

Notice of Meeting:

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

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

Richard Briggs
Chief Executive

Council OPEN AGENDA

Membership

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

Quorum: A majority of members (including vacancies)

Meeting Frequency: Monthly – or as required

Lee-Ann Jordan
Governance Manager

8 December 2017

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Purpose

The Council is responsible for:

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

Terms of Reference

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

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

Oversight of Policies:

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

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1 Apologies

2 Confirmation of Agenda

The Council to confirm the agenda.

3 Declaration of Interest

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

4 Public Forum

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

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

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

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

Council Report

Committee: Council **Date:** 14 December 2017
Author: Amy Viggers **Authoriser:** Becca Brooke
Position: Committee Advisor **Position:** Governance Team Leader
Report Name: Confirmation of Council Minutes - Open - 16 November 2017

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

That the Council confirm the Open Minutes of the Council Meeting held on 16 November 2017 as a true and correct record.

Attachments

Attachment 1 - Minutes of Council meeting - 16 November 2017 - Open .

Council

OPEN MINUTES

Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 16 November 2017 at 1.14pm.

PRESENT

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

Richard Briggs – Chief Executive
Lance Vervoort – General Manager Community
Chris Allen – General Manager City Infrastructure
Kelvyn Eglinton – General Manager City Growth
Sean Hickey – General Manager Strategy and Communications
Sean Murray – General Manager Venues, Tourism and Major Events
Blair Bowcott – Executive Director Special Projects
Nigel Ward – Communications Team Leader
Jason Howarth – Mayor's Advisor
Phil Saunders – Senior Building Advisor
Riki Manarangi – Corporate Policy Specialist
Cory Lang – Building Control Manager

Lee-Ann Jordan – Governance Manager
Becca Brooke – Governance Team Leader
Rebecca Watson – Committee Advisor

Council Kaumaatua, Tame Pokaia carried out a blessing and read a bible reading to open the meeting.

1. Apologies

Resolved: (Crs Casson/Mallett)

That the apologies from Crs Bunting and Taylor (on Council Business) are accepted.

2. Confirmation of Agenda

Resolved: (Crs Mallett/Casson)

That the agenda is confirmed noting the following:

- Mayor King will provide a verbal update regarding Alcohol Regulatory Licensing Authority (ARLA) during Item 7 (Chair's Report);
- Supplementary information in relation to Item 8 (Policy Review – Class 4 Gambling Venue Policy) was circulated to the Elected Members prior to the meeting;
- An amended page 6 for Item C2 (City Honours - Civic Awards 2017) was circulated prior to the meeting; and
- the agenda order will need to be flexible to accommodate presenters.

3. Declarations of Interest

No members of the Council declared a Conflict of Interest.

4. Public Forum

No members of the public wished to speak.

5. Confirmation of Council Minutes - Open - 18 October 2017

Resolved: (Crs Casson/Mallett)

That the Council confirm the Open Minutes of the Council Meeting held on 18 October 2017 as a true and correct record.

6. Confirmation of Elected Member Briefing Notes - Open - 18 October 2017

Resolved: (Crs Casson/ Mallett)

That the Council confirm the open Briefing Notes of the Elected Member Briefing held on 18 October 2017 as a true and correct record.

The following order of items was taken to accommodate staff and presenter availability.

7. Dangerous and Insanitary Buildings Policy

The Corporate Policy Specialist took the report as read. Staff responded to questions from Elected Members concerning financial considerations and changes made to the policy, which were confirmed as being in line with recent legislative changes.

In response to a request from Elected Members, staff undertook to use plainer language in some sections of the Statement of Proposal to make it easier to understand.

It was noted that an Earthquake Prone Priority Buildings Report would be coming to the 14 December 2017 Council Meeting for consideration. Elected Members requested that this report include a cost benefit analysis for building owners.

Resolved: (Crs O'Leary/Tooman)

That the Council:

- a) receives the report; and
- b) approves the attached Draft Dangerous and Insanitary Buildings Policy and Statement of Proposal for public consultation between 5 February 2018 to 5 March 2018.

8. Policy Review - Class 4 Gambling Venue Policy

The Corporate Policy Specialist took the report as read and responded to questions from Elected Members concerning the coverage and consideration of all options and why all options were not covered in the staff report.

Staff undertook to provide further information to, and seek feedback from Elected Members concerning supplementary information missing from the report, which needed to be included in the consultation document.

Motion: (Mayor King/Cr Macpherson)

That the Council:

- a) receives this report; and
- b) approves option 3 (attachment 5) as the draft Class 4 Gambling Venue Policy for consultation between 5 February 2018 and 5 March 2018.

Amendment: (Crs Pascoe/Southgate)

That the Council:

- a) receives the report; and
- b) notes no amendments are made to the existing Class 4 Gambling Venues Policy.

The Amendment was put.

Those for the Amendment: Councillors Pascoe, Mallett, O'Leary, Henry and Southgate.

Those against the Amendment: Mayor King, Councillors Gallagher, Tooman, Macpherson and Casson.

The Amendment was declared equal.

The Chair exercised his casting vote against the Amendment.

The Amendment was declared lost.

The Motion was then put.

Those for the Motion: Mayor King, Councillors Gallagher, Tooman, Macpherson, Casson, Henry and Southgate.

Those against the Motion: Councillors Pascoe, Mallett and O'Leary.

The Motion was declared carried.

Resolved: (Mayor King/Cr Macpherson)

That the Council:

- a) receives this report; and
- b) approves option 3 (attachment 5) as the draft Class 4 Gambling Venue Policy for consultation between 5 February 2018 and 5 March 2018.

9. Recommendation from the Finance Committee - NZ Food Innovation (Waikato) Ltd - Spray Dryer Two

Resolved: (Mayor King/Cr Casson)

That the Council:

- a) approves the Spray Dryer Two proposal by NZ Food Innovation (Waikato) Ltd, on the basis that the shareholding arrangements in the new subsidiary does not inhibit Councils ability to sell its shareholding in NZ Food Innovation (Waikato) Ltd in the future;
- b) notes that no Council direct investment is required in this proposal;
- c) notes the NZ Food Innovation (Waikato) Ltd will invest \$1.4m from existing cashflows in a new company to be established to build and operate a Spray Dryer and receive a 10% shareholding in the company;
- d) notes the development of Spray Dryer Two aligns with the approved Innovation Waikato Ltd and Group of companies 2017-2018 Statement of Intent; and
- e) notes that the CE will investigate and report to council an exit strategy for NZ Food Innovation (Waikato) Ltd noting that this strategy is unable to be executed until 2020 at the earliest due the legal contractual considerations.

10. 2018 Hamilton City Council Schedule of Meetings

The Governance Manager introduced the report, noting that the key difference to the 2018 Schedule of Meetings was that staff were recommending meetings continue through the school holidays. She responded to questions from Elected Members concerning timing and scheduling of meeting dates.

Elected Members asked that the following be taken into consideration for the 2018 Schedule of Meetings:

- *reserve dates included for Elected Member Briefings;*
- *reserve dates for Citizenship Ceremonies; and*
- *staff are to review the number of meeting dates set aside for the 10 Year Plan process.*

Resolved (Mayor King/Cr Gallagher)

That the Council:

- a) receives the report; and
- b) the proposed 2018 Schedule of Meetings attached to this report as Attachment 1 be approved, noting that further reserve dates are to be added for Elected Member Briefings, Citizenship Ceremonies and 10-Year Plan Meetings.

11. Chair's Report

The General Manager City Infrastructure advised the Council that the Hillsborough Terrace Developers had withdrawn their request for road stopping as they did not want to proceed with purchasing Council owned land for their proposed development.

The General Manager City Growth provided an update in relation to the letter received from the Alcohol Regulatory and Licensing Authority (ARLA) in response to a letter sent by Mayor King regarding the delays being experienced with hearing dates.

The Mayor and staff responded to questions from Elected Members concerning:

- the process to change the Caro St right turn traffic restriction;
- Clark Lounge access and usage;
- Embassy Park Toilet opening hours and associated costs to increase opening hours;
- Elected Member Support Policy clarification around mileage claims; and
- reasons for making 9th floor balustrade improvements.

Motion: (Mayor King/Cr Mallett)

Caro St Right Turn

That the Council requests staff consider the removal of the right turn restrictions out of Caro Street onto Anglesea Street as part of the first suite of proposed changes to the Hamilton City Traffic Bylaw 2015 registers in 2018.

The Motion was put.

Those for the Motion: Mayor King, Councillors Gallagher, Mallett and Macpherson.

Those against the Motion: Councillors Pascoe, Tooman, O'Leary, Casson, Henry and Southgate.

The Motion was declared lost.

Resolved: (Mayor King/Cr Casson)

1) Clark Lounge

That the Council:

- a) approves access and use of the Clarke lounge and accompanying seats, remaining available for Hamilton City Council without incurring additional cost, for all events being hosted at FMG Stadium Waikato; and
- b) requires written approval from both the Chief Executive and the Mayor if there is a need for an exception to this.

2) Hillsborough Tce Road Stopping

That the Council notes that no decision is required on the Hillsborough Tce Road Stopping Report as the request from the Developer has been withdrawn.

3) Embassy Park Toilets

That the Council approves additional funding to accommodate extra cleaning to open Embassy Park toilets Thursday to Sunday during night time hours.

4) Elected Member Support Policy

That the Council approves the following change to the Elected Members Support Policy, to take immediate effect:

"23. Subject to paragraph 24, A mileage allowance is payable for any distance travelled in excess of 80 kilometres per week where the travel claimed is:

- i. within the city boundary; or
- ii. to and within the city boundary where the member resides outside the city boundary, for travel to and from that member's place of residence.
- iii. For clarity, subject to subparagraph (ii) above, the 80 kilometre threshold does not apply when claiming for travel outside of the city boundary, though such travel cannot count towards the 80 kilometre threshold."

5) 9th Floor Deck Balustrade

That Council approves up to \$25,000 for the replacement of the 9th floor deck balustrade with safety glass.

12. Resolution to Exclude the Public

Resolved: (Mayor King/Cr Casson)

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

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

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

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of Elected Member Briefing Notes - Closed - 18 October 2017) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C2. City Honours - Civic Awards 2017)	
C3. Victoria on the River Precinct Update)	

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

Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to protect the privacy of natural persons	Section 7 (2) (a)
Item C3.	to enable Council to carry out negotiations	Section 7 (2) (i)

The meeting went into a public excluded session at 3.30pm.

The meeting was declared closed at 5.15pm.

Council Report

Committee: Council **Date:** 14 December 2017
Author: Amy Viggers **Authoriser:** Becca Brooke
Position: Committee Advisor **Position:** Governance Team Leader
Report Name: Confirmation of Elected Member Briefing Notes - Open - 13 November 2017

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

That the Council confirm the Open Minutes of the Elected Member Briefing held on 13 November 2017 as a true and correct record.

Attachments

Attachment 1 - Confirmation of Elected Member Briefing Notes - Open - 13 November 2017 .

Elected Member Briefing Notes –13 November 2017 – Open

Time and date:	13 November 2017
Venue:	Committee Room 1, Hamilton City Council
In Attendance:	Mayor King, Deputy Mayor Gallagher, Crs Pascoe, O’Leary, Taylor, Henry, Southgate, Bunting, Mallett, Casson
Apology for Full Session:	Cr Macpherson
Apologies for lateness/early departure:	Cr Tooman

Discussion

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

- 10 Year Plan Review and Options
- Rototuna Town Centre

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

1 **10 Year Plan Review and Options** (Presentation was provided)

The General Manager Corporate and Mayor King presented. Mayor King spoke to a need for balance in the budget between enabling growth and reducing debt. The General Manager presented regarding stronger and faster growth in Hamilton than Council’s planning anticipated.

Cr Tooman arrived at 10.34am.

Staff undertook to circulate a breakdown of the \$220m investment in improved transportation and \$80m investment in community infrastructure and city development.

2 **Rototuna Town Centre** (Presentation was provided)

The Business and Planning Manager spoke to the presentation and discussed the background to the Comprehensive Development Plan (CDP) for the Rototuna area.

Elected Members asked questions in relation to the following:

- What proposed community facility development was planned specifically in the Rototuna area
- Legal expectations around having to return Development Contributions if developments did not go ahead
- The difference between the proposed Rototuna Town Centre and the current Thomas Road business centre
- The potential size of the Rototuna town centre and how it would compare to other areas such as Chartwell

- What form of commercial industry would be at the Rototuna town centre, and whether this would include industrial activity
- Transportation capacity
- Responsibility of maintenance of the development once finalised
- Start dates and timeframes for the development of the town centre
- Whether there was potential for central government funding towards some of the facilities being planned.

Council Report

Item 7

Committee: Council
Author: Amy Viggers
Position: Committee Advisor
Report Name: Confirmation of Elected Member Briefing Notes - Open - 30 November 2017

Date: 14 December 2017
Authoriser: Becca Brooke
Position: Governance Team Leader

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

That the Council confirm the notes of the Elected Member Briefing held on 30 November 2017 as a true and correct record.

Attachments

Attachment 1 - Elected Member Briefing Notes - 30 November 2017 .

Elected Member Briefing Notes – 30 November 2017 – Open

Time and date:	30 November 2017
Venue:	Committee Room 1, Hamilton City Council
In Attendance:	Mayor King, Crs Pascoe, Taylor, Henry, Bunting, Mallett, Macpherson, Tooman, Southgate, Casson
Apology for Full Session:	Crs O’Leary, Gallagher

Apologies for lateness/early departure:

Discussion

The briefing session covered the following topics:

- Heritage Fund
- Housing Infrastructure Funding
- Community Occupancy Policy
- Stadium Bowling Facility Expression of Interest

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

1 Heritage Fund

(Presentation was provided)

The presentation was to provide an overview of built and cultural heritage management in Hamilton City, and what had been completed in terms of the Heritage Plan. The presentation also gave some background around one of the detailed action plans which had come out of the Heritage Plan, which will be subject to a report due to Elected Members by 14 December 2017. Staff also explained the statutory requirements for heritage management and protection.

Elected Members asked questions in relation to the following:

- Definition of heritage
- Council leadership around heritage management
- Process when a building owner had no financial capability to undertake repairs and maintenance on a heritage building
- Consultation process with building owners when a building goes on the heritage list
- Feedback regarding the heritage panel
- Discussions with central government around funding for heritage management
- Natural heritage sites and definition of natural heritage
- Whether keeping older buildings was contributing to the perception of the decline of the CBD in Hamilton

2 Housing Infrastructure Funding

(Presentation was provided)

The General Manager City Growth outlined key aspects of the presentation, and explained detail that was in the application and detailed business case for HIF.

Elected Members asked questions in relation to the following:

- Development Contributions and rates being used for new growth
- Correct use of the NIDEA – Low projection
- Comparison of cost efficiencies between each subdivision and modelling that has been completed to ensure that Development Contributions are set to the correct level
- Continuation or modification of HIF funding under the new Government
- Timeframes for uplift of HIF funding
- Housing affordability
- Options for growth other than HIF

3 Community Occupancy Policy

(Presentation was provided)

The purpose of the presentation was to seek clarification from Elected Members whether changes were required to the current Community Occupancy Policy. Staff explained that they felt the current policy was working well and gave them clear guidance.

Elected Members asked questions in relation to the following:

- Eligibility of land for community leases
- Other types of leases available for commercial organisations on council land
- Definition of ‘community group’
- Meaning of membership restrictions and what may happen with those groups who do target a specific section of the community
- Ensuring the right group is in the right facility
- Assessment of sustainability of community organisations
- Who pays for the revalidation for increases on rent and the possibility of moving to a CPI model
- Sufficiency of proposed budget to cover the ongoing need for repairs and maintenance to buildings
- Balance between community groups operating commercially and making enough profit to maintain solvency, and the impact of multi-use facilities
- Eligibility of religious groups
- Differing tiers of subsidy

Staff undertook to provide a report in early 2018 showing the breakdown of the cost of maintenance community properties to ratepayers and the rents received.

4 Stadium Bowling Facility Expression of Interest

(Presentation was provided)

Staff explained the background to the Stadium Bowling Facility Expression of Interest, and what options had been presented to the Elected Members up to today’s date. Feedback from Elected Members had been to lease the land and building together and to provide further information on the WAIBOP Hamilton Futsal Centre proposal.

Elected Members requested that further proposals in relation to this matter be investigated and brought back for discussion.

Elected Members asked questions in relation to the following:

- Funding breakdown under the WAIBOP proposal
- Process undertaken to gather proposals
- Whether other proposals were forthcoming

Council Report

Item 8

Committee: Council

Date: 14 December 2017

Author: Amy Viggers

Authoriser: Becca Brooke

Position: Committee Advisor

Position: Governance Team Leader

Report Name: Chair's Report

Report Status	<i>Open</i>
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Recommendation

That the Council:

- a) receives the report; and
- b) accepts Cr Bunting resignation from the role of Deputy Chair of the Community and Services Committee.

Attachments

Attachment 1 - Chair's Report - 14 December 2017 .



Chair's Report

Complaints Committee

The Complaints Committee met on the 24th of November after receiving complaints about Cr Bunting.

The Complaints Committee received Cr Bunting's resignation from the role of Deputy Chair of the Community and Service Committee.

The Complaints Committee has also directed the Chief Executive to organise a workshop for Elected Members on the Code of Conduct and behaviour

Cr Bunting has also resigned as the council appointee to the University of Waikato Animal Ethic Committee.

Cr Bunting's resignation has left a vacancy in the role of Deputy Chair of Community and Services and on the Animal Ethics Committee. I intend to have these roles filled at the 8th of February 2018 council meeting.

Recommendation:

That the Council:

- a) receives the report; and
- b) accepts Cr Bunting resignation from the role of Deputy Chair of the Community and Service Committee.

Thank You

Thank you to all Staff, Councillors, media and public for your support over the past year. I truly appreciate all of the work that you have put in this year, particularly given this was a 10 Year Plan year and the extra hours many staff worked to get it completed.

Richard and the senior leadership team, I want to thank you for all of the advice you have given, the late night phone calls and the even later emails.

The Council cannot function without such great staff council wide. Everyone does their part to ensure Hamilton continues to run and continues to be an amazing city and I thank you all for the work that you do.

To the media, the Waikato Times team, Hamilton News and other press thank you for providing the vital role of informing Hamiltonian's about Council matters, while sometimes councillors and I may not agree with what is published we appreciate the role that you play.

Councillors, I am privileged to lead such a diverse and passionate council. I enjoy the healthy debate we have, when making decisions about the city we all love

Attachment 1

Hamiltonian's, Thank you for the ongoing support, advice and opinions you share with myself and other councillors, please keep it up it does truly influence opinions and allows us to make the best decisions for the city

I wish everyone an enjoyable and relaxing holiday, a Merry Christmas and prosperous New Year

Love Hamilton

Andrew King

Mayor - Hamilton City Council

Love Hamilton

Item 8

Council Report

Item 9

Committee: Council **Date:** 14 December 2017
Author: Stephen Halliwell **Authoriser:** David Bryant
Position: Accounting Manager **Position:** General Manager Corporate
Report Name: Vibrant Hamilton Trust - Annual Report 2017

Report Status	<i>Open</i>
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Purpose

1. To inform Council of the Vibrant Hamilton Trust (VHT) Annual Report for the year ended 30 June 2017 and review the performance against the measures specified in the 2017 Statement of Intent.

Staff Recommendation

2. That the Council receives the report.

Executive Summary

3. VHT is a Council-controlled organisation (CCO) that sets a Statement of Intent (SOI) annually. The SOI sets out the performance measures and targets for the year.
4. A draft SOI for 2019 will be submitted to the Finance Committee at the April 2018 meeting for consideration. What follows is an overview of the results for the year ended June 2017.
5. VHT made a net surplus of \$211,427 (after deducting total grants of \$300,000, and includes an unrealised gain on the investment portfolio of \$294,986), compared to a budgeted net surplus of \$173,881.
6. Overall, VHT's investment portfolio managed by Kiwi Wealth (formerly Gareth Morgan Investments) increased in value from \$5.698m in 2016 to \$5.910m. VHT achieved a return of 9.7% on its total portfolio for the 12 months to June 2017, compared to the benchmark of 8.2% (45% NZ Bond and 55% MSCI). The asset category of Core Growth achieved a return of 17.1% for 2017.
7. In 2015 and 2016 the portfolio made a return of 18.3% and -2.5% respectively. The predicted growth for the portfolio is 7.5% per annum however, as a guide you can expect market volatility around equity returns which can generate significant gains and losses from one year to the next.

Discussion

8. Please refer to Page 3-4 of the VHT Annual Report for the Statement of Service Performance, which shows performance targets and results.

Attachments

Attachment 1 - 2017 Vibrant Hamilton Trust - Annual Report (*Under Separate Cover*)

Attachment 2 - Vibrant Hamilton Trust - Statement of Intent 30 June 2017 (*Under Separate Cover*) .

Council Report

Item 10

Committee: Council **Date:** 14 December 2017
Author: Kelvin Powell **Authoriser:** Kelvyn Eglinton
Position: City Safe Unit Manager **Position:** General Manager City Growth
Report Name: Application for Temporary Extension to Hamilton Alcohol Control Bylaw (International Sevens)

Report Status	<i>Open</i>
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Purpose

1. To seek approval of the police request to create a temporary alcohol ban in support of the International Sevens event to be held at FMG Stadium on 3 and 4 February 2018.

Staff Recommendation

2. That the Council, pursuant to clause 8 of the Hamilton Alcohol Control Bylaw 2015 (the Bylaw), approves the creation of the International Sevens Temporary Alcohol Ban Area (the Area), to which clause 5.1 of the Bylaw will apply from 6am on Saturday 3 February 2018 to 10pm on Sunday 4 February 2018 (inclusive), as if the Area were included in Schedule 1 of the Bylaw, and will encompass the areas shaded in blue on the map at Attachment 2.

Executive Summary

3. Hamilton will host the International Sevens tournament at FMG Stadium on 3 and 4 February 2018. The tournament will operate between 10.30am and 10.30pm each day.
4. The public areas near FMG Stadium are currently subject only to a time-restricted alcohol ban that prohibits all alcohol in Hamilton public places between 10pm and 6am seven days a week.
5. Hamilton police have requested that the Council consider a resolution to create a temporary 24-hour alcohol ban in the areas surrounding FMG for the duration of the Sevens event. The purpose of the ban would be to aid police in reducing crime, disorderly behaviour and alcohol-related harm during the event (see Attachment 1).
6. To make a temporary alcohol ban by resolution it is necessary to:
 - a) comply with the general decision-making requirements of the Local Government Act 2002;
 - b) comply with the evidential requirements in relation to alcohol-related harm;
 - c) satisfy the tests as to proportionality and rights protections;
 - d) limit the ban to a specific event or time of the year and give seven days' public notice.
7. Staff consider the matter to have low significance and that the recommendation complies with the Council's legal requirements.

Background

8. Hamilton FMG Stadium will host the International Sevens tournament on 3 and 4 February 2018. The tournament will operate from 10.30am to 10.30pm each day and is being marketed as a festival event and, in addition to a full two-day programme of rugby, will include a range of circus rides, live music and food trucks.
9. The immediate public environs around the stadium are not included in the 24-hour central city alcohol ban area created pursuant to the Hamilton Alcohol Control Bylaw 2015. This area is subject only to the time-restricted alcohol ban that creates an alcohol ban for all public places within Hamilton City between 10pm and 6am seven days a week.
10. Police have indicated that, based on experiences from the Wellington Sevens, they consider it highly probable that some tickets holders will attempt to access cheaper alcohol over the course of each day of the event, increasing the risk of disorder and alcohol-related harm occurring. Past experiences indicate that this was achieved by ticket holders bringing alcohol in their vehicles for consumption near the stadium (boot parties) or by purchasing alcohol near the Stadium for consumption prior to entry or at various times throughout the day.
11. Police have requested that the Council consider creating, by resolution, a temporary 24-hour alcohol ban in the streets that surround FMG Stadium and are likely to be used for parking by patrons attending the Sevens event. Such an alcohol ban would empower police to adopt a preventative approach and intervene earlier thereby reducing the opportunity for alcohol-related harm to occur.
12. The application proposes to extend the current 24-hour central city alcohol ban boundary north along Waikato River onto Victoria Street, Maeroa Road, Norton Road, Hall Street, Lake Road, Tainui Street until it connects back with the existing 24-hour ban area (see Attachment 2).

Discussion

13. The Local Government Act 2002 prescribes a specific regime to be followed for alcohol control bylaws (sections 147 – 147C):
<http://www.legislation.govt.nz/act/public/2002/0084/167.0/DLM170873.html>
14. Section 147B specifically relates to the use of a resolution power in respect of an existing alcohol control bylaw. Local Government Act 2002, Section 147B, provides that:
Before making a resolution relating to a bylaw under section 147, a territorial authority must be satisfied that –
 - a) *there is evidence that the area to which the bylaw applies (or will apply by virtue of the resolution) has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and*
 - b) *the bylaw, as applied by the resolution, –*
 - i. *is appropriate and proportionate in the light of the evidence; and*
 - ii. *can be justified as a reasonable limitation on people's rights and freedoms.*
15. Clause 8 of the [Hamilton Alcohol Control Bylaw 2015](#) operates under the resolution power; it provides for Council to create temporary alcohol bans by resolution.

Clause 8 imposes additional procedural requirements as follows:

- 8.1 *In addition to clause 5, the Council may from time to time, resolve under the Local Government Act 2002 to include additional area(s) as an alcohol ban area for a particular time period relating to a specific event or a particular time of the year.*

8.2 *If this is done Council will give the public at least 7 days' notice of the temporary ban. The details of the alcohol ban and when it will apply will also be made publicly available.*

16. Police have reviewed their file records systems and intelligence databases and can confirm that the area of the proposed ban has at various times experienced high levels of both crime and disorder. There is compelling evidence that alcohol consumption has either contributed to or exacerbated these events.

Legal and Policy Considerations

17. The city solicitor has reviewed relevant legislation and case law and provided advice as to the correct procedural requirements to enable Council to consider the application. The resolution contained within the staff recommendation was also drafted in conjunction with the city solicitor to ensure legislative compliance.

Cultural Considerations

18. There are no cultural considerations in this proposal.

Significance & Engagement Policy

Significance

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

Engagement

20. Clause 8.2 of the Alcohol Control Bylaw 2015 requires Council to give the public at least seven days' notice of the temporary ban and to make details of the ban publicly available. A comprehensive communications plan is being developed which will include print media and radio adverts and extend to street signage and maps to inform both local residents and ticket holders alike of the existence of the temporary alcohol ban.
21. Both NZ Rugby and the Sevens event promoters have signalled their support for the introduction of the proposed temporary alcohol ban.

Attachments

Attachment 1 - Police request for temporary alcohol ban International Sevens

Attachment 2 - Sevens temporary alcohol ban area .



7 November 2017

Hamilton City Council
Council Building
Garden Place
Hamilton

Request for Temporary Extension to Alcohol Ban

On behalf of Waikato Police I request that Council consider a temporary extension to the Central City Alcohol Ban Area for the weekend of 3rd and 4th February 2018 when the International Sevens Tournament takes place at FMG Stadium.

The Hamilton Alcohol Control Bylaw 2015, Clause 8, allows the Council to resolve under the Local Government Act 2002 to include additional area(s) as an alcohol ban area for a particular time period relating to a specified event or a particular time of year.

The area proposed for the extension encompasses the FMG Stadium's surrounding streets where it is deemed that ticket holders will likely park their vehicles. The ban will provide a deterrent for ticket holders to "preload" or leave the stadium to "side load". A map is attached of the proposed area which continues north from the current 24/7 ban boundary along the river bank onto Victoria Street, Maeroa Road, Norton Road, Hall Street, Lake Road, Tainui Street, connecting back to the current 24/7 ban area on Seddon Road.

The extension period sought is from 0600 hours to 2200 hours on Saturday 3rd February 2018, 0600 to 2200 hours on Sunday 4th February 2018. This in effect makes the current night time ban into a 24 hour ban over that weekend or extends the area for the current 24/7 ban.

Waikato Police are keen for the Sevens Tournament to be a success and are already working closely with event organisers to make this a positive and

memorable event for all involved, including the worldwide viewing audience. As such we want to encourage a festive atmosphere without the high intoxication levels and arrest rates seen at previous Wellington Sevens Tournaments.

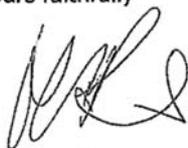
The ultimate aim of the extension is to provide Police with extra powers to prevent alcohol harm over the period of the Sevens Tournament. Based on information from Wellington Sevens, we consider it a high probability that many ticket holders will want to access cheaper alcohol during the day and will either bring alcohol in their cars for consumption (boot parties) or purchase it from local liquor stores to consume outside the stadium.

A great deal of effort has gone into the planning of the alcohol management plan for the event which could be easily undone by this ability to "side load" during the event.

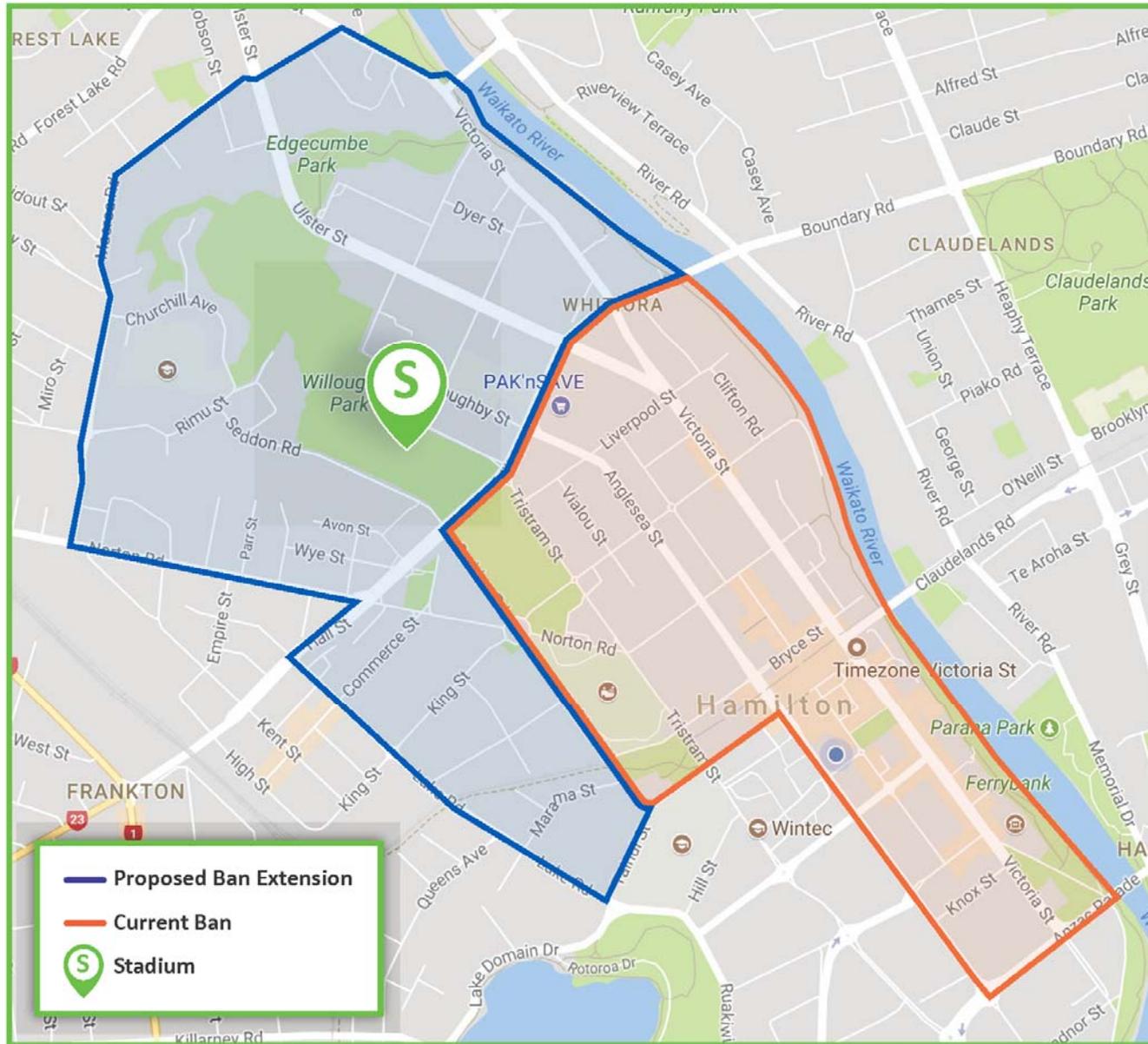
We do not see this as a great inconvenience for the general public and residents within the proposed extension, considering it is just for two days.

For Council consideration and approval.

Yours faithfully



Detective Inspector Hywel Jones
District Manager: Intelligence
Waikato Police



Council Report

Item 11

Committee: Council
Author: Amy Viggers
Position: Committee Advisor
Report Name: Recommendation from Community and Services Committee - Road Naming - Dame Hilda Ross Place

Date: 14 December 2017
Authoriser: Becca Brooke
Position: Governance Team Leader

Report Status	<i>Open</i>
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1. To seek the Council's approval for a recommendation from the Community and Services Committee at its meeting on 31 October 2017, to decline the application to rename part of Ward Street (east), from Victoria Street through to Centre Place Mall, to Dame Hilda Ross Way
2. The Community and Services agenda and minutes are available via the following link:
http://www.hamilton.govt.nz/our-council/Council_meetings_and_public_information/meetings-and-minutes/Pages/default.aspx

Staff Recommendation

3. That the Council:
 - a) declines the application to change part of Ward Street (east) from Victoria Street through to Centre Place Mall to Dame Hilda Ross Way.
 - b) approves the area on the corner of Ward Street and Worley Place, where the Dame Hilda Ross commemorative artwork is to be located, be named Dame Hilda Ross Plaza;
 - c) requests staff bring back a report to the Committee by 28 February 2018 on options to upgrade the area on the corner of Ward Street and Worley Place, where the Dame Hilda Ross commemorative artwork will be located, including concept designs, estimated costs and possible funding sources.

Attachments

There are no attachments for this report.

Council Report

Item 12

Committee: Council **Date:** 14 December 2017
Author: Amy Viggers **Authoriser:** Becca Brooke
Position: Committee Advisor **Position:** Governance Team Leader
Report Name: Recommendation from Growth and Infrastructure Committee - Treatment Plant Seismic Strengthening Upgrade

Report Status	<i>Open</i>
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Purpose of the Report

1. To seek the Council's approval for a recommendation from the Growth and Infrastructure Committee meeting at its meeting on 5 December 2017, in respect of the seismic strengthening upgrade for the Pukete Wastewater Treatment Plant and the Wairoa Water Treatment Station.
2. The 5 December 2017 Growth and Infrastructure Committee agenda and minutes will be available via the following link:
[http://www.hamilton.govt.nz/our-council/Council meetings and public information/meetings-and-minutes/Pages/default.aspx](http://www.hamilton.govt.nz/our-council/Council%20meetings%20and%20public%20information/meetings-and-minutes/Pages/default.aspx)

Recommendation from the Growth and Infrastructure Committee

3. That the Council:
 - a) approves a total project budget of up to \$1,620,000 including \$1,500,000 capital and \$120,000 operational cost, to seismically strengthen four buildings located at the Pukete Wastewater Treatment Plant and the Wairoa Water Treatment Station; and
 - b) notes the unfunded budget will be reported through risks and opportunities.

Attachments

There are no attachments for this report.

Council Report

Item 13

Committee: Council
Author: Amy Viggers
Position: Committee Advisor
Report Name: Recommendation from Growth and Infrastructure Committee - Future Proof Strategy Adoption

Date: 14 December 2017
Authoriser: Becca Brooke
Position: Governance Team Leader

Report Status	<i>Open</i>
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1. To seek the Council's approval for a recommendation from the Growth and Infrastructure Committee at its meeting on 5 December 2017, in respect of the Future Proof Strategy Adoption.
2. The 5 December 2017 Growth and Infrastructure Committee agenda and minutes will be available via the following link:
http://www.hamilton.govt.nz/our-council/Council_meetings_and_public_information/meetings-and-minutes/Pages/default.aspx

Recommendation to Council from the Growth and Infrastructure Committee

3. That the Council:
 - a) receives the report;
 - b) adopts the Future Proof Strategy – Planning for Growth 2017; and
 - c) requests the Futureproof Implementation Committee amends the process for making submissions, to ensure that before any submission is formally submitted by the Futureproof Chair, the content of the submission is discussed and feedback sought with the Futureproof Implementation Committee members, either at the next available meeting or if timeframes do not allow, by email or phone.

Attachments

There are no attachments for this report.

Council Report

Committee:	Council	Date:	14 December 2017
Author:	Amy Viggers	Authoriser:	Becca Brooke
Position:	Committee Advisor	Position:	Governance Team Leader
Report Name:	Recommendation from Growth and Infrastructure Committee - Hamilton City Speed Bylaw		

Report Status	<i>Open</i>
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Purpose

- To seek the Council's approval for a recommendation from the Growth and Infrastructure Committee at its meeting on 5 December 2017, in respect of Hamilton Speed Limit Bylaw 2013 (amended 2017).
- The 5 December 2017 Growth and Infrastructure Committee agenda and minutes will be available via the following link:
[http://www.hamilton.govt.nz/our-council/Council meetings and public information/meetings-and-minutes/Pages/default.aspx](http://www.hamilton.govt.nz/our-council/Council%20meetings%20and%20public%20information/meetings-and-minutes/Pages/default.aspx)

Recommendation to Council from Growth and Infrastructure Committee

That the Council:

- a) approves the following changes to the Hamilton City Speed Limit Bylaw 2013:

#	Location	Proposed change to bylaw (indicated in red text and underlined)
1	Knox St	Amend Schedule 3: Designation Areas and Roads with a speed limit of 30 km/h. By the following addition to the schedule: <u>Knox Street - Victoria Street to Anglesea Street.</u>
2	Endeavour Ave	Amend Schedule 4: Designation Areas and Roads with a speed limit of 40 km/h. By the following addition to the schedule: <u>Endeavour Avenue - From a point 40m north east of Cashmere Place to a point 95m south east of Spinnaker Drive.</u>

3	North City Rd and Borman Rd (at Hector Dr)	<p>Amend Schedule 8: Designation Areas and Roads with a speed limit of 80 km/h.</p> <p>By the following change to the schedule: North City Road - <u>From a point 220m north of Bourn Brook Drive Borman Road</u> to Kay Road.</p> <p>Amend Schedule 12: Roads with a variable speed limit</p> <p>By the following changes to the schedule:</p> <p>Hamilton Christian School and Te Totara Primary Borman Road: 90m west of Northcity Road to <u>10m 60m</u> east of Hector Drive.</p> <p>Northcity Road: From Borman Road to <u>50m 195m</u> north of Borman Road.</p>
4	Kimbrae Dr	<p>Amend Schedule 12: Roads with a variable speed limit</p> <p>By the following addition to the schedule</p> <p><u>Rototuna High School</u></p> <p><u>Kimbrae Drive: from a point 30m east of the intersection of Bourn Brook Drive extending in an easterly direction to a point 595m east of Bourn Brook Drive.</u></p>
5	Borman Rd and Hare Puke Dr	<p>Amend Schedule 12: Roads with a variable speed limit</p> <p>By the following addition to the schedule</p> <p><u>Sylvester Primary School</u></p> <p><u>Borman Road: from a point 260m west of Hare Puke Drive to a point 110m south east of Hare Puke Drive.</u></p> <p><u>Hare Puke Drive: from a point 95m north of Borman Road to a point 10m north of Wetherby Road.</u></p>
6	Gordonton Road	<p>Amend Schedule 12: Roads with a variable speed limit</p> <p>By the following changes to the schedule</p> <p><u>Variable Intersection Speed Zones are subject to the following conditions:</u></p> <ol style="list-style-type: none"> 1. <u>The speed limit is the limit displayed when the variable speed limit signs are operating and the numerals are displayed.</u> 2. <u>The variable speed limit signs are activated by vehicles turning within the intersection.</u> 3. <u>The variable speed limit applies on the main road(s) of the intersection only.</u> 4. <u>The speed limit is the posted speed limit at all times when the variable speed limit signs are not operating.</u> <p><u>60/80 km/h variable speed limit</u></p> <p><u>Gordonton Road: From a point 120 metres north of Thomas Road and extending in a southerly direction to a point 120 metres south of Thomas Road.</u></p>

Item 14

7	Rotokauri Rd	<p>Amend Schedule 6: Designation Areas and Roads with a speed limit of 60 km/h.</p> <p>By the addition of the following to the schedule: <u>Rotokauri Road - From a point 310m west of Kawariki Drive to a point 300m north west of Baverstock Road.</u></p> <p>Amend Schedule 8: Designation Areas and Roads with a speed limit of 80 km/h.</p> <p>By the following change to the schedule: Rotokauri Road - <u>From a point 310m west of Karariki Drive to 250m south west of Exelby Road.</u> 300m north west of Baverstock Road to City Boundary</p>
8	Te Kowhai Rd East	<p>Amend Schedule 6: Designation Areas and Roads with a speed limit of 60 km/h</p> <p>By the removal of the following from the schedule: Te Kowhai Road East – Te Rapa Road Tasman Road</p> <p>Amend Schedule 8: Designation Areas and Roads with a speed limit of 80 km/h.</p> <p>By the removal of the following from to the schedule: Te Kowhai Road East – Tasman Road to end (W)</p>
9	Baverstock Rd	<p>Amend Schedule 7: Designation Areas and Roads with a speed limit of 70 km/h.</p> <p>By the removal the following from the schedule: Baverstock Road – 1200 m north east of Brymer Road to Brymer Road.</p>
10	Wairere Dr	<p>Amend Schedule 6: Designation Areas and Roads with a speed limit of 60 km/h.</p> <p>By the following change to the schedule: Wairere Drive: <u>50m 135m</u> north of Ruakura Road to the southern end.</p> <p>Amend Schedule 8: Designation Areas and Roads with a speed limit of 80 km/h.</p> <p>By the following change to the schedule: Wairere Drive - Arthur Porter Drive to <u>50m 135m</u> north Ruakura Road.</p>
11	Masters Ave, Silverdale Rd, Barrie Cres and Morris Rd	<p>Amend Schedule 12: Roads with a variable speed limit</p> <p>By the following changes to the schedule</p> <p>Silverdale Primary School and Hillcrest High School.</p>
12	Schedule 15 Speed Limit Map	<p>Amend Schedule 15: Hamilton City Speed Limits Map</p> <p>By the removal of the old map from the schedule and replacement with a new map included as part of Attachment 1</p>
13	Schedule 8: Designation Areas and Roads with a speed limit of 80 km/h	<p>Amend Schedule 8: Designation Areas and Roads with a speed limit of 80 km/h</p> <p>By the following changes to the schedule:</p> <p>Brymer Road 425m north of Baverstock Road to <u>75m south of</u> Rotokauri</p>

		<p>Road <u>to Rotokauri Road.</u></p> <p>Exelby Road - Rotokauri Road to <u>340m north west of Lee Road. Te Kowhai Road</u></p> <p>Horsham Downs Road - 10m north of North Ridge Drive to <u>155m north of Borman Road. Kay Road</u></p> <p><u>Rotokauri - From a point 310m west of Karariki Drive to 250m south west of Exelby Road. 300m north-west of Baverstock Road to City Boundary</u></p>	
14	<p>Amend Schedule 11: Roads Located in Neighbouring Authorities included in this bylaw.</p>	<p>Amend Schedule 11: Roads Located in Neighbouring Authorities included in this bylaw. By the following changes to the schedule:</p>	
		<p>Speed Limit</p>	
		50	<u>Brymer Road - 45m west of Farnborough Drive 425m north of Baverstock Road.</u>
		80	<u>Exelby Road - 340m north west of Lee Road to Te Kowhai Road.</u>
		80	<u>Greenhill Road 115m east of Gordonton Road (with Waikato District Council)</u>
		80	<u>Horsham Downs Road - Kay Road to 155m north of Borman Road (with Waikato District Council)</u>
		80	<u>Kay Road - Horsham Downs Road to 10m east of Osborne Road (with Waikato District Council.</u>
		100	<u>Kay Road – Osborne Road to River Road (with Waikato District Council)</u>
		50	<u>Rotokauri Road (50km/h) - From city boundary to a point 235m northeast of Bagust Road (with Waikato District Council).</u>
		100	<u>Rotokauri Road - From a point 250m south west of Exelby Road to a point 235m northeast of Bagust Road (with Waikato District Council).</u>
		50	<u>Saxby Road - McDonald Road to end (with Waipa District Council).</u>

b) notes that Waikato District Council are currently consulting on a speed limit change on Rotokauri Road which if adopted at the 11 December 2017 Waikato District Council full Council meeting will require the following change to be made to the Hamilton City Speed Limit Bylaw 2013:

Item 14

14	Amend Schedule 11: Roads Located in Neighbouring Authorities included in this bylaw.	Amend Schedule 11: Roads Located in Neighbouring Authorities included in this bylaw. By the following changes to the schedule:	
		Speed Limit	
		<u>80</u>	Rotokauri Road - From a point 250m south west of Exelby Road to a point 235m northeast of Bagust Road (with Waikato District Council).

- c) adopts the Hamilton City Speed Limit Bylaw 2013 (amended 2017) as set out in Attachment 1 to this report and notes that in the event of Waikato District Council adopting the change in speed limit to Rotokauri Road (point b of this recommendation) an updated bylaw will be tabled to reflect that decision at the meeting of 14 December 2017.

Attachments

Attachment 1 - Hamilton Speed Limit Bylaw 2013 (amended 2017) final (with Rotokauri Rd 80) .

**Hamilton City Council
BYLAWS**

Approved By: Council	Date Adopted : 13 December 2012
Date In Force: 1 March 2013	Review Date: 1 March 2018
Date Amended: 26 September 2013	Amendments recorded : Agenda and Minutes of Council meeting 17 September 2013
Date Amendments come in to force: 1 March 2014	
Date Amended: 12 December 2017	Amendments recorded : Agenda and Minutes of Council meeting 12 December 2017
Date Amendments come in to force: 30 January 2018	

**HAMILTON CITY SPEED LIMIT BYLAW
2013**

(amended 2017)

Hamilton City Council BYLAWS

Hamilton City Speed Limit Bylaw 2013

This bylaw is made using the powers of the Local Government Act 2002, the Land Transport Act 1998, and the Land Transport Rule: Setting of Speed Limits 2003, the amendments to those Acts, and any other relevant statutes.

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1. SHORT TITLE

1.1. This bylaw may be cited as the Hamilton City Speed Limit Bylaw 2013.

2. REVOCATION

2.1. This bylaw revokes and replaces the Hamilton City Speed Limit Bylaw Amendment 2011.

Hamilton City Council BYLAWS

- 2.2. All matters and proceedings commenced under the bylaw listed in section 2.1 and pending or in progress on the coming into operation of this bylaw may be continued, completed and enforced under this bylaw.
- 2.3. All bylaws previously made by Council relating to speed limits or any matter dealt within this bylaw or inconsistent with this bylaw are hereby revoked.

3. PURPOSE

- 3.1. The purpose of this bylaw is to set speed limits on any road within the jurisdiction of Council other than State Highways controlled by New Zealand Transport Agency.

4. SCOPE AND ENFORCEMENT

- 4.1. This bylaw applies to all roads under the control and/or management of the Council and such roads under agreement with neighbouring authorities as specified in Schedule 11.
- 4.2. The roads or areas described in Schedules appended to this bylaw or as indicated on the maps referenced are declared to be subject to the speed limits specified in the Schedules. All other roads or areas that are not specifically identified elsewhere within the Schedules but that are located within the Urban Traffic Area indicated in Schedule 15 are deemed to have an urban speed limit of 50km/h.
- 4.3. Every person commits an offence against this bylaw who operates a vehicle in excess of the bylaw speed limits set within the attached Schedules.
- 4.4. The enforcement of this bylaw is undertaken by the Police in accordance with the Land Transport Act 1998, the Land Transport (Road User) Rule 2004 and the Land Transport (Offences and Penalties) Regulations 1999.
- 4.5. Offences, penalties, and fees relating to infringement of speed limits are as provided for in the relevant provisions of the Land Transport Act 1998, the Land Transport (Road User) Rule 2004 and the Land Transport (Offences and Penalties) Regulations 1999.

5. DEFINITIONS

- 5.1. For the purpose of this bylaw the following definitions shall apply:

Council	The Hamilton City Council or any officer authorised to exercise the authority of the Council.
Road	Has the same meaning as in the Land Transport Act 1998 and shall, where the context requires, include a street but does not include State Highways controlled by the New Zealand Transport Agency.
Rural Area	Has the same meaning as in the Land Transport Rule: Setting of Speed Limits 2003.
Speed Limit	Has the same meaning as in the Land Transport Rule: Setting of Speed Limits 2003.
Urban Traffic Area	Has the same meaning as in the Land Transport Rule: Setting of Speed Limits 2003.

6. INTERPRETATION

- 6.1. When interpreting this bylaw use the definitions set out in 5 unless the context requires otherwise. If you see a reference to a repealed enactment read that as a reference to its replacement.
- 6.2. For the purpose of this bylaw, the word 'shall' refers to practices that are essential for compliance with this bylaw, while the word 'should' refers to practices that are advised or recommended.

**Hamilton City Council
BYLAWS**

7. SETTING OF SPEED LIMITS

- 7.1. The roads or areas described in the attached Schedules or as shown on a map referenced in the Schedules are declared to have the speed limits specified in the Schedules and maps, which are part of this bylaw.
- 7.2. Council may only set a speed limit or designate an Urban Traffic Area if it has complied with the relevant requirements of the Land Transport Rule: Setting of Speed Limits 2003 and completed the Special Consultative Procedure of the Local Government Act 2002.

8. LIST OF SCHEDULES

- Schedule 1: Designated Areas or Roads with a Speed Limit of 10km/h
- Schedule 2: Designated Areas and Roads with a Speed Limit of 20km/h
- Schedule 3: Designated Areas and Roads with a speed limit of 30 km/h
- Schedule 4: Roads with a Speed Limit of 40km/h
- Schedule 5: Roads with an urban traffic area speed limit of 50 km/h
- Schedule 6: Roads with a speed limit of 60 km/h
- Schedule 7: Roads with a speed limit of 70 km/h
- Schedule 8: Roads with a speed limit of 80 km/h
- Schedule 9: Roads with a speed limit of 90 km/h
- Schedule 10: Roads with a rural area speed limit of 100 km/h
- Schedule 11: Roads located in neighbouring authorities included in this bylaw
- Schedule 12: Roads with a variable speed limit
- Schedule 13: Roads with a holiday speed limit
- Schedule 14: Roads with a minimum speed limit
- Schedule 15: City of Hamilton Speed limits map

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

Councillor:

Councillor:

Chief Executive:

Hamilton City Council BYLAWS

SCHEDULE 1: DESIGNATED AREAS OR ROADS WITH A SPEED LIMIT OF 10KM/H

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 10 km/h.

SPEED LIMIT (km/h)	DESIGNATED AREAS OR ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
10					

SCHEDULE 2: DESIGNATED AREAS AND ROADS WITH A SPEED LIMIT OF 20KM/H

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 20km/h.

SPEED LIMIT (km/h)	DESIGNATED AREAS OR ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
20					

Hamilton City Council BYLAWS

SCHEDULE 3: DESIGNATED AREAS AND ROADS WITH A SPEED LIMIT OF 30 KM/H

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 30 km/h.

SPEED LIMIT (km/h)	DESIGNATED AREAS OR ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
30	Alexandra Street	Hood Street to Caro Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2010
30	Alma Street	Victoria Street to the end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2010
30	Barton Street	Bryce Street to London Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
30	Bryce Street	Anglesea Street to eastern end	1 March 2013	Hamilton Speed Limit Bylaw 2013	
30	Caro Street	Alexandra Street to Anglesea Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2010
30	Collingwood Street	Victoria Street to Anglesea Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2010
30	Commerce Street	High Street to Lake Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
30	Garden Place	Victoria Street to Worley Place	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed limit Bylaw Amendment 2011
30	Gate 1 - Hamilton Gardens	Hungerford Terrace to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
30	Gate 2 – Hamilton Gardens	10m south of Cobham Drive to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009

Hamilton City Council BYLAWS

30	Hood Street	Victoria Street to Anglesea Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2010
30	Hungerford Terrace	10m south of Cobham Drive to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
30	Kent Street	Rawhiti Street to Commerce Street	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
30	Knox Street	Victoria Street to Anglesea Street	30 January 2018	Hamilton Speed Limit Bylaw 2013 (Amended 2017) 12/12/17	Hamilton Speed Limit Bylaw 2013
30	Lynden Court	Comries Road to Hukanui Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed limit Bylaw Amendment 2011
30	Sapper Moore-Jones Place	Victoria Street to the end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2010
30	Victoria Street	10m south of Hood Street to 10m north of Bryce Street.	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2011
30	Ward Lane	Ward Street to Worley Place	1 March 2013	Hamilton Speed Limit Bylaw 2013	
30	Ward Street	Victoria Street to Worley Place	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2010
30	Worley Place	Ward Street to Caro Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2010

Hamilton City Council BYLAWS

SCHEDULE 4: ROADS WITH A SPEED LIMIT OF 40KM/H

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 40 km/h.

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Abbotsford Street	Willoughby Street to Ulster Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Aberdeen Drive	Rifle Range Road to Dinsdale Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Aberfoyle Street	Ellicott Road to End (N)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Aberfoyle Street	Rifle Range Road to End (S)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Albert Street	Macfarlane Street to Galloway Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Alford Place	Heathfield Avenue to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Alfred Street	Heaphy Terrace To Peachgrove Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Amethyst Place	Bankwood Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Ansford Place	Pine Avenue To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Anson Avenue	Ingleton Terrace to Fairfield Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Anson Avenue	Ingleton Terrace to Woodstock Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Anthony Crescent	Pine Avenue To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Arcus Street	Delamare Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Armitage Place	Tranmere Road To End	1 March 2014	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
				(Amended) 26/9/13	
40	Arran Road	River Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Arthur Place	Ruapehu Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Ashington Grove	The Ford to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Ashley Street	Delamare Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Ashwick Terrace	Hartford Terrace to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Aspiring Crescent	Bellmont Avenue to Tongariro Street	1 March 2013	Hamilton Speed Limit Bylaw Amendment 2013	Hamilton Speed Limit Bylaw 2013
40	Azimuth Place	Endeavour Avenue to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Bailey Avenue	Peachgrove Road To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Balfour Crescent	Hudson Street to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Balloch Street	Winter Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Balmoral Rise	Balmoral Street to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Balmoral Street	Fend Street to Balmoral Rise	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Banbury Crescent	River Road To Fairfield Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Barrington Drive	Thomas Road to Borman Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
					Amendment June 2011
40	Barwick Place	Hartford Terrace to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Beatty Street	Normandy Avenue to Ohaupo Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Beaumaris Place	Glamis Avenue to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Bellmont Avenue	Tongariro Street to Comries Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Berkley Avenue	Morrinsville Road (SH 26) to End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Beverly Crescent	Eton Drive to End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Bettina Road	Heaphy Terrace to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Bishopsworth Way	Alford Place to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Blackburn Street	Duke Street to Killarney Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Blake Street	Insoll Avenue To Shakespeare Avenue	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Bledisloe Terrace	Jellicoe Drive to Macfarlane Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Bowen Place	Forsyth Street to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Braithwaite Ave	River Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Bretton Terrace	Flynn Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Brighton Grove	Percival Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Brookfield Street	Dey Street to Western End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Brough Place	Morrow Avenue to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Brown Street	Galloway Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Buchanan Place	Cranmore Avenue to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Burgundy Court	Coleraine Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Burn-Murdoch Street	Ashley Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Burns Court	Coleridge Drive To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Burrows Place	Paterson Street to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Butler Place	Yeats Crescent To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Byron Road	Spenser Road To Wordsworth Crescent	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Cabernet Close	Coleraine Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Caernarvon Street	Dinsdale Road to Whatawhata Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Callard Place	Howell Avenue to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
					Amendment June 2011
40	Campbell Street	Rhode Street to Killarney Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Casey Avenue	Boundary Road to Ranfurly Avenue	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Cattanach Street	Madill Road to Delamare Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Chalgrave Road	Barrington Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Chamberlain Place	Snell Road to end	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Charmaine Crescent	Donny Avenue to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Chartwell Crescent	River Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Chelsea Place	Donny Avenue to Ends	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Chequers Avenue	Comries Road to Wymer Terrace	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Cherrywood Street	Delamare Road (W) to Delamare Road (E)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Chesterman Road	Hudson Street to Howell Avenue	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Chestnut Place	Delamare Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Claremont Avenue	Lamont Street to Ruapehu Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Clarence Street	Ruakiwi Road to Pembroke Street	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Claude Street	Heaphy Terrace To Peachgrove Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Cleeve Close	The Ford to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Cleveland Street	Dermont Street To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Coates Street	Firth Street to Nixon Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Coleraine Drive	Hukanui Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Coleridge Drive	Spenser Road To Wordsworth Crescent	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	College Place	Bankwood Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Colquhoun Place	Aberdeen Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Commodore Avenue	River Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Compton Grove	Barrington Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Conway Place	Donny Avenue to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Cook Street	Dey Street to Western End	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Cotter Place	Nixon Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Cotton Road	Heath Street to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Courtney Avenue	Maple Avenue to Aberdeen Drive	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Cranmore Avenue	Somerton Drive to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Cranwell Place	Berkley Avenue to End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Croall Crescent	full length	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Cussen Street	River Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Dalethorpe Avenue	Clarkin Road To Woodstock Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Dallinger Street	Madill Road to Ashley Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Dalmont Place	Hukanui Road to Claremont Avenue	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Davey Place	Holland Road To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Delamare Road	Sandwich Road to Totara Drive	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Dermont Street	Pine Avenue To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Dey Street	Clyde Street to Naylor Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Dey Street	Naylor Street to southern End	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Dinsdale Road	Rifle Range Road to Newcastle Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Donny Avenue	River Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Douglas Crescent	Kenney Crescent To Clarkin Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Dovedale Place	Lachlan Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Dover Road	Hilton Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Dryden Road	Tennyson Road To Tennyson Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Duke Street	Lethborg Street to Higgins Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Dunvegan Place	Newcastle Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Earls Court	Piccadilly Lane to End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	East Ridge Grove	SH 26 to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	East Street	Peachgrove Road to Wairere Drive	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Eastridge Terrace	New Borman Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Eddlewood Court	Kingfisher Place to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Edwin Street	Madill Road to Delamare Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Egmont Street	Claremont Avenue to Belmont Avenue	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Eliot Street	Shakespeare Avenue To Shakespeare Avenue	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Emerald Place	Bankwood Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Emerson Place	Dryden Road To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Endeavour Avenue	From a point 40m northeast of Cashmere Place to a point 95m southeast of Spinnaker Drive	30 January 2018	Hamilton Speed Limit Bylaw 2013 (Amended 2017) 12/12/17	Hamilton Speed Limit Bylaw 2013
40	Enderley Avenue	Peachgrove Road To Tramway Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Ensign Place	Endeavour Avenue to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Esmee Place	Lachlan Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Eton Drive	Berkley Avenue to End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Evelyn Court	Kahikatea to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Farleigh Close	Barrington Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Fend Street	Ngaere Avenue to St Pauls Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Fergusson Street	Jellicoe Drive to Ends	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Findlay Street	Galloway Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Firth Street	Brookfield Street to Clyde Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Flynn Road	Cambridge Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Forster Avenue	Flynn Road to Vectis Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Forsyth Street	Vardon Road to Mahana Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Fox Lane	Fox Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Fox Street	Clyde Street to Fox Lane	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Frederick Drive	Rifle Range Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Freemont Street	Claremont Avenue to Belmont Avenue	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Freyberg Street	Graham Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Galway Avenue	Jellicoe Drive to Plunket Terrace	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Gardiner Place	Fairfield Road to End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Garthwood Road	Flynn Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Geoffrey Place	Howell Avenue to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	George Street	Piako Road to O'Neill Street	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Glading Place	Sandwich Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Glamis Avenue	Caernarvon Street to Newcastle Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Glasgow Street	Forsyth Stree to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Glendale Drive	Aberdeen Drive (N) to Aberdeen Drive (S)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Glengoyne Place	Strathmore Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Glenmorgan Place	Aberdeen Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Golden Place	Clarkin Road To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Goodall Street	Aberdeen Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Gordon Street	Mullane Street to End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Graham Street	Naylor Street to Sillary Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Grassy Downs Place	Madill Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Grenache Place	Coleraine Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Gudex Court	Jamieson Cressent to Bryant Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Halberg Crescent	Snell Drive To Snell Drive	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Halcione Close	Commodore Avenue to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Halifax Street	Enderley Avenue To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Halyard Close	Endeavour Avenue to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Hammond Street	Palmerston Street to Horne Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
40	Hampton Place	Vardon Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Harlech Place	Caernarvon Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Hartford Terrace	Barrington Road to New Borman Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Haultain Street	Fairfield Road To Clarkin Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Hawkridge Rise	Somerton Drive to The Ford	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Hazelwood Avenue	Aberdeen Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Heath Street	Vardon Road to Bryant Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Heathfield Avenue	Barrington Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Henley Court	Holford Place to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Henry Street	Fox Street to Dey Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Hill Street	Ruakiwi Road to Tristram Street	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Hilton Road	Heath Street to Taylor Terrace	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Hockin Place	Kenney Crescent To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Holcroft Place	Te Manatu Drive to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Holford Place	Somerton Drive to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Horne Street	Selwyn Street to Hammond Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
40	Houhere Place	Totara Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Howden Road	Winter Street to Heaphy Terrace	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Howell Avenue	Cobham Drive to Cambridge Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Hudson Street	Riverlea Road to Howell Avenue	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Huia Avenue	Walsh Street To Tui Avenue	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Hume Place	Holland Road To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Hunter Street	Pembroke Street to Clarence street	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Hyde Avenue	Grandview Road To Ellicott Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Ingleton Terrace	River Road to Anson Place	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Irene Crescent	Michael Avenue to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Irvine Street	Duke Street to Killarney Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Jamieson Crescent	Bryant Road to Heath Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Jellicoe Drive	Macfarlane Street to Plunket Terrace	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Jessica Court	Kahikatea to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	John Street	Fifth Avenue To Enderley Avenue	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Johnson Street	Rifle Range Road to Rothwell Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Johnsview Terrace	Howell Avenue to Cobham Drive	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Jones Crescent	Beatty Street (W) to Beatty Street (E)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Karen Crescent	Kahikatea Drive to Lethborg Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Karen Crescent	Kahikatea Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Keats Crescent	Blake Street To Shakespeare Avenue	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Kelly Place	Pollock Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Kenilworth Place	Glamis Avenue to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Kenney Crescent	Holland Road To Clarkin Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Kensington Place	Hukanui Road To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Kingfisher Place	Te Manatu Drive to Plover Court	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Kitchener Street	Thames Street To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Kiwi Avenue	Walsh Street To Tui Avenue	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Knapdale Mews	Heathfield Avenue to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Krippner Place	Aberdeen Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Lachlan Drive	Aberdeen Drive to Dinsdale Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Lake Domain Drive	120m south of Killarney Road to 50m north of Gilbass Avenue.	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton City Speed Limit Bylaw 2004.
40	Lamont Street	Bellmont Avenue to Claremont Avenue	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Landmark Court	Shrule Place to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Le Quesne Place	Clarkin Road To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Lee Place	Rawlings Street To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Lemon Street	Blackburn Street to Irvine Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Leonard Place	Lachlan Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Lethborg Street	Kahikatea Drive to Duke Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Linthorpe Place	Berkley Avenue to End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Lockhart Place	Strathmore Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Louise Place	Malcolm Street to Howell Avenue	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Lydiard Place	Halberg Crescent To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Lysander Place	Berkley Avenue to End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	MacCallum Court	Strathmore Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Macfarlane Street	Wellington Street to Sillary Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Madill Road	Sandwich Road to Delamare Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Magee Place	Snell Drive To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Magenta Place	Russleigh Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Mahana Road	80 meters North East of Norris Avenue to Heath Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Maitland Street	Killarney Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Malbec Place	Coleraine Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Malcolm Street	Hudson Street to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Maple Avenue	Aberdeen Drive to Ellicott Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Marlowe Place	Shakespeare Avenue To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Marnane Terrace	Sandwich Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Marne Street	Boundary Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Marshall Street	Heaphy Terrace To Peachgrove Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Martin Street	McNicol Street to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Masefield Drive	Shakespeare Avenue To Shakespeare Avenue	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Mayfair Avenue	Donny Avenue to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	McCracken Avenue	Johnsview Terrace to Cambridge Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	McIntosh Street	Magee Place To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	McNicol Street	Clarkin Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Mcperson Place	Douglas Crescent To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Melanie Court	Kahikatea to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Meridian Place	Endeavour Avenue to Ends	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Merlot Place	Coleraine Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Michael Avenue	Aberfoyle Street to Aberdeen Drive	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Moncrieff Avenue	Heaphy Terrace to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Montana Place	Whatawhata Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Moore Street	Forest Lake Road to End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Morrow Avenue	Sandwich Road to Totara Drive	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Moule Place	Casey Avenue to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Mountbatten Place	Whatawhata Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Mullane Street	Morrinsville Road (SH 26) to End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Naylor Street	Grey Street to Macfarlane Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Nelson Street	Clyde Street to Cook Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Newall Street	Graham Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Newbury Place	Parkside Drive to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Newport Place	Orchard Avenue To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Ngaere Avenue	Bankwood Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Nixon Street	Cobham Drive to Clyde Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Norma Place	Chesterman Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Oakley Avenue	River Road To Boundary Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Odette Street	Pine Avenue To Normandy Avenue	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Ohaupo Road Service Lane	Normandy Avenue To Ohaupo Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Oldfield Court	Barrington Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Olwyn Green	Olwyn Terrace to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Olwyn Terrace	Rifle Range Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Olympia Place	Chesterman Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	O'Neill Street	Heaphy Terrace To River Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Onslow Street	Macfarlane Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Opal Place	Bankwood Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Orchard Avenue	End To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Oxford Street	Heaphy Terrace To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Page Place	Clyde Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Park Terrace	Horne Street to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
40	Parkside Drive	Te Manatu Drive to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Paterson Street	Killarney Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Patricia Avenue	Scott Avenue to Wilson Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Paul Crescent	Holland Road To Holland Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Pearl Place	Chequers Avenue to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Pembroke Lane	Pembroke Street to Thackeray Street	1 March 2014	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
				(Amended) 26/9/13	
40	Pennant Place	Meridian Place to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Perindale Drive	River Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Perry Place	Rawlings Street To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Piako Road	Heaphy Terrace To River Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Piccadilly Lane	Berkley Avenue to End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Pine Avenue	Bader Street To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Plover Court	Kingfisher Place to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Plunket Terrace	Jellicoe Drive (N) to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Pollen Crescent	Pine Avenue To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Pollock Drive	Arran Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Prescott Place	Cambridge Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Rachel Place	Duke Street to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Raddington Way	Hawkridge Rise to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Ramsay Street	Blackburn Street to Higgins Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
					Amendment June 2011
40	Ranfurly Avenue	Casey Avenue to Fairfield Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Ranui Street	Ellicott Road to Aberfoyle Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Rawlings Street	Willis Street To Odette Street	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Rhode Street	Paterson Street to Blackburn Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Richardson Road	Odette Street To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Richmond Street	Willoughby Street to Ulster Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Rigter Place	East Street To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Riverview Terrace	River Road to Tamihana Avenue	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Robert Grigg Place	Patricia Avenue to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Robyn Place	Dinsdale Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Ross Crescent	Holland Road To Holland Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Ross View Terrace	Russleigh Drive (E) to Thomson Avenue	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Rothsay Place	Caernarvon Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Rothwell Street	Johnson Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Ruapehu Street	Claremont Avenue to Belmont Avenue	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Rumney Street	McNicol Street to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Russleigh Drive	Aberdeen Drive to Ross View Terrace (W)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Sale Street	Howden Road to Bettina Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	San Clemento Way	Hukanui Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Sandalwood Drive	Aberdeen Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Sandringham Road	Tramway Road To Orchard Avenue	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Sapphire Place	Emerald Place to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Sare Crescent	Heaphy Terrace To Clarkin Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Sayer Street	Paterson Street to Higgins Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Scott Avenue	Peachgrove Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Seamer Place	Bryant Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Searancke Place	Heaphy Terrace To End	1 March 2014	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
				(Amended) 26/9/13	
40	Sefton Crescent	Tongariro Street to Sefton Crescent (via loop)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Selwyn Street	Pembroke Street to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
40	Shakespeare Avenue	Mardon Road To Mardon Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Sheila Place	Lethborg Street to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Shelley Court	Coleridge Drive To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Shelley Jane Place	Kahikatea Drive to Ends	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Sheriff Place	Malcolm Street to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Shiraz Place	Coleraine Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Shrule Place	Te Manatu Dr to Limerick Lane	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Sillary Street	End (W) to End (E)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Silva Crescent	Hudson Street to Malcolm Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Somerton Drive	Thomas Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Somme	Knighton Road to Ends	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
	Crescent				
40	Sovereign Isle Lane	Hukanui Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Spenser Road	Fifth Avenue To Wordsworth Crescent	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Springfield Crescent	Insoll Avenue To Peachgrove Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	St Lukes Place	Odette Street To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	St Pauls Road	Bankwood Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Stanley Street	Heaphy Terrace To Oakley Avenue	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Stanton Place	Eastridge Terrace to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Stewart Place	Ohaupo Road Service Lane To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Stirling Place	Glendale Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Strathmore Drive	Hukanui Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Strowan Avenue	Dalethorpe Avenue To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Summit Terrace	Russleigh Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Sutton Crescent	Vectis Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Sycamore Place	Delamare Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Tamihana Avenue	River Road to Casey Ave	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Taunton Court	Cranmore Avenue to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Taylor Terrace	Braid Road to northern end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Te Ironui Place	New Borman Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Te Manatu Drive	Thomas Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Tennyson Road	Mardon Road To Peachgrove Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Thackeray Street	Ruakiwi Road to Pembroke Street	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Thames Street	Heaphy Terrace To River road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	The Ford	Barrington Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Thomson Avenue	Aberdeen Drive to Dinsdale Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Tidd Street	Pembroke Street to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
40	Tiffiney Place	Perindale Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Tongariro Street	Bankwood Road to Hukanui Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Tramway Road	Fifth Ave to southern end	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Tranmere Road	Heaphy Terrace To Haultain Street	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Treloar Street	Casey Ave to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Tristram Street	Mill Street to Willoughby Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Tui Avenue	Forest Lake Road Extension To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Union Street	Thames Street To Piako Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Urlich Avenue	Ohaupo Road To Pine Avenue	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Valley Terrace	Park Terrace to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
40	Vectis Road	Forster Avenue to Bretton Terrace	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Verel Street	Heaphy Terrace to Balloch Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Vincent Place	Lachlan Drive to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Vista Terrace	Garthwood Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Walker Terrace	Rifle Range Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Walsh Street	Forest Lake Road to End	1 March 2014	Hamilton Speed Limit Bylaw 2013	

Hamilton City Council BYLAWS

Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
				(Amended) 26/9/13	
40	Walter Street	Alfred Street To Holland Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Warwick Avenue	Sandwich Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Wedgewood Place	Michael Avenue to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Wellington Street	Macfarlane Street to Dey Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Westbury Mews	Somerton Drive to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Wilfred Street	Madill Road to Delamare Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Williams Place	Holland Road To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Willis Street	Bader Street To Rawlings Street	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Willoughby Street	Mill Street to Richmond Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Willowfield Place	Delamare Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Winning Terrace	Kahikatea to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
40	Winter Street	Heaphy Terrace to Balloch Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Wiremu Street	Naylor Street to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	

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Speed Limit (km/h)	Road Name	Description	Date Speed Limit Comes into Force	Legal Instrument	Previous Legal Instrument
40	Woodstock Road	Fairfield Road To End	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Wordsworth Crescent	Tennyson Road To Mardon Road	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	
40	Wymer Terrace	Comries Road to River Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
40	Yeats Crescent	Marshall Street To Marshall Street	1 March 2014	Hamilton Speed Limit Bylaw 2013 (Amended) 26/9/13	

SCHEDULE 5: ROADS WITH AN URBAN TRAFFIC AREA SPEED LIMIT OF 50 KM/H

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to be urban traffic areas that have a speed limit of 50 km/h, except for those roads or areas that are:

- a) Described as having a different speed limit in the appropriate Schedule of this Bylaw; or
- b) Shown on a map as having a different speed limit, as referenced in the appropriate Schedule of this Bylaw.

SPEED LIMIT (km/h)	ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
50	N/A	Hamilton Urban Traffic Area Map	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011

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SCHEDULE 6: ROADS WITH A SPEED LIMIT OF 60KM/H

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 60km/h.

SPEED LIMIT (km/h)	ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
60	Rotokauri Road	From a point 310m west of Kawariki Drive to a point 300m northwest of Baverstock Road	30 January 2018	Hamilton Speed Limit Bylaw 2013 (Amended 2017) 12/12/17	Hamilton Speed Limit Bylaw 2013
60	Ruakura Road	Wairere Drive to 55 metres east of Silverdale Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
60	Te Rapa Road	Forest Lake Road to 290 metres north of Te Kowhai Road East	1 March 2013	Hamilton Speed Limit Bylaw 2013	Notice in the NZ Gazette, 8 January 2004, No.1 Pg 46 and HCC Road traffic bylaw 1996
60	Ulster Street	Mill Street to Forest Lake Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Notice in the NZ Gazette, 8 January 2004, No.1 Pg 46 and HCC Road traffic bylaw 1996
60	Wairere Drive	135m north of Ruakura Road to the southern end	30 January 2018	Hamilton Speed Limit Bylaw 2013 (Amended 2017) 12/12/17	Hamilton Speed Limit Bylaw 2013

SCHEDULE 7: ROADS WITH A SPEED LIMIT OF 70KM/H

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 70km/h.

SPEED LIMIT (km/h)	ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT

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SCHEDULE 8: ROADS WITH A SPEED LIMIT OF 80KM/H

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 80km/h.

SPEED LIMIT (km/h)	ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
80	Bern Road	Te Rapa Road to end (Waikato Expressway)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Borman Road	Horsham Downs Road to a point 450m east of Horsham Downs Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
80	Borman Road	New Borman Road to Gordonton Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Brymer Road	75m south of Rotokauri Road to Rotokauri Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Burbush Road	Exelby Road to Te Kowhai Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Cobham Drive	Normandy Ave to 60m south-east of Bridge Street	1 March 2013	Hamilton Speed Limit Bylaw 2013	Notice in the NZ Gazette, 8 January 2004, No.1 Pg 46 and HCC Road traffic bylaw 1996
80	Echo Bank Place	Weston Lea Drive to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007
80	Errol Close	Te Kowhai Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Exelby Road	Rotokauri Road to 340m north west of Lee Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Gainsford Road	Peacockes Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	

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SPEED LIMIT (km/h)	ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
80	Gordonton Road	Wairere Drive to City Boundary	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Greenhill Road	Gordonton Road to 1115m east of Gordonton Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Hall Road	Ohaupo Road (SH 3) to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Horsham Downs	10m north of North Ridge Drive to 155m north of Borman Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2011
80	Hutchinson Road	Te Rapa Road to the end	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Koura Drive	Onion Road to Te Kowhai Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Lee Road	Exelby Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Meadow View Lane	Pukete Road to End	1 March 2013	Hamilton Speed Limit Bylaw 2013	Waikato District Council Speed Limit Bylaw 2011
80	North City Road	From a point 220m north of Bourn Brook Drive to Kay Road	30 January 2018	Hamilton Speed Limit Bylaw 2013 (Amended 2017) 12/12/17	Hamilton Speed Limit Bylaw 2013
80	Old Ruffell Road	Ruffell Road to the end	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Onion Road	Ruffell Road to 20m south of Redoaks Close	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Peacockes Lane	Peacockes Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	

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SPEED LIMIT (km/h)	ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
80	Peacockes Road	90m north-east of Waiora Terrace to Raynes Road.	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
80	Percival Road	Ruakura Road to the City Boundary	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Powells Road	40 m east of Aldona Place to the City Boundary	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Pukete Road	10m north of Millthorpe Crescent to Te Rapa Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed limit Bylaw Amendment June 2011
80	Raynes Road	Ohaupo Road (SH 3) to Peacockes Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Resolution Drive	Wairere Drive to the City Boundary	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
80	River Road	15m north of Te Huia drive to City Boundary	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2011
80	Rotokauri Road	From a point 310m west of Kawariki Drive to 250m south west of Exelby Road	30 January 2018	Hamilton Speed Limit Bylaw 2013 (Amended 2017) 12/12/17	Hamilton Speed Limit Bylaw 2013
80	Ruakura Road	55m North East of Silverdale Road to City Boundary	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2011
80	Ruffell Road	Te Rapa Road to end (Waikato Expressway)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Ryburn Road	Percival Road to the City Boundary	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Stubbs Road	Peacockes Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	

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SPEED LIMIT (km/h)	ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
80	Tasman Road	Avalon Drive Overbridge to Te Kowhai Road East	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Te Kowhai Road	Koura Drive to end (E)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Tuhikaramea Road	410m south-west of Foster Road to Koromatua Road	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Wairere Drive	Arthur Porter Drive to 50m north Ruakura Road	30 January 2018	Hamilton Speed Limit Bylaw 2013 (Amended 2017) 12/12/17	Hamilton Speed Limit Bylaw 2013
80	Weston Lee Drive	Peacockes Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007
80	Westbrook Place	Peacockes Road to end	1 March 2013	Hamilton Speed Limit Bylaw 2013	

SCHEDULE 9: ROADS WITH A SPEED LIMIT OF 90KM/H

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a speed limit of 90km/h.

SPEED LIMIT (km/h)	ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
90					

SCHEDULE 10: ROADS WITH A RURAL SPEED LIMIT OF 100KM/H

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to be rural areas that have a speed limit of 100km/h.

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Speed Limit (km/h)	ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
100	Onion Road	20m south of Redoaks Close to the City Boundary	1 March 2013	Hamilton Speed Limit Bylaw 2013	
100	Redoaks Close	Onion Road to the city Boundary	1 March 2013	Hamilton Speed Limit Bylaw 2013	

SCHEDULE 11: ROADS LOCATED IN NEIGHBOURING AUTHORITIES INCLUDED IN THIS BYLAW

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to be roads that Council has shared responsibility with other local authorities (Council to administer speed limit) specified in this Schedule.

SPEED LIMIT (km/h)	ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
50	Brymer Road	45m west of Farnborough Drive 425m north of Baverstock Road (with Waikato District Council)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Brymer Road	425m north of Baverstock Road to 75m south of Rotokauri Road (with Waikato District Council)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
50	Collins Road	45m west of Lilac Street to 470 m west of Lilac Street (with Waipa District Council)	1 March 2013	Hamilton Speed Limit Bylaw 2013	Notice in the NZ Gazette, 4 February 1982, No 10 P.330
80	Exelby Road	340m north west of Lee Road to Te Kowhai Road (with Waikato District Council)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
50	Foster Road	550m west of Deseret Road (City Boundary) to End (with Waipa District Council)	1 March 2013	Hamilton Speed Limit Bylaw 2013	Notice in the NZ Gazette, 24 November 1994 No 124,p.3660 (Waipa District)
80	Horsham Downs Road	Kay Road to 155m north of Borman Road (with Waikato District Council)	1 March 2013	Hamilton Speed Limit Bylaw 2013	

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80	Kay Road	Horsham Downs Road to 10m east of Osborne Road (with Waikato District Council)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	River Road	City Boundary to Kay Road (with Waikato District Council)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
50	Rotokauri Road	From city boundary to a point 235m northeast of Bagust Road (with Waikato District Council)	1 March 2013	Hamilton Speed Limit Bylaw 2013	
80	Rotokauri Road	From a point 250m south west of Exelby Road to a point 235m northeast of Bagust Road (with Waikato District Council)	1 March 2013	Waikato District Council Speed Limit Bylaw 2011 – amended 2017	Hamilton Speed Limit Bylaw 2013
50	Saxby Road	McDonald Road to end (with Waipa District Council)	1 March 2013	Hamilton Speed Limit Bylaw 2013	Notice in the NZ Gazette, 24 November 1994 No 124,p.3660 (Waipa District)
80	Tuhikaramea Road	260m south-west of Pygmalion Place to 540 m north-east of Foster Road (with Waipa District Council)	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2011

SCHEDULE 12: ROADS WITH A VARIABLE SPEED LIMIT

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a variable speed limit as specified in this Schedule.

SPEED LIMIT (km/h)	ROAD NAME / DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
40/50 km/h variable speed limit	<p>Variable Speed School Zones:</p> <p>School zones marked on the map entitled "Hamilton City Speed Limits as at 24 May 2010", and identified in the legend as having a variable speed limit of</p>			

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SPEED LIMIT (km/h)	ROAD NAME / DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
	<p>40km/h, subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The speed limit is 40 km/h when the variable speed limit signs are operating and the numerals "40" are displayed. 2. The times during which the variable speed limit signs are permitted to operate are limited to: <ol style="list-style-type: none"> (a) 35 minutes before the start of school until the start of school; (b) 20 minutes after the end of school, commencing no earlier than 5 minutes before the end of school; (c) 10 minutes at any other time during a school day when at least 50 children cross the road or enter or leave a vehicle at the roadside. 3. The speed limit is 50 km/h at all times when the variable speed limit signs are not operating. 			
	<p>Bankwood Primary School</p> <p>Bankwood Road: From a point 60m north of Amethyst Place and extending in a northerly direction to a point 50m south of Comries Road.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007
	<p>Crawshaw Primary School</p> <p>Crawshaw Drive: From intersection of Lloyd Drive to a point 70m west of Breckons Avenue.</p> <p>Pringle Place: From the intersection with Crawshaw Drive to a point 30m north of Crawshaw Drive.</p> <p>Aileen Place: From the intersection with Crawshaw Drive to a point 30m north of Crawshaw Drive</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011

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SPEED LIMIT (km/h)	ROAD NAME / DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
	<p>Deanwell Primary School</p> <p>Collins Road: From a point 60m west of Guy Place and extending in a westerly direction to a point 170m east of Rhonda Avenue.</p> <p>Deanwell Avenue: From the intersection of Collins Road extending southerly to a point 30m north of Joanna Place.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007
	<p>Fairfield College</p> <p>Bankwood Road: From a point 25m south of St Pauls Road running south to a point 10m north of Coldwell Place.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
	<p>Fairfield Primary / Intermediate School</p> <p>Clarkin Road: From a point 60m east of Augusta Street and extending in an easterly direction to a point 30m east of Kenney Crescent.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007
	<p>Forest Lake Primary School</p> <p>Storey Avenue: From Mitcham Avenue to 80m east of Garnett Avenue.</p> <p>Mitcham Avenue: From Storey Avenue 60m south of Westney Place.</p> <p>Westney Place: From Mitcham Avenue to the end.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
	<p>Frankton Primary School</p> <p>Rifle Range Road: From the intersection of Dinsdale Road extending in a northerly direction to a point 200m north of Johnson Street.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007
	<p>Fraser High School</p> <p>Ellicott Road: From a point 20m west of Aberfoyle Street running northeast to a</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment

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SPEED LIMIT (km/h)	ROAD NAME / DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
	<p>point 40m northeast of Waimarie Street.</p> <p>Waimarie Street: From the intersection with Ellicott Road running Northwest to Livingstone Ave.</p> <p>Nyanza Street: All of Nyanza Street.</p>			June 2011
	<p>Glenview Primary School</p> <p>Bruce Avenue: 130m northeast of Richan Street to 30m northeast of Jeanette Street.</p> <p>Lewis Street: 85m southwest of Garden Heights Avenue to 30m northeast of Jeanette Street.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
	<p>Hamilton Christian School and Te Totara Primary</p> <p>Borman Road: 90m west of Northcity Road to 60m east of Hector Drive</p> <p>Hector Drive: From Borman Road north to the end of Hector Drive</p> <p>Moonlight Drive: From Borman Road to 60m south of Borman Road</p> <p>Northcity Road: From Borman Road to 150m north of Borman Road</p> <p>Chesham Street: From Borman Road to 40m north of Borman Road</p> <p>Johnnybro Place: Borman Road to end</p>	30 January 2018	Hamilton Speed Limit Bylaw 2013 (Amended 2017) 12/12/17	Hamilton Speed Limit Bylaw 2013
	<p>Hamilton East Primary School</p> <p>Grey Street: From the intersection of Beale Street and extending in a northerly direction to a point 140m north of Dawson Street.</p> <p>Dawson Street: From the intersection of Grey Street extending to a point 175m</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007

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SPEED LIMIT (km/h)	ROAD NAME / DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
	west of Grey Street. Von Tempsky Street: From Dawson Street to 50m south of Dawson Street.			
	Hamilton Girls High School Tainui Street: From a point 90m North of Lake Road to the Ward Street Intersection. Seddon Road: From Tainui Street intersection to a point 20m North of Marama Street. Ward Street: From Tainui Street intersection to the Tristram Street Intersection.	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
	Hukanui Primary School Hukanui Road: From a point 40m south of Bankwood Road and extending in a southerly direction to a point 160m south of Pickering Crescent. Pickering Crescent: From the intersection of Hukanui Road extending in an easterly direction to the intersection of Rutherford Street. Rutherford Street: From the intersection of Pickering Crescent extending in a southerly direction to a point 30m north of Fleming.	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007
	Insoll Avenue Primary School Tramway Road: From a point 400m south of Snell Drive and extending in a southerly direction to a point 80m south of Alderson Road. Insoll Avenue: From the intersection of Tramway Road extending in a westerly direction to a point 50m east of Blake Street.	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007

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SPEED LIMIT (km/h)	ROAD NAME / DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
	<p>Knighton Normal Primary School</p> <p>Knighton Road: 10m south of Helena Road to 60m southeast of Edinburgh Road.</p> <p>Clyde Street: Knighton Road to 195m south of Knighton Road.</p> <p>Edinburgh Road: From Knighton Road to 35m east of Knighton Road.</p> <p>Brocas Avenue: From Knighton Road to 40m east of Knighton Road</p> <p>Cameron Road: From Clyde Street to 45m north of Clyde Street</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
	<p>Maeroa Intermediate School</p> <p>Maeroa Road: From a point 70m north of Rimu Street and extending in a northerly direction to the intersection of Ridout Street.</p> <p>Churchill Avenue: From the intersection of Maeroa Road extending in an easterly direction to the intersection of Stokes Crescent.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007
	<p>Marian School</p> <p>Clyde Street: From a point 90m east of Grey Street and extending in an easterly direction to the intersection of Nixon Street.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
	<p>Melville High School</p> <p>Collins Road: From the intersection with Ohaupo Road running west to a point 60m west of Guy Place.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
	<p>Melville Intermediate</p> <p>Mountview Road: Ohaupo Road to 350m west of Ohaupo Road</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2010

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SPEED LIMIT (km/h)	ROAD NAME / DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
	<p>Nawton Primary School</p> <p>Grandview Road: 150m southwest of Roy Street to 60m southwest of Grange Avenue.</p> <p>Holmes Street: Grandview Road to Livingstone Avenue.</p> <p>Livingstone Avenue: 100m southwest of Roy Street to Holmes Street.</p> <p>Grange Avenue: Grandview Road to 65m northwest of Grandview Road</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
	<p>Nga Taiatea Wharekura School</p> <p>Rotokauri Road: From the intersection with Odlin Crescent to a point 300m north west of Baverstock Road.</p> <p>Baverstock Road: From the intersection with Rotokauri Road to a point 175m south west of Rotokauri Road.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
	<p>Peachgrove Intermediate School</p> <p>Peachgrove Road: From the intersection of Wilson Street and extending in a northerly direction to a point 30m south of James Street.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007
	<p>Pukete Primary School</p> <p>Pukete Road: From a point 90m north of Wairere Drive and extending in a northerly direction to a point 100m north of Sherwood Drive.</p> <p>Cullimore Street: From the intersection of Pukete Road extending in an easterly direction to the intersection of Camden Place.</p> <p>Camden Place: From Cullimore Street to 40m south of Cullimore Street.</p> <p>Sherwood Drive: From Pukete Road to 50m west of Pukete Road.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007

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SPEED LIMIT (km/h)	ROAD NAME / DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
	<p>Rototuna High School</p> <p>Kimbrae Drive: from a point 30m east of the intersection of Bourn Brook Drive extending in an easterly direction to a point 595m east of Bourn Brook Drive.</p>	30 January 2018	Hamilton Speed Limit Bylaw 2013 (Amended 2017) 12/12/17	Hamilton Speed Limit Bylaw 2013
	<p>Rototuna Primary School</p> <p>Horsham Downs Road: From the intersection of Kirk Close and extending in a northerly direction to the intersection of Thomas Road.</p> <p>Strathmore Drive: From the intersection of Horsham Downs Road to the end</p> <p>Thomas Road: From the intersection of Horsham Downs Road and extending to a point 420m East of Horsham Downs Road.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007
	<p>Silverdale Primary School and Hillcrest High School</p> <p>Silverdale Road: From the intersection of Ashbury Avenue and extending in a northerly direction to a point 170m south of Crosher Place.</p> <p>Masters Avenue: From the intersection of Silverdale Road extending in a westerly direction to the intersection of Defoe Avenue.</p> <p>Barrie Crescent: From Silverdale Road to 35m east of Silverdale Road.</p> <p>Morris Road: From Masters Avenue to 35m south of Masters Avenue.</p>	30 January 2018	Hamilton Speed Limit Bylaw 2013 (Amended 2017) 12/12/17	Hamilton Speed Limit Bylaw 2013
	<p>Sylvester Primary School</p> <p>Borman Road: from a point 260m west of Hare Puke Drive to a point 110m south east of Hare Puke Drive.</p> <p>Hare Puke Drive: from a point 95m north of Borman Road to a point 10m north of Wetherby Road</p>	30 January 2018	Hamilton Speed Limit Bylaw 2013 (Amended 2017) 12/12/17	Hamilton Speed Limit Bylaw 2013

Hamilton City Council BYLAWS

SPEED LIMIT (km/h)	ROAD NAME / DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
	<p>Southwell School</p> <p>Peachgrove Road: From the intersection with Enderley Ave to a point 10m north of Bailey Avenue.</p> <p>Daisy Street: From the intersection with Peachgrove Road to a point 45m south of Peachgrove Road.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
	<p>St Columba's School</p> <p>Rifle Range Road: 70m north of Weka Street to 20m north of Olwyn Terrace.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
	<p>St Johns College</p> <p>Hillcrest Road: From a point 10m south of O'Donoghue Street running south to a point 35m north of Edinburgh Road.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
	<p>St Joseph's School</p> <p>Clarkin Road: From a point 30m east of Dalethorpe Avenue and extending in an easterly direction to the intersection of Haultain Street.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007
	<p>St Pauls Collegiate</p> <p>Hukanui Road: From a point 15m north of Kensington Place and extending in a northerly direction to a point 120m south of Tongairio Street</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	
	<p>Te Kura Kaupapa Maori O o Toku Mapihi Maurea</p> <p>Silverdale Road: Carrington Avenue to 300m north of Carrington Avenue.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2010

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SPEED LIMIT (km/h)	ROAD NAME / DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
	<p>Te Kura Kaupapa Maori o Te Ara Rima School</p> <p>Fifth Avenue: 85m northeast of Peachgrove Road to 15m southwest of John Street.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
	<p>Te Rapa Primary School</p> <p>Ashurst Avenue: Moreland Avenue to 330m south of Moreland Avenue.</p> <p>Minnie Place: Ashurst Avenue to 40m west of Ashurst Avenue.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment 2009
	<p>Vardon Primary School</p> <p>Vardon Road: From the intersection of Te Rapa Road and extending in an easterly direction to a point 80m west of Kingsley Street.</p> <p>Cunningham Road: From the intersection of Vardon Road extending southerly to a point 70m south of Alanbrooke Place.</p> <p>Alanbrooke Place: From Cunningham Road to 40m north-east of Cunningham Road.</p> <p>Hampton Place: From Vardon Road to 40m north-west of Vardon Road.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007
	<p>Waikato Diocesan School</p> <p>River Road: From a point 25m north of Braithwaite Avenue running south to a point 100m north of Cussen Street.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw Amendment June 2011
	<p>Woodstock Primary School</p> <p>Fairfield Road: From a point 170m east of Woodstock Road and extending in an easterly direction to a point 60m west of Haultain Street.</p>	1 March 2013	Hamilton Speed Limit Bylaw 2013	Hamilton Speed Limit Bylaw 2007

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SPEED LIMIT (km/h)	ROAD NAME / DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
Variable Intersection Speed Zones				
	<p>Variable Intersection Speed Zones are subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The speed limit is the limit displayed when the variable speed limit signs are operating and the numerals are displayed. 2. The variable speed limit signs are activated by vehicles turning within the intersection. 3. The variable speed limit applies on the main road(s) of the intersection only. 4. The speed limit is the posted speed limit at all times when the variable speed limit signs are not operating. 			
60/80 km/h variable speed limit	Gordonton Road: From a point 150 metres north of Thomas Road and extending in a southerly direction to a point 120 metres south of Thomas Road.	30 January 2018	Hamilton Speed Limit Bylaw 2013 (Amended 2017) 12/12/17	Hamilton Speed Limit Bylaw 2013

Hamilton City Council BYLAWS

SCHEDULE 13: ROADS WITH A HOLIDAY SPEED LIMIT

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a holiday speed limit as specified in this Schedule.

SPEED LIMIT (km/h)	ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT

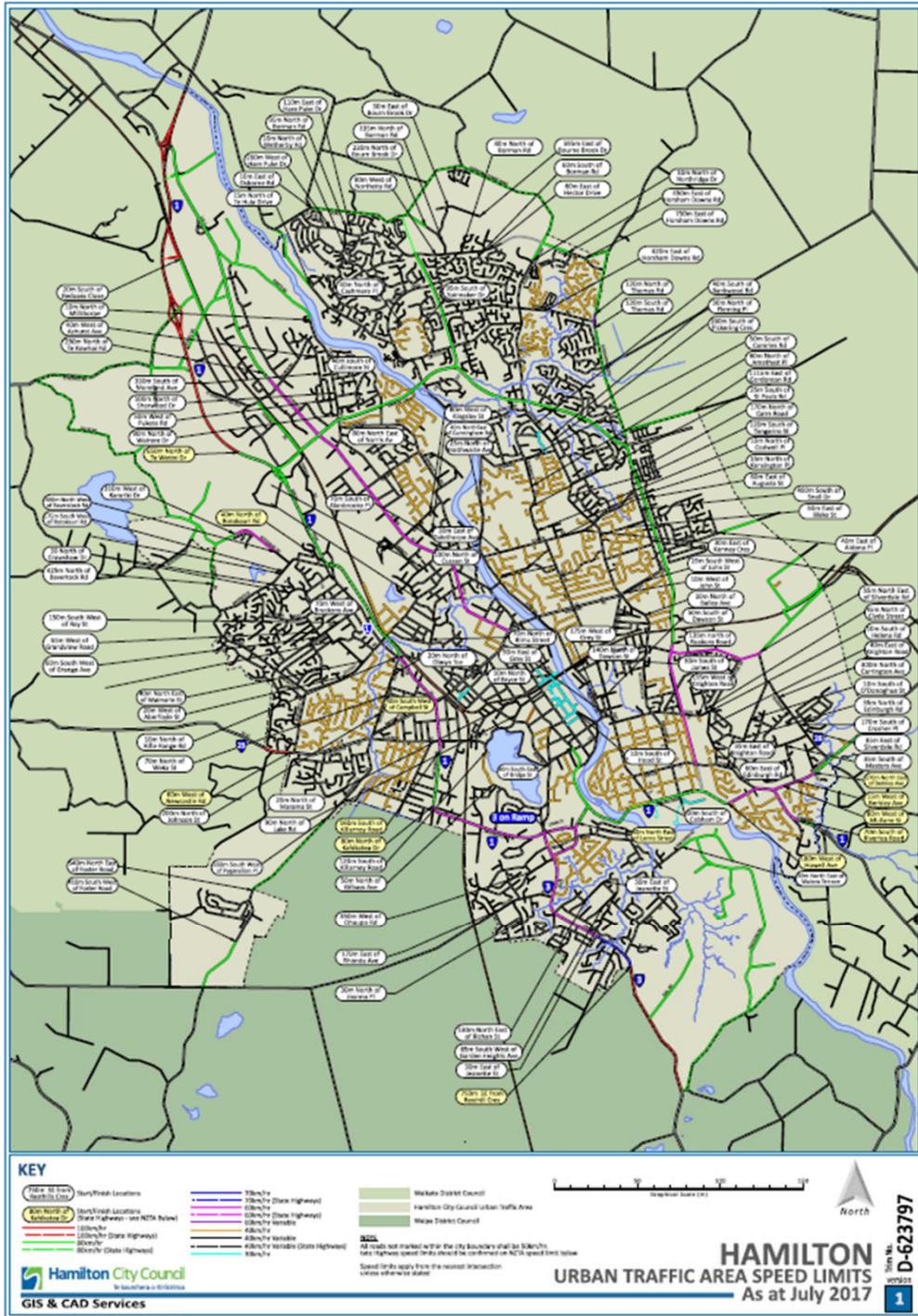
SCHEDULE 14: ROADS WITH A MINIMUM SPEED LIMIT

The roads or areas described in this Schedule or as shown on a map referenced in this Schedule are declared to have a minimum speed limit as specified in this Schedule.

SPEED LIMIT (km/h)	ROAD NAME	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT

Hamilton City Council BYLAWS

SCHEDULE 15: CITY OF HAMILTON SPEED LIMITS MAP



Item 14

Attachment 1

Council Report

Committee: Council **Date:** 14 December 2017
Author: Luke O'Dwyer **Authoriser:** Kelvyn Eglinton
Position: Economic Growth and Planning Unit Manager **Position:** General Manager City Growth
Report Name: Special Housing Area - Progress Report

Report Status	<i>Open</i>
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Purpose

1. To inform Elected Members of the progress in evaluating the first round of applications for Special Housing Areas (SHAs) and the key themes in the public feedback received to date on the proposed SHAs.

Staff Recommendation

2. That the Council receives the report.

Executive Summary

3. The purpose of the SHA Policy, which the Council approved on [24 August 2017](#), is to give effect to the Housing Accords and Special Housing Areas Act 2013 (HASHAA) and the [Hamilton Housing Accord](#).
4. The Council invited expressions of interest (EOI) for potential SHAs, in accordance with its SHA policy, between 4 September and 29 September 2017. Seven EOIs were received including a late proposal from Perry Developments for the Te Awa Lakes project on 2 October 2017.
5. In accordance with the SHA Policy, the Council resolved on [18 October 2017](#) to seek public feedback and evaluate all EOIs received, and to refer the SHA proposal for Jebson Place to the Minister for Building and Construction for SHA declaration.
6. A schedule of the six remaining EOIs received, including scale, estimated yield, zoning and site area information, is included in Attachment 1.
7. Public feedback has been sought. The feedback period was extended from a minimum period of three weeks to four weeks, from 6 November 2017 to 1 December 2017. As the time of writing this report, 135 submissions had been received across the six proposals. The public feedback period for the Te Awa Lakes SHA was from 10 November to 4 December 2017.
8. During the public feedback period, Council staff have evaluated all material provided on the SHA sites against the SHA Policy, particularly information concerning infrastructure requirements, and have sought further information from the applicants where necessary.

9. Currently, further information has been sought to assess all SHA sites against the criteria set out in Clauses 14 and 15 of the SHA Policy (see Attachment 2). A comprehensive assessment on each site will be reported back to the Council in March 2018, together with the public feedback received and a staff recommendation on whether to recommend the site to the Minister for SHA declaration.
10. In line with the SHA policy, if a proposal is accepted in principle the Council will then, where relevant, enter into negotiations with the developer to secure the necessary infrastructure required to service the proposal, through a development agreement. If negotiations lead to a legally binding development agreement, on terms acceptable to the Council, the Council will consider accepting the proposal for recommendation to the Minister.
11. In the interim, staff are awaiting further direction from the Government on the future status of HASHAA and SHAs. Current advice from the Ministry of Business Innovation and Employment (MBIE) is that no new SHAs, other than those in the pipeline, are to be recommended to the Minister at this time.
12. Staff have considered whether or not the proposal would be considered significant under the Significant and Engagement Policy. Staff consider this to be of high significance.

Structure of this report

13. This report covers:
 - Evaluation update on each SHA
 - Feedback on SHAs
 - Other matters
 - Next steps
 - Financial considerations, risks and Significance & Engagement Policy.

Evaluation update on each SHA

14. Proposals for SHAs were received for the following six sites in the first application period:
 - Jebson Place/ Cassidy St (HNZC & Tainui) – recommended to the Minister
 - Gilbass Ave / Quentin Drive (Foster Developments)
 - Maui St and Eagle Way (Porter Developments)
 - Te Awa Lake (Perry Developments) – split in to two application areas
 - Rotokauri North (Green Seed)
 - Tawa St (Gallagher Group and Habitat for Humanity).
15. Four of the six sites above are in areas zoned for industrial land uses, while the Rotokauri North site is located within the Future Urban Zone in the Rotokauri Structure Plan area.
16. The Jebson Place / 5A Cassidy Street site was the only site within an existing residential zone, albeit a Special Character Zone, but it already has an existing consent for residential development of 71 units. This application has now been recommended to the new Minister for Housing and Urban Development to be considered as an SHA.
17. All sites propose a development yield greater than 10 units. The majority are two-storey, with section sizes ranging from 150-500m² on average. Housing typology ranges from stand-alone dwellings, town houses, duplexes and apartments.

18. Except for Jebson Place/Cassidy Street, all other SHA proposals have required a level further infrastructure assessment, locational and National Policy Statement on Urban Development Capacity (NPS UDC) evaluation and assessment in accordance with Section 16 of HASHAA Act and Clauses 15c) and d) of the SHA Policy.

A brief overview and evaluation update of each proposal is provided below.

19. **Gilbass Avenue / Quentin Drive**

20. The majority of this SHA proposal is zoned Industrial (Industrial Amenity Protection Area) under the District Plan (see Attachment 1). To the north of the site is the Gilbass Avenue residential area. Directly to the south is a storage yard for relocatable houses (Jack House Transit). Further to the south is a recently constructed Bunnings Warehouse.
21. Access to SHA site is proposed from the north, from the existing residential development in Gilbass Avenue.
22. A draft concept plan has been prepared which shows approximately 56 new dwellings on this site. A range of typologies are proposed including duplex and detached dwellings. The development concept achieves a gross density of 26 dwellings per hectare, and provides an average section size of approximately 283m².
23. Advice provided to the applicant to date highlights that the current indicative drawings do not recognise space that may be needed for some of the proposed infrastructure options (e.g., space for wetland). This in turn may affect the proposed yield.
24. The applicant advises that the proposed SHA can be serviced by the developer at no cost to, and without unforeseen or adverse financial or environmental costs on, the Council or infrastructure providers.
25. An initial infrastructure summary assessment has been completed and further information is sought from the applicant to be able to assess the application against Clause 15d of the SHA policy. An assessment is required on proposed wastewater demand, and proposed mitigation of future network overflows due to existing known wastewater constraints.
26. Given that the site is partly affected by flood hazard area, has peat soils and a high groundwater table, further storm water assessment is also required to address water quality and attenuation. This assessment will detail what effect the storm water quality and attenuation measures may have on the proposed development yield. Further transportation assessment is also required to determine if safe and efficient access to the arterial network can be provided and to detail whether alternative vehicle and pedestrian connectivity options are available.

27. **Maui St and Eagle Way**

28. The SHA proposal is a residential development of approximately 6.4 ha. Most of the application site is zoned Industrial with a portion of the northeast area located within the Industrial Amenity Protection Area as it adjoins the Residential Zone (see Appendix 1).
29. The site is part of a wider area of land which comprised the former Porter Group and Eagle Spares operations. The parent land has access and frontage to Te Rapa Road, Maui Street and Eagle Way/Karewa Place.
30. The District Plan already provides for some non-industrial activities on the proposed site over and above the standard Industrial Zone provisions. The site is enabled to establish typically non-industrial uses including managed care facilities, retirement villages and rest homes.

31. A preliminary development concept has been prepared which indicates the site can accommodate up to approximately 186 new dwellings. A range of typologies are proposed including 2- and 3-bedroom duplex dwellings, terraced dwellings, 4-bedroom dwellings and apartments.
32. The development concept achieves a gross density of 32 dwellings per hectare, and provides a range of lot sizes from approximately 150m² to 350m².
33. An initial infrastructure summary assessment has been completed and further information is sought from the applicant to be able to assess the application against Clause 15d of the SHA policy. A simple assessment of the proposed densities and demands against the water and wastewater model is required to determine that the proposed population increase will absorb capacity within the Council's water network infrastructure.
34. In addition, an assessment of appropriate onsite and catchment-based storm water solutions and how they can be integrated with the wider network is required to determine that there are suitable storm water solutions available for the proposal. Traffic modelling and assessment is required to understand the transport effects on the wider transport network, and any required mitigation as a result of the assessment.
35. The applicant has confirmed their willingness to will work with the Council on an appropriate development agreement to establish certainty in respect of these obligations.
36. **Te Awa Lakes**
37. Two SHA applications have been lodged on the Perry's site in the north of Hamilton that is bounded by the Te Rapa Bypass to the west and north, the Waikato River to the east and Hutchinson Road to the south (see Appendix 1).
38. This area is currently subject to a private plan change application ('Te Awa Lakes') which was accepted by Council for processing on 21 September 2017. The private plan change covers an area of 62ha in Te Rapa North and comprises the Te Awa Lakes Major Facilities Zone including an adventure park and visitor accommodation).
39. The two SHA applications received include:
 - Area A – 100 residential units over 7.5ha adjoining the northern side of Hutchinson Road
 - Area B – 1000 dwellings over 50ha of the Perry's site. Area B has the same layout and density as the private plan change but it excludes the Major Facilities Area and part of the business zone.
40. Further information has been requested in relation to Area A for 100 residential units on Hutchinson Road (Te Awa Lakes). The information request seeks clarification on the layout and proposed use of the SHA to understand the demand for the qualifying development and if the development will be predominantly residential as required under Clause 15a and b of the SHA Policy.
41. It is still unclear from the information submitted whether SHA Area A as applied for contains the same level of commercial mixed use, major facilities and tourism land use as applied for in the private plan change. Equally, Area B applied for in the SHA application contains a different spatial extent referred to as Area A.
42. Section 14 of the HASHAA is quite clear that a qualifying development for an SHA proposal is required to be 'predominantly residential'. As such further information has been sought from the applicant to better understand the precise component mix of each SHA applied for.
43. Under the scheduling requirements of Section 16 of HASHAA, the provision of adequate infrastructure to service the development is a primary consideration and requirement prior to recommending to the Minister.

44. An initial infrastructure assessment has now been completed for both Areas A and B. Further information has been requested in relation to the wastewater infrastructure to understand whether the SHA will absorb capacity within Council's existing infrastructure as required under Clause 15d of the SHA Policy.
45. For Area B, further information has also been requested on the feasibility of building on the large dam proposed in the Waikato Riverbank and Gully Hazard Area. This is required to ensure that the effects of building within a Natural Hazard Area are appropriately managed as required under 15c of the SHA Policy.
46. At the time of writing, no response has been received in relation to this further information request for either site.
47. As part of the continued evaluation of this sites A and B other outstanding issues that will need to be evaluated in more detail are those identified in Clause 15 of the SHA Policy which include location considerations and the extent to which the proposal affects the Council's ability to meet its statutory requirements under the NPS UDC.
48. **Rotokauri North**
49. This SHA proposal is in the north-western corner of the Rotokauri Structure Plan area, to the south of Te Kowhai Road. The land is currently zoned Future Urban under the Hamilton City District Plan. The proposed site covers approximately 53-60ha. It falls into a distinctive catchment, and the applicant has sought to purchase land to enable stormwater to be managed (through securing the downstream sites) and for infrastructure and roading connections to be achieved (though securing sites with key road frontages).
50. The proposed site will accommodate approximately 800 to 1,000 dwellings. Development of this area would be well ahead of the timeframes identified in the LTP. If the SHA is confirmed, the applicant would seek to undertake a private plan change and subsequent development of the land through qualifying development consents.
51. Initial infrastructure technical work has been started for this proposal by the applicant and it is the applicant's aim that the that infrastructure to support the proposed development can be provided by the developer at no cost to, and without unforeseen or adverse financial or environmental costs on, the Council or infrastructure providers.
52. Apart from the development of a comprehensive master plan, consultants for the developer have provided Council with sufficient information to confirm that infrastructure will be provided and that sufficient capacity is available to accommodate Stage 1 of the SHA proposal.
53. Given the scale and location of this proposal and significant network infrastructure timing issues, most recent discussions to date have indicated that the site would benefit from a more detailed master planning process to determine the final development pattern. The detail of the provision of the infrastructure will be finalised through the development of a private developer agreement for the SHA.
54. A date for the masterplan workshop has been set for 11 December 2017.
55. **Tawa St**
56. Habitat for Humanity and the Gallagher Charitable Trust have submitted an EOI on a site in Melville, which would be accessed off Tawa Street.
57. The site identified and high level indicative layout is attached in Appendix 1. The proposed site is currently zoned industrial and forms a small part of the existing Gallagher Industrial Estate. It is bordered by Gallagher Group to the north, Tawa Street Industrial Estate and residential housing in Tawa Street to the south, which will also provide access to the development.

58. The initial concept for this site will involve establishing a mixed tenure community on land held by the Trust. The community will be multi-unit in its design with up to 42 dwelling units and is proposed to offer a range of tenures such as social rental, affordable private rental and home ownership.
59. Additional technical reports have been sought from the applicant before the Council is able to consider recommending the site as an SHA. Further Information sought from the applicant at this stage is for water connections and an assessment of water demand, assessment of wastewater flows and plans showing site development, storm water solutions for the site and integration with the existing network.
60. The applicant also needs to submit a flood hazard assessment and consider effects on transport and the safety of the Tawa Street / Kahikatea Drive intersection and an alternative transport connection, as well as investigate a pedestrian connection to Kahikatea Drive.

Feedback on proposed SHAs

61. Public feedback

62. The public feedback period for four of the five SHA sites was for three weeks, from 6 November to 24 November 2017. Maps with descriptions of the proposals were put on the Council website and a letter mailed out to all residents in the immediate vicinity of each SHA site.
63. The deadline for feedback was subsequently extended to 1 December 2017, given delays in NZ Post delivery. This one-week extension applied only to land owners / residents within the original mailout areas.
64. The feedback period for Te Awa Lakes SHA was 3 weeks from 10 November to 4 December 2017.
65. As at the time of writing this report, 135 submissions had been received across the six proposed SHAs, with the majority coming from those on industrial sites adjacent to existing established residential areas such as Gilbass Avenue and Tawa Street. A summary breakdown of the responses and key themes on each SHA received at the time of writing this report is given below. Any additional feedback received after close of submissions will be reported to the Council at the meeting.
66. Full copies of the submissions received at the close of the official feedback period will be provided when each SHA site is recommended back to the Council in March 2018.

67. Key results and themes

Gilbass Avenue /Quentin Avenue (74 submissions received)	
Key themes:	No of responses
Poor access for this development	63
Poor site drainage (sinking, peat soil) make the area unsuitable	24
Existing street parking problems	13
The SHA will detract from amenity value/attract undesirables	15
Concern the density is too high	9
Disruptive building activity and vehicles during the development process	12
Existing wastewater capacity constraints	5
General support	8

Eagle Way (11 submissions received)	
Key themes:	No of responses
Generally, in favour of the idea of an SHA	6
Concern that the link between Maui Street, Eagle Way and Karewa Place will become a shortcut. Development will exacerbate current traffic issues.	4
Reverse sensitivity issues due to the development being bordered on three sides by industrial land and, further to the southwest, the sub-regional centre	3

Te Awa Lakes A (10 submissions received)	
Key themes:	No of responses
The proposal should be pursued through the Plan Change 2 process	1
This site should be retained as a strategic industrial node which has significant economic benefits to the City	3
The site is not in accordance with Future Proof, the Waikato Regional Policy Statement or the Hamilton Urban Growth Strategy	2
There is adequate land zoned for residential purposes within Hamilton and Future Proof region to meet projected population growth	1
The site is isolated from existing and planned residential development in the city	1
Generally in favour of the idea of an SHA	5

Te Awa Lakes B (9 submissions received)	
Key themes:	No of responses
The proposal should be pursued through the Plan Change 2 process	1
This site should be retained as a strategic industrial node which has significant economic benefits to the City	3
The site is not in accordance with Future Proof, the Waikato Regional Policy Statement or the Hamilton Urban Growth Strategy	2
There is adequate land zoned for residential purposes within Hamilton and Future Proof region to meet projected population growth	1
The site is isolated from existing and planned residential development in the city	1
Generally in favour of the idea of an SHA	5

Rotokauri (5 submissions received)	
Key themes:	No of responses
Concern over additional traffic on rural roads	3

Tawa Street (30 submissions received)	
Key themes:	No of responses
The SHA will detract from amenity value/attract undesirables	7
The road and intersection with Kahikatea Dr is unsuitable for further traffic	16
Generally, in favour of the idea of an SHA	7
Lack of immediate bus route	3

68. **Feedback from statutory bodies**

69. Feedback received from Te Haa O te Whenua o Kirikiriroa (THaWK) is that, except for the Te Awa Lakes SHA, they object to the SHA proposals due to the lack of Iwi consultation to date from the developers.
70. Feedback received from Waikato Regional Council (WRC) has been received on the Te Awa Lakes SHA only, and they comment that their primary interest is in relation to the Waikato Regional Policy Statement (RPS). The RPS contains provisions that set the strategic land use planning direction for the sub-region. WRC is concerned that the proposal, which would require a change to the current industrial zoning, is not consistent with the RPS, which identifies Te Rapa North as one of the nine strategic industrial nodes.
71. Given the SHA interrelationship with the concurrent private plan change, the Regional Council maintains the same position as their submission on this, which is to oppose it.

Other matters

72. **Private Developer Agreements**

73. In accordance with Clause 19 of the SHA Policy, if a proposal is accepted in principle, the Council will enter negotiations with the applicant to secure adequate infrastructure to service these sites. This will be achieved through a private developer agreement (PDA) between Council and the developer before recommendation to the Minister.
74. The content or head of terms set out in the developer agreement will depend on the information provided by the applicant at this stage and the level of confidence the Council has that there is or will be adequate infrastructure provided to service the development at no cost to the Council either now or into the future.
75. Due to the scale of the SHA proposals at Rotokauri, Te Awa Lakes and Eagle Way, there are considerable infrastructure requirements for three waters – water, wastewater and storm water – and it is therefore likely these sites will need a PDA to secure adequate infrastructure to service these sites at no cost to council. The PDA will ensure that such matters are adequately triggered at resource consent stage.
76. In accordance with the SHA Policy, once a full evaluation has been undertaken the proposals will be reported back to the Council and if accepted, the Council will then enter into negotiations with the proponent to secure a development agreement.
77. To expedite the process staff have started to prepare draft PDA templates for those SHAs likely to need one.

78. **Change of Government**

79. The Government's current position is that in the medium to long term, SHAs will either no longer be needed or possibly reviewed. In terms of the current tranche of SHAs being considered by the Council, the advice received from the Minister's office is that he does not wish to disrupt current activity undertaken by councils and developers to address housing supply or affordability.
80. Given the transition period, it is likely the Ministry will need to seek cabinet approval to recommend new SHAs. This process is now unlikely to be completed before the Christmas break due to the sitting times of cabinet.

Next Steps

81. Staff will continue to evaluate SHA proposals in accordance with HASHAA and the SHA Policy.
82. For those sites that meet SHA Policy criteria requirements, including certainty around infrastructure servicing in accordance with Section 16 of HASHAA, staff will take a report back to the Council in March 2018 for recommendation to the Minister, subject to a PDA where necessary.
83. If a SHA is recommended to the government, it would go through several formal channels involving the government and cabinet, taking approximately 10-12 weeks.
84. If the Minister approves the SHA proposal, an order is made in the Council for sites to be formally established.
85. The indicative timelines for this process have now changed given the new Government and the review of HASHAA that may now arise. Based on the advice from MBIE, staff will continue to evaluate all first round SHAs received and report back to the Council when complete. On this basis, the indicative timeline is now as follows:
- 1st application round assessment – Nov 17 to Jan 18
 - 1st application round recommended to Council – March 2018
 - Recommend to Housing Minister (subject to signed PDA) – April /May 2018
 - 'Qualifying development' applications received – *May 2018 onwards
- *(This is up to the applicant)

Financial Considerations

86. **SHA evaluation costs**
87. In accordance with Section 22 of the approved SHA Policy, once an SHA proposal is lodged with the Council, all Council staff time and other consultant costs required to evaluate SHA proposals are cost recoverable.

Risks

88. The new Government may repeal HASHAA or amend the Housing Accord.
89. Some SHAs will need consultant review and PDA negotiations and preparation, which may take time and, depending on complexity, involve a cost to the applicant which may slow down reporting time.

90. The development yield shown at this early stage in SHAs may be inflated until more detailed urban design matters on siting and layout are considered as part of qualifying consents stage. In cases where no parks, reserves or open space is defined and subsequent infrastructure assessments are undertaken, there may be a reduced number of dwellings or different site layout required.

Significance & Engagement Policy

Significance

91. Staff considered the following factors under the Significance and Engagement Policy:
- The level of financial consequences of the proposal or decision required.
 - The portion of the community affected by the proposal or decision.
 - The likely impact on the community, recognising Maaori culture values and their relationship to land and water.
 - The proposal's effect on the level of service of a significant activity (including commencing or ceasing an activity or involves transfer the ownership or control of strategic assets.
 - Community interest is high.
91. Based on these factors, staff have assessed that the evaluation and consideration of proposed SHAs is of high significance.

Attachments

Attachment 1 - Schedule of proposed areas with concept designs and location maps

Attachment 2 - Special Housing Area Policy - Clauses 14 and 15 .

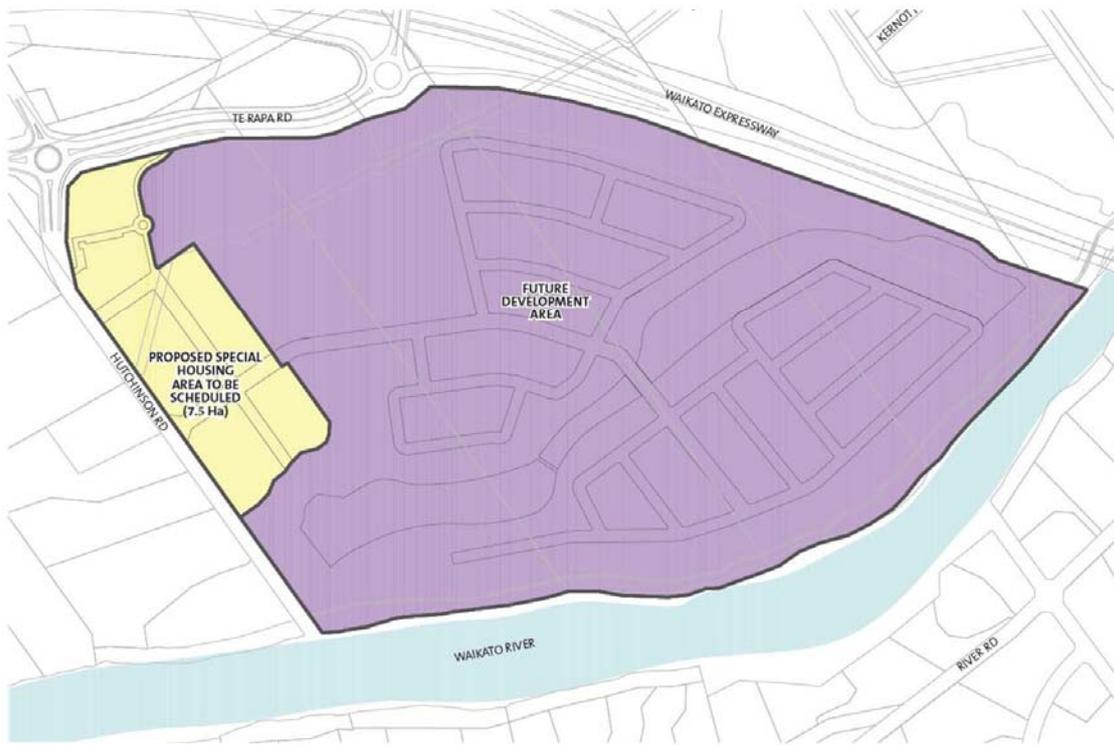
Appendix 1

Schedule of Expressions of Interest for the Establishment of Special Housing Areas: September 2017												
SHA Applications: September 2017 Tranche 1	Land Owner/s	Applicant	Comments	Estimated Time Frame to Recommend to the Minister	Size (Ha)	Scale (Dwellings)	Yield (Dwellings per Ha)	Height (Stories/ Meters)	Current District Plan Zone	Infrastructure	Design Quality	Requires PDA
Rotokauri	Green Seed Consultants Ltd (HCC data has various owners registered)	Green Seed Consultants Ltd	Extensive PDAs required. Clarification to what level of resilience council will request from the infrastructure.	2018	53-60	800-1000	14-17	1 & 2	Future Urban Zone	Review of EOI required	Wants to achieve exemplary outcomes through a master plan	Yes
Te Awa Lakes A	Hutchinson Horoitu Farms Limited	Perry Group	Concept level for application a & b needs clarity on residential / non residential split	2018	7.5	100	15/20	10m	Te Rapa North Industrial Zone	Claim this development utilises existing infrastructure	No concept plan, seeking further information	TBC
Te Awa Lakes B	Hutchinson Horoitu Farms Limited	Perry Group	Concept level for application a & b needs clarity on residential / non residential split	2018	50	1000	Average of 24 excluding roads and reserves	10m	Te Rapa North Industrial Zone	Review of EOI required	Addressed	Yes
Gilbass	Foster Develop Ltd, AJ & LS McLaughlin	Fosters Develop Ltd	Area subject to 3 waters constraints. The concept drawings do not recognise space for infrastructure solutions which may be required.	December 2017	2.1	56	26	1 & 2	Majority of the site is zoned Industrial (Industrial Amenity Protection) with 664m ² zoned General Residential	Review of EOI required	To be confirmed at qualifying development consenting stage. The applicant agrees in principal with the design quality standards.	Yes
Gallagher	Gallagher Charitable Trust	Habitat for Humanity	Indicative concept plan shows social housing potential from Habitat for Humanity.	2018	1.7	42	25	1 & 2	The site is zoned Industrial with the majority being within the Industrial Amenity Protection Area	No reports provided yet	Little evidence is supplied but it is assumed that Habitat will deliver good quality design outcomes.	TBC
Old Porters HQ	Porter Developments Ltd, Eagle Spares Ltd, Murray Focsmann Porter & Robin Arthur Porter & Others	Robert Dou, Porter Development Ltd	Design, layout and infrastructure issues need to be worked through.	2018	Approx. 6 of 11.5	186	32	1, 2 & 3	Majority of the site is zoned Industrial with approximately 8000m ² within the Industrial Amenity Protection Area	Review of EOI required	Urban Design commentary provided by Chow Hill	Yes

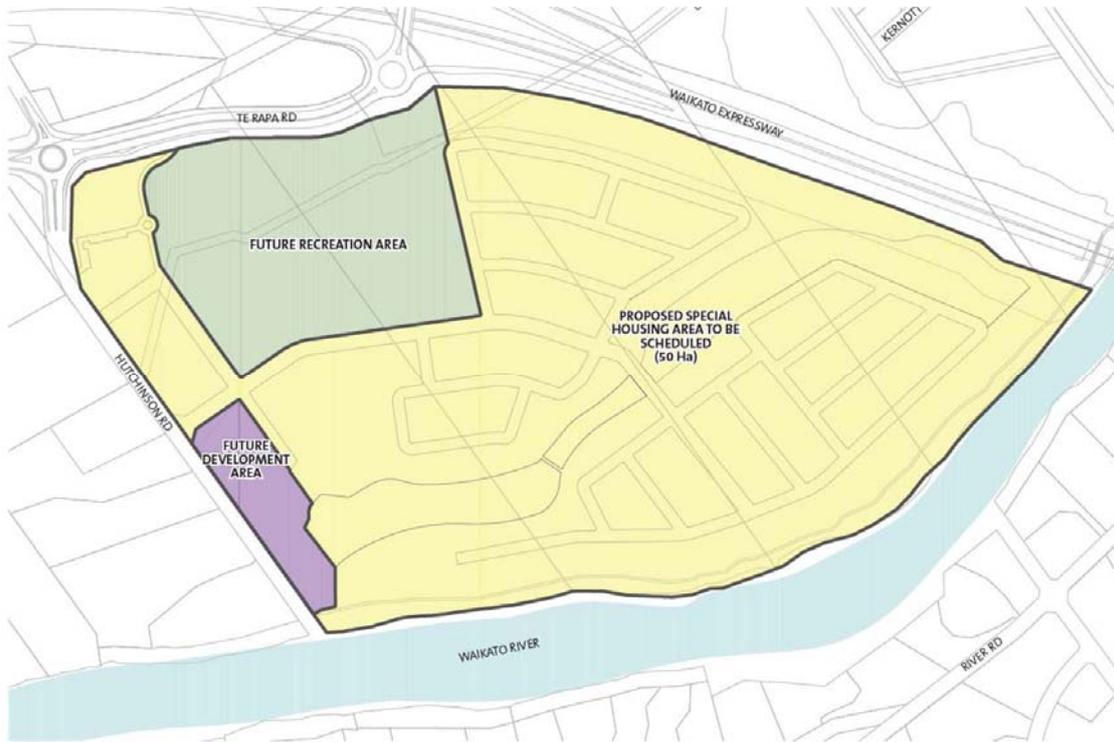
Rotokauri: Zone and Aerial



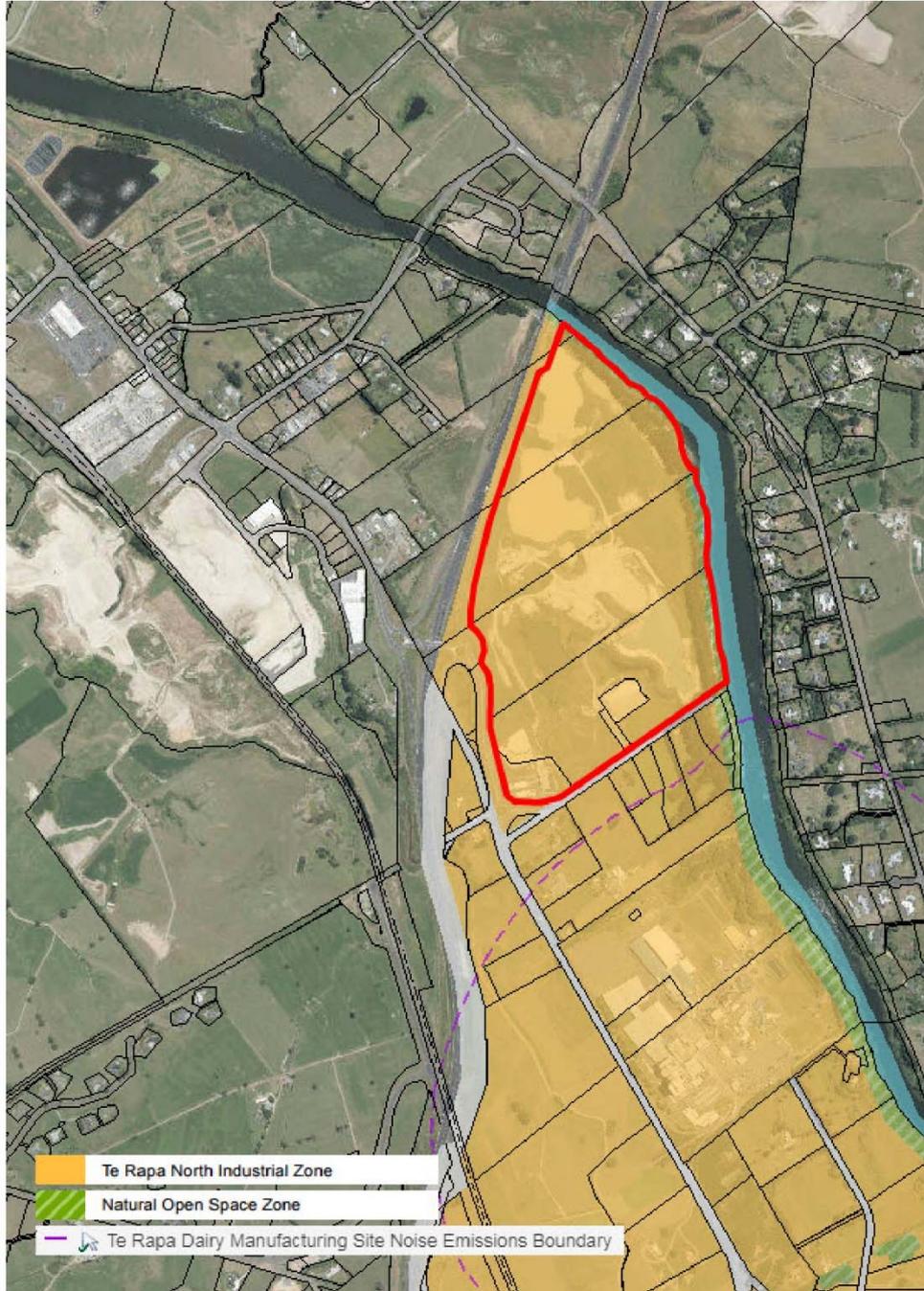
Te Awa Lakes Application A



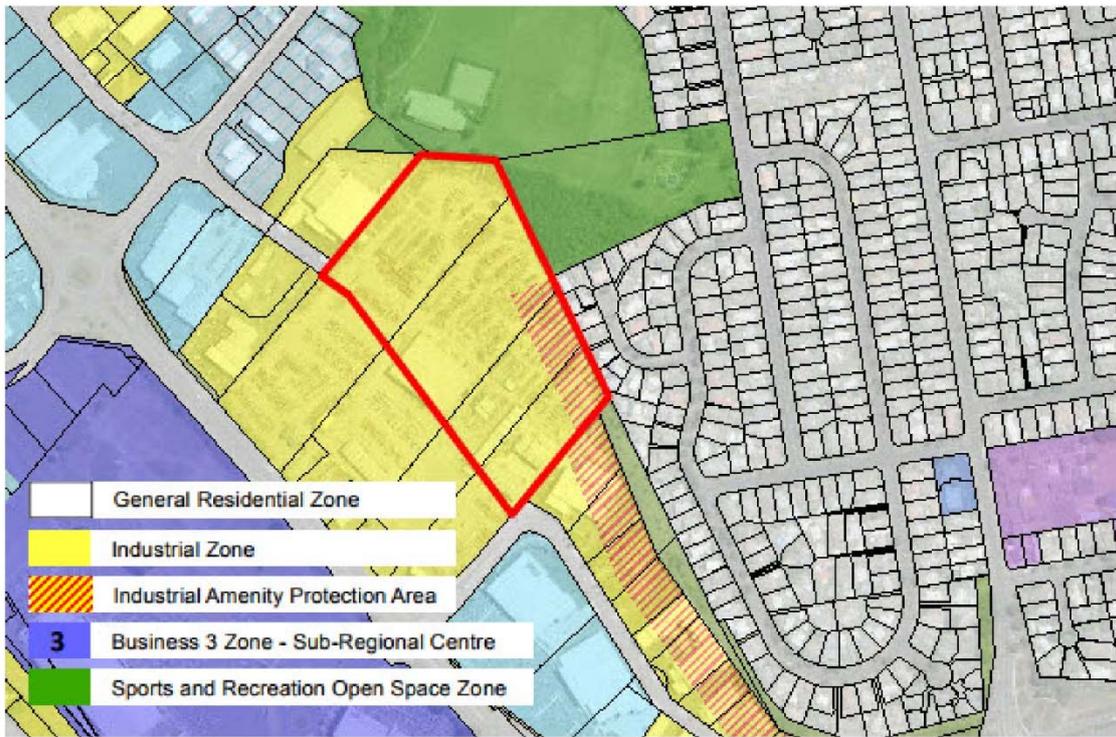
Te Awa Lakes Application B



Te Awa Lakes: Zone and Aerial



Old Porters Head Quarters: Zone



Old Porters Head Quarters: Aerial



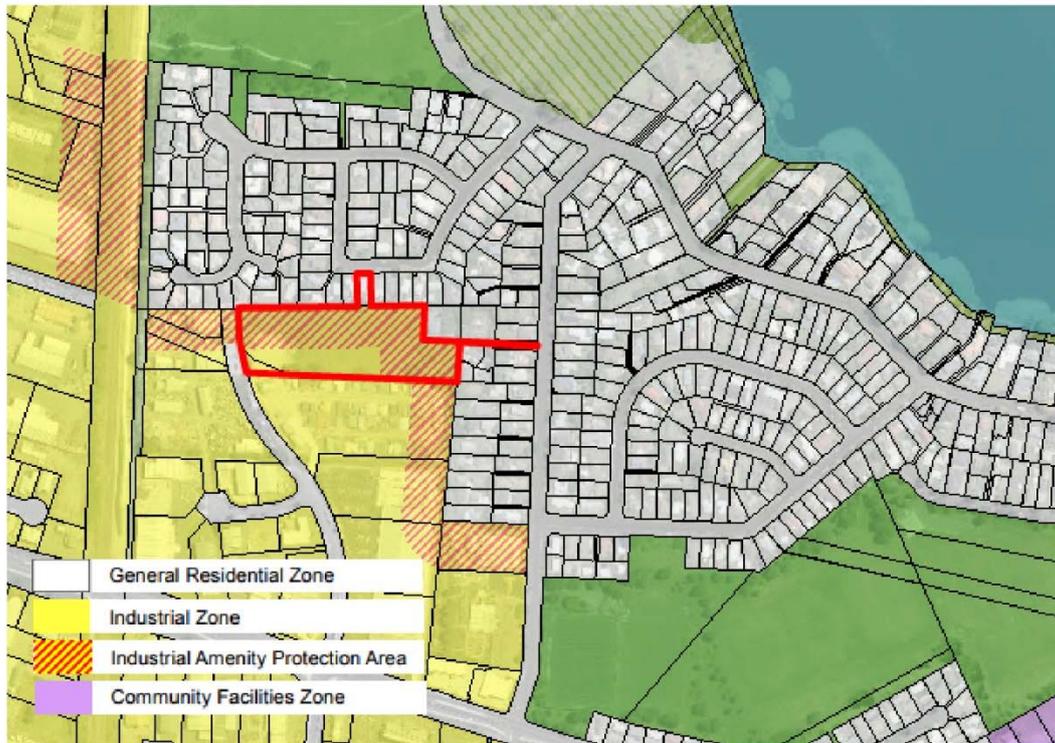
Old Porters Head Quarters: Indicative Concept Plan



Item 15

Attachment 1

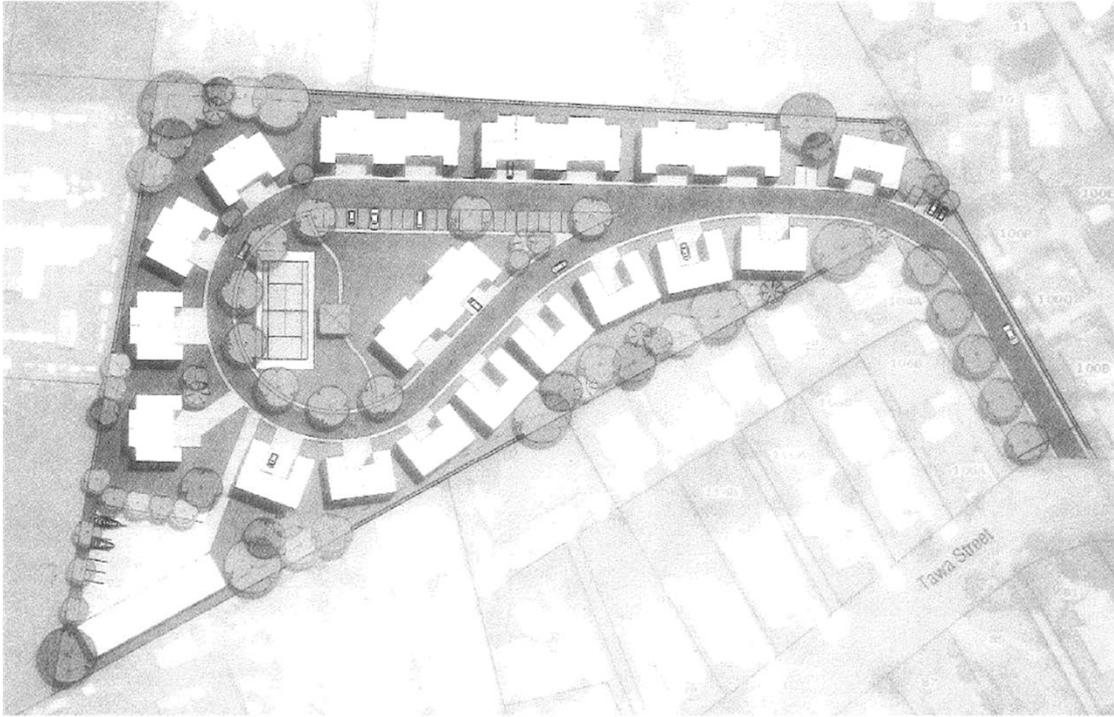
Gilbass: Zone



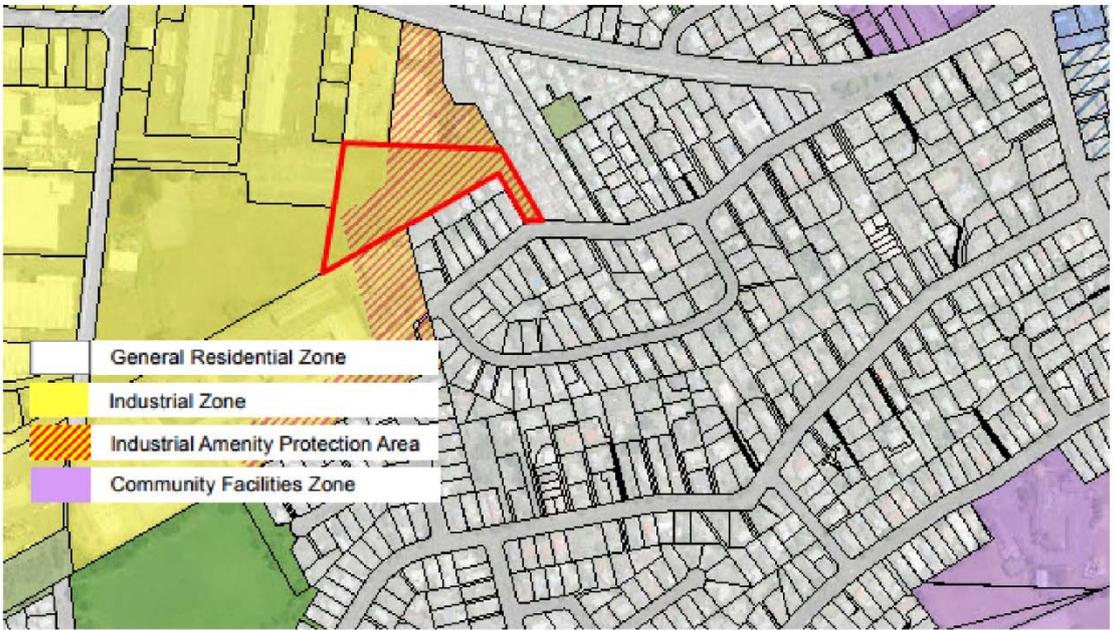
Gilbass: Indicative Concept Plan



Gallagher: Indicative Concept Plan



Gallagher: Zone



Gallagher: Aerial



14. All proposals for an SHA shall demonstrate to Council's satisfaction that the following criteria will be met:
- Development within the proposed SHA will achieve the purpose of HASHAA in a manner consistent with the Accord;
 - Development within the proposed SHA will place no additional financial burden on Council compared to no development occurring, either now or in the future
 - All infrastructure necessary to service the proposed SHA including but not limited to transport, waste water, potable water and storm water is available or will be made available by the developer at no cost to Council in advance of all identified infrastructure demand arising.
15. In its assessment of whether the criteria set out in clause 14 are met, Council will evaluate the proposed SHA against the following considerations:
- Demand for the qualifying development:** The extent to which development of the proposed housing types will achieve the purpose of the HASHAA and the Accord which will include an assessment of proposed housing typology, dwelling and section sizes, and density;
 - Predominantly residential:** The extent to which the proposed development is predominantly residential with the primary purpose of creating residential housing supply;
 - Locational considerations:** The extent to which the proposed SHA is consistent with Council's strategic land use planning. If inconsistent, the extent to which it may materially compromise or alter Council's strategic land use planning and the effects of that inconsistency including effects on planned and existing infrastructure. The extent to which the proposed SHA affects Council's ability to meet its statutory requirements under the National Policy Statement on Urban Development Capacity. Proposals for SHAs will be considered in all areas except:
 - all Special Character Zones (excluding Peacocke Terrace Area and the Jebson Place development site at 5A Cassidy Street)
 - all Open Space Zones
 - significant archaeological, historic and cultural sites
 - electricity transmission corridors
 - Natural Hazard Areas (except where effects can be appropriately managed)
 - Significant Natural Areas
 - Infrastructure:** The extent to which the proposed SHA will absorb capacity within Council's existing infrastructure, including but not limited to parks and reserves, transport and three waters network infrastructure and how the developer will pay for that use of capacity. The extent to which the existing infrastructure is inadequate to service the development and the developer's ability and commitment to provide that necessary infrastructure and services at no cost to Council either now or into the future,
 - Scale:** The extent to which the proposed SHA will deliver beyond a prescribed minimum of 10 dwellings.
 - Design quality:** The extent to which the proposed SHA adheres to the key urban design qualities expressed in the Ministry for the Environment's *New Zealand Urban Design Protocol (2005)* and the effects of any non-adherence;
 - Development agreement:** The extent to which a satisfactory development agreement can be entered into between Council and the developer which secures HASHAAs intended outcomes in a manner that is consistent with Council's Growth Funding Policy including but not limited to recovery of development contributions for utilized infrastructure capacity and the delivery of all necessary infrastructure and services without placing a financial burden on Council.

Council Report

Committee: Council **Date:** 14 December 2017
Author: Riki Manarangi **Authoriser:** Kelvyn Eglinton
Position: Corporate Policy Specialist **Position:** General Manager City Growth
Report Name: Dangerous and Insanitary Buildings Policy - Revised Statement of Proposal

Report Status	<i>Open</i>
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Purpose

- To seek approval for the revised Draft Dangerous and Insanitary Buildings Statement of Proposal for public consultation between 5 February 2018 to 5 March 2018.

Staff Recommendation

- That the Council:
 - revokes that part of paragraph (b) of the resolution for Item 9 from its Meeting of 16 November 2017, approving the Statement of Proposal for the Draft Dangerous and Insanitary Buildings Policy (Attachment 1 of Item 9 in the Agenda for the 16 November 2017 Meeting) for consultation; and
 - approves the Statement of Proposal for the Draft Dangerous and Insanitary Buildings Policy (Attachment 2 of the staff report) for public consultation between 5 February 2018 to 5 March 2018.

Background and Discussion

- On 16 November 2017, the Council approved the Draft Dangerous and Insanitary Buildings Policy (the policy) for consultation between 5 February 2018 to 5 March 2018. The Council's resolution was as follows:

That the Council:

- receives the report; and*
 - approves the attached Draft Dangerous and Insanitary Buildings Policy and Statement of Proposal for public consultation between 5 February 2018 to 5 March 2018.*
- Elected Members requested staff to revise the Statement of Proposal (SOP), which accompanies the policy, for plain English and receive legal advice in relation to the options section.

5. Staff have revised the SOP (as per the tracked version in Attachment 1). In addition to a plain English lens applied to the SOP, the revised options section reflects legal advice received and sets out:
 - The option to adopt the draft policy as presented (Option A)
 - The option to revise the draft policy for:
 - i. explicit processes around affected buildings; and
 - ii. further direction around the action the Council will take in relation to dangerous/insanitary buildings (Option B).
6. The city solicitor has advised that the revised SOP will need to be approved by the Council, as it is replacing the version approved by the Council on 16 November 2017.
7. The staff recommendation has low significance and the engagement level is low, as the policy was approved for consultation on 16 November 17 and the SOP will be attached to the policy. No additional engagement is required.
8. The recommendation complies with the Council's legal and policy requirements.
9. This is a regular operating activity funded through the 10 Year Plan.
10. There are no known risks associated with the decisions required for this matter.

Attachments

Attachment 1 - Dangerous and Insanitary Buildings Policy - Revised Statement of Proposal (Tracked)

Attachment 2 - Dangerous and Insanitary Buildings Policy - Revised Statement of Proposal (Clean) .



by 1 January 2019.

STATEMENT OF PROPOSAL

Proposed Dangerous and Insanitary Buildings Policy

WHAT'S BEING PROPOSED

Hamilton City Council (the Council) is seeking ~~looking to adopt feedback on the proposed~~ a new policy for Dangerous and Insanitary Buildings.

~~The Council want's your feedback.~~

~~The proposed on this~~ policy ~~which~~ sets out ~~the approach~~ how the Council will ~~take to~~ identify and deal with dangerous and insanitary buildings.

BACKGROUND

~~Previously the Building Act 2004 required the Council to have a policy on dangerous, earthquake-prone and insanitary buildings. The Act was recently changed and On 1 July 2017 the Building Act 2004 was updated to incorporate changes as a result of the Building (Earthquake-prone Buildings) Amendment Act 2016. Section 131 of the new Act now requires that a Territorial authority the Council must adopt have a policy just on dangerous and insanitary buildings. This must be completed within 18 months of the commencement of Section 131.~~

QUICK FACTS

What is the main purpose of the policy for?

The Council is required by legislation to create a policy. The policy is focused on ensuring making sure people can live and work in buildings without compromising their health or safety.

How does the policy work?

The policy outlines the process that the Council will follow in relation to any dangerous or insanitary building that comes to the Council's attention.

What buildings does the policy apply to?

The policy applies to any building where the current conditions mean the building could be dangerous or insanitary.

Who manages the policy?

Hamilton City Council is the Territorial Authority responsible for managing the policy through the Building Act 2004.

Is the policy required to be reviewed?

The Council must review the policy no later than five (5) years after its adoption as required under the Act.

Are heritage buildings included in the policy?

Yes, heritage buildings will be assessed in the same way as other dangerous and insanitary buildings.

Does the policy require is there a process to the record and access information on a building's dangerous or insanitary status to be documented under the policy?

Yes, the Council keep a record of all dangerous and insanitary buildings on the property file which will be included in the LIM and which building owners will be able to access.

OPTIONS

Option A: Adopt the draft Dangerous and Insanitary Buildings Policy

This option involves Under this option, the Council will adopt approve the proposed Dangerous and Insanitary Buildings Policy below. The draft policy sets out dangerous and insanitary buildings in relation:

- how the Council will identify these buildings
- actions it will take for these buildings
- how it will work building owners
- what information will be kept on file and what access is given to this information
- the treatment of heritage buildings;

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This option will mean that the Council will have a comprehensive and concise policy in place that meets legal requirements. Although this option will mean a comprehensive policy is adopted, there is opportunity to provide further direction around the processes the Council will take as outlined in option B, complies with the legislative requirements under the Building Act 2004 that requires Council to adopt a policy on dangerous and insanitary buildings.

Option B: Do not adopt the proposed Dangerous and Insanitary Buildings Policy
Adopt a revision of the draft policy which has more direction on affected buildings and the action the Council will take regarding dangerous or insanitary buildings

This option involves Under this option, the Council will include not adopting the more proposed Dangerous and Insanitary Buildings Policy direction in the policy around:

- affected buildings; and/or
- the action the Council will take where a building is found to be dangerous or insanitary.

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This option includes revising the draft policy to include the following:

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- The Council will receive information regarding affected buildings – buildings which are next to or nearby a dangerous

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building - and consider what action to take, how it will work with the building owners and what information will be kept on file.

- o The Council will attach a written notice to the building requiring work. The written notice will explain the work to be carried out on the building to avoid the building from:
 - remaining insanitary; and/pr
 - to reduce or remove the danger
- o The Council will give copies of the written notice to the building owner(s), occupier(s), and every person who has an interest in the land or is claiming an interest in the land, as well as the New Zealand Historic Places Trust if the building is a scheduled/registered heritage building

This option gives more direction around the processes the Council must take regarding dangerous, affected or insanitary buildings but will make the policy wordier and will create less flexibility for the Council in the approach that it may wish to take.

By not having this policy it means the Council won't be meeting its legal obligations set out in the Building Act 2004.

TELL US YOUR THOUGHTS ON THE POLICY

Before making any final decisions, we'd like to have your input.

You can give us feedback from 5 February 2018 to 5 March 2018.

How to give feedback

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

- Fill out a feedback form online at haveyoursay.hamilton.govt.nz
- Fill out the feedback form included in this Statement of Proposal and send to Hamilton City Council, Strategy Unit, Private Bag 3010, Hamilton 3240.
- Fill out the feedback form and deliver it to the Municipal Building Reception Lounge or one of Council's libraries.

Feedback forms and the proposed policy are on our website and available from Council libraries and the ground floor reception of Council's Municipal Building in Garden Place.

For any queries please ring 07 838 6699.

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First adopted:	May 2018
Revision dates/version:	Version 1
Next review date:	May 2023
Engagement required:	The Special Consultative Procedure is required
Document Number	
Associated documents:	
Sponsor/Group:	General Manager – City Growth

Draft Dangerous and Insanitary Buildings Policy

Purpose and scope

1. To outline the approach the Council will take and clarify the Council's priorities in performing its functions under the Building Act 2004.

Principles

2. The Council will seek immediate or early resolution of any defect to minimize potential risk to public health or safety.
3. The Policy recognises the importance of Hamilton's heritage buildings and will protect the heritage value of these buildings wherever possible, without compromising public health and safety.
4. The Council will work pro-actively with building owners to ensure the best outcome for all parties.

Definitions

Term	Means
Affected Building	Defined in s121A of the Act; A building is an affected building for the purposes of this Act if it is adjacent to, adjoining, or nearby: (a) a dangerous building as defined in Section 121; or (b) a dangerous dam within the meaning of Section 153.
Building Owner	Defined in s7 of the Act; Owner in relation to any land or buildings on the land, (a) means the person who – (i) is entitled to the rack rent from the land; or (ii) would be so entitled if the land were let to a tenant at a rack rent; and (b) includes – (i) the owner of the fee simple of the land; and (ii) for the purposes of sections 32, 44, 92, 97, and 176(c), any person who has agreed in writing, whether conditionally or unconditionally, to purchase the land or any leasehold estate or interest in the land, or to take a lease of the land, and who is bound by the agreement because the agreement is still in force.
Dangerous Building	Defined in s121 of the Act; (1) A building is dangerous for the purposes of this Act if: (a) in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause— (i) injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or

	<p>(ii) damage to other property; or</p> <p>(b) in the event of fire, injury or death to any persons in the building or to persons on other property is likely.</p> <p>(2) For the purpose of determining whether a building is dangerous in terms of subsection (1)(b), a territorial authority:</p> <p>(a) may seek advice from employees, volunteers, and contractors of Fire and Emergency New Zealand who have been notified to the territorial authority by the board of Fire and Emergency New Zealand as being competent to give advice; and</p> <p>(b) if the advice is sought, must have due regard to the advice.</p>
Heritage Building	<p>Defined in s7 of the Act;</p> <p>Means a building that is included on :</p> <p>(a) the New Zealand Heritage List/Rarangi Korero maintained under section 65 of the Heritage New Zealand Pouhere Taonga Act 2014; or</p> <p>(b) the National Historic Landmarks/Ngaā Manawhenua o Aotearoa me onaa Korero Tuturu list maintained under section 81 of the Heritage New Zealand Pouhere Taonga Act 2014.</p>
Immediate danger	<p>Defined in s129 of the Act;</p> <p>(1) This section applies if, because of the state of the building;</p> <p>(a) immediate danger to the safety of people is likely in terms of section 121 or 123; or</p> <p>(b) immediate action is necessary to fix insanitary conditions.</p>
Insanitary Building	<p>Defined in s123 of the Act;</p> <p>A building is insanitary for the purposes of this Act if the building:</p> <p>(a) is offensive or likely to be injurious to health because:</p> <p>(i) of how it is situated or constructed; or</p> <p>(ii) it is in a state of disrepair; or</p> <p>(b) has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or</p> <p>(c) does not have a supply of potable water that is adequate for its intended use; or</p> <p>(d) does not have sanitary facilities that are adequate for its intended use.</p>
Property file and register	A record of legal information the Council is required to maintain in terms of 216 of the Act
Structural condition	The structural condition of the building at the time the Council carries out an inspection of the building to ascertain its state.
Territorial Authority	<p>Defined in s7 of the Act;</p> <p>(a) means a City Council or District Council named as Part 2 of Schedule 2 of the local Government Act 2002; and</p> <p>(i) in relation to land within the district of the territorial authority, or a building on or proposed to be built on such land, means that territorial authority; and</p> <p>(ii) in relation to any part of a coastal marine area (within the meaning of the resource management Act 1991) that is not within the district of the territorial authority, or a building on or proposed to be built on any such part, means the territorial authority whose district is adjacent to that part; and</p> <p>(b) includes the Minister of Conservation or the Minister of Local Government, as the case may be, in any case in which the Minister of Conservation or the Minister of Local Government is the territorial authority under section 22 of the Local Government Act 2002.</p>
The Act	The Building Act 2004
The Council	The Hamilton City Council

Policy

Identifying dangerous and insanitary buildings

5. The Council will respond to building complaints received from the public, the Fire Service, or any person or organisation that has a health and safety interest in a particular building and investigate the complaint and assess the condition of the building.
6. The assessment of dangerous buildings will be in accordance with Section 121 of the Act.
7. The assessment of insanitary buildings will be in accordance with Section 123 of the Act.

Actions for dangerous and insanitary buildings

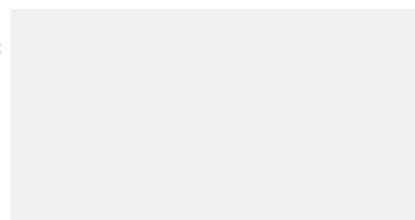
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9. The Council will liaise with the Fire Service to discuss the proposed action when notification has been received from the Fire Service of a dangerous building.
10. The Council may also engage a subject matter expert to assist with determining the course of action.
11. The Council may use the powers given in Section 124 of the Act to take action regarding dangerous or insanitary buildings to serve formal notice in accordance with the Act and consider if it should erect a hoarding, fence or warning sign.
12. On being advised of conditions that are alleged to be insanitary within the provisions of Section 123 of the Act, the buildings will be inspected and a determination made whether action in terms of Sections 124 or 129 of the Act will be taken.
13. Where it is considered measures are necessary to avoid immediate danger or to fix insanitary conditions. The Council may use the powers given in Section 129 of the Act.

Working with building owners

14. Where there is an agreement between the Council and the building owner to rectify any deficiency, the Council may elect to forego the issue of a formal notice, but will retain details of the building in the property file and register.
15. Where an acceptable agreement between the building owner and the Council cannot be obtained, the Council will exercise its powers and issue a notice under Section 124 of the Act. The Section 124 notice will outline the danger to be removed and a timeframe to achieve the necessary result.
16. In urgent cases the Council may at the outset serve formal notice under Section 124 of the Act.

Recording a building's dangerous or insanitary status

17. The Council will keep a record of all dangerous and insanitary buildings noting the status of requirements for improvement or the results of improvements as applicable.
18. In addition, the Council will keep and record the following information that may be placed on the Land Information Memoranda (LIM) for each dangerous or insanitary building:
 - a. A statement that the building is considered to be dangerous or insanitary.
 - b. The date by which rectification of any deficiency, or demolition is required (only if known).
 - c. If a notice under Section 124 is issued in respect of any dangerous or insanitary building then a record may also be included.
 - d. A statement that further details may be available from Council's property file.



Access to information

19. Information concerning the dangerous or insanitary status of a building (if known) will be contained in the property file.
20. If a notice under Section 124 is issued in respect of any dangerous or insanitary building then a record of that will also be available on the relevant property file.
21. Access to information may be available through a LIM application or request for information in terms of the Official Information and Meetings Act 2002.
22. Building owners will be able to access information from the Council relating to their building during normal office hours.

Heritage buildings

23. Heritage buildings will be assessed in the same way as other dangerous and insanitary buildings.
24. The Council will work with the building owner to ensure the development of appropriate management and planning for these buildings for their protection wherever possible. This will be achieved by:
 - a. Recognising the heritage buildings that exist in the city, including the Heritage New Zealand Register, the Heritage Items Schedule of the Hamilton City District Plan, listed heritage places, and buildings of significance to iwi, and other buildings of significance to the community, for example:
 - b. Any listed in a strategy or management plan prepared under the Conservation Act 1987 or Reserves Act 1977
 - c. Any within a reserve identified by the Te Turi Whenua Maori Land Act 1993 for historic and cultural purposes;
 - d. Any listed in an iwi management plan;
 - e. Buildings or structures associated with historic cemeteries or memorials;
 - f. Any building managed for heritage purposes by agencies, such as Heritage New Zealand, Department of Conservation or by Council; and
 - g. Buildings or structures subject to heritage order, heritage covenant or other protective covenant.
 - h. Informing relevant statutory organisations, including Heritage New Zealand, with regards to any listed building identified as dangerous or insanitary.
 - i. Ensuring the consideration of any advice from Heritage New Zealand or professional conservation organisation, heritage professional, including the Council's own heritage advisers (if relevant).
 - j. Considering any relevant conservation report, conservation plan, condition report, management plan, heritage assessment or other document.
 - k. Any statutory protection, including any listing in the Heritage Items.
 - l. For any notice issued in relation to a heritage building under Section 124 of the Act, the Council will provide a copy of the notice to Heritage New Zealand.

Monitoring and implementation

25. The implementation of this policy will be monitored by the General Manager City Growth.
26. The policy will be reviewed in response to any issues that may arise, every five years as required under section 132 of the Act, at the request of Council or in response to changed legislative and statutory requirements (whichever occurs first).

FEEDBACK FORM



PROPOSED Dangerous and Insanitary Buildings Policy

Hamilton City Council is proposing to adopt a Dangerous and Insanitary Buildings Policy. Tell us what you think.

1. Is the approach in the policy to identify **and deal with** dangerous and insanitary buildings clear? (Please explain why/why not below).

Yes

No

(Please print clearly) _____

2. **Should the Council adopt a revised version of the draft policy which provides more detail on both affected buildings and the action the Council will take regarding dangerous or insanitary buildings? the approach in the policy the Council will take in dealing with dangerous and insanitary Buildings clear?** (Please explain why/why not below).

Yes

No

(Please print clearly) _____



3. Are you responding as/or representing (tick all that apply)?

- A building owner
- A building tenant
- A business
- Other stakeholder interest: _____

4. Can you tell us your age group?

- 16-24
- 25-35
- 36-50
- 51-64
- 65+

5. Please provide your contact details (* required fields)

Title: Mr / Mrs / Miss / Ms / Dr

* Name: _____

Organisation (where applicable): _____

Postal Address: _____

Post code: _____

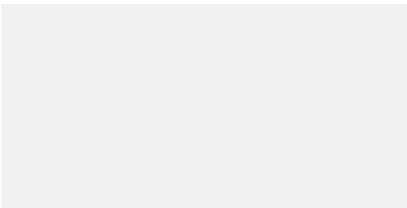
* Phone: (day) _____ (evening) _____

* Email: _____

6. Do you wish to be heard in support of your submission or feedback in April 2018? (This means you will present a summary of your feedback in person to a panel of elected representatives at the hearing.)

- No
- Yes

Please complete the contact details section above, and contact Raewyn;
 P: 07 8386537 or E: raewyn@hcc.govt.nz to confirm your presentation time.

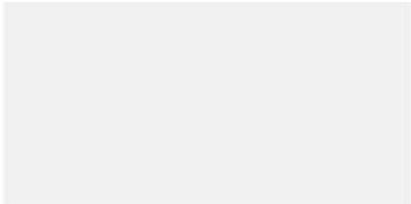


Note: all feedback/submissions will be treated as public documents, and they may be loaded on to the Council's website with the names and contact details of submitters included.

Please get your feedback to us by the 5 March 2018.

You can:

- Complete it online at haveyoursay.hamilton.govt.nz
- Post the form to Freepost 172189, Strategy Unit, Hamilton City Council, Private Bag 3010, Hamilton 3240
- Drop it off to the Hamilton City Council Office in Garden Place, any Hamilton City Library.





STATEMENT OF PROPOSAL

Proposed Dangerous and Insanitary Buildings Policy

WHAT'S BEING PROPOSED

Hamilton City Council (the Council) is looking to adopt a new policy for Dangerous and Insanitary Buildings.

The Council want's your feedback on this policy which sets out how the Council will identify and deal with dangerous and insanitary buildings.

BACKGROUND

Previously the Building Act 2004 required the Council to have a policy on dangerous, earthquake-prone and insanitary buildings. The Act was recently changed and now requires that the Council have a policy just on dangerous and insanitary buildings by 1 January 2019.

QUICK FACTS

What is the policy for?

The policy is focused on making sure people can live and work in buildings without compromising their health or safety.

How does the policy work?

The policy outlines the process that the Council will follow in relation to any dangerous or insanitary building that comes to the Council's attention.

What buildings does the policy apply to?

The policy applies to any building where the current conditions mean the building could be dangerous or insanitary.

Are heritage buildings included in the policy?

Yes, heritage buildings will be assessed in the same way as other buildings.

Does the policy require the building's status to be documented?

Yes, the Council keep a record of all dangerous and insanitary buildings on the property file which will be included in the LIM and which building owners will be able to access.

OPTIONS

Option A: Adopt the draft Policy

Under this option, the Council will approve the proposed Dangerous and Insanitary Buildings Policy below. The draft policy sets out dangerous and insanitary buildings in relation:

- how the Council will identify these buildings
- actions it will take for these buildings
- how it will work building owners
- what information will be kept on file and what access is given to this information
- the treatment of heritage buildings

This option will mean that the Council will have a comprehensive and concise policy in place that meets legal requirements. Although this option will mean a comprehensive policy is adopted, there is opportunity to provide further direction around the processes the Council will take as outlined in option B.

Option B: Adopt a revision of the draft policy which has more direction on affected buildings and the action the Council will take regarding dangerous or insanitary buildings

Under this option, the Council will include more direction in the policy around:

- affected buildings; and/or
- the action the Council will take where a building is found to be dangerous or insanitary.

This option includes revising the draft policy to include the following:

- The Council will receive information regarding affected buildings – buildings which are next to or nearby a dangerous building - and consider what action to take, how it will work with the building owners and what information will be kept on file.
- The Council will attach a written notice to the building requiring work. The written notice will explain the work to be carried out on the building to avoid the building from:

- remaining insanitary; and/or
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- The Council will give copies of the written notice to the building owner(s), occupier(s), and every person who has an interest in the land or is claiming an interest in the land, as well as the New Zealand Historic Places Trust if the building is a scheduled/registered heritage building

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TELL US YOUR THOUGHTS ON THE POLICY

Before making any final decisions, we'd like to have your input.

You can give us feedback from **5 February 2018 to 5 March 2018**.

How to give feedback

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First adopted:	May 2018
Revision dates/version:	Version 1
Next review date:	May 2023
Engagement required:	The Special Consultative Procedure is required
Document Number	
Associated documents:	
Sponsor/Group:	General Manager – City Growth

Draft Dangerous and Insanitary Buildings Policy

Purpose and scope

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The Act	The Building Act 2004
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Identifying dangerous and insanitary buildings

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7. The assessment of insanitary buildings will be in accordance with Section 123 of the Act.

Actions for dangerous and insanitary buildings

8. Priority for action will be decided after investigation of complaints.
9. The Council will liaise with the Fire Service to discuss the proposed action when notification has been received from the Fire Service of a dangerous building.
10. The Council may also engage a subject matter expert to assist with determining the course of action.
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13. Where it is considered measures are necessary to avoid immediate danger or to fix insanitary conditions. The Council may use the powers given in Section 129 of the Act.

Working with building owners

14. Where there is an agreement between the Council and the building owner to rectify any deficiency, the Council may elect to forego the issue of a formal notice, but will retain details of the building in the property file and register.
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16. In urgent cases the Council may at the outset serve formal notice under Section 124 of the Act.

Recording a building's dangerous or insanitary status

17. The Council will keep a record of all dangerous and insanitary buildings noting the status of requirements for improvement or the results of improvements as applicable.
18. In addition, the Council will keep and record the following information that may be placed on the Land Information Memoranda (LIM) for each dangerous or insanitary building:
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 - b. The date by which rectification of any deficiency, or demolition is required (only if known).
 - c. If a notice under Section 124 is issued in respect of any dangerous or insanitary building then a record may also be included.
 - d. A statement that further details may be available from Council's property file.

Access to information

19. Information concerning the dangerous or insanitary status of a building (if known) will be contained in the property file.
20. If a notice under Section 124 is issued in respect of any dangerous or insanitary building then a record of that will also be available on the relevant property file.
21. Access to information may be available through a LIM application or request for information in terms of the Official Information and Meetings Act 2002.
22. Building owners will be able to access information from the Council relating to their building during normal office hours.

Heritage buildings

23. Heritage buildings will be assessed in the same way as other dangerous and insanitary buildings.
24. The Council will work with the building owner to ensure the development of appropriate management and planning for these buildings for their protection wherever possible. This will be achieved by:
 - a. Recognising the heritage buildings that exist in the city, including the Heritage New Zealand Register, the Heritage Items Schedule of the Hamilton City District Plan, listed heritage places, and buildings of significance to iwi, and other buildings of significance to the community, for example:
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 - c. Any within a reserve identified by the Te Turi Whenua Maori Land Act 1993 for historic and cultural purposes;
 - d. Any listed in an iwi management plan;
 - e. Buildings or structures associated with historic cemeteries or memorials;
 - f. Any building managed for heritage purposes by agencies, such as Heritage New Zealand, Department of Conservation or by Council; and
 - g. Buildings or structures subject to heritage order, heritage covenant or other protective covenant.
 - h. Informing relevant statutory organisations, including Heritage New Zealand, with regards to any listed building identified as dangerous or insanitary.
 - i. Ensuring the consideration of any advice from Heritage New Zealand or professional conservation organisation, heritage professional, including the Council's own heritage advisers (if relevant).
 - j. Considering any relevant conservation report, conservation plan, condition report, management plan, heritage assessment or other document.
 - k. Any statutory protection, including any listing in the Heritage Items.
 - l. For any notice issued in relation to a heritage building under Section 124 of the Act, the Council will provide a copy of the notice to Heritage New Zealand.

Monitoring and implementation

25. The implementation of this policy will be monitored by the General Manager City Growth.
26. The policy will be reviewed in response to any issues that may arise, every five years as required under section 132 of the Act, at the request of Council or in response to changed legislative and statutory requirements (whichever occurs first).

FEEDBACK FORM



PROPOSED Dangerous and Insanitary Buildings Policy

Hamilton City Council is proposing to adopt a Dangerous and Insanitary Buildings Policy. Tell us what you think.

- 1. Is the approach in the policy to identify and deal with dangerous and insanitary buildings clear? (Please explain why/why not below).

Yes

No

(Please print clearly) _____

- 2. Should the Council adopt a revised version of the draft policy which provides more detail on both affected buildings and the action the Council will take regarding dangerous or insanitary buildings? (Please explain why/why not below).

Yes

No

(Please print clearly) _____



3. Are you responding as/or representing (tick all that apply)?

- A building owner
- A building tenant
- A business
- Other stakeholder interest: _____

4. Can you tell us your age group?

- 16-24
- 25-35
- 36-50
- 51-64
- 65+

5. Please provide your contact details (* required fields)

Title: Mr / Mrs / Miss / Ms / Dr

* Name: _____

Organisation (where applicable): _____

Postal Address: _____

Post code: _____

* Phone: (day) _____ (evening) _____

* Email: _____

6. Do you wish to be heard in support of your submission or feedback in April 2018? (This means you will present a summary of your feedback in person to a panel of elected representatives at the hearing.)

- No
- Yes

Please complete the contact details section above, and contact Raewyn;
P: 07 8386537 or E: haveyoursay@hcc.govt.nz to confirm your presentation time.

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Please get your feedback to us by the 5 March 2018.

You can:

- Complete it online at haveyoursay.hamilton.govt.nz
- Post the form to Freepost 172189, Strategy Unit, Hamilton City Council, Private Bag 3010, Hamilton 3240
- Drop it off to the Hamilton City Council Office in Garden Place, any Hamilton City Library.

Council Report

Item 17

Committee: Council **Date:** 14 December 2017
Author: Brendan Stringer **Authoriser:** David Bryant
Position: Legal Services and Governance Officer **Position:** General Manager Corporate
Report Name: Submission to the Remuneration Authority - Local Government Review (Part 3)

Report Status	<i>Open</i>
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Purpose

1. To seek the Council's approval of the draft submission to Part 3 of the Remuneration Authority's consultation document – *Local Government Review*.

Staff Recommendation

2. That the Council:
 - a) approves the draft submission, dated 14 December 2017, to Part 3 of the Remuneration Authority's consultation document – *Local Government Review*.
 - b) requests that the approved submission be uploaded to the Council's website.

Executive Summary

3. Staff have drafted a submission to the Remuneration Authority ('the Authority') on Part 3 of its consultation document – *Local Government Review* (see Attachment 1). Submissions are due by 15 December 2017.
4. The Authority's chairperson, Dame Fran Wilde, presented a webinar on 13 November 2017 in relation to this part of the consultation, which most members attended.
5. A summary of the Authority's proposals and responses in the draft submission are set out in Attachment 2. Amongst other points, the submission advocates a more comprehensive review of local government remuneration be undertaken to cover the issues raised by elected members across the country that have not been expressly addressed in the Authority's consultation document or subsequent presentations.
6. The draft submission was circulated to Elected Members for comment on 4 December 2017. A copy of the final draft submission is attached as Attachment 3.
7. On the back of this consultation, the Authority is planning to implement changes to its process for determining elected member remuneration by 1 July 2019.
8. Staff consider the matters in this report have low significance and that the recommendations comply with the Council's legal and policy requirements.

Background

9. The Authority's consultation document – *Local Government Review* – was circulated to councils on 10 May 2017. A copy is attached as Attachment 1; Part 3 starts on page 15 of that attachment.
10. Part 2 of the Authority's consultation document dealt with immediate changes to elected member remuneration for the 2017/18 financial year. The Council approved a submission to the Authority on this part of the consultation on [29 June 2017](#).
11. Part 3 of the consultation document focuses on longer term proposals to determining elected member remuneration. The Authority extended its deadline for submissions on this part until 15 December 2017.
12. Most Elected Members attended a webinar on 13 November 2017 at which the Authority's Chairperson, Dame Fran Wilde, provided an overview of the proposed changes contained in Part 3 of the consultation document.
13. In collating a draft submission, the Chief Executive provided his views on some of the Authority's proposals in relation to the sizing of councils
14. A draft submission was then circulated to Elected Members on 4 December 2017, together with Dame Wilde's webinar presentation and video footage of the Q&A sessions from that webinar.
15. Drop-in sessions were arranged for Elected Members on 5 December 2017 to provide feedback to staff on the draft submission.

Discussion

16. Part 3 of the Authority's consultation document reviews the framework that the Authority uses to set remuneration for local government members, and proposed changes that it is looking to implement by 1 July 2019. The main elements of the current remuneration system are:
 - Creating a size index for councils derived from population and council expenditure. The index is reviewed/updated by the Authority every three years (in the year of the triennial election).
 - Determining the (base) remuneration for each council's elected members on the relative place of that council in the size index.
 - Setting a pool for each council, from which remuneration for positions of additional responsibility can be met. This pool currently equates to twice the base remuneration of a councillor. All positions of additional responsibility require the Authority's approval prior to taking effect.
17. Attachment 2 sets out the Authority's key proposals in Part 3 of its consultation document, and a summary of the suggested responses in the draft submission.
18. Issues that Elected Members have particularly noted in feedback are the relationship between local government and parliamentary remuneration, and the designation of members as 'self-employed' for tax purposes.
19. While the Authority has touched on these matters in its consultation document and subsequent webinar, it appears to have little appetite to explore these in any depth. The draft submission calls for a more comprehensive review of local government remuneration, across relevant government agencies, in order to provide a more connected, 'total remuneration' focus to council remuneration issues.

20. Following the Authority's review of the various submissions on its consultation document, staff understand the Authority will detail a final remuneration framework to apply from 1 July 2019. Whether the Authority will seek further feedback on that framework prior to its implementation has been left open.
21. The outcome of this part of the Authority's consultation is not expected to have any impact on the Council's *Elected Members Support Policy*, which the Council updated as a result of the Authority's determination implemented with effect from 1 July 2017.

Significance & Engagement Policy

22. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendations in this report have a low level of significance.
23. Given the low level of significance determined, the engagement level is low. No engagement is required.

Attachments

Attachment 1 - Remuneration Authority's Consultation Document - Local Government Review

Attachment 2 - Summary of the Authority's Proposals and Draft Submission Responses

Attachment 3 - Draft Submission to the Remuneration Authority on Part 3, Local Government Review



CONSULTATION DOCUMENT

LOCAL GOVERNMENT REVIEW

Part One - General Introduction

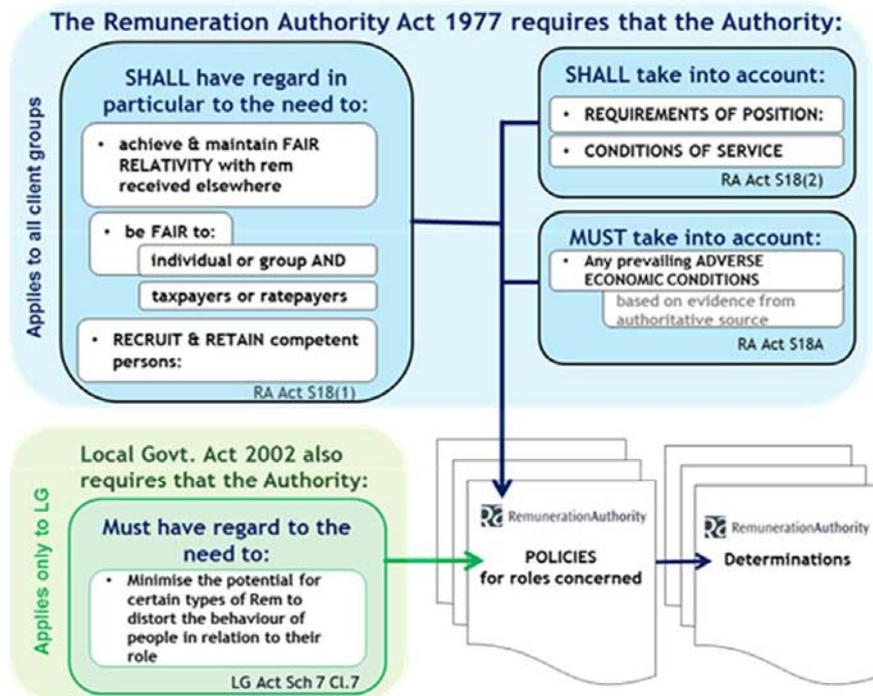
Introduction

1. The Remuneration Authority (the Authority) is required to issue a new determination, taking effect from 1st July 2017, covering local government elected members. In considering how we should approach this in future, we have concluded that there is an opportunity for both short term improvements to the system, including some clarification of current policies, as well as some deeper changes which we propose introducing in 2019.
2. Hence this paper has two substantive sections – Part Two covering proposals for this year and Part Three covering the longer term. We are seeking views of councils on both. The timetable for responses on the shorter-term proposals is unfortunately short. This is because as we got deeper into our review we saw the need for more fundamental change which, had we waited till we had all detail finalised, would have delayed our release of this paper. However, we feel that the issues in Part Two are sufficiently familiar for councils that they will be able to provide reasonably rapid responses. In contrast, Part Three contains more fundamental change proposals and we believe that the local government sector needs time to contemplate these. We have provided a window of several months and during that time we would anticipate attending either zone or sector meetings to discuss the proposals with you.
3. Recently the issue of the potential provision of child care subsidies or services has been raised. We have not addressed it in this paper but will be consulting the sector shortly about this issue.
4. The Authority would like to thank a number of people who have assisted us with the review so far. We commissioned ErnstYoung to provide facilitation, research and analysis. The following people also provided assistance and we very much appreciated their insights and information:
 - Local Government Leadership Group:
 - David Ayers, Mayor, Waimakariri District
 - Jan Barnes, Mayor, Matamata-Piako District
 - Brendan Duffy, Independent Consultant and former Vice-President LGNZ
 - Justin Lester, Mayor, Wellington City
 - Jane Nees, Deputy Chair, Bay of Plenty Regional Council
 - Rachel Reese, Mayor, Nelson City
 - Local Government New Zealand:

- Lawrence Yule, President
 - Mike Reid, Principal Policy Advisor
- Local Government Commission:
 - Suzanne Doig, Chief Executive Officer
 - Donald Riezebos, Principal Advisor
- Local Government Officials:
 - Dennis Bush-King, Tasman District Council
 - Miranda Cross, Greater Wellington Regional Council
 - John O’Shaughnessy, Hastings District Council
- Central Government Officials
 - Deborah Brunning, Statistics New Zealand
 - Sarah Lineham, Office of the Auditor-General
 - James Stratford, Department of Internal Affairs
- Alistair Gray, Statistics Research Associates Limited

Legal requirements for the Authority when setting remuneration

5. The work of the Authority is governed by the Remuneration Authority Act 1977, which has had several amendments since it was first enacted. This act and the Local Government Act 2002 contain the statutory requirements which the Authority must follow when making determinations for local government elected members. They are summarised below:



Role of local government

6. In undertaking this review the Authority has looked at past thinking on local government remuneration. One particular document¹, issued by Local Government NZ in 1997, contained a thoughtful summary of the role of local government.

7. The document said:

“The strength of representative democracy ultimately depends on two factors. One is the level of citizen participation and trust in democratic institutions. The other is the ability and commitment of elected representatives and their role in encouraging participation and promoting levels of trust.

Local government constitutes one of the underpinning structures of democratic society, providing ‘voice and choice’ to citizens and communities, and the mechanism for making decisions about local needs and preferences. It also provides a forum to debate issues of mutual interest and concern.

Good local government depends upon the goodwill and understanding of its citizens, and the quality of its staff. Most of all, however, it depends on the ability of those elected to govern. Attracting people with the capacity to lead and govern at local level involves a number of factors. These include:

- *The opportunity to contribute effectively, be professionally valued and receive a sense of satisfaction at achieving a job well done*
- *The existence of structures and processes to support and professionally advise elected members and enable them to contribute constructively on matters of community importance*
- *The presence of consultative and participative arrangements that strengthen relationships between and with their communities*
- *The existence of a remuneration system that enables people from all sectors of the community to commit time and effort necessary to fulfil their responsibilities as elected members without being unduly disadvantaged.”*

8. In our view, this characterisation of local government has not changed since it was written twenty years ago.

¹ Options for Setting Elected Members’ Remuneration – A Discussion Document for Local Government and Stakeholders, prepared by the Local Government New Zealand Elected Members’ Remuneration Working Party (1997)

Part Two – Proposed Immediate Changes (2017 Determination)

Introduction

9. The Authority is seeking the views of local government (i.e. territorial authorities, unitary councils and regional councils) on the proposals set out below in this section of the paper. These changes will affect elected mayors, chairs and councillors from each council including Auckland (councillors and local board members). Part of it will also affect community board members.
10. Please note that we are seeking the views of councils, not of individual elected members or staff.
11. We would appreciate any feedback that councils wish to give to be emailed to us by 5pm Monday 19th June 2017 or earlier if you can. Please email to info@remauthority.govt.nz

RMA Plan hearing fees

12. Current practice is that those elected representatives who are undertaking resource consent hearings can receive an hourly fee which is determined three-yearly by the Authority and which is not included in the council's pool of money to cover payment for additional positions of responsibility. This has not applied to other hearings conducted under the Resource Management Act (RMA). Nor does it apply to hearings for a plethora of other plans or policies developed by councils under different pieces of legislation.
13. The Authority has received many enquiries and suggestions from councils on this issue. In particular, there is growing concern about the treatment of often-protracted hearings of District Plans, Regional Policy Statements and other land, air, coastal and water plans under the RMA.
14. We have looked at the range of council plans that involve hearings and believe that many of them could be considered part of "business as usual" for councillors.
15. However, of particular concern is that councillors who sit on RMA plan hearings are required to be accredited commissioners. This means that they must have undertaken *the Making Good Decisions* course and they must renew their credentials every three years. The requirements for councillors are in this respect the same as for non-councillor commissioners and there is a cost in both time and money to gain and maintain the accreditation.
16. Because of the technical and legal nature of plan hearings, they tend to take months and, in some cases, can span an election period. This is especially the case if the hearing covers a review of the whole plan.

17. The Authority is aware of the increasing trend for councils to engage external commissioners as members of the panel for these plan hearings. This use of external contractors is being driven by several considerations, including time requirements, unavailability of sufficient numbers of councillors who are qualified commissioners, or a view that because councillors have developed the plans as part of their core business, the hearings should be conducted by a different set of independent commissioners. External commissioners are paid an hourly rate for the work. In some cases, a council will use a mixed panel of external commissioners and councillors, which clearly creates a disparity between panel members.
18. Because of these factors, we agree that any such hearings should be treated in the same way as resource consent hearings under the RMA insofar as councillor remuneration is concerned.
19. The Authority is proposing that an hourly rate should be paid to councillors who are members of such hearing panels.
20. The rate would be set every three years by the Authority, as with payments for consent hearings. It will apply to site visits, reading (not to exceed the hearing time) and, in the case of an elected person chairing such a committee, the hourly rate would also cover the time spent in writing the decisions. For clarity, we also propose that this last provision be included for elected members who are chairing resource consent hearings.

- **Do you agree that elected members who are sitting on plan hearings under the RMA should be remunerated in the same way as elected members who are sitting on resource consent hearings?**
- **Do you agree that elected members who chair such hearings should be remunerated for time spent writing up decisions?**

Leave of absence for elected members and acting mayor/chair payments

21. From time to time a councillor or mayor/chair needs extended leave of absence from council work. This could be for personal reasons such as family/ parental leave, extended holiday, illness or, in some cases, when standing for another public office. On these occasions the Authority is asked whether or not a council can grant such leave and, if it involves a mayor or chair, whether an additional payment can be made to the person (legally prescribed as the deputy) who is acting in place of the mayor/chair.

22. We have looked at the rules for governance boards in the state sector for guidance and adapted those rules for local government elected members. Rather than an ad hoc approach, we propose the following:

Councillors:

- Leave of absence without pay can be granted for a period of up to six months (maximum) by formal resolution of the council.
- The leave must involve total absence. The councillor cannot be present for any duties either formal or informal – this includes council meetings, meetings with external parties and constituent work. Nor can the councillor speak publicly on behalf of the council or represent it on any issues.
- The councillor's remuneration and allowances ceases during the period for which leave of absence is granted.

Mayors/Chairs:

- Leave of absence without pay can be granted for a period of up to six months (maximum) by formal resolution of the council.
- Notwithstanding the above, the period must be longer than a single cycle of council meetings, whether that be monthly or six weekly or whatever. This is because we consider that one of the key roles of a deputy mayor/chair is to cover for short absences by the mayor/chair, but that a longer absence would necessarily put an unexpected extended work burden on the deputy.
- If the deputy is to be paid extra remuneration for the period concerned, the leave must involve total absence. The mayor/chair cannot be present for any duties either formal or informal – this includes council meetings, meetings with external parties and constituent work. Nor can the mayor/chair speak publicly on behalf of the council or represent it on any issues.
- The remuneration to mayor/chair ceases during the whole of the period for which leave of absence is granted and the deputy is acting in the role.
- Allowances including a mayor/chair vehicle will also be unavailable to the mayor/chair during that period, but would be available to the acting mayor/chair.
- We propose that under these circumstances the council may pay that deputy a sum up to the normal remuneration of the mayor/chair in place of the normal remuneration received by the deputy.

23. Councils may make decisions within the parameters of these rules but must inform the Authority as soon as possible.

24. We have reflected on the proposed six-month period and consider that it is likely to require exceptional circumstances for an absence of that period to be granted, especially to someone in a leadership position on a council. It would mean that the constituents who elected that person would be unrepresented or, under a multiple-member ward, less represented, than would normally be the case. This would be an electoral risk that the

person concerned would need to consider carefully. However there may be circumstances where it is appropriate so we are proposing that the maximum period would be six months.

25. A further issue is the extension of an acting role beyond the anticipated length of time – for example, if the incumbent were elected to another role and there needed to be a by-election. Under those circumstances, if the incumbent is the mayor or chair, and the deputy was acting in the role, that the acting role may need to be extended for a further period, perhaps up to three months. In that case, we advise that councils make a new, separate decision regarding the remuneration and allowances.

- **Do you agree that there should be provision for elected members to be granted up to six months leave of absence without pay? If not, what should be the maximum length of time?**
- **Do you agree that additional remuneration can be made to the deputy mayor or chair to act in the role under the circumstances outlined?**
- **If you disagree with any of the conditions, please state why.**
- **Are there any other conditions that should apply?**

Approach to expense policies

26. The current approach is for each council to send in their policy to the Authority every three years for approval. In between we often receive requests for assistance in interpreting the provisions in the determination. We are aware of the need for policies to be more transparent and for greater clarity in the explanatory notes, both in determination and on our website.
27. We have looked at many council expense policies and it is clear that some are struggling to develop them, possibly because small staff size does not provide any depth of expertise in this area. On the other hand, some policies are highly developed and contain clear guidance as to what is permitted and under what circumstances.
28. We are thus proposing that instead of each council needing to develop a policy from scratch and then gain approval from us, we work with local government to develop a prototype policy that could be adopted by all councils.

29. The metrics in such a prototype would obviously be the top (maximum) of the allowed range, so any council wanting to pay/reimburse less (or even nothing at all) would be free to do so.
30. With respect to the current role of the Authority in authorising or checking such policies, this is enabled by the legislation and has been required in our previous determinations. However, the Authority proposes that such compliance audits should be part of the role of local government auditors who should check council expenses policies to ensure conformity to the Determination. Auditors should also be assessing whether councils are actually following their own agreed policies in this area.

- **Do you agree that the Remuneration Authority should supply a prototype expenses policy that will cover all councils and that councils should be able to adopt any or all of it to the upper limit of the metrics within the policy?**
- **Do you agree that each council's auditor should review their policy and also the application of the policy?**

Provision of and allowances for information and communication technology and services

31. A communications allowance has been included in the determination since 2008, and was introduced to bring some equity across the country in the reimbursement of costs and the provision of such support to elected members.
32. The continuing development of information and communication technology (ICT) has led the Authority to reconsider the allowance. Our view is that elected members should not carry the costs of communicating with councils or with residents.
33. Mobile technology is now ubiquitous and so much business is now conducted digitally that mobile phones and tablets are considered tools of trade in many businesses, in both the private and public sectors. It is no longer considered to be a personal benefit for a person to have her/his basic technology integrated with that of the business.
34. The Authority's preferred approach in the past was that councils provided the necessary equipment, consumables and servicing, as well as reimbursement (on proof of expenditure) of other costs that might occur. However, there was also provision for hardware costs incurred by elected members to be partly reimbursed.
35. Given recent changes in both the business environment and in technology, we are now of the view that all councils should provide an appropriate council-owned technology suite for their elected members. The two exceptions to this are payment for the use of broadband,

which can vary greatly depending on the nature of the household of the elected member, and payment for phone usage.

36. The complexities of ensuring that security is kept up to date mean that elected members are likely to find it increasingly difficult to manage the technical demands of being part of a larger organisation, which may have more stringent standards than they would have for their own personal technology. For the councils, there should be a major benefit in having all elected members using identical technology and systems, managed efficiently and effectively by the council's ICT officials. Councils often have complex software driving different parts of their systems (e.g. water plants) and possess large databases of residents and ratepayers. Managing these systems in a robust way and decreasing the possibility of cyber-attack is a challenge and will be assisted if there are fewer different entry points into the main system. This is also a protection for both the council and for residents/ratepayers who may have privacy concerns.

ICT hardware

37. It is the responsibility of each council to decide the communications equipment needed to carry out its business effectively and efficiently. Decisions about equipment for individual councillors should flow from that. We note that councils should be able to get good purchasing leverage on equipment and on usage plans to keep costs down.
38. We propose that councils provide all elected members with the following equipment:
- a mobile phone
 - a tablet or laptop
 - a monitor and keyboard if required, plus the hardware to connect the various pieces of equipment
 - a printer
 - a connection to the internet.
39. Consumables such as paper and ink should also be supplied by the council as required by the elected member.
40. In the past, there has been a desire by some elected members to utilise their own communication equipment to undertake council business, possibly because of unwillingness to segregate personal and council usage on the same device. Now it is commonplace for people to have more than one account on one computer, so the issue of carrying round an additional tablet should no longer apply.
41. Equipment would remain the property of the council and be replaced or updated as part of the council's asset renewal programme – presumably triennially. This would allow councils to obtain the advantages of bulk purchase and ensure maximum efficiency by providing equipment that is consistent across the organisation, fit for purpose and adequately protected to provide security and privacy for ratepayers, elected members and staff.

42. Where there is a strong reason for the council not to supply the technology, the Authority would need to make a decision allowing that council to put in place a reimbursement system. We note that there is a cost in time and money to all parties in managing such a system and it would have the inherent technology security weaknesses described above. In such cases, exceptional circumstances would need to exist before the Authority was prepared to move to a reimbursement system. In addition, in the interests of efficiency, the reimbursement system would need to apply to the whole council, not just to a few councillors.
43. Where council decided to provide an allowance for the use of personal ICT hardware, it should cover all ICT equipment used by members and the Authority would prescribe an upper limit for expenditure. This would represent three years' depreciation on the hardware (mobile phone, tablet/laptop, printer, monitor, keyboard, installation of an internet connection) plus an assumption that half the usage would be on council business. The allowance can be paid monthly or at the beginning of a triennium.

Internet usage and phone plans

44. Previously the Authority considered the extent to which the costs of data and phone use were apportioned between council and elected member. This can be complex and will reflect differing household usage as well as council usage. For example, in a household which already has personal usage close to their broadband cap, the increased traffic required to move to electronic papers may require an increase in monthly band usage, even though the data transmitted is modest compared to other internet and electronic traffic.
45. With regard to home broadband, we propose that elected members should be responsible for their own plan. The Authority previously determined that no more than 25% of the usage charges could be regarded as bona fide additional costs incurred by an elected member in carrying out council business. We accept that this is still the case but note that there is now a huge variety and combination of plans available for home broadband, so arriving at an "average" is simply not possible. We therefore propose that councils continue to reimburse up to 25% of a maximum dollar amount to each elected member to cover internet usage costs, on production of receipts. The Authority would review the percentage and the maximum amount every three years.
46. The use of mobile phones as a primary form of communication is increasing exponentially. Alongside this is a proliferation of different types of plans for mobile phones, paralleling what is happening in home broadband connections. The difference between home internet use and phone use is that for the home broadband, anyone else in the household can access the internet connection, whereas a phone is a personal device. We therefore consider that, except for mayors and chairs, elected members should receive reimbursement of up to half the cost of their personal mobile phone usage up to a maximum dollar amount, on production of receipts. If the council owns the plan, the same rule would apply as for home broadband use - the council would pay for half the annual

usage cost with a capped dollar amount and the elected member would need to reimburse the council for the rest. Elected members would be charged for all private international calls.

47. For mayors and chairs the council should cover the total cost of the plan, except that the user will be charged for private international calls.

Unusual circumstances

48. Over the years the Authority has occasionally been approached to cover the one-off costs of providing connection access or non-standard equipment where regular landline or mobile coverage is not available. We propose to continue the current policy, which is that where such circumstances exist, the council may put a costed recommendation to the Authority for approval to make a one-off payment for installation and either a reimbursement or allowance for on-going maintenance and support reflecting the costs involved. It is anticipated this allowance will normally reflect no more than 75% of the costs involved.

- **Do you agree that it should be common policy for councils to provide the ICT hardware proposed above for all elected members?**
- **Do you agree that exemptions to this policy would be limited to exceptional circumstances?**
- **Do you agree that a proportion of the ongoing cost of the use of home internet and personal mobile phones should be reimbursed as outlined above?**
- **If you disagree with either of these proposals, please give reasons and outline your alternatives.**
- **Do you agree with the “unusual circumstance” provision in para 49 above?**

Travel time allowance

49. We do not propose to make any changes to the approach on travel time allowances. This provides for all elected members who are not full time to be eligible for an hourly allowance when travelling on business for the council or community board in respect of any travel exceeding an hour and assuming the fastest form of transport. The rate is set by the Authority and is reviewed each three years.

- **Do you agree that the current policy on travel time allowance should be continued?**
- **If not, please state reasons for change.**

Mileage claims

50. About two thirds of all mayors/chairs take up their entitlement to have a dedicated vehicle provided for them by the council. Others choose to use their own vehicle for a variety of reasons but often, we understand, because of a belief that their constituents will not approve of them having the “perk” of a council vehicle. Our view is that for mayors/chairs, who normally travel great distances each year, the car is a “tool of trade” and an entitlement rather than a “perk”. In any other occupation, people who travelled the distances clocked up by most mayors/chairs would be provided with a company car rather than having to use their own.
51. We have checked the distances travelled annually by mayors/chairs. The average and the median are both around 22,000 to 23,000km a year. Unsurprisingly the distances vary greatly – from 35,000km down to a few thousand – though we wonder if the lower level reflects the fact that some who use their own vehicles claim very little. In fact at least three make no claims whatsoever.
52. Currently we utilise NZ Automobile Association metrics regarding the cost of running a vehicle and we use IRD formula for mileage rate reimbursement. We propose to continue to use these benchmarks, which will be updated as appropriate. The one exception is that in recognition of the fact that mayors/chairs using their private vehicles are likely to be in the medium/high group of users of their own cars for work purposes, we propose to alter the formula around the application of the higher and lower IRD rates.
53. At present the higher rate (currently 74 cents per km) applies to the first 5000km travelled on council business and the remaining distance on council business is reimbursed at a rate of 37 cents per km. We propose that above that first 5000km, which would act as a base, mayors/chairs using their own vehicles should be reimbursed at the higher rate for the first 25% of the remaining distance they travel on council business.
54. We have no data about councillor use of personal vehicles on council business and we assume that distances travelled would normally be less than that of a mayor - but not always, especially in the case of a “distant” ward. Regardless, we propose that the formula outlined above also applies to councillor travel reimbursement.

- **Do you agree with the proposed change to the current 5000km rule?**
- **If not, what should it be and why?**

55. The other issue which we are frequently asked to clarify is the “30km rule”. We propose to keep this approach. Basically it recognises that virtually all New Zealanders have to pay the cost of their own transport to and from their work place. However, elected members also have other work in other places. The 30 km rule is based on an assessment that most people would live within 15 km of their work place. That means that a “round trip” to and from the “work place” – i.e. the normal council meeting place – can be claimed only if it is above 30km. If the trip to and from the council’s normal meeting place is above 30km, the first 30km are always deducted. This means that if an elected member lives closer than 15km, then no claim can be made for attending a meeting at the council office. If a member must come to the office twice in one day, if she/he is not simply taking the opportunity to go home for lunch, then the whole of the distance for the second trip may be claimed. This assumes that most workers travel to and from work only once per day, but recognises that elected members may have a formal meeting, say in the morning, then another meeting much later in the afternoon. We expect common sense to prevail in councils when authorising such claims.

56. With regard to work of elected members outside of the normal council meeting place, the full mileage can be claimed. That means that the elected member may claim from her or his home to the address of the meeting or event and back again by the shortest route.

57. If an elected member has an additional place of residence (e.g. a holiday home) the primary place of residence, normally identified by being her/his address on the electoral role, will be considered the official residence.

58. If a council is holding one of its normal meetings in a different venue - for example in an outlying town - then the full mileage can be claimed. However, we expect common sense to prevail. If the exceptional meeting place is just down the road from the normal venue then the 30km rule would apply.

- **Do you agree with the proposal to retain the 30km rule in its current form?**
- **If not, what should this rule be?**

Mayor/chair car valuations

59. We do not propose to make any changes to the valuation of the mayor/chair motor vehicle at this stage. The formula is consistent with the methodologies applied to valuing motor vehicles for full private use in public sector roles. The Authority's formula goes one step further in that it recognises that a greater proportion of vehicle usage by a mayor/chair is spent on council business rather than on personal use.
60. The formula and associated variables used to value mayor/chair motor vehicles will be reviewed with the main determination triennially. Any changes will be applied in election year.

Annual changes in remuneration

61. The main local government determination will usually be applied in election year, then in the intervening two years we propose to change remuneration to reflect changes in the Labour Market Statistics (LMS) – (see Part Three for more details on the timetable).

Changes following an election

62. The Authority is aware that there has been some confusion in the past regarding the exact days on which payment ceases for outgoing elected representatives and commences for those who are newly elected, and around remuneration continuing for those who are re-elected.
63. The following outlines the legal situation:
- All newly elected and re-elected local government members come into office the day after the results are publicly notified under S.86 of the Local Electoral Act 2001.
 - All sitting members vacate office on the same day.

Part Three – Longer Term Proposals

Introduction

64. The Authority is seeking the views of local government (i.e. territorial authorities, unitary councils and regional councils) on the proposals set out below in this section of the paper. These changes will affect elected mayors, chairs and councillors, as well as community board members, from every council except Auckland. Later this year we will be issuing an additional consultation paper on the Auckland Council, following the completion of its governance review. However, we are proposing that the general principles outlined in this paper around council sizing should apply to Auckland.
65. Please note that we are seeking the views of councils, not of individual elected members or staff.
66. We would appreciate feedback to info@remauthority.govt.nz by Friday October 20th 2017. Please email to info@remauthority.govt.nz

Recent history of local government remuneration setting by the Authority

67. In late 2011 the Authority issued a discussion document - *Review of Local Authority Remuneration Setting*. This was followed in November 2012 by a further document - *Remuneration Setting Proposals for Local Authorities* - which outlined the system that the Authority was proposing to institute from the 2013 election. A copy of that document is attached as *Appendix 1*. It transpired that for a variety of reasons in the years 2014 to 2016 the Authority did not completely implement the proposed process. However, significant elements are in place. Importantly, the work which the Authority commissioned from the Hay Group in 2015 remains current in our view and has provided useful data to assist with our current considerations.
68. To assist with context, the main elements of the 2013 proposal are summarised below. They were:
- a) Moving away from the traditional salary/meeting fee mix for local government remuneration.
 - b) Creating a size index for councils derived from population and council expenditure.
 - c) Basing the remuneration for councillors/mayors/chairs on:
 - the relative place of the council in the size index;
 - the job size of the positions as assessed for sample councils;
 - the proportion of full time work as demonstrated by survey results;
 - the Authority's pay scale.
 - d) Providing a pool for each council equivalent to one councillor's remuneration to be allocated for additional positions of responsibility.

- e) Reviewing local government remuneration approximately two years after each election and setting the base remuneration for councillor and mayor/chair roles at the beginning of each election year, together with provision for changes in positions of responsibility within each council.
- f) Recalculating annually each council's place on the size index and, in the following July determination, automatically applying any increase warranted, with the proviso that any reductions in the base remuneration would not be implemented during the term of that council.
- g) Providing a loading of 12.5% for unitary council remuneration to recognise their additional regional responsibilities.
- h) Retaining arrangements for resource consent hearings whereby elected members can be paid an hourly fee in addition to their base remuneration.
- i) Requiring councils to confirm their expenses policies only in election year rather than annually.
- j) Retaining valuation methodology for mayor/chair vehicles with adjustments made each year on July 1 to coincide with the determination.
- k) Various changes to community board remuneration setting.

69. The new system was in place for the 2013 Determination in which the Authority made the following comment: *"Aware of its responsibility of fairness to both elected members and ratepayers, the Authority moderated both increases and decreases to smooth the transition to the new system"*.

70. In the 2014 Determination, the same comment was made with the additional comment that *"this approach was continued, with moderation to reflect wage growth, this year"*.

71. In 2015 the same comment was again made. However, in issuing that Determination the Authority said the following: *"The relationships between council size and remuneration, as well as any necessity for moderation of large increases or decreases, will be reassessed during the 2015/16 year ready for implementation at the time of the 2016 local body elections"*.

72. During 2015 the Authority reviewed the framework again, including job-sizing the positions of a representative group of councils and assessing workloads. In issuing its 2016 Determination the Authority made the following comment: *"The Authority found clear evidence regarding the size of positions but has less confidence in the evidence relating to workload. Given that uncertainty, the Authority has not proceeded to fully or partially implement increases that would in many cases have been well in excess of 10%. It has instead applied increases to the base remuneration payable to councillors ranging from 1.5% to 3% depending on the size of the council. This reflects at the higher level the movements in the public sector remuneration more generally."* The following comment was also made: *"The Authority is also concerned that the expectations placed on local representatives continue to increase and remuneration does not in all circumstances reflect the skill and effort required from members. It will therefore begin further work this year to*

establish an ongoing basis for remuneration that treats both the ratepayer and the elected member fairly”.

Rationale behind current proposal

73. While the legal requirements are set out above in paragraph 2 of Part One (above), the Authority members have also decided that these legal requirements (including attraction and retention of competent people) should be aimed at attracting a wide variety of competent people and balanced by the need to have a local government remuneration system that is accepted in the wider community. To enable this, we require a robust process that is as transparent as possible, intuitively plausible and sustainable for the foreseeable future.
74. We recognise that whether or not the level of financial reward matches the personal contribution of any elected member is not necessarily a significant determinant of the willingness of many people to stand for election. However, remuneration may be an issue for some, depending on personal circumstances, and it may also become an issue for an incumbent deciding whether or not to continue.
75. In considering this proposal, the Authority has decided to maintain a number of existing approaches. The principal ones are:
- a) Maintaining a “total remuneration” approach rather than meeting fees.
 - b) Using a size index to determine relativity between various councils.
 - c) Adopting a “pay scale” for local government that is fair and seen to be fair.
 - d) Reviewing the components of the council size index every three years and applying appropriate factors to territorial authorities and regional authorities.
 - e) Recognising that unitary councils have dual responsibilities and sizing them accordingly.

Council Sizing

76. Overview

We define council size as the accumulated demands on any council resulting from its accountability for its unique mix of functions, obligations, assets and citizenry. The size of councils varies considerably. The most obvious difference is in the size of population with the biggest council (Auckland) having 1,614,300 citizens and the smallest (the Chatham Islands) just 610 at the last census. Even outside of these two, there still a wide population range from Christchurch (375,000) to Kaikoura (3,740).

77. However, despite their differences, there are also many similarities between different councils and the roles of elected representatives.

78. All local government representatives have a basic workload that includes decision-making around local plans, policies and regulations; civic representation; assisting constituents; and

working with other organisations (public and private sector). Importantly, councils are also tasked with employing a chief executive and monitoring performance and delivery.

79. With regard to differences, as noted above, the starkest is in population, but even then there is not an exact connection between population and work load. We have taken account of several characteristics in addition to population to compare the size of each council. We are limited by the ready availability of information. However, with the information that is available, we have been able to use statistical methods to identify several factors that are significant influences on the workload of Councils.
80. We can identify councils that are most likely to be comparable in size, despite differences in what brings this about. Such comparisons can never be exact, because amongst all the councils there are influences on their size that are either unique or unable to be quantified using existing evidence. The analytical approach taken this year by the Authority will be further developed whenever the information base is able to reflect such situations.
81. We considered a variety of factors that could be used for sizing councils and, after consultation and further analysis, we are proposing several factors, with some differences between territorial authorities and regional/unitary councils. The indicators for each factor came from official statistics and departmental reports, and they were analysed by standard statistical methods which enabled the variety of demands on councils from different sources to be compared and accumulated. The initial list of factors and the modelling was identified with a representative group of elected local authority leaders, and then developed further by the Authority.
82. The strong direct effects on size from population, assets and operational expenditure were modified by differences in guest night stays, social deprivation levels and physical size.

Factors proposed to be used in sizing

83. Territorial authorities:

- a) **Population.** This factor not only determines the scale of services that a council will provide, but also the rating base by which activities are funded. Population is most likely to be the indicator that most New Zealanders would use when asked to distinguish between various councils. The statistics we are using are the most recent population estimates by Statistics New Zealand.
- b) **Operational expenditure.** In many cases, operational expenditure correlates with population, but there are also some differences - in particular when a council may be in the midst of a specific expansion programme in a particular area of activity. Our data is taken from the annual accounts of councils.
- c) **Asset size.** This represents the capital base of the council that the council is required to manage, providing essential service such as water, wastewater, roads and flood protection, and also social infrastructure. One of the challenges in asset management is to ensure that assets do not lose value. In recent years there has been greater focus on asset management in the sector, requiring (if it is undertaken rigorously) a higher degree

of attention to detail on the part of elected members, not just the asset managers in the organisation. The data on asset size is also extracted from the consolidated annual accounts of councils and includes the value of their council controlled organisations (CCOs).

We acknowledge that there are different degrees of assets held by local government. Some have highly commercial assets with commercial boards comprising directors selected for their relevant competencies and business experience. Others have land holdings that are long-term and more “passive” investments. Others again are assets such as ports which although highly commercial and competitive are often also strategic assets for their local government owners.

There are also different degrees of oversight. Some councils are extremely “hands on” with their assets and others are more arms-length in their relationships, particularly with CCOs. We recognise that whatever measure of asset size is used, its relevance will differ somewhat among councils to a greater extent than is likely with other factors.

- d) **Social deprivation.** This measures the differences between councils in their need to take account of economic disadvantage among citizens. We recognise that in many council districts the high level of social deprivation in some areas is counterbalanced by a higher economic status in others. However, we believe there are some councils that do not have this balance and that, given the reliance of many councils on rates income, for those councils a high level of social deprivation will have a significant impact. Data is drawn from the third quartile of the NZDEP index prepared from the last population census.
- e) **Number of guest nights.** This represents the demands on councils (e.g. infrastructure development and service provision) resulting from visitors. We recognise that this is a current issue which may in future years be resolved and that it is but one sector in New Zealand’s economy which is of concern to local government. However, it has been raised with us on many occasions and we believe it is relevant to allow for such demands being faced by council at present. It may be that it is replaced by another factor in future years. For this factor we use the Monthly Accommodation Survey of Statistics New Zealand. We were unable to find any data on visitors who may pass through a district and use facilities but not stay overnight, or on the current vexed issue of freedom campers.

84. Regional councils:

Although all councils (territorial, regional and unitary) have a power of general competence, the legal responsibilities of regional councils and unitary councils differ from those of territorial authorities. The breadth of their mandate in national legal instruments (such as the Resource Management Act) requires regional and unitary councils to operate at a different scale from that of territorial authorities, especially in their focus on regulating and managing land and water. For example, regional and unitary councils must develop and administer Regional Plans and Unitary Plans, and territorial authorities must give effect to these plans, which drives behaviour around issues such as water quality (i.e. storm water

and waste water). In contrast, regional councils do not have the significant focus on social issues that is required from either unitary or territorial councils. Hence **land size** is inherently important to the work of a regional or unitary council. In measuring size, we are proposing to eliminate the deprivation index factor for regional councils and add a land area factor.

85. Unitary councils:

For some years, the Authority has added a loading of 12.5% to account for the additional regional council responsibilities of the four smaller unitary councils – Gisborne, Marlborough, Nelson and Tasman. This did not include Auckland, even though it is also a unitary council, because the remuneration for Auckland was considered separately when it was set up.

We are uncertain as to the basis for the 12.5%, and are thus proposing that this loading now be removed and that instead the size of these four unitary councils be measured by both the regional and the territorial authority factors. Thus the factors by which we measure the size of unitary councils would include both land area and social deprivation.

The Authority believes that with the additional regional council factor of land area included, this is a fairer way of sizing unitary councils.

With regard to the proposed factors to be used for sizing councils

- **Are there significant influences on council size that are not recognised by the factors identified?**
- **Are there any factors that we have identified that you believe should not be used and why?**
- **When measuring council assets, do you support the inclusion of all council assets, including those commercial companies that are operated by boards?**
- **If not, how should the Authority distinguish between different classes of assets?**

Weighting

86. The weight given to each factor was assessed intuitively by the Local Government Leadership Group, drawing on their knowledge and experience. These weights were then further refined by formal statistical analysis. The Authority has not yet completed this part of the exercise and, before we do, we would like to hear views on the proposed factors. Nevertheless, in our work to date, the following “order of magnitude” listing indicates what

we consider to be the relative importance of the various factors in determining size. They are listed here in terms of our current view of the highest to lowest influence on size.

87. Territorial authorities:

- Population; operational expenditure
- Assets
- Deprivation index; visitor nights

88. Regional councils:

- Operational expenditure; geographic size
- Assets; population
- Visitor nights

89. Unitary authorities:

- Population; operational expenditure; geographic size
- Assets
- Deprivation index; visitor nights

90. When the weighting exercise is completed, the size of each council estimated in this way will become the size index.

- **Are you aware of evidence that would support or challenge the relativity of the factors for each type of council?**
- **If you believe other factors should be taken into account, where would they sit relative to others?**

Mayor/chair remuneration

91. The work that the Authority commissioned from the HayGroup in 2015 included a review and evaluation of the roles of mayor, regional council chair, committee chair and councillor across 20 councils.

92. The evidence reported by Hay was that mayor and regional council chair roles generally require a full-time commitment, though this is not true in absolutely all cases. Even in smaller authorities where the mayor's role may not be full time, the nature of the job means that it is usually difficult to get another job to supplement what might not be a fulltime income. From the knowledge of members of the Authority and advice from a range of participants in local government, including the Advisory Panel, the Authority accepts that mayors/chairs are full time and we propose that mayor/chair remuneration be determined on this basis.

93. We are also proposing that there should be a “base pay” for all mayors/chairs. Additional remuneration would then be on top of this, depending on the size of the council.

- **Should mayor/chair roles should be treated as full time?**
- **If not, how should they be treated?**
- **Should there be a “base” remuneration level for all mayors/chairs, with additional remuneration added according to the size of the council?**
- **If so, what should determine this “base remuneration”?**

Councillor remuneration

94. The relativity between mayor/chair and councillors is somewhat more difficult to determine and we note that in 2015 the Authority suggested that although there was evidence about the size of positions, there was less evidence about workload.

95. We are aware that there are clear differences in both the job size and the workload of councillors on different councils for a several reasons. There can also be significant differences in workloads of councillors within a single council. The influences on a councillor workload obviously include measurable factors such as population and the other indicators we have outlined above in paragraph 5, as well as the number of councillors, which varies from council to council.

96. However, other influences include current issues within a council area and individual councillor interest in or affiliation to different interest groups. The latter also applies to workload differences amongst councillors on a single council, as does the appetite for work amongst different councillors. The Authority is not able to take account of such differences in our determinations. Nor are we able to provide for “performance pay”. This means that on any single council the remuneration of the hardest working councillor will be the same as that of the lowest contributor.

97. Having looked carefully at the sizing factors, and discussed mayor/chair and councillor relativity with a variety of people, we have formed a view that we are unable to accommodate the differences between councillors on different councils with sufficient granularity to have a single national approach. The large metropolitan councils, for example, seem to have a higher councillor workload than of smaller rural and provincial councils, though this is not a universal rule. Additionally, there are differences between

similar sized councils which are addressed at council level by the allocation of committee and portfolio responsibilities.

98. We are also conscious of the discrepancies amongst councils in the current relationships between councillor remuneration and that of the mayor/chair. The range is from 54% down to 21%, and in some cases the proportion appears to be arbitrary. Discrepancies are also evident where councils of similar size (population) show variances of up to 10% in the ratio between councillors and mayors/chairs remuneration. Some of this may be historical - the legacy of previous approaches - or the result of councils having decreased or increased the number of councillors over time.
99. The Authority is looking at a new approach that, while providing a fiscal framework, would put the decisions round the details of councillor remuneration into the hands of the local council, which we believe is better able to understand and reflect community needs than we are on a national basis.
100. We are looking at setting a total "governance/representation pool" that each council would distribute. The pool would be linked to the size of the council and thus be irrespective of the number of elected members. Because we are now proposing formally that all mayor/chair roles be considered full time, the Authority would be in a position to set the salary for that position. Thus the mayor/chair remuneration would be separately allocated by the Authority, but included in the governance/representation pool allocated to each council. However, remuneration for all other positions – councillors, deputy mayor/chair, chairs of committees, portfolio holders etc and community board members – would be allocated from its own pool by each council. The council's proposed allocations would be forwarded to the Authority for inclusion in the Determination.
101. The pool proposal was included as one alternative in the 1997 LGNZ consultation paper, albeit the remuneration framework then was very different from how it has evolved today.
102. The advantages of this approach are that it focusses on the total governance and representation cost for each council (minus the mayor/chair) and that it allows each council to decide its own councillor and community board remuneration levels, including for positions of responsibility, reflecting its priorities for the current triennium. The total pool would be relative to the size of the council rather than to the number of elected members. Consequentially, if a council wished to increase its numbers via a representation review, and thus spread the workload, the allocated pool would need to be spread amongst more people. The reverse would also apply. It should be noted that if the workload for the whole council increased because of a change in the metrics of any factor(s) by which the council is sized, then the council would move to a higher ranking on the scale which would provide overall higher total remuneration pool.
103. The disadvantage is that no council is necessarily the master of its own destiny in terms of numbers of councillors. It must convince the Local Government Commission of the need to increase or decrease numbers. However, we do note that where representation changes

reflect changes in what we call the “size” of the council (as described above in para 77-91), any changes should also be reflected in the remuneration pool available to the council so there would then be a direct connection.

104. The pool approach provides councils with the flexibility to provide differences in positions of responsibility in a nuanced way. Because each council varies in terms of its committee/portfolio structure, this is an area where councils need discretion to decide. Current practice is for the Authority to set the councillor remuneration for each council, then to provide each council a “pool” equivalent to twice the base remuneration of one of its councillors to allocate to those undertaking specific positions of responsibility. These may include deputy mayor, committee chair, portfolio holder or other specifically designated roles. We have had no significant advice that the size of this extra pool is inadequate. However, we are aware that the provisions are applied in slightly different ways by different councils and that there are some councils that find the current provisions restrictive.
105. For example, there has been some confusion in the past as to whether every single councillor on a council can receive part of this additional pool by being allocated a position of responsibility. Generally, the Authority has not agreed to this when the council has proposed sharing the additional pool equally because this has simply amounted to a pay-rise for all councillors to move them above the level applied in the Determination. However, we have had enquiries about this and also observed current practice.
106. We propose that under the new regime (i.e. a total governance/representation pool for each council) the following rules should apply:
- a) All roles and remuneration levels will need to be agreed by formal resolution of the council, with a 75% majority.
 - b) A remuneration rate must be set for the base councillor role
 - c) The council needs to have a formal written role description for each additional position of responsibility above that of the base councillor role.
 - d) The Authority will expect that any such roles within a council will have different levels of additional remuneration, depending on the nature and workload involved. In particular this needs to apply where every single councillor is allocated an additional position (as distinct from a more usual practice of having a deputy mayor/chair and a handful of committee chairs).

- **Should councillor remuneration be decided by each council within the parameters of a governance/representation pool allocated to each council by the Remuneration Authority?**
- **If so, should each additional position of responsibility, above a base**

councillor role, require a formal role description?

- **Should each council be required to gain a 75% majority vote to determine the allocation of remuneration across all its positions?**

107. We also note that elected members are increasingly being appointed to represent their council on various outside committees and bodies. We propose that if any council wishes to do so, such appointments can also be captured under the process outlined above.

- **Should external representation roles be able to be remunerated in a similar way to council positions of responsibility?**

108. The issue of director's fees for elected members who are appointed to CCOs is a difficult one. On the one hand it could be said that a councillor sitting on a CCO is doing work that is similar to that of another councillor who may have a specified position of responsibility – or even less if the second councillor is, for example, a committee chair. However, the legal liabilities of CCO directors have become more onerous in recent years and may be more than those of elected members.

109. Those appointed as directors of CCOs need to be aware of the specific legislative duties and regulatory obligations that are imposed on them, in their capacity as directors, by the various acts, including the Local Government Act 2002, the Companies Act 1993, the Health and Safety at Work Act 2015, the Charities Act 2005 and the Public Audit Act 2001.

110. It is not for the Authority to determine whether or not elected members should be directors of a CCO, but we do recognise the additional responsibility that is taken on in those cases and that it may require developing capabilities to meet obligations that are different from those required of other elected members. We also observe the increasing trend towards the appointment of external professional directors to such roles.

- **Do the additional demands placed on CCO board members make it fair for elected members appointed to such boards to receive the same director fees as are paid to other CCO board members?**

Community Board remuneration

111. We note that 40 councils (more than half the territorial authorities) have community boards. We also note that there is a huge variety in the nature of the work undertaken by community boards and in the powers delegated to them. Some undertake substantial and substantive governance work on behalf of the council, whereas others are more in the nature of community representatives and advocates.
112. We are also aware that in some places community board members are doing work that elsewhere might be undertaken by council officers. However, assuming that community boards are part of the governance/representation structure of a council, then this means that, all else being equal, the current cost of governance and representation for these councils could be relatively higher than that of councils which do not have them. Some councils fund the boards out of a targeted rate applied to the area that the board represents, whereas others use a general rate – i.e. the same as for funding the remuneration of councillors.
113. We suggest that if a council wishes to not cover remuneration for its community board members from the proposed governance/representation pool, then a targeted rate should apply to the area represented by the particular community board. However, councillors appointed to represent the council on the community board would be paid from the governance/representation pool.
114. We also consider that it is important that the functions undertaken by any community board are clearly and transparently defined by the council concerned and consider that all community board delegations should be by way of a formal council resolution.

- **Should community board remuneration always come out of the council governance/representation pool?**
- **If not, should it be funded by way of targeted rate on the community concerned?**
- **If not, what other transparent and fair mechanisms are there for funding the remuneration of community board members?**

A local government pay scale

115. Local government has no exact equivalent. The nearest that we have in New Zealand is central government, yet even that is not an exact match.

116. Section 2 of this paper sets out the legal requirements that the Authority is required to consider in making determinations. The first of those requires that the Authority “shall have regard in particular to the need to achieve and maintain fair relativity with remuneration received elsewhere”. This is particularly difficult in determining the remuneration for local government elected members because there is no obviously relevant comparator group. The Authority considered and rejected as inappropriate the following:

a) Local government senior managers’ salaries.

Information on local government management remuneration is readily available in market salary surveys and through councils’ annual reports. However employees of councils are selected for the knowledge, skills and experience they hold relative to the needs of the employment role. Elected members do not fit that profile at all. They are democratically chosen by the electors to represent the interests of the people of a particular area and provide governance over the council’s operations. There is no logical alignment that would connect the remuneration of the two groups.

b) Central government sector senior managers’ remuneration.

Information on public sector management remuneration is readily available in market salary surveys and the State Services Commission’s annual reports but this option suffers from exactly the same difficulties as option (a) above.

c) Remuneration of directors on boards, including public sector boards, commercial boards and large not-for-profit boards.

A significant part of the work of elected members consists of representational activities of one sort or another. Most boards of directors do not have this role. Those that do are often in the not-for-profit or NGO sector and, even there, the nature and time requirements of the representational work, including managing constituency issues, is different. Further, most boards are governing an enterprise that is essentially focused on a single group of goods or services within one industry, whereas councils have a significant array of services that are not necessarily similar in any manner – for example, providing building consents compared to social services.

117. Other aspects of local government elected roles which differ from the above are:

- The sheer “visibility” of the people involved, resulting in a lack of privacy. In some cases where the elected person is very high profile or important in a community, or

when the community is very small, this is extreme and often their close family members are also impacted by this.

- This visibility is associated with the need for publicly elected representatives to “front” on difficult issues. This is less common amongst other boards members and managers. When something goes wrong on a council the councillors and mayor/chair are held to account by the public, whereas on a board it would normally (though we recognise not always) be the CEO.
- The meeting requirements on local government are more onerous than they are in other sectors. The Local Government Official Information and Meetings Act 1987 and public expectation is that meetings will be held in public and that information behind decisions and actions will be readily available.
- Finally, and perhaps related to all the above, local government entities hold far more frequent meetings/workshops than do other governance boards and the distinction between governance and management is less clear than it is in most other models.

118. In the light of this, the Authority looked at a possible alignment with parliamentary remuneration for comparative purposes. Even though (as we note above) local government is not an exact match to central government, parliamentarians are also democratically elected to represent sections of the populace, and those who are members of the Government of the day also exercise governance over the public service. Within the parliamentary group there are different levels of remuneration between backbenchers, ministers and some other identifiable roles.

119. Given the obvious difference between central and local government elected members, any remuneration alignment could not be a direct one-on-one relationship. However, the nature of the roles is such that there are also similarities and this is the closest the Authority can find to “fair relativity with remuneration received elsewhere”. As in other areas of our work, this decision involved a degree of judgement – there is no exact science here and we would observe that the utility and value of any elected person is in the eye of the beholder.

120. We therefore propose that mayor/chair remuneration be related to that of MPs, but capped so that the highest remuneration for any individual mayor or chair cannot be more than that of a cabinet minister. All other mayor/chair roles would be provided with a relative alignment below that upper limit.

- **Is it appropriate for local government remuneration to be related to parliamentary remuneration, but taking account of differences in job sizes?**
- **If so, should that the relativity be capped so the incumbent in the biggest role in local government cannot receive more than a cabinet minister?**

- **If not, how should a local government pay scale be determined?**

Timetable

121. The current practice of the Authority – major three-yearly reviews with annual updating in non-review years – has been a sensible approach. We propose to continue it in the interests of efficiency and also to reflect the fact that the data we are using for sizing is not necessarily available annually.
122. In the intervening years, we propose that any change in local government remuneration reflect the change in the salary and wage rates for the public sector as shown in Statistics NZ's Labour Market Statistics (LMS) which are produced quarterly. In 2014 the LMS replaced the Quarterly Employment Survey (QES), which was the mechanism chosen as the reference index when Parliament passed the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2015. Therefore, changes in MP remuneration are also tied to the change in salary and wage rates as published in the LMS. In addition to salary and wage rates, the LMS contain information on New Zealand's official employment and unemployment statistics, number of filled jobs by industry group, total hours worked, levels of income, total gross earnings and paid hours, and average hourly rates by sector.
123. The cycle adopted by the Authority for setting local government remuneration will be as follows:
- The first year of the cycle will be the local government election year. In that year the Authority will undertake a full review of council sizes, utilising the indicators described above. Prior to applying the result of the review, the Authority will apply the LMS changes to all local government remuneration, and the council sizing results will then be applied.
 - This determination will be issued on or about July 1 for implementation from the date the council formally takes office following the local government election later that year. At that time the Mayor/chair remuneration will be applied but the remuneration for all other positions to be decided out of the "governance/representation pool" will be applied on the day following the day on which the council formally resolves its remuneration policy for that triennium. Until then, from the day of assuming office, all councillors will be paid the base councillor remuneration that applied in the preceding triennium. The new determination will apply till the council ceases to formally hold office at the next local government election.
 - Meeting fees for RMA plan or consent hearings, as well as the parameters for expense reimbursement, will also be assessed at that time and any changes will apply to all councils at the same time as the remuneration changes.
 - In the subsequent two years, the determination will again be issued on or about July 1 but on these occasions for immediate implementation. For all councils, it will

contain adjustments reflecting the change in the LMS. There will be no changes in plan or consent hearing fees or expenses policies at this time.

This consultation process from now on

124. This proposal is being circulated to all councils to obtain feedback on the approach. The Authority would need to receive any written feedback that councils wish to make by **30 October 2017**. We look forward to hearing from you.
125. For this year (2017) the Authority proposes to change remuneration according to the LMS change and we also propose to introduce the new provisions outlined in Section Two of this paper. All other changes would be introduced for the year 2019. This timetable allows time for councils to fully discuss the proposals and give us their responses. It allows us to then refine and test our final model for the “governance/representation pool” prior to implementation.
126. **We are conscious that 2019 is three years after the local government sector would have been expecting changes. However, with our proposal to change the model for sizing councils and to radically change the way councillor remuneration is decided, we believe that such a time period is justified.**

Remuneration Authority Consultation – Local Government Remuneration (Part 3) Summary of Proposals and Responses

Attachment 2
Item 17

Issue	Authority's Proposals	HCC Response
Council Sizing	<ul style="list-style-type: none"> • Proposed factors for sizing territorial authorities: <ul style="list-style-type: none"> - Population - Operational Expenditure - Asset Size - Social Deprivation (NZDEP) - Number of guest nights • 'Asset size' to include all assets held via CCOs. 	<ul style="list-style-type: none"> • The proposed list of factors does not capture the complexity of issues confronting local authorities. The Authority should consider the connection between factors contributing to councils' workloads when assessing remuneration, and whether it would be more appropriate to assess councils with similar issues together. • Consenting activity, the number of rateable properties and number of electors are additional factors that should be included in sizing councils. • 'Asset size' should not include assets held in CCOs – impact on a council's workload is arguably less than where the ownership/management of assets are retained directly by a council. • There are better and more regular measures of economic deprivation than the NZDEP (which is based on information collated from the census). • 'Number of guest nights' is not a reliable measure of the impact of tourism on local authorities. The value of tourist spend, while not perfect, is preferred.
Weighting of Factors	<p>Factors to be weighted in following order:</p> <ul style="list-style-type: none"> - Population and OpEx - Asset size - Social Deprivation and Number of guest nights. 	<ul style="list-style-type: none"> • Proposed weighting: <ul style="list-style-type: none"> - Population, Asset size, OpEx and consenting activities (Tier 1); - Number of rating units and number of electors (Tier 2); - Economic deprivation (Tier 3); and

Issue	Authority's Proposals	HCC Response
	Further work to be undertaken by the Authority.	<ul style="list-style-type: none"> - Tourism impact (Tier 4). • The final process/methodologies for determining weightings should be independently verified and councils provided a further opportunity to comment prior to its implementation.
Mayor Remuneration	<ul style="list-style-type: none"> • Role of Mayor to be treated as full time • A base remuneration for all mayors, with additional remuneration added according to the size of the council. Set by the Authority. 	<ul style="list-style-type: none"> • Proposal is supported. There should be some alignment to the remuneration of a Government Minister when formulating the base remuneration for mayors.
Councillor Remuneration	<ul style="list-style-type: none"> • Total remuneration pool for each council to be set by the Authority to cover all elected members (including the Mayor). The total pool would be linked to the size of the council (as determined by the Authority), regardless of any intervening change in numbers of elected members as a result of a representation review. • Each council to then set the base remuneration and remuneration for positions of additional responsibilities for councillors from that pool. 	<ul style="list-style-type: none"> • The Authority should continue to set the base remuneration for a councillor on the grounds of independence, neutrality, consistency and fairness. • Councils to have greater flexibility to set remuneration for positions of additional responsibility that relate to local structures/conditions (for example, appointments to regional bodies/committees).
	<ul style="list-style-type: none"> • All roles and remuneration to be approved by 75% vote at Council. 	<ul style="list-style-type: none"> • Proposal supported for 75% vote and that additional responsibilities are recorded in publicly available role descriptions.
	<ul style="list-style-type: none"> • Total pool must be allocated. 	<ul style="list-style-type: none"> • Councils to retain discretion as to whether to allocate full pool for positions of additional responsibility.
	<ul style="list-style-type: none"> • Elected members on CCO boards should receive the same director fees as other CCO board members 	<ul style="list-style-type: none"> • Councils to retain discretion to set own policy in terms of appointment and remuneration of CCO board members (including any elected member on such a board).

Item 17

Attachment 2

Submission by

Hamilton City Council

**REMUNERATION AUTHORITY CONSULTATION DOCUMENT – LOCAL
GOVERNMENT REVIEW (PART THREE)**

14 DECEMBER 2017

1 INTRODUCTION

- 1.1 Hamilton City Council ('HCC') thanks the Remuneration Authority ('the Authority') for this opportunity to comment on the Authority's Consultation Document – Local Government Review.
- 1.2 This submission responds to Part Three of the Consultation Document in relation to longer term proposals, and follows HCC's submission on Part Two presented in June 2017.

2 SUMMARY

- 2.1 HCC wishes to highlight the following key points from its submission:

a. Council sizing

- A size index constructed from assessing the Authority's proposed list of factors is too simplistic and does not capture the complexity and interdependency of issues confronting local authorities.
- Consenting activity, the number of rateable properties and the number of electors are additional factors that directly impact on the workload of each council and its governance body.
- HCC has concerns with the use of the NZDEP and 'number of guest nights' as factors for sizing councils, and recommends alternative data sources are used should these factors be retained.

b. Councillor remuneration

- The Authority should continue to set the base remuneration for a councillor, based on the size index.
- HCC supports councils having greater flexibility to determine remuneration levels for positions of additional responsibility (i.e. above base remuneration) that relate to local circumstances or governance structures.
- Whether the remuneration pool, set by the Authority, should be allocated in full each year is a decision that best rests with each council to resolve.

c. Local government pay scale

- HCC supports further analysis being undertaken on the relationship between local government and parliamentary remuneration.

- A more comprehensive review needs to be undertaken on local government remuneration, across relevant government agencies, which should include the additional benchmarking against parliamentary remuneration.

3 SPECIFIC QUESTIONS IN PART THREE – PROPOSED IMMEDIATE CHANGES

3.1 Council sizing

3.1.1 *Are there significant influences on council size that are not recognised by the factors identified?*

3.1.2 Yes. HCC suggests that the following factors also impact on the workload of a council and its governance body:

- The level of consenting activity (in particular, building and resource consents) are a key indicator for authorities encountering growth.
- The number of rating units – both residential and non-residential – is a useful measurement of both the decision-making and representative responsibilities of elected members.
- The number of electors on the latest electoral roll(s) for each district or region provides a more discrete measurement than population to reflect the representation workload for elected members.

3.1.3 These additional factors are:

- directly relevant to the purpose of local government (as set out in section 10, Local Government Act 2002) and, as such, should be given due consideration in any sizing exercise undertaken;
- simple to collate and compare at a national level.

3.1.4 At a broader level, any sizing process should take account of the scale of complexity that confronts each council to differing degrees. For example, the financial position of a council needs to be considered alongside factors, such as population. HCC appreciates the Authority's intention of creating a framework that is simple and transparent to both a governance and public audience. However, assessing each factor in isolation fails to capture the true weight of a council's workload and may lead to skewed results when compiling an index. Please also refer to our comments in paragraph 3.2.1.

3.1.5 *Are there any factors that we have identified that you believe should not be used and why?*

3.1.6 HCC does have concerns with using the social deprivation and number of guest nights factors referred to in the Authority's consultation document.

- The NZDEP index is only updated every five years in conjunction with each census. HCC considers other data, measured more frequently, would be a better, time-critical source for assessing the relative impact of economic disadvantage across councils. This could include:
 - number of residents unemployed or dependent on benefits; and/or
 - number of ratepayers receiving the rates rebate provided by central government (and administered by each authority).
- HCC agrees that the impact of tourism on local government is an important factor when sizing councils. However, we do not believe that the number of guest nights is a reliable

basis to measure the regular, ongoing demands on councils, or the workload of elected members, attributable to visitors:

- The direct causative link between accommodation nights and the effect on council services is tenuous.
- The data would disproportionately favour 'tourist towns' compared to districts and regions where there are high visitor numbers and minimal or insufficient accommodation facilities, or places where tourists 'pass through' though still significantly impact on councils' services.
- Many activities that may attract visitors to a district or region are free, though could still significantly impact council services (for example, gardens, cycleways, etc). While HCC appreciates there is no nationally-recognised measure the Authority could use, such activities are arguably just as important as visitor nights for assessing the effect on local government.

For the above reasons, HCC suggests that the number of guest nights is not a suitable factor in sizing councils. While not without its own flaws, 'visitor spend' is now measured for each district and would be a more useful indicator of visitor demand on council resources.

3.1.7 *When measuring council assets, do you support the inclusion of all council assets, including those commercial companies that are operated by boards?*

3.1.8 HCC does not support the inclusion of assets held in CCOs. While it has become increasingly important for each council to maintain a robust oversight of its assets, asset management and demands on the governance body (in terms of decision-making) is arguably less complex where assets are owned and/or managed by independent boards. This distinction should be considered when sizing the relative workload of councils.

3.1.9 *If not, how should the Authority distinguish between different classes of assets?*

3.1.10 At a broad level, the Authority should use the total assets recorded in a council's financial statements, excluding any assets held in CCOs.

3.2 **Weighting**

3.2.1 The proposed weighting of factors for sizing territorial authorities does not appropriately capture the scale or complexity of attributes that contribute to the workload of a council. For example, a council encountering a decreasing population has different, but potentially equally demanding, issues than a council facing significant growth.

3.2.2 HCC acknowledges the Authority has yet to complete this work, and recommends that any weighting of factors (individually and comparatively) needs to reflect diverse pressures on councils. To this end, the Authority may find it helpful to cluster local authorities by issues, rather than simply size or urbanicity. Our comments that follow are subject to these general comments.

3.2.3 *Are you aware of evidence that would support or challenge the relativity of the factors for each type of council?*

3.2.4 HCC believes growth is, and will continue to have, a major influence on the governance demands for local authorities. Asset management and consenting activity should therefore have the same weighting as population and operational expenditure.

- 3.2.5 The other additional factors proposed by HCC (refer to paragraph 3.1.2 – number of rating units and number of electors) should then have equal weighting in a second tier, as these are key considerations in assessing the representative function of elected members.
- 3.2.6 As noted, HCC suggests there are better indicators to measure the impact of economic deprivation on councils than the NZ Deprivation index. Whatever measurement is used, this factor should have a lower weighting than those highlighted in paragraphs 3.2.4 and 3.2.5 above.
- 3.2.7 Should the Authority include ‘number of guest nights’ when sizing councils (contrary to our submission above), HCC recommends this factor is given minimal weighting for the reasons highlighted in paragraph 3.1.6(b).
- 3.2.8 It would have been helpful to have the opportunity to consider proportional weightings for each factor when reviewing this issue. We assume any process and methodologies for determining weightings will be independently verified as part of the further work to be undertaken by the Authority, and that councils will be provided an opportunity to comment on the final structure.

3.2.9 *If you believe other factors should be taken into account, where would they sit relative to others?*

3.2.10 Please refer to our responses in paragraphs 3.2.4 to 3.2.8 above. To clarify, HCC believes the factors should be weighted in the following order:

- Population, Assets, Operational Expenditure and Consenting Activity (Tier 1)
- Number of rating units and number of electors (Tier 2)
- Economic deprivation indices – refer to paragraph 3.1.6(a) (Tier 3)
- Measurement on visitor impact – refer to paragraph 3.2.7 (Tier 4).

The inherent complexities of these factors should also be considered when developing appropriate weightings. This will mitigate any unintended consequences of simply providing a higher ranking to a council with a larger population or asset base, for example.

3.3 Mayor/Chair Remuneration

3.3.1 *Should the role of mayor be treated as full time?*

3.3.2 Yes.

3.3.3 *If not, how should they be treated?*

3.3.4 Not applicable.

3.3.5 *Should there be a “base” remuneration level for all mayors/chairs, with additional remuneration added according to the size of the council?*

3.3.6 Yes. HCC agrees that there are fundamental responsibilities which are undertaken by all mayors of territorial authorities.

3.3.7 *If so, what should determine this “base remuneration”?*

- 3.3.8 The base remuneration for a mayor needs to be at a level that attracts and retains competent people¹. This is particularly important as local government continues to encourage diverse and capable representation and leadership of their communities.
- 3.3.9 There is no true equivalent to the role of a mayor in either private or other public sector work. The closest analogy, as alluded to in the Authority’s consultation document, is that of a Government Minister. The remuneration range for ministers (including those outside Cabinet) would provide a useful benchmark in determining a base remuneration for a mayor.

3.4 **Councillor Remuneration**

3.4.1 *Should councillor remuneration be decided by each council within the parameters of a governance/representation pool allocated to each council by the Remuneration Authority?*

- 3.4.2 HCC supports councils having increased flexibility to set remuneration levels for roles that are directly connected to local considerations (for example, chairs of Committees or appointments to external organisations). HCC agrees that it is difficult for the Authority to determine, at a national level, additional responsibilities undertaken by members at the local level (for example, appointments on external bodies).
- 3.4.3 However, HCC does not support a ‘total pool’ proposal where local authorities set their own base Councillor salary, or are required to expend the full ‘pool’ amount, for the following reasons:

- a. **Independence** – A key function of the Authority is to provide independence in determining elected members’ remuneration. The ‘total pool’ approach has the potential to lead to an adverse public perception that elected members were determining their own remuneration, contrary to the fundamental norms of transparency and avoiding conflicts. This perception is likely to be exacerbated by any requirement that a council must allocate the entire pool – the fact that the Authority itself sets this requirement is likely to be lost in the detail.

HCC also queries whether the ‘total pool’ proposal aligns with Parliament’s intended role of the Authority, even if this approach falls within its powers under the Local Government Act 2002 and Remuneration Authority Act 1977.
- b. **Neutrality** – Members’ remuneration should not be a factor when councils determine their governance structures or representation arrangements. Requiring a council to allocate its ‘total funding pool’ creates a risk of councils being incentivised to:
 - i. Reduce councillor numbers as part of a representation review, with a smaller governing body receiving an increased remuneration per member. While this is a matter for the Local Government Commission to control, it may be difficult to challenge in practice where only a minimal number of councillor positions are being reduced; and/or
 - ii. Establish structures to create roles with additional responsibilities (and higher remuneration) that have little, if any, real difference from the base member role.
- c. **Consistency** – By setting the base remuneration for all local government elected members, the Authority can apply a consistent approach across the country. Shifting this responsibility to each council jeopardises the requirement to maintain fair relativity

¹ Clause 7(1)(d), Schedule 7 LGA
HCC Reference: D-2557390 Sub #497

with levels of remuneration received elsewhere.² Having created a size index, the Authority is best placed to adopt a consistent approach in determining a base councillor remuneration with reference to that index.

- d. **Fairness** – When determining remuneration, the Authority must balance what is fair for the elected member (and potential candidates considering standing for election) and the ratepayer³. The proposed requirement for each council to fully allocate its remuneration pool potentially creates an imbalance between these two groups in circumstances where it may not be prudent to use the total pool. As the Authority has correctly discussed in other contexts, the governance body of each council is in the best position to decide on conflicting priorities when considering whether the total remuneration pool should be allocated.

3.4.4 In summary, HCC advocates for:

- the Authority to continue to determine the base councillor remuneration using the size index. This would enable the Authority to maintain independence and transparency, while also promoting the need for diverse and capable elected representatives when setting remuneration. Alternatively, the Authority should at least set a minimum and maximum base councillor salary to which a council must adhere;
- greater flexibility for each council to set remuneration levels for additional roles and responsibilities to reflect specific circumstances encountered by that council. This will empower each council to create bespoke governance models to meet local needs without having to seek guidance from the Authority (as is currently done). There would be significant political risks should any council abuse this opportunity. The Authority should, however, continue to be the ultimate decision-making body on such matters for the reasons outlined in paragraph 3.4.3;
- the status quo in relation to local authorities retaining the discretion as to whether to allocate the entire remuneration pool set by the Authority in each financial year.

3.4.5 *If so, should each additional position of responsibility, above a base councillor role, require a formal role description?*

3.4.6 Yes. Role descriptions for additional positions enhance the transparency and accountability of elected member remuneration. Each council should be required to publicly disclose such profiles - ratepayers and electors would then be able to assess for themselves the performance of individual members.

3.4.7 The provision of templates by the Authority of some of the more common additional responsibilities would assist councils when framing these role descriptions.

3.4.8 *Should each council be required to gain a 75% majority vote to determine the allocation of remuneration across all its positions?*

3.4.9 Yes, subject to our submission that the Authority continues to set the base remuneration for all elected members.

3.4.10 *Do the additional demands placed on CCO board members make it fair for elected members appointed to such boards to receive the same director fees as are paid to other CCO board members?*

3.4.11 HCC's policy is that elected members should only be appointed as a CCO board member in exceptional circumstances and, if appointed, no additional remuneration should be offered unless expressly agreed by the CCO.

² Clause 7(1)(b), Schedule 7 LGA

³ Clause 7(1)(c), Schedule 7, LGA.

HCC Reference: D-2557390 Sub #497

3.4.12 This issue may be best left for each council to consider when making a recommendation to its CCO in terms of remuneration of board members, requiring the higher 75% majority vote for such decisions.

3.5 Community Board remuneration

3.5.1 *Should community board remuneration always come out of the council governance/representation pool?*

3.5.2 *If not, should it be funded by way of targeted rate on the community concerned?*

3.5.3 *If not, what other transparent and fair mechanisms are there for funding the remuneration of community board members?*

3.5.4 HCC does not have any comments on Community Board remuneration.

3.6 Local Government pay scale

3.6.1 HCC strongly recommends that the Authority works with other central government agencies (particularly the Inland Revenue Department) to undertake a comprehensive and holistic review of local government remuneration. As was evident in the webinar presented by the Chair of the Authority on 13 November 2017, there are a number of queries and historic frustrations raised by elected members across the country that touch on issues beyond those addressed in the Authority's consultation document. These include:

- Superannuation, including access and contributions to Kiwi Saver schemes;
- Members designated as 'self-employed' for tax purposes, yet not being able to fully benefit from that status (e.g. unable to claim back expenses in election campaigns beyond a member's first term); and
- Exit leave entitlement (including for sitting members who are not re-elected or who die in office);

3.6.2 The last significant review of setting local government remuneration was carried out in 2011. Since then, increased responsibilities have been devolved to councils by Parliament on such matters as psychoactive substances, sale of alcohol, prostitution, and Easter trading. This devolvement has contributed to the increased workload faced by councils.

3.6.3 While outside the parameters of the Authority's current consultation, a wider review on local government remuneration encompassing such issues noted in paragraphs 3.6.1 and 3.6.2 would establish better alignment across different government agencies and more effectively assess a 'total remuneration package' offered to elected members. This should result in a more connected, simple remuneration framework that, in turn, encourages a broader spectrum of people wanting to represent their local communities.

3.6.4 The following responses are made in light of these general comments.

3.6.5 *Is it appropriate for local government remuneration to be related to parliamentary remuneration, but taking account of differences in job sizes?*

3.6.6 HCC supports the Authority in aligning local government remuneration with parliamentary remuneration. Even acknowledging that it is difficult to directly compare the workloads of the 'average' councillor with the 'average' MP, HCC agrees that there is sufficient similarities in responsibilities between the positions to merit a more in-depth analysis of benchmarking elected member remuneration against the parliamentary remuneration framework.

- 3.6.7 To clarify, the Authority should assess the relativity of parliamentary remuneration in relation to *all* local government elected members, not just mayors (or chairs of regional councils).
- 3.6.8 If so, should that the relativity be capped so the incumbent in the biggest role in local government cannot receive more than a cabinet minister?*
- 3.6.9 HCC suggests further analysis is required on comparing the roles and responsibilities of different positions within local government and Parliament before any conclusions can be made on remuneration caps. This could be part of the wider review HCC recommends is undertaken by the Authority and other government agencies.
- 3.6.10 If not, how should a local government pay scale be determined?*
- 3.6.11 Please refer to our comments in the preceding paragraphs of this section.
- 3.7 **Timetable**
- 3.7.1 HCC reiterates its recommendation, made in our submission on Part Two of the Authority's consultation document (sent on 29 June 2017), that the Authority's determinations are communicated to councils well in advance of the 1 July date from when they take effect. This is to enable any changes to remuneration levels to be captured in relevant budgets for Annual or Long Term Plan purposes, rather than leaving it to estimates. HCC believes this is especially important when the Authority is scheduling its three-yearly reviews.

4 FURTHER INFORMATION

- 4.1 Should the Authority require clarification of the points raised in this submission, or further information, please contact Lee-Ann Jordan (Governance Manager) on 07 838 6772, email Lee-Ann.Jordan@hcc.govt.nz in the first instance.

Yours faithfully

Richard Briggs
CHIEF EXECUTIVE

Council Report

Item 18

Committee: Council **Date:** 14 December 2017
Author: Lee-Ann Jordan **Authoriser:** David Bryant
Position: Governance Manager **Position:** General Manager Corporate
Report Name: 2018 East Ward By-election - Order of Candidate Names

Report Status	<i>Open</i>
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Purpose

1. To seek approval of the order in which candidates' names appear on the voting documents for the East Ward by-election, which is being held on 17 February 2018.

Staff Recommendation

2. That the Council approves that the order of candidate names be arranged on the voting documents for the East Ward by-election, on 17 February 2018, in:
 - a) alphabetical order (Option 1); **OR**
 - b) pseudo-random order (Option 2); **OR**
 - c) random order (Option 3),as permitted under clause 31 of the Local Electoral Regulations 2001.

Background

3. A by-election in the East Ward is required following the passing of Councillor Philip Yeung.
4. The East Ward by-election will take place on 17 February 2018, in accordance with the Local Electoral Act 2001 (LEA) and Local Electoral Regulations 2001 (LER).
5. The following key requirements and dates apply:

Nominations open/roll opened	Friday 24 November 2017
Nominations close/roll closes	Friday 22 December 2017 (noon)
Delivery of voting documents by post	From Friday 26 January 2018
By-election Day (Close of voting)	Noon Saturday 17 February 2018
Declaration of result	Expected on Wednesday 21 February 2018

6. Three public notices must be published by the Council's Electoral Officer, Dale Ofsoske:
 - Friday, 24 November 2017 – the notice included the date of the by-election, calling for nominations, when and how the preliminary electoral roll can be inspected, and how people can amend enrolment details; and
 - Saturday, 30 December 2017 – the notice includes confirmation of the date of the by-election, the candidates nominated, the voting period, and when and how to vote - including special voting ('the second public notice'); and
 - Wednesday 21 February 2019 – the notice declaring the by-election results.
7. The [Council website](#) provides more information on the by-election process.

Discussion

8. The LER allows, but does not require, local authorities to consider the order of candidates' names on the voting documents for an election or a by-election.
9. If no decision is made by the Council, the order of names defaults to alphabetical order.
10. Clause 31(1) of the LER permits the Council to decide whether the candidates' names are to be arranged on the voting documents in:
 - Alphabetical order of surname; or
 - Pseudo-random order; or
 - Random order.
11. The names of the Hamilton City Council candidates at the 2013 and 2016 triennial elections were arranged on the voting documents in random order, in accordance with the respective resolutions of the Council.

Options

12. **Option 1 – Alphabetical order of surname**
13. Alphabetical order is listing candidate surnames alphabetically. It is the order traditionally used in local authority and parliamentary elections.
14. **Option 2 – Pseudo-random order**
15. Pseudo-random order is where candidate surnames are randomly selected and this order then appears on all voting documents. The names are randomly selected by a method such as drawing names out of a hat.
16. If a local authority selects pseudo-random order for candidate names, the Electoral Officer must state in the second public notice, the date, time and place at which the order of the candidates' names will be arranged and that any person is entitled to attend.
17. **Option 3 – Random order**
18. Random order is where all candidate surnames are randomly selected and the order of surnames is different on every voting document. The random order is selected by computer.

19. ***Consideration of options***
20. Research has concluded that candidates listed first on voting documents are more likely to be elected than those whose names appear later in the documents. Option 3 (Random order) is intended to mitigate against any preferential effect of being early on the list of candidates. The Local Government Commission has noted, however, that the “analysis on this issue is unlikely to be definitive” due to the range of factors that need to be taken into account for each election.
21. In recent years, there has been an observable trend of councils selecting random and pseud-random order, though alphabetical order remains the most used option.
22. There is no difference in the costs of producing voting documents under the three options.
23. Whichever option is selected, the candidate profile statement booklet/sheet that accompanies the voting documents lists the candidates in alphabetical order by surname.
24. Staff confirm that each option complies with the Council’s legal requirements under the LEA and LER.
25. This decision directly affects the election process at a governance level, therefore it is not appropriate for staff to recommend a specific option for the Council to approve.

Significance & Engagement Policy

26. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendation in this report has a low level of significance.
27. Given the low level of significance determined, the engagement level is low. No engagement is required.

Attachments

There are no attachments for this report.

Resolution to Exclude the Public

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

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

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

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of Council Minutes - 16 November 2017 - Public Excluded) Good reason to withhold information exists under Section 7 Local Government	Section 48(1)(a)
C2. Confirmation of Elected Member Briefing Notes - Public Excluded - 13 November 2017) Official Information and Meetings Act 1987	
C3. Victoria on the River Public Artwork Proposal		
C4. Overdue Debtor - Review of Account		

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

Item C1.	to enable Council to carry out negotiations	Section 7 (2) (i)
	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
Item C3.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C4.	to maintain legal professional privilege	Section 7 (2) (g)
	to enable Council to carry out negotiations	Section 7 (2) (i)