause 2.5(a) will survive the expiry or termination of this Deed;
 - (b) nothing in this Deed will give the Donee any rights to, or ownership in, the carpark owned by the Donor immediately adjacent to the Property. However, the Donor will allow the Donee and its patrons to use the carpark on a non-

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exclusive and arms-length/pay basis provided such use is a condition of any resource consent allowing the Donee to conduct the activities contemplated by the Proposal;

- (c) it will be liable from the Settlement Date to pay the rates imposed on the Property by the Donor in its regulatory capacity;
 - (d) it has inspected the Property and has made its own enquiries as to its condition and/or suitability for its purpose, and agrees to receive the Property from the Donor on an as is, where is basis on the Settlement Date;
 - (e) the Donor gives the Donee no guarantees, warranties, or undertakings in relation to, and has made no representations about, the condition of the Property or its suitability for the Donee's purpose. Except as expressly set out in this Deed and to the fullest extent permitted by law all warranties and guarantees whether implied or express and whether arising by statute or otherwise are excluded.
- 2.6 The Donor warrants that it is the sole owner of the Property and that except for the Soda Inc. Lease it is unencumbered in all respects.
- 2.7 During the Revocation Period, the Donor agrees to gift the Donee \$75,000 per annum, payable and to be applied as follows:
- (a) in the first year of the Revocation Period, towards the Donee's operational purposes as contemplated by the Proposal and in furtherance of achieving the KPIs payable as soon as practicable following the Settlement Date; and
 - (b) in each of the second and third years of the Revocation Period towards earthquake-strengthening works ("Works") to be carried out by the Donee on the Property, payable only upon the Donee producing to the Donor valid contractor/third party invoices evidencing the Works. The parties acknowledge that the Works may not be undertaken by the Donee until the fourth or fifth year after the Settlement Date, in which case the Funds will not be payable by the Donor:
 - (i) unless the conditions in item (k) of Schedule 4 have first been satisfied; and
 - (ii) until the date the Donee actually commences the Works and produces to the Donor valid contractor/third party invoices evidencing those Works.

3. ACCEPTANCE OF PROPERTY

Subject to clause 4, the Donee accepts the gift of:

- (a) the Property to the Donee free of any debt, income tax or transfer expenses on the Settlement Date; and
- (b) the Funds to the Donee as set out in clause 2.7.

4. RIGHTS OF REVOCATION

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A. *WF.*


- 4.1 The parties agree that if:
- (a) the Donee fails to achieve any of the KPIs at any time during the Revocation Period and such failure is not remedied by the Donee within 20 Business Days of receiving written notice to remedy from the Donor; and/or
 - (b) at any time the trustees of the Donee resolve to wind up the Donee in accordance with its rules or it is otherwise wound up or dissolved; and/or
 - (c) at any time the Donee wishes to transfer, sell, lend, lease, and/or otherwise part with possession of the Property; and/or
 - (d) the Donee is unable, in the Donor's reasonable opinion, to satisfy item (k) of Schedule 4 within one month of the end of the Revocation Period; and/or
 - (e) at any time, the Donee breaches the undertaking in clause 2.5(a) -

then the Donor may (but cannot be obliged to) revoke the gift of the Property by 10 Business Days' written notice to the Donee.

- 4.2 If the Donor exercises its Right of Revocation, the Donee will promptly do all things when requested by the Donor to immediately transfer the Property to the Donor, and the Donee hereby irrevocably appoints the Donor as its attorney for this purpose. The Donor may recover all costs reasonably incurred in effecting such a transfer (including without limitation costs on a client-solicitor basis) from the Donee as a debt.
- 4.3 If the Donor exercises its Right of Revocation, the Donor will have no liability to the Donee or any third party whatsoever for any matters related to the exercise of its Right of Revocation and no compensation will be payable from the Donor to the Donee or any third party.

5. DONOR'S ROLE AS REGULATOR

Nothing express or implied in this Deed will constrain or restrain the Donor's powers and obligations as a regulator.

6. DISPUTE RESOLUTION

- 6.1 If any dispute or difference arises between the parties in respect of any matter concerning this Deed the parties will act in good faith and use their best endeavours to resolve the dispute or difference.
- 6.2 If no resolution is reached within 10 Business Days, the matter will be referred to a nominated senior representative of each party for resolution.
- 6.3 If the senior representatives cannot resolve the matter within 10 Business Days of the dispute being referred to them, either party may give written notice of its intention to refer the dispute or difference to mediation.
- 6.4 If a request to mediate is made then the parties will endeavour to agree on a mediator and will submit the matter and dispute to the mediator. All discussions and the mediation will be without prejudice and will not be referred to in any later

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proceedings. The parties will bear their own costs in the mediation and will each pay half of the costs of the mediator.

- 6.5 If the parties do not agree on the appointment of a mediator within a reasonable time, or either of the parties rejects any report or recommendation made by a mediator, the dispute will be referred to arbitration under and in accordance with the Arbitration Act 1996.
- 6.6 Pending resolution of any dispute the parties will continue to perform their obligations under this Deed without prejudice to their respective rights and remedies.

7. INDEMNITY

The Donee will indemnify the Donor and its officers, employees, agents and advisors against all costs, claims, losses, or actions arising directly or indirectly out of the provision of the Property to the Donee or out of any breach of the terms of this Deed.

8. NOTICES

- 8.1 For the purposes of this Deed, all notices must be forwarded to the contact person nominated in writing by each Party for that purpose from time to time. At the date of this Deed, the nominated contact persons are:

Donor:

Sean Murray
General Manager
Hamilton City Council
Garden Place, Hamilton
Fax: (07) 838 8599
Email: Sean.Murray@hcc.govt.nz
Post: Private Bag 3010
Waikato Mail Centre
HAMILTON 3240

Donee:

Charlotte Isaac
Trustee
The One Victoria Trust Board Incorporated
One Victoria Street, Hamilton Central
Fax: not applicable
Email: charlotte@dtlilawyers.co.nz
Post: PO Box 792, Waikato Mail Centre, Hamilton

- 8.2 All notices given must be given in writing and delivered by hand, facsimile, email or by ordinary post. Notice given by email will be deemed received at the time the notice leaves the information system of the sender. Any notices received after 4 PM on a Business Day will be deemed to have been received on the following Business Day.

9. VARIATIONS

Any modification to or variation of this Deed must be in writing and signed by the Parties.

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10. **ASSIGNMENT AND SUBCONTRACTING**

The Donee may not assign, transfer, mortgage, charge, or sub-contract any of its rights or obligations under this Deed.

11. **RELATIONSHIP BETWEEN THE PARTIES**

Nothing in this Deed will be construed as implying that the relationship between the Donor and the Donee is that of agency, trust, partners, joint venturers, or employer and employee. Neither party may act on behalf of the other.

12. **COSTS**

12.1 Each party will pay its own costs and disbursements of and incidental to the preparation, completion, and execution of this Deed.

12.2 The Donee will pay to the Donor on demand any costs and expenses incurred by the Donor (including but not limited to costs on a solicitor-client basis) in attempting to have any default of the Donee remedied under this Deed.

13. **PUBLIC STATEMENTS**

Neither party will make any public announcements about anything related to this Deed, without first obtaining the approval of the other party, unless the announcement is of a general nature, is not critical of the other party, and is not commercially sensitive.

14. **GOVERNING LAW**

This Deed will be governed by and construed in accordance with the laws of New Zealand. The parties agree to and submit themselves to the non-exclusive jurisdiction of the courts of New Zealand in relation to all matters concerning the interpretation and operation of this Deed.

15. **WAIVER**

No waiver, delay, neglect or forbearance by either party in enforcing against the other party any provision in this Deed will be a waiver, or in any way prejudice any right of that party.

16. **SEVERABILITY**

If any provision of this Deed is found to be illegal, invalid or unenforceable, that provision will be read down to the extent necessary and reasonable in all circumstances to give it a valid operation or partial character. If any provision cannot be so read down, it will be void and severable and the remaining provisions of this Deed will not in any way be affected or impaired.

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A. W. J.

EXECUTED AS A DEED

SIGNED for and on behalf of
HAMILTON CITY COUNCIL
by its Chief Executive Officer
in the presence of:

)
)
)



Barry Harris
CHIEF EXECUTIVE

Witness signature *K. Winter*

Witness name: *Katrina Winter*

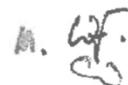
Occupation: *Democracy Corporate Secretary*

Address: *Hamilton City Council, Private Bag 3010
Hamilton 8240*

THE COMMON SEAL OF
THE ONE VICTORIA TRUST
BOARD INCORPORATED
was affixed in the presence of:



W. Jammond



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**SCHEDULE 2
Equipment**

Item 11

Attachment 3

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M. W.F.
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SCHEDULE 3 Proposal

28 August 2013

Sean Murray, Her Worship the Mayor, and Councillors of Hamilton City,
Hamilton City Council
Delivered by hand and by email.

By email: Sean.Murray@hcc.govt.nz

The Meteor

1. Background

We are writing to confirm our proposal for the Meteor, following on from:

- a) Our original proposal to Council in September 2012 (following the release of the 2012 Hamilton City Council 10 year plan);
- b) Our involvement in the Theatres Review as a consulted group of Meteor Users;
- c) Our written submission to the Theatres review (see <http://www.hamilton.govt.nz/city/facilities/hamiltontheatres/Documents/Theatres%20Review%20Submissions.pdf>);
- d) Our subsequent communication with:
 - A number of Councillors, Hamilton City Theatres staff, Sean Murray and her Worship the Mayor;
 - Business partners;
 - Funders such as Trust Walkato;
 - Meteor users (theatre groups in Hamilton) past and present; and
 - The Hamilton community.

2. The Proposal

Our proposal is:

- a) That the Meteor building be gifted to One Victoria Trust Board, an incorporated Charitable Trust, on 1 October 2013 ("the Handover Date") together with all equipment as per the list previously provided to us from Hamilton City Council to enable the Theatre to be run. Please see www.meteor.org.nz for a copy of the trust deed, trust information and trustee bios. Documentation of the gift can be as per the Deed of Gift of the Alhambra theatre, with appropriate amendments to reflect the conditions below.
- b) That this gift is conditional on:
 - (i) Commitment from Council to grant \$75,000 to the One Victoria Trust Board on the Handover Date. This sum represents the average loss the Meteor has made over the past 5 years, based on the Stafford report figures, and figures supplied by Hamilton City Council. The rationale is that this will add to the seed fund of the One Victoria Trust (currently \$26,500) to cover initial operating costs.
 - (ii) Commitment from Council to set aside \$250,000 total (\$75,000 per annum) over the following 2 years (2015 and 2016) to add to the capital works fund. This amount will be paid to the One Victoria Trust Board on 1 October 2016 if it achieves the following:

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1. Successful programming and operating of the Meteor as a viable theatre hub from 1 October 2015 to 30 September 2016.
2. Raising of the balance of the funds required to complete the capital works, which are the earthquake proofing of the Meteor as identified in the Opus report dated 17 October 2012, as required by being the Meteor to code pursuant to the New Building Standard and The NZ Earthquake Society for Engineers recommendations.
 - c) If the above conditions are met, then from 1 October 2016 the Meteor building will be unconditionally gifted to the One Victoria Trust Board.
 - d) During the conditional 3 year period the One Victoria Trust Board will be responsible for all ongoing, maintenance and any small scale upgrading of the Meteor it deems necessary.
3. The Past
 - a) We acknowledge that there have been past examples of similar proposals that have not worked (eg: the previous running of the Meteor by HCC, and Clarence St by Hamilton Operatives). However, we are in a different time.
 - b) There is large public support for our proposal.
 - c) The Trust has been carefully selected to be a mix of theatre practitioners and those with practical business skills (legal, accounting, marketing, general business, PR).
 - d) There are many more recent examples of projects that have worked with partnerships between private trusts and Councils eg: Mesh, Toti, Creative Walkate and the Te Awaunui aquatic complex.
 - e) Our proposal meets the criteria of the Arts Agenda.
 - f) There is no risk to Council as it would be in no worse position in 3 years if the conditions are not met - we will return the gift to Council, and accept that if we fail the building may be sold. No additional money would be spent by Council than the \$75,000 initial payment, and the \$150,000 conditional commitment.
 - g) If the Trust ceases to exist or the building stops operating as a theatre at any point then the building will revert to Council.
 - h) The One Victoria Trust Board has no power to borrow, so cannot get into debt. It will earn or raise funds to cover its costs. The Building cannot be returned to Council with any debt attached.
4. SODA
 - a) What happens to SODA is a question for HCC as a stakeholder in SODA to determine. We are happy for SODA to remain in the theatre, but would anticipate a staggered introduction of rent payments or similar, in accordance with the Deed of Lease between Landlord and Tenant dated 6 July 2009 that runs with the land. We are happy to negotiate this point.
 - b) If SODA vacates, we would like first right to occupy the space. We accept that this may result in an increase in ground rent depending on Council policy.
5. Existing Bookings and Meteor generally
 - a) The One Victoria Trust Board will honour all existing committed bookings.

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2017

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b) We have received confirmation that no jobs will be lost from Hamilton City Theatres as a result of our proposal.

6. Timing

- a) We have been engaged in this process for over a year. Over that time we have come together as a group of passionate Meteor supporters. We have met with a number of you, some more than once, and we thank you for taking the time to meet with us and discuss the proposal. We have incorporated a Trust, raised support from the community and theatre users, and formulated a programming policy, business plan and budgets.
- b) All of the information regarding the proposal is available on www.meteor.org.nz.
- c) Our public Facebook page (which has generated over 1,000 likes) has lists of types of events people would like to use the Meteor for. There is a real need for the Meteor.
- d) Our Facebook page also contains a lot of archived photos and memories people have of the Meteor. There is no other repository of this information that we are aware of, available to the public.
- e) The Meteor is suffering, and will continue to suffer, from low use until a decision is made, as it is unaffordable.
- f) Future concepts involving development of Founders or a complete new Arts complex with Black Box are long term, and accordingly unaffected by our proposal.
- g) The earlier the Meteor is gifted, the earlier we can apply for community funds as we will fit into community funding rounds (eg: Trust Waikato).
- h) As the information from the Theatres Review has been publically available since February 2013, and you are all up to speed with what the Meteor Proposal entails we ask you to please vote on our proposal at the next decision making Council meeting, which we understand to be on 26 September 2013, separate from the ongoing questions around Clarence St and Founders Theatre. We are completely ready to step in from 1 October 2013.

We understand this is a big and significant decision for Council and acknowledge the enormity of the task that we have offered to take on. That we have offered to do so, and all that we have done so far in our attempts to put forward the strongest proposal possible, should give you confidence that we are passionate and serious about this proposal.

We urge you to support our proposal above.

We would be happy to come and speak with you about our proposal, or answer any questions via email or phone at any time. You can contact us via Charlotte Isaac at charlotte@dtlawyers.co.nz, 07 282 0178 or 021 966 618.

We look forward to hearing from you.

The Trustees of the One Victoria Trust Board

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SCHEDULE 4
Key Performance Indicators (KPIs)

During the Revocation Period the Donee must:

- (a) not make any material departures from the representations set out in the Proposal, and only use the Funds for the purposes set out in clause 2.7;
- (b) give all assistance reasonably required by the Donor to enable it to carry out the Transitional Plan set out in Schedule 5, and to effect the transfer of all forward bookings from the Donor to the Donee;
- (c) be able to pay its debts as they become due in the normal course of business and ensure that the value of the Donee's assets are greater than the value of its liabilities, including contingent liabilities;
- (d) remain a charitable entity as defined in the Charities Act 2005 and be exempted by the Inland Revenue Department from paying income tax;
- (e) provide the Donor with a Report within three months of the Settlement Date ("First Report Date"), and thereafter provide the Donor with a Report on every anniversary of the First Report Date;
- (f) keep the Property unencumbered and free from all and any charges whatsoever, which will include without limitation keeping the Property free from naming rights and/or any sponsorship and/or licensing arrangements unless the Donor has first consented in writing to any naming rights and/or any sponsorship and/or licensing arrangements proposed by the Donee and provided that the Donor will not withhold such consent unreasonably;
- (g) not transfer, sell, lend, lease, and/or otherwise part with possession of the Property, and/or offer the Property as security;
- (h) from the Settlement Date to the end of the Revocation Period:
 - (i) keep the Property in good order and repair and at least to the standard it was in at the Settlement Date, fair wear and tear excepted;
 - (ii) comply with all regulatory matters required of the Donee as Property owner, including without limitation those set out in the Building Act 2004 and/or the New Zealand Building Code;
 - (iii) keep the Property adequately insured for its full replacement value with a reputable insurer acceptable to the Donor, and note the interest of the Donor on the relevant insurance policy/ies;
 - (iv) keep in place Public Liability Insurance in the minimum amount of \$10,000,000;
 - (v) the Donee must produce evidence of the above insurances to the Donor prior to the Settlement Date, in each Report, and whenever reasonably requested by the Donor during the Revocation Period;
- (i) immediately notify the Donor of any circumstance that has resulted, or will result, in the Donee being unable to meet its obligations under this Deed, or

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of any material adverse change in the Donee's financial position, together with full details of the same and any actions that the Donee has taken (or intends to take) in mitigation;

- (j) without limiting clause 4(e) above, provide in a timely manner at its cost any information, not subject to confidentiality restrictions, reasonably requested by the Donor from time to time in connection with the Property or the Funds;
- (k) take all necessary steps to promptly plan, fundraise for, and carry out the Works contemplated by clause 2.7(b), so as to enable the Works to be completed by either the end of the Revocation Period or the fourth or fifth year after the Settlement Date, and produce an annual report for the Donor demonstrating the Donee's progress towards so planning, fundraising for, and carrying out the Work that must be acceptable to the Donor in all respects (acting reasonably); and
- (l) without limiting clause (a) above, take all necessary steps to ensure that at a minimum:
 - (i) the number of patrons attending performances and events at the Property is at least 5,000 in 2014, 7,500 in 2015, and 10,000 in 2016; and
 - (ii) at least 70% of the use of the Property is by non-commercial users (specifically excluding the Soda Inc. Lease).

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**SCHEDULE 5
Transitional Plan**

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SCHEDULE 2

Plan

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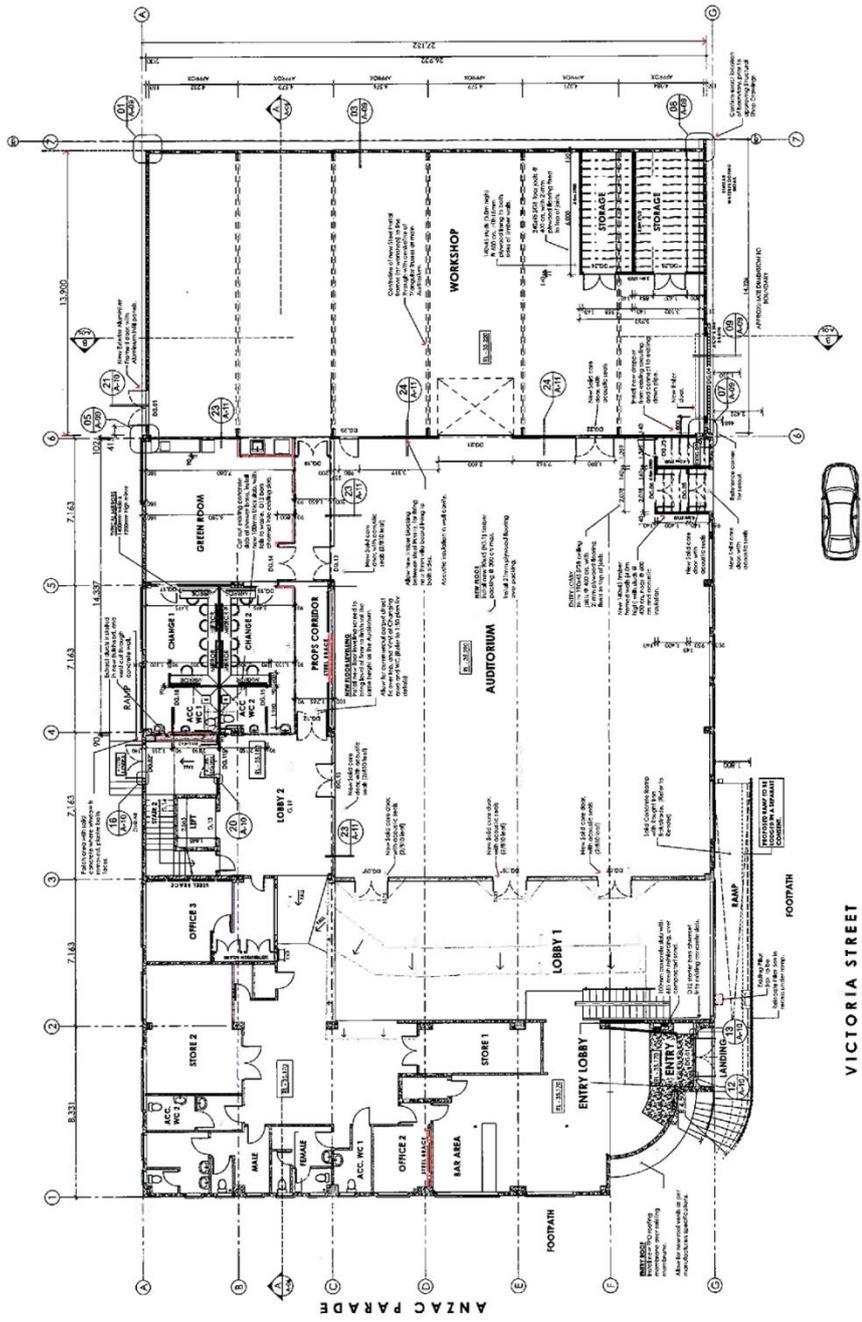
DWG NO	REV	DRAWING NAME
A-01		TITLE PAGE
A-02		SITE PLAN
A-03		GROUND FLOOR DEMO PLAN
A-04		GROUND FLOOR PLAN
A-05		EXTERIOR ELEVATIONS
A-06		EXTERIOR ELEVATIONS
A-07		SECTION A-B
A-08		SECTION C-D
A-09		ROOF FLOOR FRAMING
A-10		CONSTRUCTION DETAILS 01
A-11		CONSTRUCTION DETAILS 02
A-12		CONSTRUCTION DETAILS 03
A-13		DOOR SCHEDULE 01
A-14		FIRST FLOOR PLAN
A-15		PROPOSED RAMP
		RAMP HANDRAIL DETAILS

METEOR THEATRE
ONE VICTORIA ST TRUST
 VICTORIA STREET, HAMILTON

BUILDING CONSENT

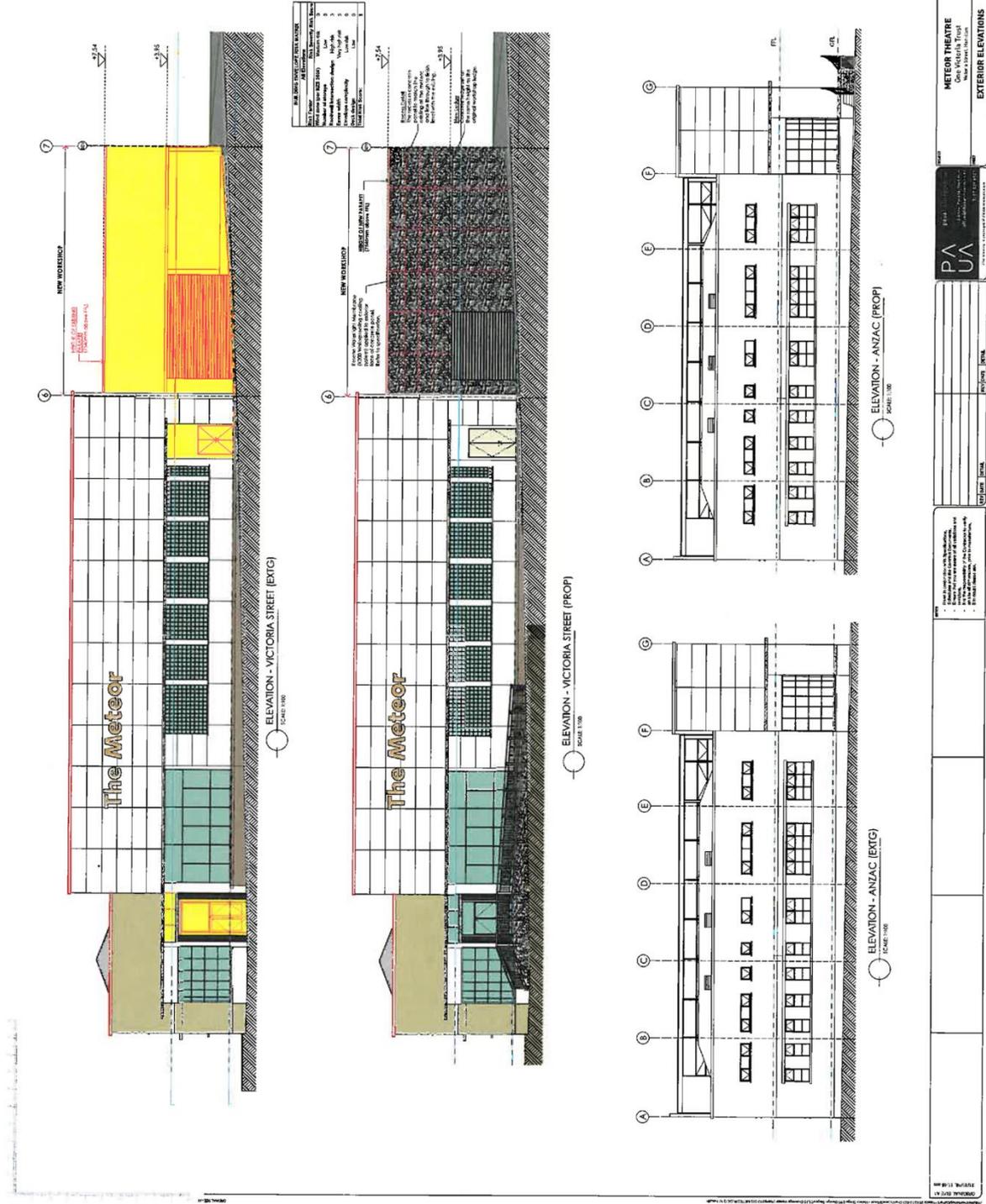
<p>PA UA</p>	<p>METEOR THEATRE One Victoria Trust Victoria Street, Hamilton</p>	<p>TITLE PAGE</p>	<p>BUILDING CONSENT</p>
			<p>PROJECT NO. 12-023</p>
<p>DATE 12/12/17</p>	<p>SCALE AS SHOWN</p>	<p>DATE 12/12/17</p>	<p>SCALE AS SHOWN</p>

WALL LEGEND	
	100MM BRICKWORK
	150MM BRICKWORK
	200MM BRICKWORK
	250MM BRICKWORK
	300MM BRICKWORK
	100MM CONCRETE BLOCKWORK
	150MM CONCRETE BLOCKWORK
	200MM CONCRETE BLOCKWORK
	250MM CONCRETE BLOCKWORK
	300MM CONCRETE BLOCKWORK
	100MM MASONRY
	150MM MASONRY
	200MM MASONRY
	250MM MASONRY
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	100MM PLASTER
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	250MM PLASTER
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	200MM CONCRETE
	250MM CONCRETE
	300MM CONCRETE
	100MM STEEL
	150MM STEEL
	200MM STEEL
	250MM STEEL
	300MM STEEL



GROUND FLOOR PLAN
SCALE 1:100

METEOR THEATRE GARDEN VICTORIA STREET GROUND FLOOR PLAN	
PA UA	12-023
12-023	A-03
12-023	A-03



Committee: Growth and Infrastructure Committee

Date: 14 February 2017

Report Name: Government's Housing Infrastructure Fund - Indicative Proposal from Hamilton City Council

Author: Luke O'Dwyer

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Hamilton Urban Growth Strategy Partly Operative District Plan Growth Funding Policy 2015-2025 Long Term Plan 30 Year Infrastructure Strategy</i>
Financial status	<i>There is budget to prepare Council's final Housing Infrastructure Fund Proposal</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Council's Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- To inform Council about Hamilton City Council's (HCC) indicative proposal to the Housing Infrastructure Fund (HIF) and the next stage of the HIF process.

3. Executive Summary

- The previous Council resolved on 25 August 2016 to prepare and submit an indicative proposal to the HIF based on advancing the Peacockes growth cell.
- In addition to seeking funding for Peacockes, Council's indicative proposal also sought funding to advance development in the Rotokauri growth cell.
- Council submitted its indicative proposal to the Ministry of Business Innovation and Employment (MBIE) on 2 December 2016 (attachment 1).
- Council's indicative proposal is non-binding and provides MBIE an opportunity to understand the extent of funding sought across New Zealand to support the construction of new dwellings and to allow MBIE to develop their thinking to establish final proposal criteria.
- Staff received feedback on Council's indicative proposal from MBIE on 22 December 2016 which was largely positive.
- The requirements for the final proposal were released on 2 February 2017.

10. Council has until 31 March 2017 to submit a final proposal for consideration. Council's final proposal will require considerably more detailed information, supporting documents and a comprehensive business case.
11. Final proposals will be evaluated from April and a final decision on funding is likely to be made by the end of June 2017.
12. Staff will report back to this Committee on the detail of the final proposal prior to submission to MBIE.

Recommendation from Management

That the report is received.

13. Attachments

14. Attachment 1 - Government's Housing Infrastructure Fund - Indicative Proposal (*Under Separate Cover*)

15. Background

16. On 3 July 2016 the Government announced a new \$1 billion Housing Infrastructure Fund (HIF) for local government. The fund is available to areas that are classified as "high-growth" under the National Policy Statement on Urban Development Capacity, which includes Hamilton.
17. The outcome sought by the government via the fund is to increase the pace at which housing supply is made available and to increase housing yield beyond what is otherwise planned.
18. The HIF is a one-off contestable interim fund to bring forward the roading, water and other strategic infrastructure required for new housing.
19. Staff prepared and submitted an indicative proposal to MBIE to advance development in the Peacockes and Rotokauri growth cells.
20. The total funding sought was \$240 million for transport and three waters infrastructure in the Peacockes and Rotokauri areas.
21. These areas were selected as they provide the best opportunity to unlock significant housing development to satisfy the key criteria associated with the HIF assessment framework, and were also areas of the City where key landowners and developers were able to provide written support to actually construct new housing should HIF funding be secured.

22. Current state

23. Feedback on the HCC indicative proposal was received on 22 December 2016. The feedback was largely positive and mainly sought greater clarity about the potential housing yield that would be brought forward should a HIF allocation be received by Council.
24. The criteria for final proposal was released on 2 February 2017, which can be found here - <http://www.mbie.govt.nz/info-services/infrastructure-growth/housing-infrastructure-fund>
25. At the time of completing this report, staff were still analysing and assessing the detailed final stage criteria. Initial observations are that the proposed final structure does not appear to deliver all the initial outcomes sought by Government.

- 26. While any debt associated with a HIF allocation would be interest free, there appears to be challenges in collecting development contributions, especially on transport projects. More work is required to analyse the proposal financial HIF structure and its implications for Council.
- 27. Council would also appear to have obligations to consult under the Local Government Act for any projects not in the current Long Term Plan that are part of any HIF application. At this stage, it is not clear how the HIF process accommodates this requirement.
- 28. Staff will prepare a final proposal to fund growth infrastructure for both the Peacockes and Rotokauri growth cells and will report back to this Committee on the details of the final proposal prior to submission to MBIE.

29. Financial and resourcing implications

- 30. Staff are still modeling the full financial implications for Council should HIF resources be confirmed.
- 31. While there are financial benefits from receiving a HIF allocation (primarily in terms of interest payments saved from the fact the HIF would be interest free), there are potential issues with how any HIF allocation may impact Council’s current Financial Strategy.
- 32. The specific issue arising from receiving any HIF allocation relates to how any HIF debt will be treated both on the balance sheet and in terms of financial debt ratios, the repayment arrangements (especially for transport projects) and how development contributions will be levied.
- 33. Senior Council staff continue to urgently liaise with their equivalent counterparts at Auckland Council and Tauranga City Council and with senior MBIE officials on financial matters associated with the HIF.
- 34. Staff will report on the outcomes of these negotiations and report on the full financial implications associated with our final HIF proposal before submitting it to MBIE.
- 35. As part of determining the final HIF application, Council will be presented with a range of bid options to assess against the current Financial Strategy.
- 36. While the development of the 2018-2028 Long Term Plan is in its early stages, the full financial implications of the HIF on the wider budget development process will not be available for some months.

Signatory

Authoriser	Richard Briggs, Chief Executive
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