

Notice of Meeting:

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

Date: Thursday 26 August 2021
Time: 1.00pm
Meeting Room: Council Chamber and Audio Visual link
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Environment Committee *Komiti Taiao* OPEN AGENDA

Membership

Chairperson Cr Gallagher
Heamana

Deputy Chairperson Cr S Thomson
Heamana Tuarua

Members Cr M Bunting
Cr A O'Leary
Cr K Naidoo-Rauf
Cr D Macpherson
Mayor P Southgate (Ex Officio)
Maangai Maaori – N Hill

Quorum: A majority of members (including vacancies)

Meeting Frequency: Six weekly

Becca Brooke
Governance Manager
Menetia Mana Whakahaere

18 August 2021

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Purpose

The Environment Committee is responsible for:

1. Governance of strategies, policies and plans relating to the wellbeing, protection, enhancement and sustainability of Hamilton's natural environment.

In addition to the common delegations, the Environment Committee is delegated the following Terms of Reference and powers:

Terms of Reference:

1. To develop policy, approve strategies and plans concerning Hamilton's contribution and response to climate change, and to monitor their implementation.
2. To develop policy, approve strategies and plans for the sustainable use of Hamilton's natural resources, and to monitor their implementation.
3. To develop policy, approve strategies and plans for efficient and sustainable waste management and recycling, and to monitor their implementation.
4. To develop policy, approve strategies and plans for Council's corporate environmental sustainability and to monitor their implementation.
5. To develop policy, approve strategies and plans for Council's biodiversity, and to monitor their implementation.
6. To develop policy, approve and monitor implementation of strategies in relation to the Climate Action Plan.

Special Notes:

- The Committee may request expert external advice through the Chief Executive as necessary.

The Committee is delegated the following powers to act:

- Approval of matters determined by the Committee within its Terms of Reference.

The Committee is delegated the following recommendatory powers:

- The Committee may make recommendations to Council.

The Committee may make recommendations to other Committees.

| ITEM | TABLE OF CONTENTS | PAGE |
|------|--|------|
| 1 | Apologies – <i>Tono aroha</i> | 4 |
| 2 | Confirmation of Agenda – <i>Whakatau raarangi take</i> | 4 |
| 3 | Declarations of Interest – <i>Tauaakii whaipanga</i> | 4 |
| 4 | Public Forum – <i>Aatea koorero</i> | 4 |
| 5 | Confirmation of the Open Environment Committee Minutes - 1 June 2021 | 5 |
| 6 | Chair's Report | 10 |
| 7 | Open Air Burning Bylaw Deliberations Report (<i>Recommendation to the Council</i>) | 12 |
| 8 | 2021/2022 Climate Change Action Plan | 20 |
| 9 | Environment Committee - Forward Work Programme | 45 |
| 10 | General Managers Report | 51 |

1 Apologies – *Tono aroha*

2 Confirmation of Agenda – *Whakatau raarangi take*

The Committee to confirm the agenda.

3 Declaration of Interest – *Tauaakii whaipaaanga*

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 – *Aatea koorero*

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 five minutes or longer at the discretion of the Chair.

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

Speakers will be put on a Public Forum speaking list on a first come first served basis in the Council Chamber prior to the start of the Meeting. A member of the Council 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 6727.

Council Report

Item 5

Committee: Environment Committee

Date: 26 August 2021

Author: Carmen Fortin

Authoriser: Becca Brooke

Position: Governance Advisor

Position: Governance Manager

Report Name: Confirmation of the Open Environment Committee Minutes - 1 June 2021

| | |
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| Report Status | <i>Open</i> |
|----------------------|-------------|

Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Environment Committee confirm the open Minutes of the Environment Committee meeting held on 1 June 2021 as a true and correct record.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Environment Committee Open Unconfirmed Minutes - 1 June 2021

Environment Committee

Komiti Taiao

OPEN MINUTES

Minutes of a meeting of the Environment Committee held in Council Chamber, Municipal Building, Garden Place, Hamilton on Tuesday 1 June 2021 at 9.31am.

PRESENT

Deputy Chairperson Cr S Thomson

Heamana Tuarua

Members Cr M Bunting (audio visual link)
Cr A O’Leary
Cr K Naidoo-Rauf
Cr D Macpherson
Mayor P Southgate
Maangai N Hill

In Attendance Cr M Gallagher
Cr M van Oosten
Cr E Wilson
Sean Hickey – General Manager Strategy and Communication
Eeva-Liisa Wright – General Manager Infrastructure Operations
Maria Barrie – Unit Director Parks and Recreation
Zeke Fiske – Senior Operations Planner
Charlotte Catmur – Sustainability and Environment Advisor
Jamie Sirl – Team Leader City Planner
Maire Porter – City Waters Manager
Poppy Barran – Resource Recovery Co-ordinator

Governance Staff Amy Viggers – Governance Team Leader
Carmen Fortin and Narelle Waite – Governance Advisors

The meeting was opened with a karakia and a hymn from Maangai Hill.

The Chair acknowledged that this was the first Environment Committee meeting since the passing of Cr Forsyth. She spoke to the impact Cr Forsyth had within Council and the Community specifically with the work she had undertaken in relation to the Nature in the City Strategy and Environment Principles.

A moment silence was then had to acknowledge the passing of Bunny Mortimer. Mayor Southgate spoke to the impact that Bunny Mortimer and her late husband had on Hamilton City including the gully and advocacy work, and noted the legacy she had left behind.

1. **Apologies – Tono aroha**

Resolved: (Cr Thomson/ Cr Macpherson)

The apologies for partial attendance from Mayor Southgate are accepted.

2. **Confirmation of Agenda – *Whakatau raarangi take***
Resolved: (Cr Thomson/ Mayor Southgate)
 That the agenda is confirmed.

3. **Declarations of Interest – *Tauaakii whaipaaanga***
 No members of the Council declared a Conflict of Interest.

4. **Public Forum – *Aatea koorero***

George Lusty (Friends of Mangaonua Esplanade) spoke to item 8 (Opportunities for influencing national and regional climate change response), and the impact of infill on the gullies. He noted that there is currently no system to report back to Members regarding the infill in the gully areas, and that some changes to the RMA wording could act as a protection to the future gullies. He responded to questions from Members concerning the effect of the desired RMA change on wording, designated areas of gullies, areas affected, cultural implications on gully loss.

Martin Toop spoke to item 6 (Natural Areas Funding Update) and noted that he wished to see an increase in staffing for planting and urgent action to combat climate change.

Jo Wrigley (GoEco) spoke to item 6 (Natural Areas Funding Update) in support of the gully groups and the impact which they have on the city. She outlined the impact the funding had on the ability of GoEco to build relationships and networks, develop training and employment scheme, as well as predator control, and gully restoration. She responded to questions from Members concerning Maatauranga Maaori within the environmental community groups.

Lynne Garnham spoke to item 6 (Natural Areas Funding Update) in support of the funding, and the impact that the funding has had within the community and the positive impact within the gullies.

Te Kopa King (Manga Waitawhiriwhiri Kaitiaki) spoke to item 6 (Natural Areas Funding Update) in support of protecting the gullies. He spoke to the mana enhancing impact that the funding has had on the community and suggested that additional funding could be used for personal protection equipment, planting equipment, and training. He responded to questions from Members concerning structure, alternative funding opportunities, and length of work occurring in Waitawhiriwhiri.

5. **Confirmation of the Open Environment Committee Minutes - 2 March 2021**

Resolved: (Cr Thomson/Cr Naidoo-Rauf)

That the Environment Committee confirm the open Minutes of the Environment Committee meeting held on 2 March 2021 as a true and correct record.

6. **Natural Areas Funding Update**

The Unit Director Parks and Recreation and the Senior Operations Planner introduced the report, noting that the report was an update as to how the funding had been allocated throughout the year, and the projects which had been undertaken as a result of the funding. Staff responded to questions from Members concerning the allocation of funding, Waikato Regional Council involvement, Project Watershed, maximising funding within Long-Term Plan, alignment with other funders and funding, community connections, role of Iwi and Mana Whenua to date, timeline of requesting further funding through the Annual Plan, impact on Significant Natural Areas through District Plan amendments, and the process for notifying SNAs.

Staff Action: Staff undertook to report to a future meeting of the Committee regarding the development of a holistic implementation plan for the city in relation restoration and the role of Waikato Regional Council in this process.

Staff Action: Staff undertook to inform Members of the impact of District Plan policies on Significant Natural Areas prior to notification.

Resolved: (Cr Thomson/Mayor Southgate)

That the Environment Committee:

- a) receives the report; and
- b) requests staff report back to the 26 August 2021 Environment Committee meeting on infill and loss of vegetation in gullies, and the work that is being undertaken by the District Plan Committee in this regard.

The meeting was adjourned from 11.05am to 11.22am.

7. Update on delivery of the 2020/2021 Climate Change Action Plan

The Sustainability and Environment Advisor spoke the report and outlined some of the areas of climate change action from across Council. Staff responded to questions from Members concerning the reduction carbon emission, alternative transport actions, transport policies, travel plans, leadership in climate change strategy and RMA reform, visibility of the action plan, Council's fleet, collaboration opportunities, incorporation of water and swimming within plan and how staff had reduced emissions through active management of traffic systems in areas of congestion.

Staff Action: Staff undertook to circulate the Waikato Regional Council travel plan and to inform members as to how Council could collaborate with the Waikato Regional Council in the development of Council's own travel plan.

Resolved: (Cr Naidoo-Rauf/Maangai Hill)

That the Environment Committee:

- a) receives the report; and
- b) notes that the update on delivery of the 2020/21 Climate Change Action Plan will be available on the Council website.

Cr Macpherson Dissenting.

Mayor Southgate retired from the meeting (11.44am) during the above item. She was not present when the item was voted on.

8. Opportunities for influencing national and regional climate change response

The Sustainability and Environment Advisor introduced the report, noting that there is a current stakeholder engagement plan in place to ensure that all stakeholders are involved within the process. She highlighted that there were to be that workshops organised concerning the Climate Adaptation Plan, Emissions Reduction Plan, and National Adaptation Plan. Staff responded to questions from Members concerning how Members would be involved and informed of matters going forward and the submission process.

Resolved: (Cr Macpherson/Cr O'Leary)

That the Environment Committee:

- a) receives the report;
- b) delegates the Chair and Deputy Chair of the Environment Committee and Chairs of Infrastructure Operations and Strategic Growth Committees, and Maangai Hill to work with key staff to develop a Council submission to the Ministry of Transport Discussion Document 'Hikina te Kohupara – Kia mauri ora ai te iwi - Transport Emissions: Pathways to Net Zero by 2050' by the 25 June 2021 submission closing date; and
- c) notes that the draft submission will be circulated to all Elected Members and Maanagi Maaori for feedback prior to 25 June 2021.

Maangai Hill closed the meeting with a karakia.

The meeting was declared closed at 12.07pm.

Council Report

Committee: Environment Committee

Date: 26 August 2021

Author: Carmen Fortin

Authoriser: Becca Brooke

Position: Governance Advisor

Position: Governance Manager

Report Name: Chair's Report

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

That the Environment Committee receives the report.

Attachments

Attachment 1 - Chair's Report



Chair's Report

Item 6

The recent LGNZ Conference in Blenheim was held to discuss the major Three Waters Reforms.

Closely related was also a conference focus on community “resilience” in terms of the significant major climate events that are happening with increasing frequency, (along with the ever-present risks concerning our location on a tectonic plate boundary).

This was underscored by another major Civil Defence Flooding emergency directly affecting Blenheim and the upper South Island at the time.

The most recent [International Panel on Climate Change report](#) makes for sobering reading. The 1.5C threshold will likely be crossed not long after 2030, and many climate impacts are already locked in. Our job is to stop things from getting worse.

Every bit of temperature rise that we avoid makes a difference.

Our leadership will be critical. This isn't a problem for the next generation to solve - we are it. We have a big task ahead of us to build community understanding and support for the significant changes needed to reduce emissions fast enough.

Our Climate Strategy is under development and will provide strong direction on both reducing emissions and building a more resilient city. Strong engagement with our community will be essential. If we do this right we will not only contribute to a safer climate for our future generations, but a better city for all to live in.

Chair's Recommendation

That the Environment Committee receives the report.

Councillors Martin Gallagher and Sarah Thomson
Chair and Deputy Chair, Environment Committee
Hamilton City Council

Attachment 1

Council Report

Committee: Environment Committee **Date:** 26 August 2021
Author: Sandra Murray **Authoriser:** Lance Vervoort
Position: Consultant **Position:** General Manager Community
Report Name: Open Air Burning Bylaw Deliberations Report

| | |
|----------------------|-------------|
| Report Status | <i>Open</i> |
|----------------------|-------------|

Purpose - *Take*

1. To inform the Environment Committee on the review of the Open Air Burning Bylaw 2015.
2. To seek a recommendation from the Environment Committee to the Council to revoke the Open Air Burning Bylaw 2015.

Staff Recommendation - *Tuutohu-aa-kaimahi* (Recommendation to the Council)

3. That the Environment Committee:
 - a) receives the report; and
 - b) recommends that the Council revokes the Open Air Burning Bylaw 2015.

Executive Summary - *Whakaraapopototanga matua*

4. Council has undertaken a review of the Open Air Burning Bylaw 2015 (the Bylaw).
5. The bylaw regulates the use of outdoor fires, including use of an outdoor fire device such as a barbeque or brazier. It also regulates use of incinerators and traditional food cooking such as haangi.
6. Consultation occurred from 1 May – 30 May 2021, with the results of the consultation presented to the Hearings and Engagement Committee meeting on 28 July 2021 [[Agenda](#), [Minutes](#)]. No submitters spoke at the committee meeting.
7. Submitter views were evenly spread between the two options with 45% supporting the revocation of the bylaw (14 submitters) and 55% preferring to retain the bylaw (17 submitters).
8. Of the 17 submitters supporting the retention of the bylaw, nine submitters made comments in their submission – eight of which expressed a view which misinterpreted the impact of the bylaw or Council's ability to revoke the bylaw.
9. Staff recommend revocation of the Open Air Burning Bylaw (**option 2**) because the Open Air Burning Bylaw is no longer the most effective means to manage open air burning in Hamilton City

10. If the recommendation is not approved, and the Open Air Burning 2015 is continued, there will be a 'double up' in regulation for open air burning in Hamilton City – meaning open air burning will be regulated by the FENZ Act, the Hamilton Waste Management and Minimisation Bylaw 2019 *and* the Open Air Burning Bylaw 2015.
11. This 'double up' will add unnecessary administrative burden (for reviews) at no gain to the city and may create a small amount of confusion between the regulations in the Waste Management and Minimisation Bylaw and the Open Air Burning Bylaw.
12. Staff consider the matters in this report have a low significance and that the recommendations comply with the Council's legal requirements.

Background - *Koorero whaimaarama*

13. Council has undertaken a review of the Open Air Burning Bylaw 2015 (the Bylaw) in accordance with section 158 of the Local Government Act 2002 (the Act), which requires local authorities to review a bylaw made by it under the Act no later than 5 years after the date on which it was made.
14. The Bylaw came into effect on 5 March 2015 and was amended in August 2018 to align it with the Fire and Emergency New Zealand Act 2017 (FENZ Act).
15. The bylaw regulates the use of outdoor fires, including use of an outdoor fire device such as a barbeque or brazier. It also regulates use of incinerators and traditional food cooking such as haangi.

Emissions in Hamilton

16. Air contamination is assessed using measures of different categories of fine particulate matter. For example, PM_{2.5} is the amount of fine particulate matter less than 2.5 microns in size; PM₁₀ is the amount of fine particulate matter less than 10 microns in size etc. For comparison, the average cross-section of a human hair is 50 microns.
17. PM_{2.5} can have far-reaching and long-term effects because of the ways these particles interact with the body when they get into the lungs, passing through the filtration of nose hair, reaching the end of the respiratory tract with airflow and accumulating there by diffusion, and damaging other parts of the body through air exchange in the lungs. PM_{2.5} is especially dangerous as it is difficult to expel from the body. While PM₁₀ can be expelled through coughing and sneezing, PM_{2.5} cannot.
18. Information on the amount of emissions of air contaminants, in particular PM₁₀ and PM_{2.5}, was provided by WRC in the reports *Airshed Modelling for Hamilton City*; *Hamilton Air Emission Inventory-2018* and [Ambient air quality monitoring report for the Waikato Region – 2017](#) as well as email correspondence with WRC staff.
19. A 'live' air pollution index for Hamilton can be seen online for the [Claudelands](#) or [Bloodbank](#) testing locations.
20. A summary of air quality monitoring information for 2020, provided by WRC indicates:
 - i. there is currently no evidence of either an improving or worsening trend in PM₁₀ emissions.
 - ii. there was one day over the winter of 2020 (May 2019 to October 2020) when daily PM_{2.5} concentrations exceeded the World Health organisation (WHO) daily guideline, although the annual average calculated over this period indicates the annual average WHO guideline was not exceeded. There is insufficient PM_{2.5} monitoring data at this stage to identify any trends.

21. Waikato Regional Council staff from the Geothermal & Air, Land Ecology & Contamination, Science, Policy team and the Incident Response, Resource Use team were advised of the proposed revocation, indicating they had no objection.

Complaints received by Council

22. Information on complaints has been collected since the Bylaw was adopted in 2015, with approximately 180-220 calls per year (note that multiple complaints may be received about a single smoky fire).

Table 1 Complaints received Jan 2015 - June 2020

| Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|----------------------|---------|---------|---------|---------|---------|
| Total calls * | 215 | 194 | 194 | 183 | 219 |
| Not substantiated ** | 97 | 65 | 98 | 98 | 139 |
| Resolved *** | 81 | 83 | 90 | 69 | 56 |

* Multiple complaints may be received about a single smoky fire.

** Not substantiated means no contravention of the bylaw found at the time of the visit.

*** Resolved means an issue was detected and was resolved

23. Complaint data does not specifically record what type of fire or smoke prompted a complaint i.e. if it was an incinerator, an open pit fire, a brazier, a smoky chimney, a car doing burnouts, etc.
24. If available, such information is included in the text of the complaint. A key word search of the database gives an indication of the types of incidents officers responded to (note that these are based on complainant information and include unsubstantiated complaints).

Table 2 Key word search of complaints

| Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 |
|---------|---------|---------|---------|---------|---------|
| Plastic | 27 | 22 | 29 | 12 | 19 |
| Rubbish | 31 | 30 | 20 | 18 | 29 |
| Toxic | 5 | 9 | 6 | 4 | 6 |
| Brazier | 3 | 0 | 0 | 0 | 10 |

25. A review of the complaints received by Council did not identify a substantive issue with open air burning and suggests open air burning is being sufficiently managed through compliance monitoring and enforcement measures.
26. After reviewing the emissions levels and complaints received by Council as well as discussions with Waikato Regional Council, staff did not identify a substantive issue with open air burning.

Fire and Emergency New Zealand (FENZ)

27. FENZ commented on the review of the bylaw, including the following:

In order to be valid and resistant to challenge, the bylaw needs to comply with [s152B](#) of the Local Government Act 2002 (LGA02). That prevents the council from making a bylaw that is inconsistent with the Fire and Emergency New Zealand Act 2017 (FENZ Act) and its regulations etc.

This means, for example, that the council cannot create an alternative fire permit regime through a bylaw that conflicts with the statutory fire permit regime that Fire and Emergency administers under the FENZ Act. This does not mean that a bylaw cannot create a fire permitting regime at all. Instead, it means that the bylaw needs to have a very carefully expressed purpose and scope, to avoid any inconsistent overlap with the FENZ Act.

28. The proposed revocation of the bylaw avoids any overlap with the FENZ Act.
29. At the Council meeting of 18 March 2021 [[Agenda](#), [Minutes](#)], Elected Members agreed to the recommendations of the Environment Committee meeting (2 March 2021) [[Agenda](#), [Minutes](#)]:
 - i. that the bylaw was not the most appropriate means of controlling the issue of open air burning in Hamilton; and
 - ii. to conduct consultation to determine the community's view on the matter.
30. Consultation occurred from 1 May – 30 May 2021, with the results of the consultation presented to the Hearings and Engagement Committee meeting on 28 July 2021 [[Agenda](#), [Minutes](#)]. No submitters spoke at the committee meeting.
31. Submissions are available online [here](#). Submitter views were evenly spread between the two options with 45% supporting the revocation of the bylaw (14 submitters) and 55% preferring to retain the bylaw (17 submitters).
32. Of the 14 submitters in favour of revoking the bylaw, 6 submitters included a comment.
33. Themes from submitter comments in support of *revoking* the bylaw:
 - a) no need for a bylaw / other regulation sufficient (3 submitters)
 - b) no need for a bylaw / Council waste services are sufficient to manage waste without needing to burn rubbish (2 submitters); and
 - c) recommends a fire protection plan be developed to better protect lifestyle blocks and farms on which there are large areas of rough grazing and/or other vegetation which becomes dry in winter; and the open-air burning bylaw be revised to be more specific with regard to the type and extent of potentially hazardous vegetation which occurs adjacent to the boundaries of Hamilton. (1 submitter)
(Staff note these activities fall under FENZ Act rather than under council responsibilities).
34. Submitter comments indicated some submitters supporting the retention of the bylaw misinterpreted the impact of the revocation.
35. Of the 17 submitters supporting the retention of the bylaw, nine submitters made comments in their submission – eight of which expressed a view which misinterpreted the impact of the bylaw or Council's ability to revoke the bylaw.
36. Themes from submitter comments in support of *retaining* the bylaw:
 - a) would like to ban open air burning completely
 - b) misinterpretation of impacts:
 - i. other regulation does not manage the burning of rubbish
(*the Hamilton City Waste Management and Minimisation Bylaw 2018 prohibits the burning of rubbish*);
 - ii. revoking the bylaw will mean Council will no longer respond to outdoor burning causing a nuisance
(*Council would continue to respond to customer complaints about nuisance fires. However, revocation would mean enforcement measures would fall under different regulation*); and
 - iii. revoking the bylaw will mean traditional open air cooking / braziers will be banned
(*traditional cooking such as haangi and umu, as well as BBQ's and braziers, would continue to be allowed other than in areas Fire and Emergency New Zealand has designated as being within a restricted or prohibited season*).

c) misinterpretation of legislation:

- i. Council does not have the necessary legal power, authority, or jurisdiction to revoke the bylaw as the review was not completed by 25 February 2020. *(the LGA requires council to commence a review of a bylaw within 5 years of adoption rather than complete a review within 5 years. There is also a two year “grace period” under section 160A of the LGA. This means the bylaw would only be automatically revoked under the LGA on 26 Feb 2022, if Council did not resolve to continue, amend or revoke the bylaw before 26 Feb 2022).*

Discussion - *Matapaki*

Complaints about nuisance fires

- 37. After the proposed revocation:
 - i. complaints about nuisance fires (e.g. smoky BBQ's or leaf burning) would continue to be responded to by council contractors.
 - ii. uncontrolled or emergency fires would continue to be responded to by Fire and Emergency NZ
- 38. In general, staff confirm most complaints received regarding nuisance fires are related to a breakdown in neighbourly relations. Such complaints are managed using a graduated response methodology (engage - educate – enforce), where contractors engage with the affected parties to achieve a resolution. The need for enforcement measures is uncommon.
- 39. If enforcement is required after the proposed revocation, it would occur under the Waste Management and Minimisation Bylaw 2019 (rather than the Open Air Burning Bylaw 2015).

Use of BBQ's, braziers and traditional cooking such as haangi

- 40. After the proposed revocation, the safe use of BBQ's, braziers and traditional cooking would remain unchanged. They would continue to be allowed if:
 - i. the area has not been designated by Fire and Emergency New Zealand as being a restricted or prohibited area
 - ii. the BBQ / brazier / cooking fire was not at risk of causing a fire e.g. close to a house, fence, vegetation where it could start an out-of-control fire
- 41. If the recommendation is not approved, and the Open Air Burning 2015 is continued, there will be a 'double up' in regulation for open air burning in Hamilton City – meaning open air burning will be regulated by the FENZ Act, the Hamilton Waste Management and Minimisation Bylaw 2019 *and* the Open Air Burning Bylaw 2015.
- 42. This 'double up' will add unnecessary administrative burden (for reviews) at no gain to the city and may create a small amount of confusion between the regulations in the Waste Management and Minimisation Bylaw and the Open Air Burning Bylaw.
- 43. The decision to revoke the bylaw is in alignment with the Waste Management and Minimisation Bylaw 2019, which prohibits the burning of waste materials; and the Fire and Emergency New Zealand Act 2017, which places responsibility for permitting fires (where relevant) with Fire and Emergency New Zealand.

Options

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

| | |
|------------------|--|
| Option 1: | Continue with the existing Open Air Burning Bylaw 2015 unchanged |
| Option 2: | Revoke the Open Air Burning Bylaw 2015 (<i>recommended</i>) |

45. Staff recommend **option 2** (revocation of the bylaw) because the Open Air Burning Bylaw is no longer the most effective means to manage open air burning in Hamilton City.
46. This recommendation reflects the level of significance (section 70), feedback from FENZ and Waikato Regional Council, and the outcome of community engagement.

Financial Considerations - *Whaiwhakaaro Puutea*

47. This is a regular operating activity funded through the Long-Term Plan.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

48. Staff confirm that this matter complies with the Council's legal and policy requirements.

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

49. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
50. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
51. The recommendations set out in this report are consistent with that purpose.

Social

52. Although serious harm is unlikely if exposure is brief, smoke inhalation can cause problems for some people. It can particularly affect those with existing health problems, such as:
- i. asthma sufferers;
 - ii. bronchitis sufferers; and
 - iii. people with heart conditions or some autoimmune conditions.
53. Open air burning also increases the risk of harm to others if the fire becomes uncontrolled or explosions occur:
- i. fire can spread to fences or buildings and scorch trees and plants;
 - ii. rubbish may contain bottles or cans that can explode when burnt; and
 - iii. piles of garden waste are often used as a refuge by wildlife and sleeping pets.
54. Many people may also enjoy cooking outdoors (BBQs and pizza ovens), particularly in social settings. Some may find outdoor cooking is a low-cost way to cook. Both options will continue to allow outdoor cooking including traditional cooking methods.
55. Others may have had a lifetime of burning material, such as dried leaves, in an incinerator and consider the practice as 'normal' and 'not a problem', amendments to the bylaw effecting this may be perceived as an unreasonable infringement of personal liberty on private property.

Economic

56. An uncontrolled fire started by open air burning may cause damage to fences, buildings or other property resulting in insurance claims and other costs for repair or replacement.
57. 82. Any specifications related to incinerators, braziers or other open-air burning devices may impact the existing market for such products. For example, implementing a specification that incinerators must be a certain size or shape or function in a certain manner may make other devices un-saleable. If such a measure were to be introduced, further consultation with manufacturers and retailers would be recommended prior to introduction. Neither option proposes such specifications.

Environmental

58. Burning waste can be a nuisance to neighbours and can also pollute the air by releasing harmful chemicals. Many common household items contain toxic chemicals. Paper waste may contain synthetic materials, preservatives and even plastics. Disposable nappies contain gels, bleaches and plastics. Many wood products are treated with toxic chemicals to prevent rot.
59. Burning of such wastes in low-temperature uncontrolled fires creates toxic and dangerous by-products which are not destroyed by the fire but become airborne on soot particles. These can end up being inhaled or being washed out of the air and deposited onto surrounding soil and vegetation, where they can readily enter the food chain.
60. The Waste Management and Minimisation Bylaw 2019 prohibits the burning of waste materials.
61. The extent to which waste and recoverable materials are being incinerated in open air fires within the Hamilton area is unknown, but expected to be relatively low volume due to the availability of Council-provided services including a recently implemented food waste service and improved rates-funded recycling service.
62. Reducing use of open air burning may reduce air contaminants, particularly PM₁₀ and PM_{2.5}.
63. The provisions in the existing bylaw include a requirement to meet the Waikato Regional Plan, which includes the permitted activity rule 6.1.13.1:

Permitted Activity Rule – Open Burning and Incineration

The discharge of contaminants into air and any subsequent discharge of contaminants onto land from open burning and incineration* of:*

- Untreated wood and vegetative matter
- Paper and cardboard
- Food waste
- Non halogenated plastics
- Animal carcasses on production land

is a permitted activity.....

64. *The Waikato Regional Council – Air Quality Strategy* has a focus on the regulation of industrial and trade discharges of PM₁₀, with only a minor focus on backyard burning which has a low contribution to air quality issues.

Cultural

65. Open air burning can be a traditional way of cooking (e.g. haangi) and restricting or infringing on people's ability to cook according to traditional practice may be unfair or discriminatory.
66. The existing and amended bylaws continue to allow traditional cooking.

Risks - *Tuuraru*

67. There are no known risks associated with the decisions required for this matter.

Significance & Engagement Policy - *Kaupapa here whakahira/anganui*

Significance

68. 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

69. Community views and preferences are already known to the Council through public consultation held 1 May – 30 May 2021.
70. Iwi representatives from Te Haa o te whenua o Kirikiriroa (THaWK) were asked to comment or express interest in the proposed revocation, with no comment received.

Attachments - *Ngaa taapirihanga*

There are no attachments for this report.

Council Report

Committee: Environment Committee **Date:** 26 August 2021
Author: Charlotte Catmur **Authoriser:** Sean Hickey
Position: Sustainability and Environment Advisor **Position:** General Manager Strategy and Communications
Report Name: 2021/2022 Climate Change Action Plan

| | |
|----------------------|-------------|
| Report Status | <i>Open</i> |
|----------------------|-------------|

Purpose - *Take*

1. To seek approval from the Environment Committee of the Climate Change Action Plan 2021/2022.

Staff Recommendation - *Tuutohu-aa-kaimahi*

2. That the Environment Committee:
 - a) receives the report; and
 - b) approves the 2021/2022 Climate Change Action Plan.

Executive Summary - *Whakaraapopototanga matua*

3. The 2021/2022 Climate Change Action Plan (**Attachment 1**) is Council's second Climate Change Action Plan.
4. It outlines the activities Council will deliver over the next year and beyond. The actions in the 2021/22 Action Plan are funded through the 2021-2031 Long-Term Plan.
5. The 2021/22 Action Plan includes the funded activities that enable Council to achieve the 50% reduction in our operational emissions (non-biogenic) by 2030.
6. Staff consider the matters in this report have medium significance and that the recommendations comply with the Council's legal requirements.

Background - *Koorero whaimaarama*

7. On 10 September 2020 the Environment Committee [approved](#) the first Climate Change Action Plan which was for the 2020/21 period. In the 2020/21 Action Plan council set two emissions reduction targets for our operational emissions and outlined actions to support emissions reduction and adaptation across the city. The Action Plan was developed in response to various community protests and petitions and was well received by the community in September 2020.
8. On 1 June 2021 staff presented a [final report](#) to the Environment Committee of the actions delivered in the 2020/21 Action Plan.

9. The 2021/2022 Climate Change Action Plan builds on the first Action Plan and incorporates activities and projects that were resourced and approved in the 2021-2031 Long-Term Plan.

Discussion - *Matapaki*

10. The 2021/22 Action Plan includes actions from across Council that are aligned to reducing emissions and adapting to climate change. The actions included have been resourced in the 2021-2031 Long-Term Plan.
11. As 62% of the City's emissions are from land transport there is a focus on the actions underway that will support mode shift and an increase in micro-mobility. The Action Plan also outlines how we are embedding climate change considerations into the future planning of the city through the District Plan review and the review of Hamilton's urban growth strategy.
12. The Action Plan also updates the activities that are funded in the 2021-2031 Long-Term Plan that will support Council in achieving our operational emissions reduction target of 50% reduction by 2030. Noting that some actions in the roadmap are not in our direct control, for example changes to the renewable energy mix in the national grid.
13. Staff will provide an overview each quarter of the delivery of the plan to the Environment Committee, with a final report in August 2022.
14. Detailed reports and approval of specific actions will be provided to the relevant Committees over 2021/22.
15. A key action in the 2021/22 Action Plan is to develop the Climate Change Strategy. In the Strategy, staff will recommend targets and outcomes for the city for emissions reduction and adaptation. Once the Climate Change Strategy has been approved in 2022, staff will develop an implementation plan. Future action plans will be informed by the Strategy rather than being a collation of existing activities and actions.

Financial Considerations - *Whaiwhakaaro Puutea*

16. The implementation of the 2021/22 Climate Change Action Plan is funded through the Long-Term Plan.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

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

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

18. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
19. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
20. The recommendations set out in this report are consistent with that purpose.

Social

21. Climate change has the potential to reduce our communities social wellbeing, especially our more vulnerable community members. This Climate Change Action Plan includes actions that will support Council to identify these potential risks and to take action to minimise the risks and to enhance social wellbeing.

Economic

22. The delivery of the 2021/22 Climate Change Action Plan outlines how we are supporting the transition to a low carbon economy in Hamilton. As we gain a better understanding of the potential economic risks and opportunities facing the city, we can collaborate with others to address them.

Environmental

23. The delivery of the actions in the 2021/22 Climate Change Action Plan will reduce greenhouse gas emissions and build our resilience. This includes reducing the Councils operating emissions and enabling others to reduce emissions through actions like improved cycleways and public transport.

Cultural

24. The long-term impacts of climate change may have impacts on the cultural wellbeing of our community, for example if values and customs are unable to be undertaken.
25. Collaboration is required through the delivery of this Action Plan to understand these future risks and to build these considerations into long term decisions.
26. We will collaborate with Waikato Tainui in the development of climate change strategy to ensure it meets our community's needs.

Risks - *Tuuraru*

27. There are no known risks associated with the decisions required for this matter.

Significance & Engagement Policy - *Kaupapa here whakahira/anganui*

Significance

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

Engagement

29. Community views and preferences on the items in the Climate Change Action Plan are already known to the Council through previous engagements including through consultation on the 2021-2031 Long Term Plan. Additional engagement on the implementation of specific projects will occur on a case-by-case basis.
30. Given the medium level of significance determined, the engagement level is medium. No engagement is required.

Attachments - *Ngaa taapirihanga*

Attachment 1 - 2021/2022 Climate Change Action Plan

2021/2022 Climate Change Action Plan

AUGUST 2021



Contents

| | |
|---|-----------|
| INTRODUCTION | 3 |
| Whats included in this Plan? | 3 |
| 2021/22 PLAN ON A PAGE | 4 |
| OUR CLIMATE CHANGE RESPONSE | 5 |
| Develop a long-term strategy for climate change | 5 |
| Develop a Climate Change and Environment Policy | 5 |
| REDUCING OUR OPERATIONAL EMISSIONS | 6 |
| Hamilton City Council emissions | 6 |
| Addressing our Council emissions | 8 |
| CREATING A LOW CARBON CITY | 9 |
| Hamilton's emissions profile | 9 |
| Reducing Hamilton's emissions | 10 |
| BUILDING A RESILIENT CITY | 16 |
| Adaptation | 16 |
| Hamilton's climate future | 16 |
| REPORTING | 21 |

INTRODUCTION

The impacts of climate change are already affecting communities here in New Zealand. The risks are real and if we fail to act, they will continue to impact on our community, economy, and natural environment.

Climate change presents an opportunity for us to rethink how we live, work, and play in our city, now and into the future. To realise these opportunities, we need to ensure we are well informed, and we are acting together.

Whats included in this Plan?

The 2021/22 Climate Change Action Plan sets out actions that we aim to deliver in 2021 and 2022, that will help to shape our response to climate change.

We will focus on:

- Developing our long-term climate change response
- Reducing our operational carbon emissions
- Supporting the city to transition to a low carbon future
- Building the resilience of our natural environment

Each quarter we will report on how we are progressing with the implementation of this Action Plan. In these updates we will provide more detail on the actions and whether we are on track with the implementation.

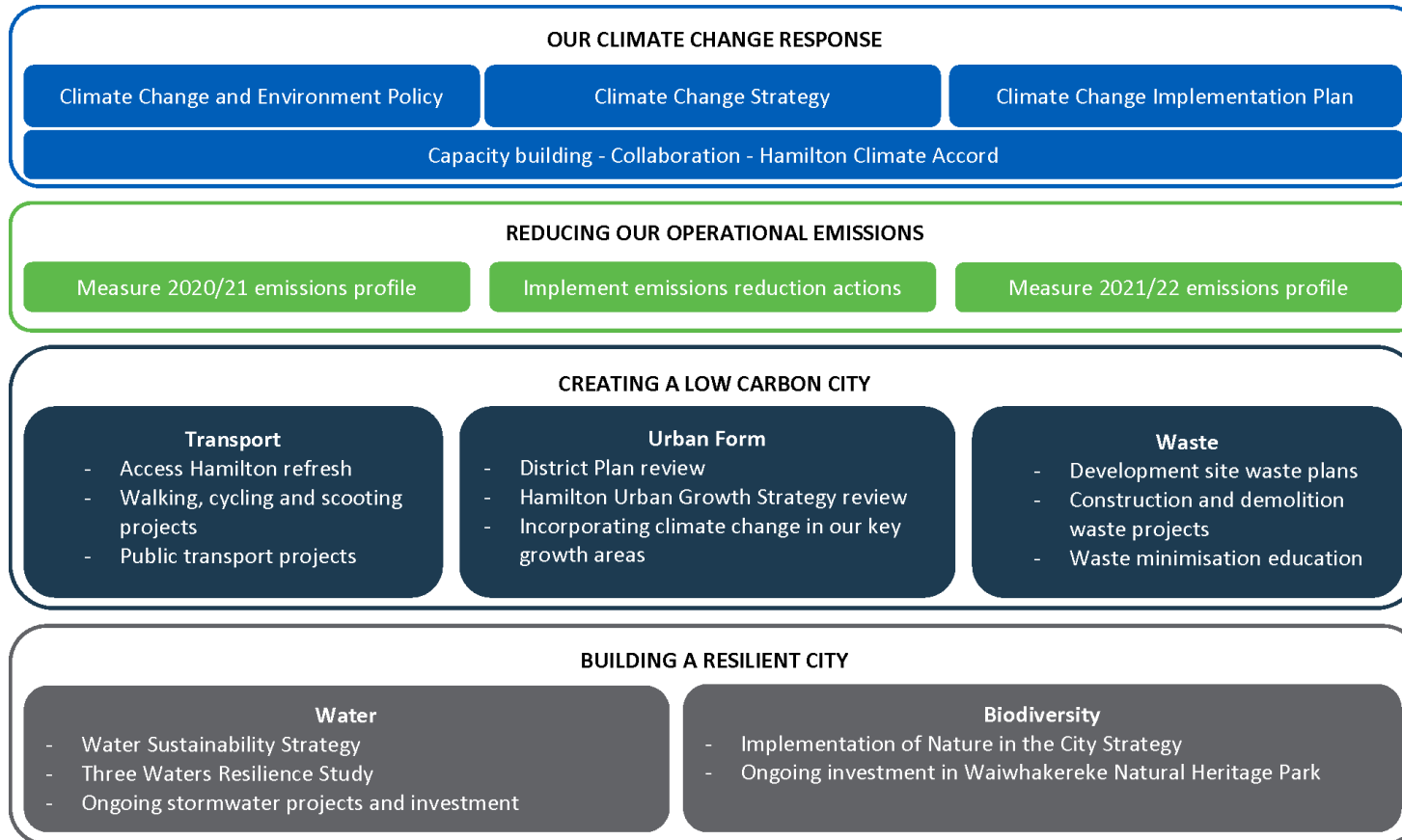
"It is unequivocal that human influence has warmed the atmosphere, ocean and land.

Widespread and rapid changes in the atmosphere, ocean, cryosphere and biosphere have occurred."

– IPCC, 2021¹

¹IPCC, 2021: Summary for Policymakers. In: *Climate Change 2021: The Physical Science Basis Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* Cambridge University Press. In Press.

2021/22 PLAN ON A PAGE



OUR CLIMATE CHANGE RESPONSE

As well as implementing actions to reduce emissions and build resilience, we are establishing our long-term climate change response.

Develop a long-term strategy for climate change

We are developing our Climate Change Strategy, which will outline our vision for Kirikiriroa Hamilton in 2050 and how we will transition to a low carbon, resilient City. The strategy will be developed in collaboration with iwi, stakeholders, and our community. Once the strategy is adopted the Climate Change Implementation Plan will be developed.

Develop a Climate Change and Environment Policy

We are developing a Climate Change and Environment Policy, which will ensure that climate change is embedded in our decision-making process across Council.

Capacity building

We will continue to build capacity on climate change across the organisation. We have established an internal governance structure for the climate change programme and are developing an internal learning and development programme for all staff.

Collaborate with community and stakeholders

Addressing climate change requires everyone to act. There are already businesses, community groups and individuals taking action to reduce emissions in Hamilton.

We will continue to collaborate with our community and stakeholders, for example by attending community events like Your Neighbourhood, working with other Councils and being part of events like the Waikato Climathon.

We are also developing the Hamilton Climate Accord in 2021/22. Through the development of the Climate Change Strategy, we will invite leading organisations across the city to be a part of the Accord and to partner with us in taking action on climate change.

We are always working with and funding key stakeholders. We currently support the Enviroschools Programme with \$35,500 funding to work with 32 schools in the city.

Our multi-year community grant has supported the operational costs of Go Eco with \$50,000 per year for the next three years.

REDUCING OUR OPERATIONAL EMISSIONS

Hamilton City Council emissions

Our Council's emissions profile includes emissions from all our council activities and operations, buildings, facilities, and our fleet.

We have calculated our emissions baseline and set two emissions reduction targets for our operational emissions. They are:

- 50% reduction of gross emissions (excluding biogenic² methane) by 2030³
- 25% reduction of emissions of biogenic methane by 2030⁴

In 2018/19 the Council generated 22,091 tonnes of carbon dioxide equivalents (tCO₂e). 11,159 tCO₂e were biogenic emissions from the treatment of Hamilton's wastewater. 10,932 tCO₂e were from non-biogenic emissions, and we'll continue to measure the non-biogenic emissions each year.

In 2020, we calculated our non-biogenic emissions for the 2019/20 period. The Council generated 10,438 tCO₂e of non-biogenic emissions. This was a 4.5% reduction from 2018/19, much of which occurred as a result of the COVID-19 lockdown and staff working from home.

² Biogenic emissions are those produced from biological (plant and animal) sources.

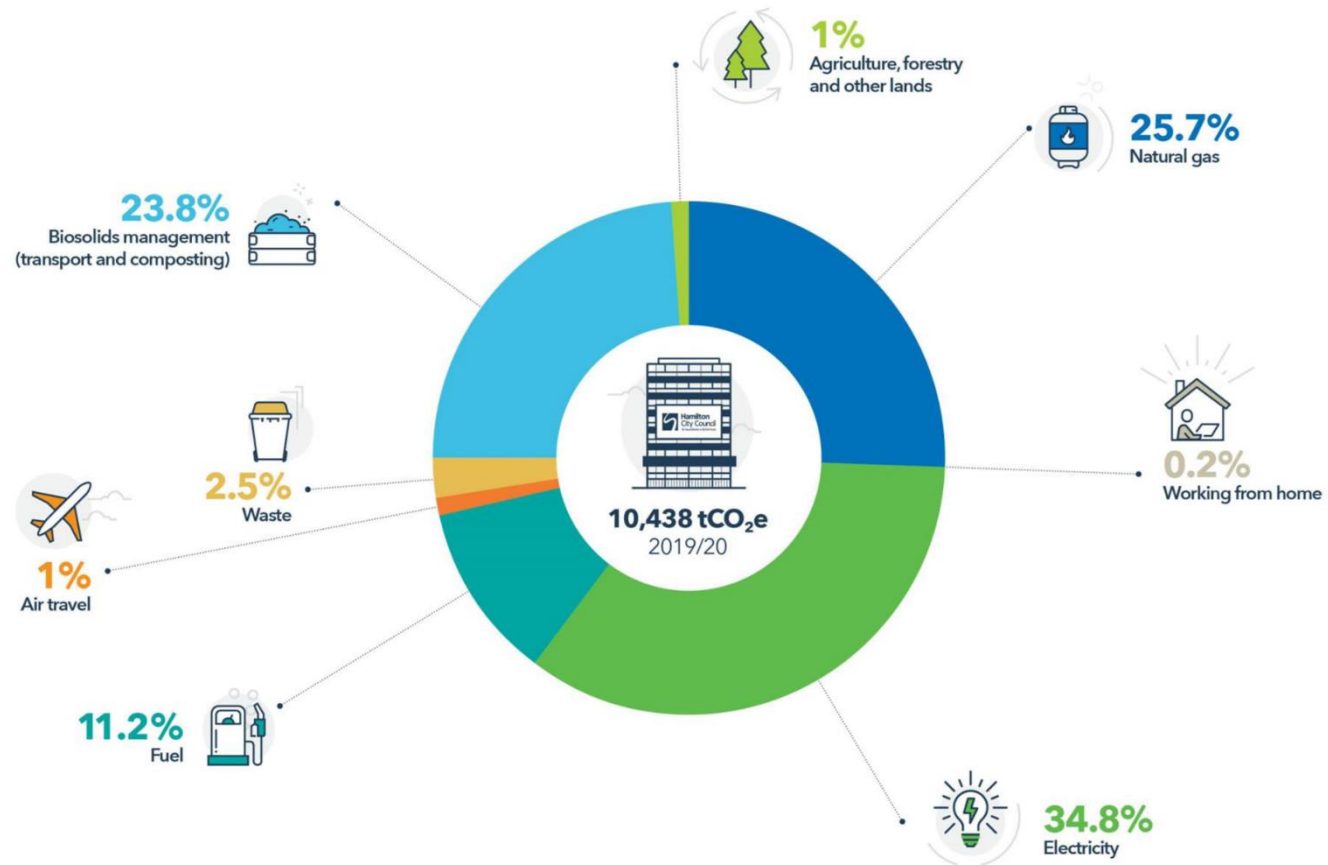
³ Reduction will be measured from the 2018/19 baseline of 10,932 tCO₂e

⁴ Reduction will be measured from the 2018/19 baseline of 11,159 tCO₂e

Our 2019/20 emissions are equivalent to 746 trips to the UK and back again.



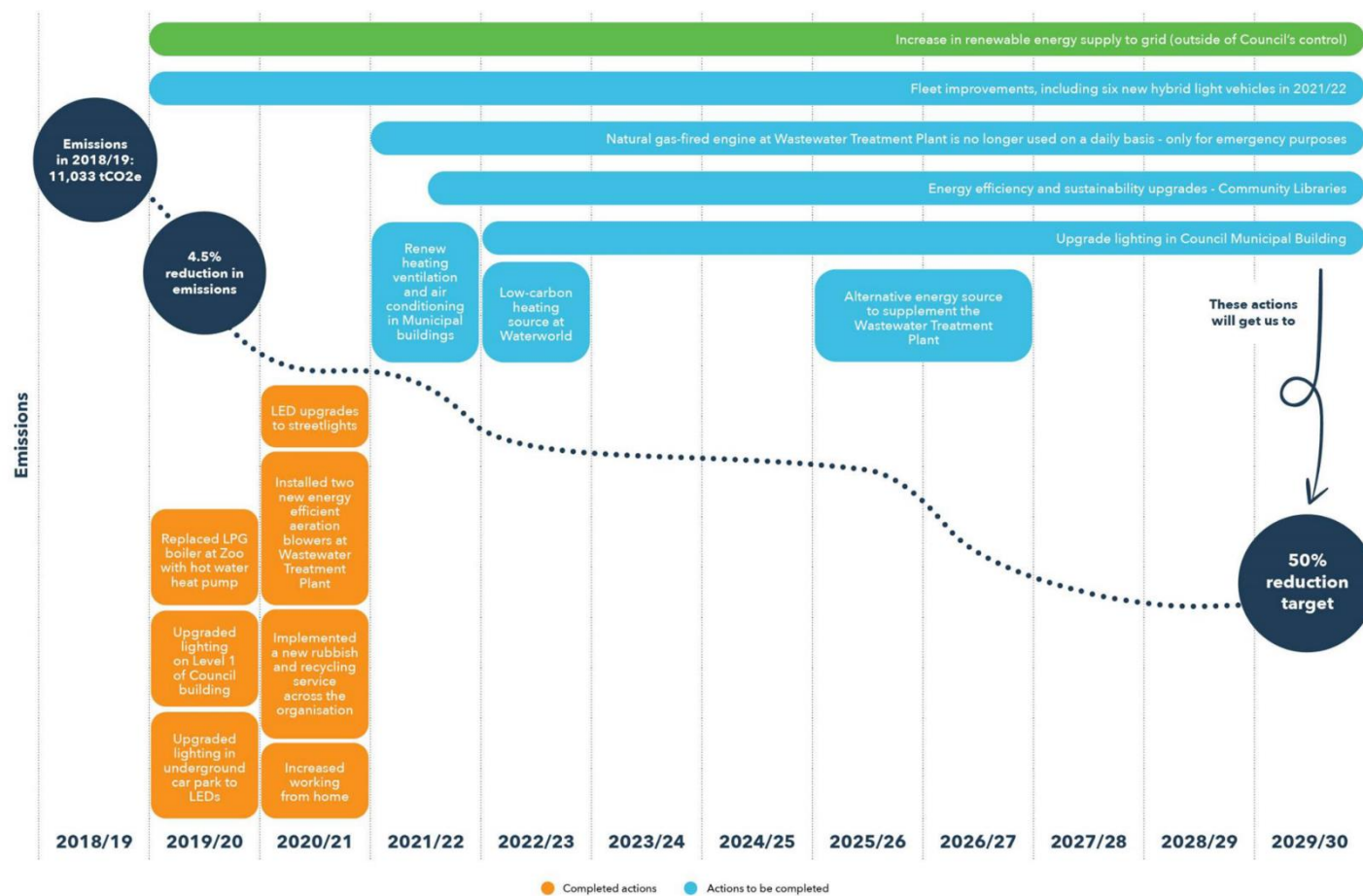
Hamilton City Council emissions profile 2019/20 (excluding biogenic methane)



7

Addressing our Council emissions

Our emissions reduction roadmap outlines how we will achieve our 50% reduction target. The actions outlined in the roadmap are funded in the 2021-2031 Long-Term Plan. In addition to the projects listed we will continue to identify behaviour changes projects that will reduce emissions.



CREATING A LOW CARBON CITY

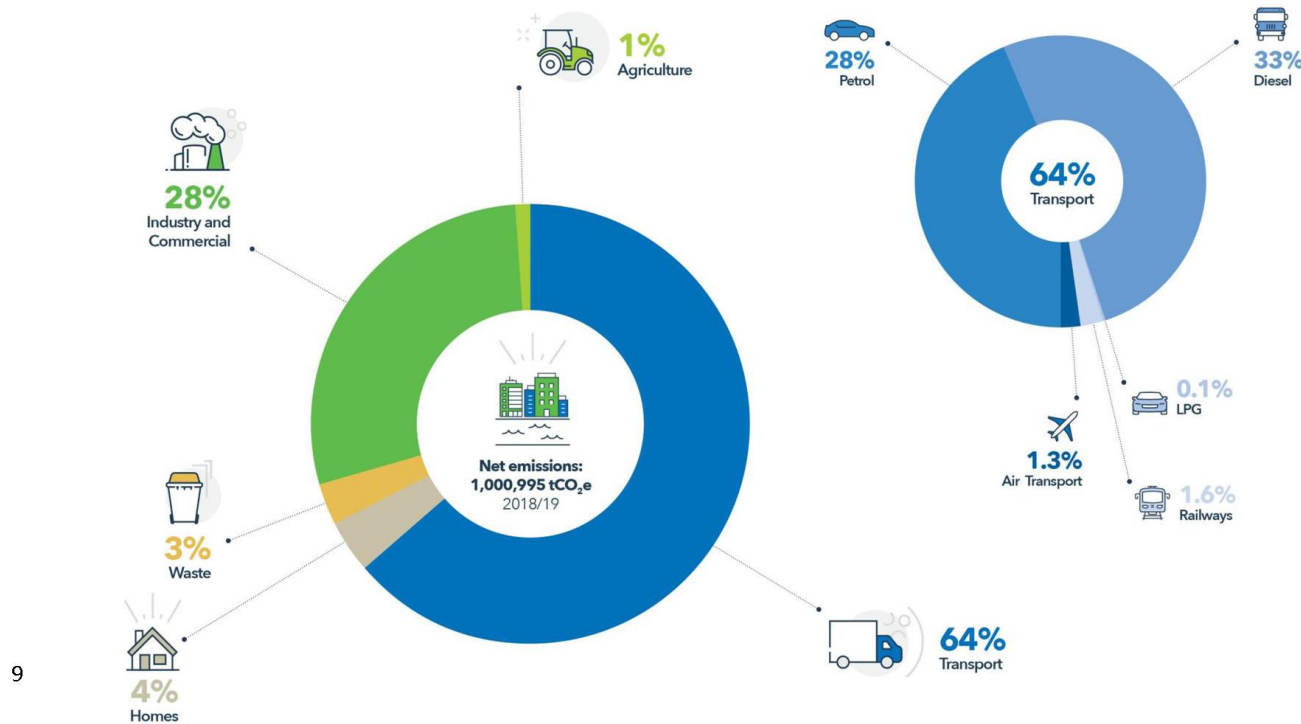
Hamilton's emissions profile

The city's carbon footprint includes emissions generated by the activities of residents, visitors, businesses, and industries.

In 2018/2019 Hamilton City generated a total of 1,000,995 tCO₂e gross emissions and 1,000,243 tCO₂e net emissions (excluding forestry). This represents 6 tCO₂e per capita emissions and approximately 8% of the total gross emissions in the Waikato.

Being a city, transport is the biggest contributor to our emissions and in 2018/19 they made up 64% of emissions.

We do not have direct control of these emissions, but we can influence them through the way we design our city, through our policies and plans and by partnering with others.



Reducing Hamilton's emissions

Creating a low carbon city will require action by Council, Central Government, businesses, and individuals. The areas where Council has the most influence is through our transport decisions, designing the future development and growth in the city and through our waste services.

Transport

Our emissions profile shows that transport is the primary source of emissions in Hamilton. We know that we can influence transport emissions by enabling more people to ride their bikes, walk or use a scooter and by supporting a shift to public transport and car sharing.

Access Hamilton Strategy refresh

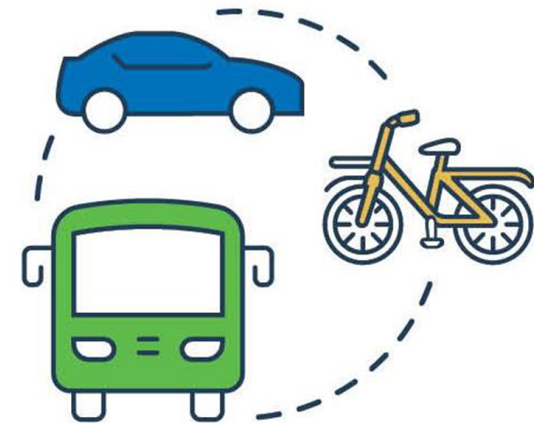
We are currently starting work on a refresh of our transport strategy, Access Hamilton. This will guide how we plan our transport infrastructure and services; how we will reduce our transport emissions; and the role of mode shift (moving to walking, cycling and public transport) and alternative fuels in reducing emissions. We expect the strategy refresh will be completed in 2022.

While this is underway, we continue to make investments across the city to improve safety and accessibility, and encourage more people to choose walking, cycling, and public transport.

Investing in our walking, cycling, and scooting networks

We have budgeted \$55 million over the next 10 years to support the implementation of our biking and micro-mobility programme. We are seeking Waka Kotahi funding to support the implementation of the programme. This programme aims to make it easier for people to walk, ride, and scoot around our city, reduce our transport emissions, and reduce dependency on private vehicles. In 2021/22 we will:

- Upgrade biking infrastructure at locations across the city, including cycle wands, green cycle lanes, cyclist footrests at intersections and new bike racks
- Improve cycle/pedestrian connectivity at key intersections, including at the intersection of Collingwood Street and Tristram Street
- Provide a cycle skills programme which includes training for both schools and the community to build riders skills and confidence





We are also working on the Eastern Pathways – Schools Link Project and are now seeking co-funding from Waka Kotahi NZ Transport Agency. This project will improve safety and accessibility for pedestrians, cyclists, and public transport.

Public Transport

A shift to public transport from private vehicle use is an important part of reducing transport emissions. The Central Government has set a target for public buses to be zero emissions by 2035.

We are working with Waikato and Waiya District Councils on our future sub-regional transport networks such as bus routes, rapid transit options, cycleways, and walkways.

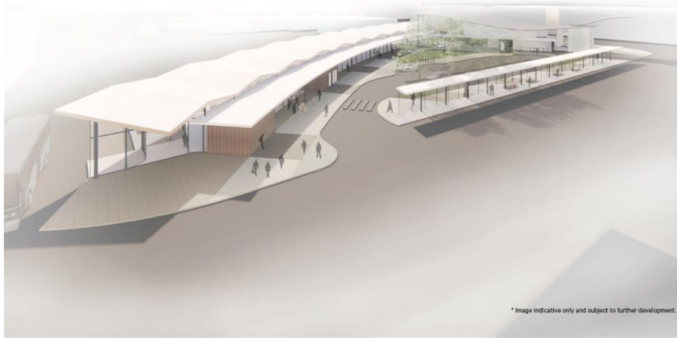
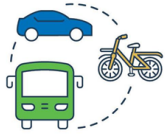


11

Improving our bus network

We are currently investigating, in partnership with Waikato Regional Council and Waka Kotahi, what is required to make our key public transport routes more reliable and to make it easier for people to catch buses. These studies will inform long-term planning for public transport and investment priorities.

There are a number of incentives currently run by Waikato Regional Council to encourage bus use in Hamilton and the wider region, for example the 'bus for a buck' scheme (Bee card holders can travel within the central city fare zone for only \$1), and fare capping (regular bus users travel cheaper with weekly fare caps). A new direct service linking the east and west of Hamilton, called The Meteor, is also expected to start in 2021, along with a trial of an on-demand bus service.



Transport Centre Rejuvenation

The Transport Centre Rejuvenation Project focuses on improving accessibility, safety, and operational efficiency. Construction of this estimated \$7.7 million project (funded by Council and Waka Kotahi) is anticipated to start in 2021/22. Our improved Transport Centre will help encourage more people to use public transport as it will provide a better experience and more reliable service. *Note: Image above is a concept design of Transport Centre Rejuvenation. This is indicative only and subject to further development.*

Travel planning

Local governments and other organisations are working towards including workplace travel planning to provide more sustainable modes of traveling, and this is becoming more of a requirement as the city grows and the demand for parking and congestion increases. Work is currently underway on a Hamilton City Council Workplace

Travel Plan for staff. The intention is to share the process and learnings with other local businesses and organisations, and to support others in developing their own plans.

We are also looking into partnership opportunities for electric vehicle charging stations throughout the city, including Hamilton City Council venues, and public places. We will also work with Waikato Regional Council to see how any future projects can align with their Regional Charging Plan.

Urban form

The way we plan and build our city, now and in the future, will impact on the emissions we generate as a result of the way we live, play and work.

Embedding climate change in our District Plan and Growth Strategy

We are currently reviewing the District Plan to respond to the National Policy Statement for Urban Development. A key part of this review is to embed climate change considerations into the way the city develops.

We are also reviewing the Hamilton Urban Growth Strategy, Council's spatial vision for the city, and climate change will be considered throughout the review process. This review is expected to be completed by July 2022.

Incorporating climate change in our key growth areas

We are planning for a low carbon future by integrating active transport, green spaces, and climate change impacts into our growth areas.

Rotokauri

In our future plans for Rotokauri we are integrating walking, cycling and public transport infrastructure and services. We have funded this infrastructure in the 2021-31 Long-Term Plan. We are also using other opportunities to improve the network. For example, the greenway corridor will primarily act as a stormwater management device, mitigating the effects of climate change by improving flood capacity, but it will also create a corridor for cycleways and

walkways. The greenway will also provide the opportunity for planting and habitats on a footprint of over 12 hectares.

Peacocke

As we design the future for Peacocke we will:

- Create the opportunity to build a modern suburb with high ecological and transport outcomes
- Increase density to support public transport and a vibrant committee
- Protect the natural environment and ensure development is compatible with the natural environment

We are incorporating an extensive walking and cycling network into our designs and have allocated funding of \$2.2 million to build the paths and infrastructure. The timing of the construction work has not yet been confirmed.



Waste

Waste accounts for 3% of our city's carbon emissions. We can reduce this by decreasing the amount of waste we send to landfill (particularly food waste). Hamilton's new rubbish and recycling service kicked off in August 2020 and has increased diversion rates of waste from landfill from 28% to 51% in 2020/21.

Tronpost

Council has been sharing the compost made from Hamilton's food waste, dubbed 'Tronpost' with community groups. To date Tronpost has been provided to Progress to Health for their community garden at Caro Park and to Te Papanui Enderley Community Centre for the development of raised garden beds



We will continue to share the compost with community groups in 2021/22. Tronpost is also available for purchase at Hamilton Organic Centre.





Collaboration with the construction industry

We will continue to collaborate with key stakeholders to address the growing construction and demolition waste issue. In July 2021 we held two workshops on construction and demolition waste management. We plan to hold more events over the next few years to address the many challenges in this area.

Waste plans for new developments

We require all new properties and developments to have a waste plan that includes storage space for rubbish and recycling bins, and access for collection vehicles. We are developing resources to make it easier for developers to produce a waste plan, including a new online [waste calculator](#). This will allow for more new properties and developments to receive Council's rubbish and recycling service, encouraging the diversion of waste to landfill.

Waste minimisation education

We will continue to educate the community about waste minimisation via our Fight the Landfill website, and in the new Education Room for schools and community groups at the Materials Recovery Facility (where Hamilton's recycling goes). The Education room is a dedicated space for groups to learn about the importance of reducing, reusing, and recycling waste correctly, which will encourage diversion rates across the city. Increasing diversion of waste from landfill will help to reduce emissions.



BUILDING A RESILIENT CITY

Adaptation

Climate change is already impacting New Zealand and we must prepare for the climate changes that are already locked in and are likely to get worse in the future.

Hamilton's climate future

Climate models are used to predict what the climate might look like in the future under different climate scenarios.

The modelling we commissioned shows that for Hamilton, it is very likely there will be:



Increase in
rainfall



Temperatures
will rise



Longer hot
summer season



Increase in
extreme rainfall



Increase in the
number of hot days



Increase in the
number of hot nights

Following the release of the 2021 IPCC report we will update our modelling to understand the potential medium- and long-term impacts for the city.

“Global surface temperature will continue to increase until at least the mid-century under all emissions scenarios considered.”

Global warming of 1.5°C and 2°C will be exceeded during the 21st century unless deep reductions in CO₂ and other greenhouse gas emissions occur in the coming decades.”

– IPCC, 2021⁵

⁵IPCC, 2021: Summary for Policymakers. In: *Climate Change 2021: The Physical Science Basis Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* Cambridge University Press. In Press.

Water

As the effects of climate change become more apparent, it will be increasingly important to conserve and protect our water. There will be times when we have too much water and times when we have too little – we need to prepare for both.

Stormwater adaptation

Future climate modelling predicts that we will experience more intense rainfall events, without the right infrastructure we will experience an increase in flooding around the City. Funding of \$13.3m has been set aside in the 2021-31 Long Term Plan for our stormwater network, to ensure that climate change considerations are embedded into the way we design & improve stormwater.

Three Waters Resilience Study

As part of our three waters services, we are identifying and assessing our vulnerabilities to different hazards including flooding, drought, water allocation and access to resources, all of which are impacted by climate change. This study will help us to improve the resilience of our three waters services. This study will be completed in March 2022.

Conserving water is an important part of adapting to the effect of climate change. As part of our own operations, we are using a number of water-saving techniques at our H3 venues, including:

- Reusing water collected in rainwater tanks on the roof of the Claudelands building to flush the toilets
- Using moisture meters to make decisions around irrigation and watering of turf
- Irrigating fields at night so there is less water evaporation from the sun
- Planting warm season grass at Beetham Park, which requires less watering in the summer period.



**Water Sustainability Strategy**

We are developing a Water Sustainability Strategy to guide the future direction of our water activity. In the Strategy we will set a vision for sustainable water supply and identify key objectives and outcomes. To support the implementation of the Strategy we are also developing an internal Decision-Making Policy and Guidelines which will seek to embed climate change consideration and water sustainability into our internal decision making. These will be completed in March 2022.

Water demand management zones

We will continue to address water leakage across the city by creating supply zones and associated Demand Management Areas (DMAs). These allow us to better manage consumption and leakage by monitoring network pressures and flows at discrete locations. This gives Council the ability to detect and proactively address leakage before it becomes a larger issue. Six of the nine proposed supply zones have been implemented, with the remaining due to be completed over the next two years.



We will continue to promote water conservation, for example through the Smart Water summer campaign to minimise municipal water use and by applying District Plan rules that require development water impact assessments and for low flow plumbing fittings to be installed.

Biodiversity

Protecting and restoring biodiversity can help us adapt to the effects of climate change.

Nature in the City Strategy implementation

In 2020 Council approved the Nature in the City Strategy, which aims to achieve 10% native vegetation cover in Hamilton by 2050. \$19.6 million of capital funding has been set aside in the 2021-31 Long Term Plan for this program, for development and additional maintenance of our gully systems.



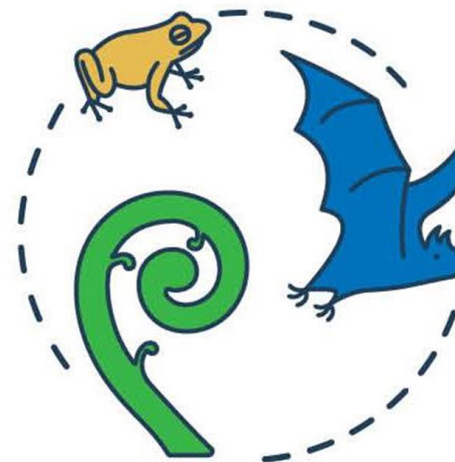
This year the focus will be on planning work to enable the capital development, including consents and procurement. We will start the on the ground works in 2022.

19

We are also setting up monitoring systems which will help us track our progress in bringing flora and fauna back to the city.

The Municipal Nursery will become the centre of operational activities for implementing our Nature in the City Strategy. We are more than doubling the number of staff on the ground for this project, including a new ranger and several community planting roles.

We will also continue to collaborate with existing community groups and the Department of Conservation and Waikato Regional Council to ensure our efforts are aligned and complementary.



**Waiwhakareke Natural Heritage Park**

We are continuing to invest in Waiwhakareke, the City's flagship natural heritage park, with funding (\$1.4 million) set aside in the Long-Term Plan 2021-31 to develop path networks and enhance the attractiveness of the park as a visitor destination

The annual Arbor Day planting at Waiwhakareke is a key date for our ecological restoration projects. In 2021, we had over 700 volunteers who planted 18,000 trees, covering 1.8 hectares.



REPORTING

We will report on the implementation of this action plan quarterly to the Environment Committee with a final report delivered in August/September 2022. The schedule below provides an outline of this. We will also update our website following the Committee meetings.

| | | November 2021 | Feb/March 2022 | May/June 2022 | August 2022 Final report |
|--------------------------------------|--------------|---|----------------|--|---------------------------------------|
| OUR CLIMATE CHANGE RESPONSE | | Climate Change and Environment Policy | | | |
| | | Climate Change Strategy development | | Climate Change Strategy Implementation | |
| | | Capacity building - Collaboration - Hamilton Climate Accord | | | |
| REDUCING OUR EMISSIONS | | Measure 2020/21 emissions profile | | | Measure 2021/22 emissions profile |
| | | Implement emissions reduction actions | | | |
| CREATING A LOW CARBON CITY | Transport | Access Hamilton refresh | | | |
| | | Walking, cycling, and scooting projects | | | |
| | | Public transport projects | | | |
| | Urban Form | District Plan review | | | |
| | | Hamilton Urban Growth Strategy review | | | Peacocke structure plan |
| | Waste | Rubbish and recycling service updates | | | |
| | | | | Construction and demolition waste projects | Waste education |
| BUILDING A RESILIENT CITY | Water | Water Sustainability Strategy | | | |
| | | Three Waters Resilience Study | | Stormwater projects and investment | |
| | Biodiversity | Implementation of Nature in the City Strategy | | | |
| | | | | | Waiwhakereke Natural Heritage Park |

21

FURTHER INFORMATION

Hamilton City Council
Garden Place, Private Bag 3010, Hamilton

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 @CouncilHamilton
 07 838 6699
hamilton.govt.nz

Council Report

Item 9

Committee: Environment Committee **Date:** 26 August 2021
Author: Charlotte Catmur **Authoriser:** Sean Hickey
Position: Sustainability and Environment Advisor **Position:** General Manager Strategy and Communications
Report Name: Environment Committee - Forward Work Programme

| | |
|----------------------|------|
| Report Status | Open |
|----------------------|------|

Purpose - *Take*

1. To seek approval from the Environment Committee of the Environment Committee Forward Work Programme.

Staff Recommendation - *Tuutohu-aa-kaimahi*

2. That the Environment Committee:
 - a) receives the report; and
 - b) approves the Environment Committee Forward Work Programme (**Attachment 1** of the staff report).

Executive Summary - *Whakaraapopototanga matua*

3. The Forward Work Programme provides clarity for the Committee and the community on the resourced work programme for the remainder of the triennium.
4. The Environment Committee Forward Work Programme has been developed in collaboration with the Chair, Deputy Chair, and staff from across the organisation.
5. Staff recommend that the Environment Committee Forward Work Programme **attachment 1**, of the staff report, is approved.
6. Staff consider the matters in this report have low significance and that the recommendations comply with the Council's legal requirements.

Background - *Koorero whaimaarama*

7. The Environment Committee was established as a new Committee this triennium and has overseen the development of the Nature in the City Strategy and the Climate Change Action Plan 2020/21.
8. Following the passing of Councillor Margaret Forsyth in May 2021, Councillor Martin Gallagher was appointed Chair of the Environment Committee.
9. This was a natural point to re-confirm the priorities of the Environment Committee and get clarity on the forward work programme for the remainder of the triennium.

Discussion - *Matapaki*

10. The Chair and Deputy Chair of the Committee met with staff in June 2021 to discuss what the Committee will deliver over the rest of the triennium.
11. A workshop was held on 25 June 2021 with the Chair and Deputy Chair of the Environment Committee and relevant General Managers and staff from across Council. The purpose of the workshop was to get agreement on what the Environment Committee's priorities are for the remainder of the term and how the Committee can influence workstreams outside of the Committee's remit that have strong links to environment and climate change.
12. The Environment Committee Forward Work Programme (**attachment 1**) has been developed as an output of the workshop.
13. The Environment Committee's Terms of Reference are focused on future direction setting through policy, strategies and plans and the monitoring of their implementation. Staff have used this framing to outline the future work programme.
14. The service delivery activities associated with waters, waste and biodiversity are covered by the Infrastructure Operations Committee and the Community Committee.
15. Advocacy and updates regarding the Resource Management Reform will predominantly be reported to the Strategic Growth Committee, the exception is the Climate Change Adaptation Act which is covered by the Environment Committee. Updates and links to other Committee reports will be provided to the Environment Committee through the General Managers report as required.
16. A 12-month communications and engagement plan for the Climate Change Programme is currently under development. It will support the Environment Committee in communicating the work delivered over the rest of the triennium.
17. The Chair and Deputy Chair identified that there would be benefit to changing the structure of the Environment Committee meetings, to include a workshop for all Elected Members and then a shorter Committee meeting.
18. This will enable greater discussion with Elected Members on the climate change programme, which links to many other Committees work, as well as other cross cutting topics like maatauranga maaori.

Financial Considerations - *Whaiwhakaaro Puutea*

19. All activities included in the forward work programme are funded through the Long-Term Plan.
20. Any additional activities requested by the Environment Committee in the forward work programme or during the remainder of the triennium will be assessed for budget implications.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

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

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

22. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
23. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.

24. The recommendations set out in this report are consistent with that purpose.

Social

25. The role of the Environment Committee is to be a strong advocate for environment wellbeing, however, through the delivery of the Environment Committee Forward Work Programme the social wellbeing of our community will also be at the fore of decisions. For example, connection to nature and increased biodiversity in our city is important for many of our community and for their sense of belonging.

Economic

26. The Environment Committee Forward Work Programme includes a strong focus on climate change, which has the potential to impact on the economic wellbeing of some of our community. In the development of both the Climate Change Strategy and the Climate Change and Environment Policy there will be a focus on the economic impact and risks for our community and what opportunities and levers council can use to minimise these impacts.

Environmental

27. Improving environmental wellbeing underpins the Committee's remit and is central to the activities outlined in the forward work programme for the Committee. Through the directions set by the Committee and the ongoing monitoring of the strategies and policies the Committee will be well positioned to understand how environment wellbeing is improving.

Cultural

28. Many aspects of cultural wellbeing draw on a connection to the natural environment, cultural wellbeing will be intertwined in the delivery of the forward work programme.

Risks - *Tuuraru*

29. There are no known risks associated with the decisions required for this matter.

Significance & Engagement Policy - *Kaupapa here whakahira/anganui* **Significance**

30. 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

31. Community views and preferences are already known to the Council through existing strategy development.
32. Given the low level of significance determined, the engagement level is low. No engagement is required.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Environment Committee Forward Work Programme

Environment Committee

2021/2022 Forward Work Programme

The forward work programme has been developed to provide the Environment Committee with an overview of the activities underway that align to the Committee's terms of reference and clarity of what reports the Committee can expect to receive during this triennium.

Environment Committee Terms of Reference:

- *To develop policy, approve strategies and plans and monitor their implementation:*
 - concerning Hamilton's contribution and response to climate change
 - for the sustainable use of Hamilton's natural resources
 - for efficient and sustainable waste management and recycling
 - for Council's corporate environmental sustainability
 - for Council's biodiversity
- *Recommendatory Oversight of Policies and Bylaws:*
 - Open Air Burning Bylaw 2015
- *Common delegations*
 - Approve submissions to external bodies/organisations on legislation and proposals that impact governance policy or matters

This triennium the Committee has already delivered the following in line with the terms of reference:

Policy, Strategies and Plans

- Nature in the City Strategy
- Environment Principles
- 2020/21 Climate Change Action Plan

Monitoring

- 2018-2024 Waste Management and Minimisation Plan implementation
- Sustainability Stocktake (based on previous Sustainability Principles)
- Energy efficiency and Green Star buildings
- WLASS Energy and Carbon Programme update
- Natural Areas Funding Update

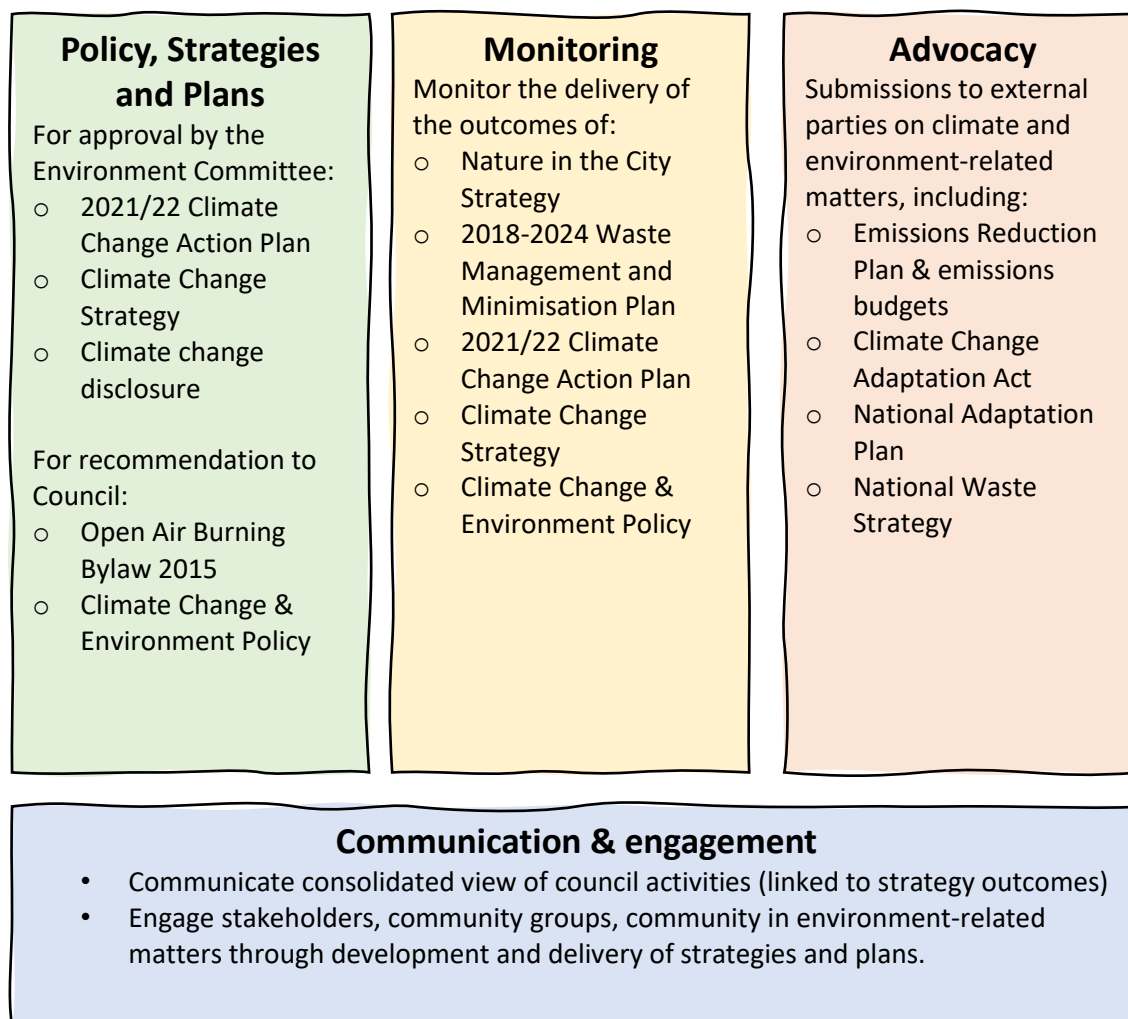
Advocacy

Submissions on:

- proposed National Policy Statement for Indigenous Biodiversity
- Climate Change Commission draft advice to Government
- Ministry of Transport Emissions Reduction Discussion Plan

Forward work programme

The following work programme has been identified as a priority for the Committee and the development and implementation have been resourced through the 2021-2031 Long Term Plan.



Identification of additional priorities

Staff will assess the resourcing required of any additional policy, strategy, and plan requests from the Environment Committee, this includes the development of an Urban Tree Strategy. Additional resourcing needs will be included in the Annual Plan and/or to the Finance Committee.

Monitoring and advocacy reports that align to the Terms of Reference will be identified and agreed with the Chair and Deputy Chair.

Timing of delivery

The Environment Committee officially meets every 3 months, the following timing is proposed for the delivery of the forward work programme.

Attachment 1

| | 26 August 2021 | 30 Nov 2021 | Feb-March 2022* | May – June 2022* | August – Sept 2022* |
|---|-----------------------------------|-----------------------------------|------------------------|-------------------------|--------------------------------------|
| Open Air Burning Bylaw 2015 | Recommend to Council for approval | | | | |
| 2021/22 Climate Change Action Plan | Approval | Monitoring report | Monitoring report | Monitoring report | Final report on delivery for 2021/22 |
| Climate Change and Environment Policy | | Recommend to Council for approval | | Monitoring report | |
| Climate Change Strategy | | | Approval | Implementation Plan | Monitoring report |
| Climate Change disclosure report | | | | | Approval |
| 2018-2024 Waste Management and Minimisation Plan | | | Monitoring report | | Monitoring report |
| Nature in the City Strategy implementation | | Monitoring report | | Monitoring report | |
| Advocacy reports | As required | | | | |
| For information reports on environmental issues | As requested | | | | |

Item 9

*Meeting dates yet to be confirmed

Council Report

Item 10

Committee: Environment Committee **Date:** 26 August 2021
Author: Sean Hickey **Authoriser:** Sean Hickey
Position: General Manager Strategy and Communications **Position:** General Manager Strategy and Communications
Report Name: General Managers Report

| | |
|----------------------|-------------|
| Report Status | <i>Open</i> |
|----------------------|-------------|

Purpose - *Take*

1. To inform the Environment Committee on topical issues, areas of concern and items which need to be brought to the Committee Member's attention, but which do not necessitate a separate report or decision.
2. To seek approval from the Environment Committee to defer infill and loss of vegetation in gullies report to a future meeting of the Committee.

Staff Recommendation - *Tuutohu-aa-kaimahi*

3. That the Environment Committee:
 - a) receive the report; and
 - b) approves the deferral of the infill and loss of vegetation in gullies report to a future meeting of the Environment Committee.

Executive Summary - *Whakaraapopototanga matua*

4. This report provides updates to Environment Committee Members on activities, actions or projects contained within the plans or strategies for which this Committee and the relevant General Manager have responsibility over and for which significant progress has been made.
5. The following updates are included in this report:
 - i. Infill and loss of vegetation in gullies
 - ii. Update on advocacy opportunities
 - iii. International updates
 - iv. Resource

Discussion - *Matapaki*

Defer 1 June 2021 resolution on infill and loss of vegetation in gullies

6. A resolution was made at the 1 June 2021 Environment Committee for staff to report back to the 26 August 2021 Environment Committee meeting on infill and loss of vegetation in gullies, and the work that is being undertaken by the District Plan Committee in this regard.

7. Through the District Plan change programme, staff are undertaking monitoring work to understand the impacts of infill development on loss of vegetation in gullies.
8. Following the completion of this work and after reporting to the District Plan Committee staff will be able to provide an update to the Environment Committee.

Update on advocacy opportunities

9. As outlined to the Environment Committee on [1 June 2021](#) there are a number of opportunities for advocacy to Central Government coming over the next year.

Climate Change

10. The Ministry for the Environment ran workshops on the Emissions Reduction Plan and the National Adaptation Plan with local government staff in July. The engagements are listed on the Ministry's website - [Climate change engagement | Ministry for the Environment \(cwp.govt.nz\)](#)
11. It is likely (subject to Cabinet approval) that the draft Emissions Reduction Plan will be open for consultation in September 2021.

Resource Management Reform

12. At the 3 August 2021 Strategic Growth Committee meeting, Council approved the [submission to the Natural and Built Environment Exposure Draft](#).
13. Further opportunity for engagement will happen in 2022 - [Resource management reform engagement | Ministry for the Environment \(cwp.govt.nz\)](#)

Three Waters Reform

14. An update on the Government's Three Waters Reform Programme was provided to Council on [12 August 2021](#). The report provided updates on the following key areas:
 - i. National Three Waters Reform – Current Status
 - ii. Request for feedback to LGNZ by 1 October 2021
 - iii. Waikato/Bay of Plenty Three Waters Reform Consortium
 - iv. Entity B - Update
 - v. HCC Three Waters Reform – Political Reference Group

Waste

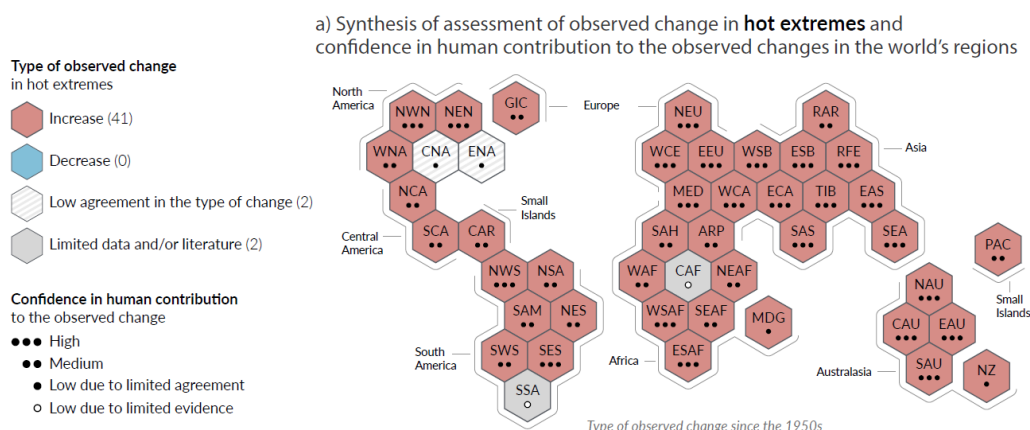
15. The Ministry for the Environment will be consulting on the National Waste Strategy and Waste legislation reforms in the next few months, the timing of the consultation has not been confirmed.

International updates

16. Over 2021 and 2022 the Intergovernmental Panel on Climate Change (IPCC) will release their sixth assessment report on climate change, this will be made up of the following reports:
 - i. AR6 Synthesis Report: Climate Change 2022 – September 2022
 - ii. AR6 Climate Change 2022 – Impacts, Adaptation and Vulnerability – February 2022
 - iii. AR6 Climate Change 2022 – Mitigation of Climate Change – March 2022
 - iv. AR6 Climate Change 2021 – The Physical Science Basis – August 2021
17. The first of the working group contributions, AR6 Climate Change 2021 – The Physical Science Basis was released on 9 August 2021. The reports and associated information are available [online](#).
18. In the Summary for Policymakers (SPM) report the IPCC make the clear statement that “It is unequivocal that human influence has warmed the atmosphere, ocean and land. Widespread and rapid changes in the atmosphere, ocean, cryosphere and biosphere have occurred.”

19. The SPM notes that the evidence of human influence on changes in extremes, including heatwaves, heavy precipitation and droughts, has strengthened since the previous assessment report. The report goes into further detail on the types of changes experienced and the changes occurring by region.

Climate change is already affecting every inhabited region across the globe with human influence contributing to many observed changes in weather and climate extremes



20. The report assesses the climate response of five scenarios known as shared socio-economic pathways (SSP), these include scenarios with very low and low GHG emissions (SSP1-1.9 and SSP1-2.6), intermediate GHG emission (SSP2-4.5) and high and very high GHG emissions (SSP3-7.0 and SSP5-8.5).
21. This table from the SPM shows the temperature differences relative to the average global surface temperature of the period 1850-1900 for 20-year time periods for the five scenarios.

| | Near term, 2021–2040 | | Mid-term, 2041–2060 | | Long term, 2081–2100 | |
|----------|----------------------|------------------------|---------------------|------------------------|----------------------|------------------------|
| Scenario | Best estimate (°C) | Very likely range (°C) | Best estimate (°C) | Very likely range (°C) | Best estimate (°C) | Very likely range (°C) |
| SSP1-1.9 | 1.5 | 1.2 to 1.7 | 1.6 | 1.2 to 2.0 | 1.4 | 1.0 to 1.8 |
| SSP1-2.6 | 1.5 | 1.2 to 1.8 | 1.7 | 1.3 to 2.2 | 1.8 | 1.3 to 2.4 |
| SSP2-4.5 | 1.5 | 1.2 to 1.8 | 2.0 | 1.6 to 2.5 | 2.7 | 2.1 to 3.5 |
| SSP3-7.0 | 1.5 | 1.2 to 1.8 | 2.1 | 1.7 to 2.6 | 3.6 | 2.8 to 4.6 |
| SSP5-8.5 | 1.6 | 1.3 to 1.9 | 2.4 | 1.9 to 3.0 | 4.4 | 3.3 to 5.7 |

22. Under the scenarios with increasing CO₂ emissions the report notes that both ocean and land carbon sinks are projected to be less effective at absorbing CO₂. Signalling the importance of both reducing emissions as well as investing in and protecting carbon sinks.
23. The report also states that many of the changes in climate due to past and future greenhouse gas emissions, including changes in the ocean, ice sheets and global sea level, are irreversible for centuries to millennia.
24. The report highlights the importance of deep cuts in emissions and getting to net zero in the coming decades to minimise the irreversible changes.

Resource

25. As noted in the Forward Work Programme Report on this agenda, the Environment Committee is focussed on direction setting through policy and strategy, monitoring of relevant plans and strategies, advocacy to external agencies and community engagement on environment and climate-related matters.
26. To support these governance focus areas, we have the following management-level resources in place:
27. *Specific staff resource:*
 - i. Environment and Sustainability Manager – leading development of Climate Change Strategy, Environment and Climate Change Policy, development of relevant submissions and support for the Environment Committee (c.80% FTE)
 - ii. Research and Insight Analyst – coordinating organisation-wide development and monitoring of Climate Action Plan (c. 40% FTE)
 - iii. Communication and Engagement Advisor – development and delivery of Communication and Engagement Plan (c.40% FTE)
28. *Organisation-wide resource:*
 - i. Climate Change Steering Group – senior staff from across the organisation providing direction on long-term strategy and policy development
 - ii. Climate Change Working Group – operational staff from across the organisation responsible for delivering activities that contribute to climate change outcomes.
 - iii. Various Groups, Business Units and individuals – responsible for strategy, planning and delivery of environment and climate-related initiatives relevant to respective business areas.
29. *External support*
 - i. KPMG – completed an assessment of our climate change readiness based on the Taskforce for Climate-related Financial Disclosure framework.
 - ii. ClimSystems – completed the first phase of climate modelling for Hamilton
 - iii. Consultant Support – Consultants (tbc) to support development of Climate Change Strategy
 - iv. Regional and National agencies – collaboration with, and leverage of, other Council and Central Government Agency resources
30. Staff consider the current level of staff resource to be at the lower end of what is required to deliver the Committee's climate change work programme.
31. In the immediate term, this is being addressed by increasing the proportion of time the Research and Insight Analyst dedicates to environment and climate change matters.
32. In the medium-term, it is anticipated that additional resource will be required to provide more proactive direction-setting, planning and co-ordination of activity to deliver the outcomes in the Climate Change Strategy.
33. No decision is required from the Environment Committee on this matter, at this time.
34. The General Manager Strategy and Communications will work with the Committee Chair and Deputy Chair to identify future resource requirements so that they may be considered as part of the next Annual Plan (if required).

Financial Considerations - *Whaiwhakaaro Puutea*

35. This is a regular operating activity funded through the Long-Term Plan.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

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

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

37. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
38. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.
39. The recommendations set out in this report are consistent with that purpose.

Risks - *Tuuraru*

40. There are no known risks associated with the decisions required for this matter.

Significance & Engagement Policy - *Kaupapa here whakahira/anganui* **Significance**

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

Engagement

42. Given the low level of significance determined, the engagement level is low. No engagement is required.

Attachments - *Ngaa taapirihanga*

There are no attachments for this report.