

## Notice of Meeting:

I hereby give notice that an extraordinary Meeting of the Hearings and Engagement Committee will be held on:

**Date:** Wednesday 2 June 2021  
**Time:** 11.15am  
**Meeting Room:** Committee Room 1 and Audio Visual Link  
**Venue:** Municipal Building, Garden Place, Hamilton

Richard Briggs  
Chief Executive

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## Hearings and Engagement Committee

### *Komiti Whiriwhiri Kaupapa*

### OPEN AGENDA

### *(Traffic Matters)*

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#### Membership

**Chairperson** Cr M Gallagher  
*Heamana*

**Deputy Chairperson** Cr E Wilson  
*Heamana Tuarua*

<b>Members</b>	Mayor P Southgate	Cr R Pascoe
	Deputy Mayor G Taylor	Cr S Thomson
	Cr M Bunting	Cr M van Oosten
	Cr R Hamilton	Cr A O'Leary
	Cr D Macpherson	Maangai Norm Hill
	Cr K Naidoo-Rauf	Vacancy

**Meeting frequency** As required

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Becca Brooke  
Governance Manager  
*Menetia Mana Whakahaere*

**31 May 2021**

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**Purpose**

1. To conduct fair and effective hearings and make determinations on a range of the Council's quasi-judicial functions under legislation and other matters as referred to the Committee.
2. To convene and coordinate advisory groups on matters referred by other Committees.

<b>The Committee is delegated the following Terms of Reference and powers:</b>
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**Terms of Reference:**

1. Hear and determine any statutory or regulatory hearings under relevant legislation unless otherwise delegated by Council, including (but without limitation):
  - objections under the Dog Control Act 1996;
  - matters regarding drainage and works on private land under the Local Government Act 1974 and Local Government Act 2002;
  - proposals for temporary closure of any road.
2. Consider and determine changes to the registers and restrictions in the Traffic Bylaw and Speed Limit Bylaw, including hearing any submissions relating to those proposed changes.
3. Hear and determine matters arising under current bylaws and policies, including applications for dispensation from compliance with the requirements of bylaws or policies, unless such matters are otherwise delegated by Council.
4. Hear and determine other matters that require hearings or submissions, as referred by Council or other Committees.

**The Committee is delegated the following powers to act:**

- Approval of matters determined by the Committee within its Terms of Reference.
- Approval of the establishment of hearings panels and their terms of reference.

**The Committee is delegated the following recommendatory powers:**

- The Committee may make recommendations to the Council.
- The Committee may make recommendations to Committees.

**Special Notes:**

- The Committee may request expert advice through the Chief Executive when necessary.
- The Committee may appoint additional members for hearings where the relevant terms of reference specify the requirement for expert or external representation.

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**1 Apologies – *Tono aroha***

**2 Confirmation of Agenda – *Whakatau raarangi take***

The Committee to confirm the agenda.

**3 Declaration of Interest – *Tauaakii whaipanga***

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.

# Council Report

Item 4

**Committee:** Hearings and Engagement Committee  
**Date:** 02 June 2021  
**Author:** Narelle Waite  
**Authoriser:** Becca Brooke  
**Position:** Governance Advisor  
**Position:** Governance Manager  
**Report Name:** Confirmation of the Hearings and Engagement Committee Minutes - 3 May 2021

Report Status	Open
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## Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Hearings and Engagement Committee confirm the Open Minutes of the Hearings and Engagement Committee Meeting held on 3 May 2021 as a true and correct record.

## Attachments - *Ngaa taapirihanga*

Attachment 1 - Hearings and Engagement Committee Open Unconfirmed Minutes - 3 May 2021

## Hearings and Engagement Committee

### *Komiti Whiriwhiri Kaupapa*

### OPEN MINUTES

Minutes of a meeting of the Hearings and Engagement Committee held in Committee Room 1, Municipal Building, Garden Place, Hamilton and Audio-visual Link on Monday 3 May 2021 at 12.01pm.

#### PRESENT

**Chairperson** Cr M Gallagher

*Heamana*

**Deputy Chairperson** Cr E Wilson

*Heamana Tuarua*

**Members:** Cr R Pascoe  
Cr S Thomson  
Cr M van Oosten  
Maangai N Hill

**In Attendance:** Eeva-Liisa Wright – General Manager Infrastructure Operations  
Robyn Denton – Operational Team Leader

**Governance Staff:** Narelle Waite – Governance Advisor

**1. Apologies – *Tono aroha***

**Resolved:** (Cr Gallagher/Cr van Oosten)

That the apologies for absence from Crs Forsyth and O’Leary are accepted.

**2. Confirmation of Agenda – *Whakatau raarangi take***

**Resolved:** (Cr Gallagher/Cr Wilson)

That the agenda is confirmed.

**3. Declarations of Interest – *Tauaakii whaipaaanga***

No members of the Council declared a Conflict of Interest.

**4. Hearings and Engagement Committee Minutes (Traffic Matters) - 24 March 2021**

**Resolved:** (Cr van Oosten/Cr Wilson)

That the Hearings and Engagement Committee confirm the Open Minutes of the Hearings and Engagement Committee Meeting held on 24 March 2021 as a true and correct record.

**5. Temporary road Closures for Upcoming Rugby Events**

The Operations Team Leader introduced the report noting the street closure request for 8 May 2021 is no longer required. She responded to questions from Members concerning cycle access to the stadium and pedestrian safety.

**Resolved:** (Cr Wilson/Cr van Oosten)

That the Hearings and Engagement Committee:

- a) receives the report;
- b) approves the closure of the following roads to accommodate the events listed below:

Sky Super Rugby Aotearoa Competition 2021 and 2021 Super Rugby Trans-Tasman matches on 28 or 29 May 2021, 11 or 12 June 2021 and 19 June 2021 the following roads will be closed:

- (i) Abbotsford Street (from Willoughby Street to Tristram Street) - 4.00pm to 11.00pm
- (ii) Tristram Street (from Abbotsford Street to Mill Street) – 4.00pm to 11.00pm
- (iii) Seddon Road (from Gate 5 to Mill Street) - 4.00pm to 11.00pm
- (iv) Mill Street (from Norton Road to Willoughby Street) – 6.00pm to 11.00pm
- (v) Liverpool Street to Vialou Street - 6.00pm to 11.00pm
- (vi) Tristram Street from Mill Street to Rostrevor Street – 6.00pm to 11.00pm

- c) approves the Notice of Decision be issued stating Council's decision to close the following roads to accommodate the events listed below:

Sky Super Rugby Aotearoa Competition 2021 and 2021 Super Rugby Trans-Tasman matches on 28 or 29 May 2021, 11 or 12 June 2021 and 19 June 2021 the following roads will be closed:

- (i) Abbotsford Street (from Willoughby Street to Tristram Street) - 4.00pm to 11.00pm
- (ii) Tristram Street (from Abbotsford Street to Mill Street) – 4.00pm to 11.00pm
- (iii) Seddon Road (from Gate 5 to Mill Street) - 4.00pm to 11.00pm
- (iv) Mill Street (from Norton Road to Willoughby Street) – 6.00pm to 11.00pm
- (v) Liverpool Street to Vialou Street - 6.00pm to 11.00pm
- (vi) Tristram Street from Mill Street to Rostrevor Street – 6.00pm to 11.00pm.

**The meeting was declared closed at 12.11pm.**

# Council Report

**Committee:** Hearings and Engagement Committee  
**Date:** 02 June 2021  
**Author:** Robyn Denton  
**Authoriser:** Eeva-Liisa Wright  
**Position:** Network Operations and Use Leader  
**Position:** General Manager Infrastructure Operations  
**Report Name:** Temporary Road Closures for Rescheduled Rugby Events 2021

<b>Report Status</b>	<i>Open</i>
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## Purpose - *Take*

- To seek approval from the Hearings and Engagement Committee for temporary road closures associated with rugby events rescheduled during 2021 due to COVID 19 restrictions.

## Staff Recommendation - *Tuutohu-aa-kaimahi*

- That the Hearings and Engagement Committee:
  - receives the report;
  - approves the notification of intent for closure of the following roads under the provisions of the Local Government Act 1974, Schedule 10, Clause 11 (e) to accommodate 2021 Super Rugby Trans-Tasman Competition events rugby events that have been rescheduled due to COVID 19 restrictions during 2021:
    - Abbotsford Street (from Willoughby Street to Tristram Street)
    - Tristram Street (from Abbotsford Street to Mill Street)
    - Seddon Road (from Gate 5 to Mill Street)
    - Mill Street (from Norton Road to Willoughby Street)
    - Liverpool Street at Vialou Street
    - Tristram Street from Mill Street to Rostrevor Street;
  - approves the temporary closure of the following roads under the provisions of the Local Government Act 1974, Schedule 10, Clause 11(e) to accommodate 2021 Super Rugby Trans-Tasman Competition events (events) that have been rescheduled due to COVID 19 restrictions during 2021:
    - Abbotsford Street (from Willoughby Street to Tristram Street)
    - Tristram Street (from Abbotsford Street to Mill Street)
    - Seddon Road (from Gate 5 to Mill Street)
    - Mill Street (from Norton Road to Willoughby Street)
    - Liverpool Street at Vialou Street
    - Tristram Street from Mill Street to Rostrevor Street;



- d) notes that the details of the specific event and closure times will be notified in a public Notice of Decision at least 24 hours before the event following consultation with NZ Police and Waka Kotahi NZ Transport Agency; and
- e) notes that the temporary road closures as outlined in c) above will be for a period or periods not exceeding in the aggregate 31 days within 2021.

### **Executive Summary - *Whakaraapopototanga matua***

3. Applications for temporary road closures to accommodate the rugby matches at the FMG Stadium, Hamilton have been approved for several matches in 2021.
4. Due to COVID 19 restrictions, changes to the dates and times of the matches are being required on a semi regular basis and generally at short notice.
5. These applications for road closures are not able to be submitted within the 42-working day timeframe required for processing under the Transport (Vehicular Traffic Road Closures) Regulations 1965, and therefore approval under the Local Government Act 1974 must be sought.
6. There is an ability under the Local Government Act 1974 to approve temporary road closures for a period or periods not exceeding aggregate 31 days and staff are recommending a generic approval for rescheduled temporary road closures associated with COVID 19 restrictions.
7. Similar temporary closures of these streets have been undertaken in the past. Consultation with adjacent property owners has been undertaken by the event organisers.
8. Staff have undertaken consultation with NZ Police and Waka Kotahi NZ Transport Agency (Waka Kotahi), and both have approved this approach.
9. Notification of the specific event dates and times for rescheduled rugby event closures in 2021 will be notified via a public notice of decision following consultation with NZ Police and Waka Kotahi.
10. Staff consider the decision in this report has low significance and that the recommendations comply with Council's legal requirements.

### **Discussion - *Matapaki***

11. The applications for road closures associated with events are normally submitted to Council in time for them to be processed under the Transport (Vehicular Traffic Road Closures) Regulations 1965 which requires 42 days public notice.
12. Approval of a temporary road closure for an event can be granted under the Local Government Act 1974 No 66, Schedule 10, Clause 11(e) by the Hearings and Engagement Committee where the public notice requirements are unable to be achieved.
13. There have been ongoing changes to the Sky Super Rugby Aotearoa 2021 Competition (Super Rugby) and 2021 Super Rugby Trans-Tasman Competition (Trans-Tasman) programmes throughout 2021 to work around the impacts of COVID 19.
14. While road closures for the majority of the matches were able to be advertised under the provisions of the Transport (Vehicular Traffic Road Closures) Regulations 1965, there have already been several matches that have required specific approval by the Hearings and Engagement Committee under the provisions of the Local Government Act 1974. These reports have been necessary to accommodate changes in the game schedules due to COVID 19 restrictions on travel.

15. Due to the COVID 19 restrictions on travel from Melbourne currently, there is potential that the scheduled Chiefs vs Rebels rugby match on Saturday 5 June will be moved to Sunday 6 June 2021. There is potential that the match may be relocation to Australia – refer **Attachment 1** which is the press release from Chiefs outlining their current thinking. The exact timing and location of the match is unknown at the time of writing this report and may not be decided until a few days immediately prior to the event.
16. Staff are therefore seeking a generic approval from the Hearings and Engagement Committee to accommodate any rugby matches that have been rescheduled due to COVID 19 restrictions.
17. The approval would be issued under Local Government Act 1974, Schedule 10, Clause 11 (e) for a period or periods not exceeding in the aggregate 31 days within 2021. A public Notice of Intent will be issued following the approval of this recommendation.
18. Consultation with NZ Police and Waka Kotahi has been completed regarding the generic approval and they are happy to support this approach. A public Notice of Intent will be issued following the approval of this recommendation.
19. A Notice of Decision will be issued with the details of the specific event and closure times on a case by case basis for any events that are rescheduled as a result of COVID 19 restrictions following consultation with NZ Police and Waka Kotahi.
20. The details for the temporary road closures are:
  - i. Abbotsford Street (from Willoughby Street to Tristram Street)
  - ii. Tristram Street (from Abbotsford Street to Mill Street)
  - iii. Seddon Road (from Gate 5 to Mill Street)
  - iv. Mill Street (from Norton Road to Willoughby Street)
  - v. Liverpool Street to Vialou Street
  - vi. Tristram Street from Mill Street to Rostrevor Street

#### **Financial Considerations - *Whaiwhakaaro Puutea***

21. All costs associated with the public notices required by the Local Government Act and temporary traffic management are met by the applicants.

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

22. Staff confirm that proposed approval complies with the Council's legal and policy requirements and those of the Local Government Act 1974.

#### **Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga***

23. 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').
24. 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.
25. The recommendations set out in this report are consistent with that purpose.

#### **Social**

26. The recommendations included in this report helps the community achieve their goals by ensuring their safety while attending these events.

### **Economic**

27. The proposed events all bring visitors into Hamilton City and support the local businesses in the vicinity of the events.

### **Environmental**

28. No specific environmental considerations were identified in the development of this report.

### **Cultural**

29. No specific cultural considerations were identified in the development of this report.

### **Risks - *Tuuraru***

30. Although the games outlined above would still go ahead, due to the potential to have large numbers of people in attendance, there are considerable public safety and accessibility risks associated with not approving the recommendations in this report.

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

#### **Significance**

31. Staff considered the following factor under the Significance and Engagement Policy:
- the form of engagement used in the past for similar proposals and decisions.
32. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendation(s) in this report has/have a low level of significance.

#### **Engagement**

33. In accordance with the Local Government Act provisions, public notification was given of the intention to consider the temporary road closures applications at this meeting.
34. Staff have undertaken consultation with the NZ Police and Waka Kotahi NZ Transport Agency (Waka Kotahi) and they are supportive of the temporary road closure for the events.
35. In addition, the applicants have provided notification to all properties in the sections of road closures.
36. If temporary road closures are required to accommodate changes in rugby matches due to COVID 19 restrictions, a public notice of the decision to temporarily close the roads will be issued.

### **Attachments - *Ngaa taapirihanga***

Attachment 1 - Chiefs press release regarding rescheduled match due to COVID 19 restrictions



## Media Release | Gallagher Chiefs v Rebels match moved to Sunday

31 May 2021



The Gallagher Chiefs Sky Super Rugby Trans-Tasman Round 4 match against the Melbourne Rebels in Hamilton has been pushed out one day and will now kick off at FMG Stadium Waikato at 3.35pm on Sunday, 6 June.

Originally scheduled for 4.35pm Saturday, 5 June, the kick-off has been moved a day to allow the Rebels enough time to travel to New Zealand and prepare for the match, which will be live and exclusive on SKY.

The Rebels are currently based in Sydney after moving out of Melbourne to escape a Covid-19 outbreak earlier this week but remain subject to a Covid-19 travel pause between Victoria and New Zealand, which has been extended until 8pm Friday, 4 June.

Gallagher Chiefs Rugby Club CEO Mike Collins said shifting the kick-off gave the match the best chance of being played in Hamilton.

"Providing the travel pause lifts next Friday the Rebels will be able to fly to New Zealand on Saturday, but it would be unfair to ask them to travel and play on the same day.

"The logical decision was that we push kick-off out 24 hours in the interests of fairness and player welfare and give our team the best opportunity to play at home in front of our loyal members, stakeholders and fans."

New Zealand Rugby (NZR), Rugby Australia (RA) and Sanzaar are working with the Chiefs and Rebels on a contingency plan to play the match in Sydney should the travel pause be extended past next Friday.

NZR General Manager Professional Rugby and High-Performance Chris Lendrum said: "We remain hopeful we'll be playing Sky Super Rugby Trans-Tasman in Hamilton this weekend, but we have learned throughout the Covid-19 pandemic that nothing is certain, and situations can change rapidly.

"As always, we'll take our lead from the Government and health authorities and base our decisions around the health and safety of our fans and our teams."

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