

## Notice of Meeting:

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

**Date:** Tuesday 2 November 2021  
**Time:** 2.00pm  
**Meeting Room:** Council Chamber and Audio Visual Link  
**Venue:** Municipal Building, Garden Place, Hamilton

Lance Vervoort  
Chief Executive

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## Hearings and Engagement Committee

### *Komiti Whiriwhiri Kaupapa*

### OPEN AGENDA

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#### Membership

**Chairperson** Cr E Wilson  
*Heamana*

**Deputy Chairperson** Cr M Donovan  
*Heamana Tuarua*

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

**Meeting frequency** As required

**Quorum** Eight members

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Becca Brooke  
Governance Manager  
*Menetia Mana Whakahaere*

**22 October 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 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.

# Council Report

Item 4

**Committee:** Hearings and Engagement Committee  
**Date:** 02 November 2021  
**Author:** Narelle Waite  
**Authoriser:** Becca Brooke  
**Position:** Governance Advisor  
**Position:** Governance Manager  
**Report Name:** Confirmation of the Hearings and Engagement Committee Open Minutes of 13 October 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 13 October 2021 as a true and correct record.

## Attachments - *Ngaa taapirihanga*

Attachment 1 - Hearings and Engagement Committee Minutes 13 October 2021

## Hearings and Engagement Committee *Komiti Whiriwhiri Kaupapa* OPEN MINUTES

Minutes of a meeting of the Hearings and Engagement Committee held via Audio Visual Link on Wednesday 13 October 2021 at 9.32am.

### PRESENT

**Chairperson** Cr E Wilson

*Heamana*

**Deputy Chairperson** Cr M Gallagher

*Heamana Tuarua*

**Members**

- Mayor P Southgate
- Deputy Mayor G Taylor
- Cr M Bunting
- Cr R Hamilton
- Cr K Naidoo-Rauf
- Cr R Pascoe
- Cr S Thomson
- Cr M van Oosten
- Cr A O'Leary
- Cr M Donovan

**In Attendance**

- Becca Brooke – Governance Manager
- Julie Clausen – Unit Manager Strategy and Corporate Planning
- Chelsey Stewart – Contractor
- Dale Ofoske – Election Services

**Governance Staff** Narelle Waite and Tyler Gaukrodger – Governance Advisors

### 1. Apologies – *Tono aroha*

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

That the apologies for partial attendance from Crs Naidoo-Rauf, Bunting, and Macpherson are accepted.

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

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

That the agenda is confirmed.

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

No members of the Council declared a Conflict of Interest.

4. **Confirmation of the Hearings and Engagement Committee Open Minutes of 28 July 2021**

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

That the Hearings and Engagement Committee confirm the Open Minutes of the Hearings and Engagement Committee Meeting held on 28 July 2021 as a true and correct record.

5. **Confirmation of the Hearings and Engagement Committee Minutes (Traffic Matters) - 23 September 2021**

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

That the Hearings and Engagement Committee confirm the Open Minutes of the Hearings and Engagement Committee (Traffic Matters) Meeting held on 23 September 2021 as a true and correct record.

6. **2021 Wider Representation Review - Submissions Report**

The Governance Manager and the Unit Manager Strategy and Corporate Planning introduced the report noting the requirement to hold the representation review. They outlined the details of the proposal that when to public consultation, feedback received and the process going forward.

[Nancy Caiger](#) spoke to her submission noting her preference for twelve Members including Maaori Ward councillors, and an at large system. She responded to questions from Members concerning candidate numbers, campaigning costs, and the Single Transferable Vote (STV) system.

[David Masters](#) spoke to his submission noting agreement with the proposal aside from the number of Wards and preference for an increase to 12 Wards to improve community representation. He responded to questions from Members concerning Wards and Community Boards.

**The meeting was adjourned from 9.55am to 10.06am.**

[Jason Howarth](#) spoke to his submission noting his preference for an increase in Maaori representation and ensuring equality of representation. He responded to questions from Members concerning public perception concerning Maaori Wards and Local Government reforms, the Maaori electoral roll, and implied hierarchy of Ward and City Wide seats.

[Brian Main](#) spoke to his submission noting his objection to an increase in Councillor numbers considering costs, and the city-wide representation of Councillors once elected. Considering technical difficulties Mr Main provided a further written submission provided as **Appendix 1**.

[Raymond Mudford](#) spoke to his submission and provided a presentation (**Appendix 2**). He noted his preference for a one Ward system and Community Boards to enable local representation of Councillors, the public engagement process, and the possibility for earlier engagement with the community. He responded to questions from Members concerning a city-wide Ward, and Community Boards including public education, meeting locations, delegated authority, costs and a pilot programme.

[Holly Snape \(Community Waikato\)](#) spoke to the Community Waikato submission and provided a presentation (**Appendix 3**). She noted their support of Community Boards noting improved contact with communities, localised advocacy, increased diversity, and a pilot programme. She responded to questions from Members concerning population, public education on Community Boards and a pilot programme, national examples to build a model, election versus appointment of board members, delegated authority, and alternative of community committees.

**The meeting was adjourned from 11.15am to 11.35am**

*Cr Bunting left the meeting during the above adjournment.*

[Jacquelyn Elkington](#) spoke to her submission noting her preference for Community Boards and Maaori Ward boundary, continuation of Iwi partnerships and potential for a co-mayorality. She responded to questions from Members concerning opportunities to improve Maaori representation.

[Rex Petersen](#) spoke to his submission noting the limitations he saw with the existing proposal and opportunities to connect better with the community, increase to four Wards, and a cap on Mayor/Councillor costs.

[Samuel Tan](#) spoke to his submission noting his support of the Maangai Maaori system and preference to maintain Maangai along with Maaori Wards, and increasing Maaori representation. He responded to questions from Members concerning the Local Government Act and the Maaori Roll effect on representation.

*Cr Bunting re-joined the meeting (11.58am) during submissions on the above item. He was present when the matter was voted on.*

**The meeting was adjourned from 12.02pm to 12.45pm.**

*Mayor Southgate retired from the meeting during the above adjournment.*

[Alvina Jean Edwards \(taongaUku\)](#) spoke to their submission noting concerns regarding the level of public consultation and communication particularly with Maaori, the increase in general Councillor seats, tikanga and maatauranga Maaori in Council processes. She responded to questions from Members concerning the retention of Maangai Maaori.

[Nicola Paul](#) spoke to her submission noting her support of an increase to four Maaori Wards, and greater opportunities for Women and gender-diverse candidates. She responded to questions from Members concerning opportunities to increase youth representation.

[Tracy Tipene](#) spoke to his submission noting his support for the dissolution of the Mayoral role.

The Governance Manager, the Unit Manager Strategy and Corporate Planning and Dale Ofoske (Election Services) clarified points raised by submitter regarding Community Boards including membership, role and delegations, and Community Committees as an alternative. They responded to questions from Member concerning the consultation process concerning a proposal change.

Members requested the following points be included in the deliberations report:

- Community Committees establishment process, possible pilot and costs;
- Community Boards costs;
- comparisons between Community Committees and Boards;
- examples of Community Boards nationally;
- Councillor remuneration and related costs, including Maangai Maaori;
- electoral rolls;
- inclusion of feedback summaries in graphs;
- local government reforms including risk;
- unconscious bias and objectivity;
- Wards and the STV system;
- post-submission communication to public; and
- opportunities for Maangai Maaori role development.



**Resolved:** (Cr O’Leary/Cr Wilson)

That the Hearings and Engagement Committee:

- a) receives the report and notes the feedback received;
- b) notes that an Elected Member workshop is scheduled for 20 October 2021 to provide further consideration and feedback to staff to support development of the final proposal;
- c) notes that Council will need to determine a final proposal for its representation arrangements at the Council Meeting on 11 November 2021; and
- d) notes that procedurally, for any amendment or alteration of Council’s initial proposal, the Council must demonstrate a connection to the submissions received.

**The meeting was declared closed at 1.43pm.**

## Appendix 1

Whether or not Council decides to keep the current number of Councillors, or to add two, to accommodate two Maori Wards, please first consider **Parkinson's law** that concludes: "**work expands so as to fill the time available for its completion.**"<sup>[1]</sup>

It is frequently applied to explain the growth of bureaucracy in an organization.

**I argue that, if you add two additional Councillors, it will have a significant burden on Council bureaucracy.**

Your Chairman stated that the amount of money devoted to Councillors will not change, so if Councillors are increased to 14, then each Councillor will have their pay-cut to accommodate them all.

**I argue that, this is grossly unfair and that most Councillors are already overburdened and underpaid.**

If only citizens registered on the Maori roll are eligible to vote for Maori Ward positions, then the same people must not be eligible to vote for the East or the West Wards or the Mayoral position.

**I argue to do otherwise will be Undemocratic.**

The vote for the Mayor must be open to every citizen no matter what, ethnicity or greed, and in order to avoid being accused of Racism, the Mayor must lose any right of Veto.

**I argue to do otherwise will be Undemocratic, and Racist.**

Officially Māori (are the tangata whenua), the indigenous people, of New Zealand. Today, **one in seven New Zealanders** identify as Māori. If we in New Zealand are to maintain Maori/Pakeha division, how does one prove that they are Maori?

Without a reliable system, anyone could flick from one to the other at their convenience, making the distinction nonsense.

**I argue that a Maori Roll is a manifestation of apartheid, something antithetical to Kiwi values.**

Yours Sincerely

Brian Main

Attachment 1

Item 4

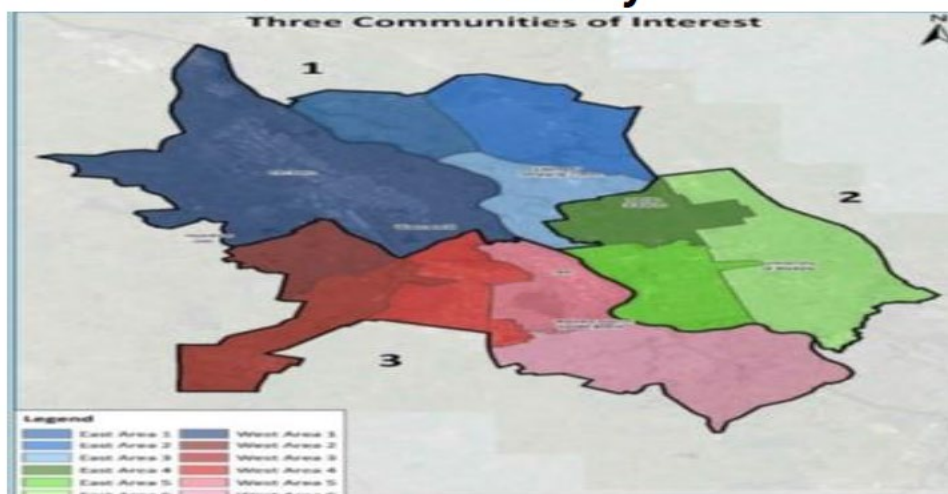


## Issues with Current Representation

- One third of elected councillors (4) live outside their ward
- No regular Councillor conversation with communities or neighbourhoods
- Too many Council meetings and briefings exclude public input
- Staff have months to prepare material, and rely too much on 'tick-the-box' methods and spin.
- Councillors have weeks to discuss
- We, the people, get a few minutes to present and no conversation.
- We have become convinced that Councillors do not LISTEN to us, the people.
- We seek a return to robust democracy



## Restore Democracy



## Community Board Solution

- Legal Framework exists
- Board members elected by community
- Politicians provided with regular meet and greet time
- Opportunity for rigorous debate
- Ward St fiasco averted
- Local community involved in early design of services and infrastructure
- Smoother pathway for decisions
- Four well-beings planted into community thinking
- Neil Tolan, western community centre representation review (12 August 2021) advocates for community boards
- Sir Brian Elwood advocates for community Boards (1989)
- Kerry Marshall (President LGNZ) confirms that community boards make a difference (1997)
- Georgina Beyer describes community boards as a VITAL link in the democratic chain

Mike Reid: **New Zealand needs community boards more than ever** (August 2021)

The future of community boards is tied up with the future of community governance overall and the way in which citizens are able to have a meaningful say about what happens in their streets and their neighbourhoods.

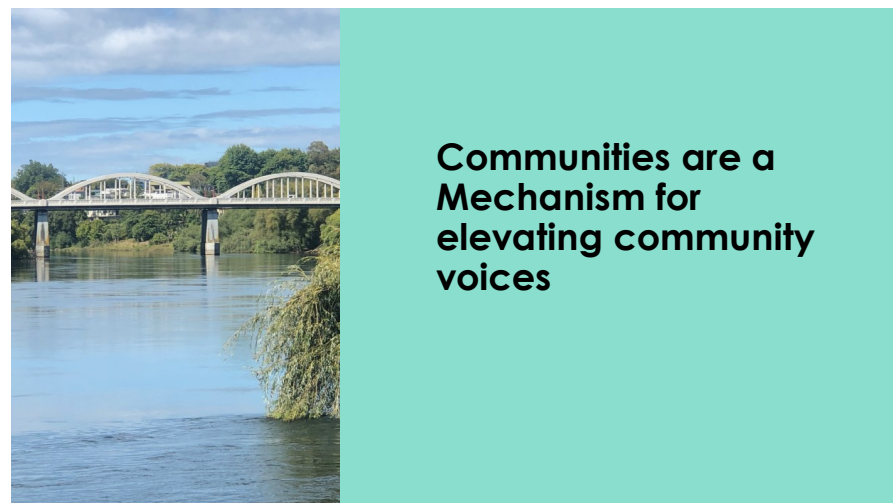
This is perhaps more important today given the growth of false truth narratives and willingness of authoritarian leaders to exploit social division and feelings of powerlessness.

In fact, as the country's population grows and becomes more diverse, and the more that central governments find themselves unable to address the critical issues facing our communities, the greater the need for more active and effective democratic engagement at a community level.

## Proposal

- 1. That Hamilton City become ONE Ward;**
- 2. That Community Boards be established as recommended by CEO Community Waikato;**
- 3. That the Boards be established in Hamilton for the 2022 Local Government Elections;**
- 4. That Public Consultation decide the final boundaries for each Board;**



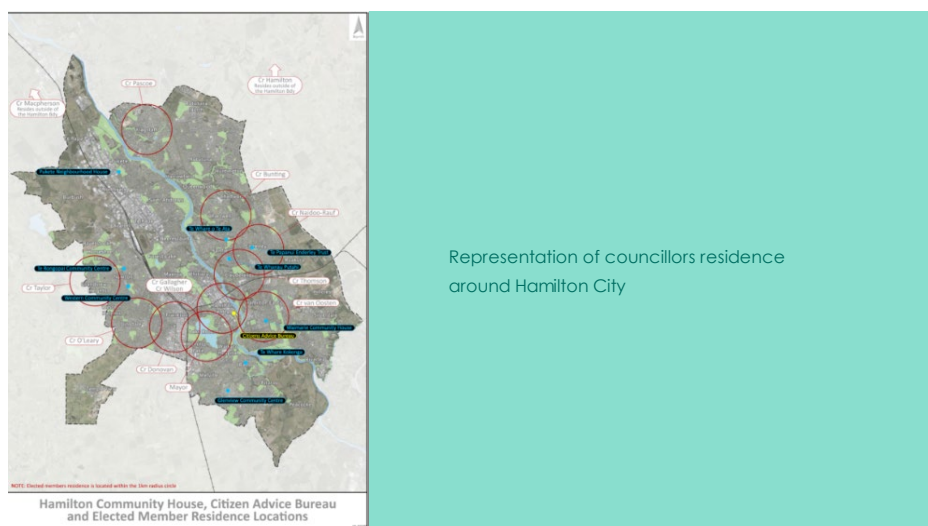




Community  
Illustrations  
the public has knowledge

### Legal Considerations

- Number of Community Boards
- Names and Boundaries
- Elected and selected representatives
- Subdivided for electoral purposes



## Constitution of Boards

Communities

The map shows Hamilton City divided into 10 distinct communities, each represented by a different color. The communities are: East Ward, North Ward, West Ward, South Ward, Central Ward, North West Ward, South West Ward, North East Ward, South East Ward, and Central West Ward.

Blend of representatives

The image shows four wooden signs pointing in different directions, labeled 'Equality', 'Diversity', 'Respect', and 'Integration'. The signs are set against a background of a sunset or sunrise over a body of water.





# Council Report

Item 5

**Committee:** Hearings and Engagement Committee  
**Date:** 02 November 2021  
**Author:** Robyn Denton  
**Authoriser:** Eeva-Liisa Wright  
**Position:** Network Operations and Use Leader  
**Position:** General Manager Infrastructure Operations  
**Report Name:** Traffic Bylaw Review - Submissions and Hearings report

<b>Report Status</b>	<i>Open</i>
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1. To inform the Hearings and Engagement Committee on submissions received for the Statement of Proposal for the Traffic Bylaw review.

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

2. That the Hearings and Engagement Committee:
  - a) receives the report;
  - b) hears and considers public submissions with regard to the consultation process that was held for the proposal to retain the current Traffic Bylaw and make minor amendments under Section 83 of the Local Government Act 2002, undertaken from 23 August 2021 to 23 September 2021; and
  - c) notes that a Deliberations and Adoption Report that includes feedback from the consultation and hearings will be brought to the Infrastructure Operations Committee on 7 December 2021.

## Executive Summary - *Whakaraapopototanga matua*

3. Council formally commenced the process to review the Hamilton Traffic Bylaw 2015 (the Bylaw), in accordance with Local Government Act (LGA) requirements, following consideration of the Determination report at the 8 June 2021 meeting of the Infrastructure Operations Committee.
4. As required for the review process, the 17 August 2021 meeting of the Infrastructure Operations Committee approved the draft Statement of Proposal (**Attachment 1**) and public consultation was undertaken from 23 August to 23 September 2021 [[Agenda](#), [Minutes](#)].
5. Two options were considered for public consultation:
  - i. **Option One** – Retain the current bylaw and make minor amendments. This was recommended by staff and further detail is provided in paragraph 19 below; and
  - ii. **Option Two** – Retain the current bylaw and do not make any amendments.
6. Council received 66 submissions, 63% of the respondents agreed with Council's proposal to retain the current bylaw with minor amendments (**Option One**).

7. All responses received can be viewed [here](#).
8. Following hearings, a Deliberations and Adoption report, including the proposed Hamilton Traffic Bylaw 2021, will be prepared by staff and presented to the 7 December 2021 Infrastructure Operations Committee meeting.
9. Five submitters have indicated that they wish to provide a verbal presentation to the Hearings and Engagement Committee.
10. Staff consider that the recommendations comply with Council's legal and policy requirements.

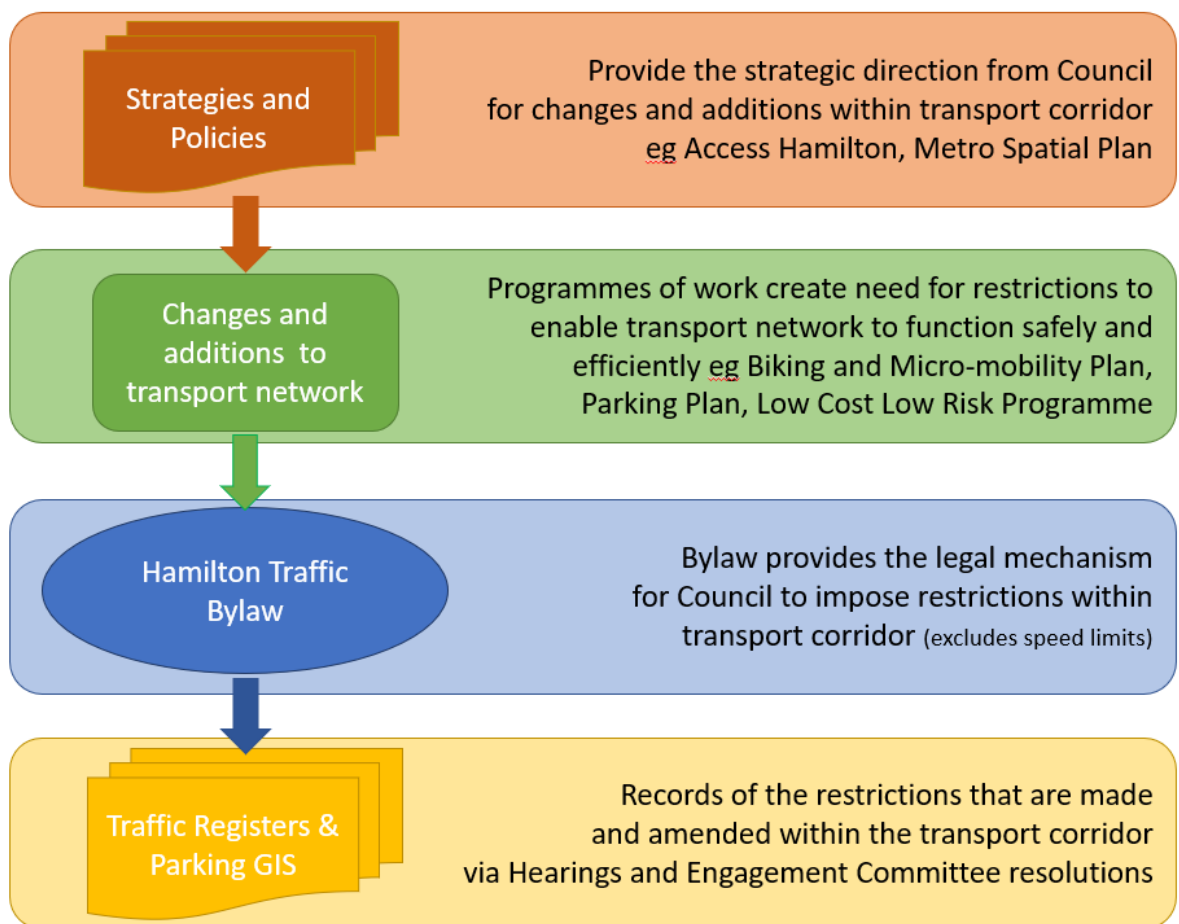
### Background - *Koorero whaimaarama*

11. A refresh of the Bylaw (with minor amendments) has been undertaken in accordance with section 158 of the LGA, that requires a local authority to review a bylaw "no later than 5 years after the date on which the Bylaw was made".
12. The Bylaw was adopted by Council on 26 February 2015 ([minutes](#)). If the Bylaw was not reviewed within the specified timeframe, the Bylaw would automatically be revoked in March 2022 as per [section 160A](#) of the LGA.
13. Under Section 155 of the LGA, before commencing the process for making a bylaw, a local authority must determine whether a bylaw is the most appropriate way of addressing the issues associated with vehicle control, other transport modes and parking within Hamilton.
14. The [8 June 2021](#) meeting of the Infrastructure Operations Committee considered a Determination report for the Hamilton Traffic Bylaw 2015 review and resolved:
  - a) *recommends that the Council:*
    - i. *approves Option 1 as outlined in the staff report, in that it determines that a Hamilton Traffic Bylaw is the most appropriate mechanism for addressing issues related to traffic management in Hamilton; and*
    - ii. *approves the review of the Hamilton Traffic Bylaw 2015, including the preparation of a Statement of Proposal and a revised draft Traffic Bylaw subject to i) above being approved by the Council*
15. The recommendation was subsequently approved at the 10 June 2021 Council meeting [[Minutes](#)].
16. The 17 August 2021 Infrastructure Operations Committee meeting [[Agenda](#)] considered a report on the proposal "To seek approval from the Infrastructure Operations Committee of the Statement of Proposal for the Hamilton Traffic Bylaw review and to commence public consultation" (Item 13) and resolved:

*That the Infrastructure Operations Committee:*

- a) *receives the report;*
  - i. *approves the draft Statement of Proposal document (Attachment 1 of the report) for the review of the Hamilton Traffic Bylaw along with the proposed Traffic Bylaw 2021 (Attachment 2 of the report);*
  - ii. *approves public consultation from 23 August to 23 September 2021 on the draft Statement of Proposal for the review of the Hamilton Traffic Bylaw; and*
  - iii. *notes that the results of the public consultation will be presented to the Hearings and Engagement Committee which is tentatively scheduled for 2 November 2021.*

17. The purpose of the Bylaw is to protect the public from nuisance and protect, promote, and maintain public health and safety. This is through setting the requirements for parking, establishing standards for activities within the road reserve and general control of vehicular or other traffic.
18. The Bylaw covers Garden Place, transport stations (e.g. Rotokauri Transport Hub) and any road in Hamilton City Council's district including State Highways controlled by Waka Kotahi New Zealand Transport Agency.
19. It is important to note that the scope of the Traffic Bylaw 2015 review does not include any of the Traffic Bylaw registers (pages 16- 48 [Hamilton Traffic Bylaw 2015](#)). These registers are referenced as part of the Traffic Bylaw 2015 rather than forming part of it. The registers are regularly updated via the Hearings and Engagement Committee.
20. The following diagram illustrates the role that the Bylaw plays in allowing Council to regulate the use of the transport corridor:



**Diagram: role of the Traffic Bylaw in the operation of the transport corridor**

21. The report to the 17 August 2021 Infrastructure Operations Committee meeting considered the following options as being viable for inclusion in the Statement of Proposal and public consultation process:

Option One Recommended	<ul style="list-style-type: none"> <li>Retain the current bylaw and make minor amendments</li> </ul>
Option Two	<ul style="list-style-type: none"> <li>Retain the current bylaw with no amendments.</li> </ul>

22. Staff recommend **Option 1** because it allows for the Bylaw to be amended to incorporate the following:
- i. recent and proposed legislative changes and case law, e.g. Accessible Streets Regulatory Package;
  - ii. technology advancements; and
  - iii. increased clarity in the bylaw for ease of interpretation and effective administration.
23. This report sets out the public consultation which took place between 23 August 2021 and 23 September 2021 and summarises the submissions received.

## Discussion - *Matapaki*

### Consultation and Engagement

24. The Statement of Proposal used in the consultation process and is included in this report as **Attachment 1**.
25. Engagement with key stakeholders (see list below in clause 26), was carried out prior to the public consultation taking place. The feedback received was incorporated into the draft to be sent out for consultation.

Feedback	How we have responded to the feedback
Clarification on section 15.1 (Light Vehicle Prohibitions) of the current bylaw.	Clarified that this is only used in response to NZ Police requests to address illegal and inappropriate behaviour – generally in industrial subdivisions. Proposed prohibitions are consulted upon with the businesses and property owners.  No change/consideration needed on the bylaw.
The Bylaw refers to Cycles, but no other micro mobility devices. Would like these additional modes of transport to be included in the Bylaw review.	We have revised our definitions within the proposed bylaw and have <ul style="list-style-type: none"> <li>1. Included new definition 'transport devices' to cater for the new forms of micro-mobility devices and</li> <li>2. Made minor changes to current definitions to better represent the recent legislative changes and the proposal included in the Accessible Streets Regulatory Package.</li> </ul>

26. Follow up emails were also sent to key stakeholder groups during the public consultation period. This was to ensure these key groups were involved right from the beginning, and continued to be involved, in the consultation and decision-making process.
- i. Waikato-Tainui and Te Haa a Whenua Kirikiriroa
  - ii. Ngaati Wairere
  - iii. CCS Disability Action
  - iv. Living Streets Aotearoa
  - v. Generation Zero
  - vi. Bike Waikato
  - vii. Blind Foundation
  - viii. Disabled Persons Assembly
  - ix. Age Concern
  - x. Go Eco
  - xi. Parents of Vision Impaired NZ Inc
  - xii. HCC Disability Advisor
  - xiii. Automobile Association (AA)

- xiv. NZ Police
- xv. Road Transport Association

27. The campaign utilised a number of tactics to encourage Hamiltonians to share their voice. Due to the COVID-19 alert levels (3 & 4), submissions were only able to be made online via the Have Your Say website. The campaign utilised mainly online channels for promotion. The public consultation tactics included:

- i. Our Hamilton story/media release;
- ii. web tile on Our Hamilton website and banner on Hamilton City Council website as shown below;
- iii. social media advertising campaign (Facebook/LinkedIn/Instagram;)
- iv. press adverts in local papers – Hamilton Press and Waikato News; and
- v. public notice (post-consultation) – Hamilton Press advert and uploaded to website.

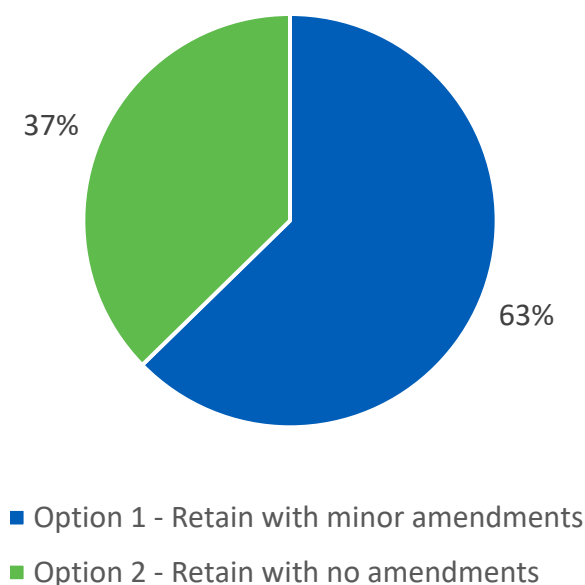


*Website banner promoting the Hamilton Traffic Bylaw review*

### Submissions

- 28. During the period of public consultation between 23 August 2021 and 23 September 2021, the Council received 66 submissions through 'Have Your Say'.
- 29. A copy of the responses received can be viewed [here](#).
- 30. From the responses through 'Have your Say', 63% of the respondents agreed with Council's proposal to Retain the current Bylaw with minor amendments (**Option One**).
- 31. The majority of the remaining 37% of the respondents who did not agree with Council's proposal, noted **option two** as their preferred alternative option i.e., Retain the current bylaw with no minor amendments.

## Respondent choice



## Have Your Say Submissions

32. The key themes for comments from submitters who supported (63%) the 'retain the current bylaw with minor amendments' proposal (**Option one**) noted that it will:
  - i. support the amendments as need to be adaptable/ flexible as our community and way of transport changes;
  - ii. support the amendments as we need to include micro-mobility; and
  - iii. support the amendments but we need to enforce the bylaws more.
33. For the submitters who did not support (37%) retaining the current Bylaw with minor amendments, commented on issues and topics that are not directly covered by the Bylaw itself and will be addressed via other activities:
  - i. request for more parking controls in suburbs;
  - ii. requests for more cycling facilities, separation of cyclists from places where pedestrians are walking;
  - iii. the cost of implementing cycle facilities around the city; and
  - iv. innovating streets trials.
34. A summary and analysis of submissions, including details of the public engagement process and key themes from the feedback is outlined in **Attachment 2**.
35. Five submitters have indicated that they wish to provide a verbal presentation to the Hearings and Engagement Committee.

**Next Steps**

36. Following the 2 November 2021 Hearing and Engagement Committee meeting which will consider all submissions and hear those making verbal presentations of their submissions, a Deliberations and Adoption report will be prepared by staff and presented to the 7 December 2021 Infrastructure Operations Committee meeting.

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

37. The key costs associated with this project have been consultation materials and staff time managing the consultation process and completing committee reports. The costs incurred to date are within the previously estimated \$30,000- \$35,000 budget. Further staff time will be required to complete additional committee reports and some costs will be involved in seeking an external legal review of the proposed new bylaw. It is not expected that the budget for this work will be exceeded. These costs have been accommodated within existing City Transportation Unit operational budgets.

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

38. Consultation on the review of the Traffic Bylaw 2015 has been conducted in accordance with LGA 2002 requirements, including section 83 relating to the use of the special consultative procedure. Today's public hearings are required to meet Council's legal obligation under section 83(1)(d), which requires us to provide an opportunity for people to present their views in-person to the local authority.
39. Staff confirm that recommendations in this report comply with the Council's legal and policy requirements.

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

40. 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 wellbeing's'). The recommendations set out in this report are consistent with that purpose.
41. The subject matter of this report has been evaluated in terms of the 4 wellbeing's as outlined below. This focuses on the impact of consultation and engagement with the public, and today's opportunity for people to share their views in-person (including via video-link), on the four wellbeing's. The recommendations set out in this report are consistent with that purpose.

#### **Social**

42. Social wellbeing is defined as the capacity of individuals, their families, whaanau, iwi, hapuu and a range of communities to set goals and achieve them.
43. The review of the Bylaw is an opportunity to consider how traffic can be managed to ensure Hamilton continues to be a great place to play and be active and that its community remains accessible, safe and healthy.
44. The review will also ensure that a revised Hamilton Traffic Bylaw is available as a tool for community education on the impacts of traffic management, pedestrian movement, sustaining networks and further improving safety.
45. The Bylaw is intended to provide guidance for staff, and regulations for the community, on best-practice traffic management to create a safe and healthy environment within the city.
46. Public consultation and engagement on bylaws that affect the way people live and work in Hamilton most directly impacts the social and cultural wellbeing's. This is because it impacts the way people participate in democratic Council processes and influence the decision-making that affects them. Consultation provides an opportunity for individuals to express their beliefs, concerns and values on proposals that affect them.

#### **Economic**

47. Economic wellbeing is defined as the capacity of the economy to generate employment and wealth necessary for present and future financial security.

- 48. The revised bylaw will continue to minimise the impacts on the traffic network, subsequently minimising reactive upkeep and maintenance costs.
- 49. It is not considered that the review of the Bylaw will be inconsistent or contrary to economic wellbeing outcomes.

**Environmental**

- 50. Environmental wellbeing is defined as the capacity of the natural environment to support, in a sustainable way, the activities that constitute community life.
- 51. The review of the Bylaw will ensure that the transport network continues to be operated as efficiently as possible thereby minimising the adverse effects on the environment. The Bylaw also formalises the use of parts of the transport corridor for sustainable transport modes.

**Cultural**

- 52. Cultural wellbeing is defined as the capacity of communities to retain, interpret and express their shared beliefs, values, customs, behaviours, and identities.
- 53. Engagement was completed with THaWK and Ngaati Wairere as part of the consultation process.

**Risks - *Tuuraru***

- 54. There are no known risks associated with the decisions required for this matter in this report.

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

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

**Engagement**

There is a statutory requirement to consult as per legislation outlined below.

- 58. Special Consultative Procedures are required to be followed these are set out in Section 83 of the LGA 2002.
- 59. Staff invited the public and stakeholders to provide formal feedback through the public consultation from 23 August 2021 to 23 September 2021 so that their views could be captured on the proposal to Refresh the Traffic bylaw with minor amendments.
- 60. Submitters have been given an opportunity to present their views in a spoken form at the Hearings and Engagement Committee for 2 November 2021.

**Attachments - *Ngaa taapirihanga***

Attachment 1 - Statement of Proposal for Review of Hamilton Traffic Bylaw

Attachment 2 - Summary and analysis of submissions on Hamilton Traffic Bylaw review consultation





## **Hamilton Traffic Bylaw review**

### **STATEMENT OF PROPOSAL**

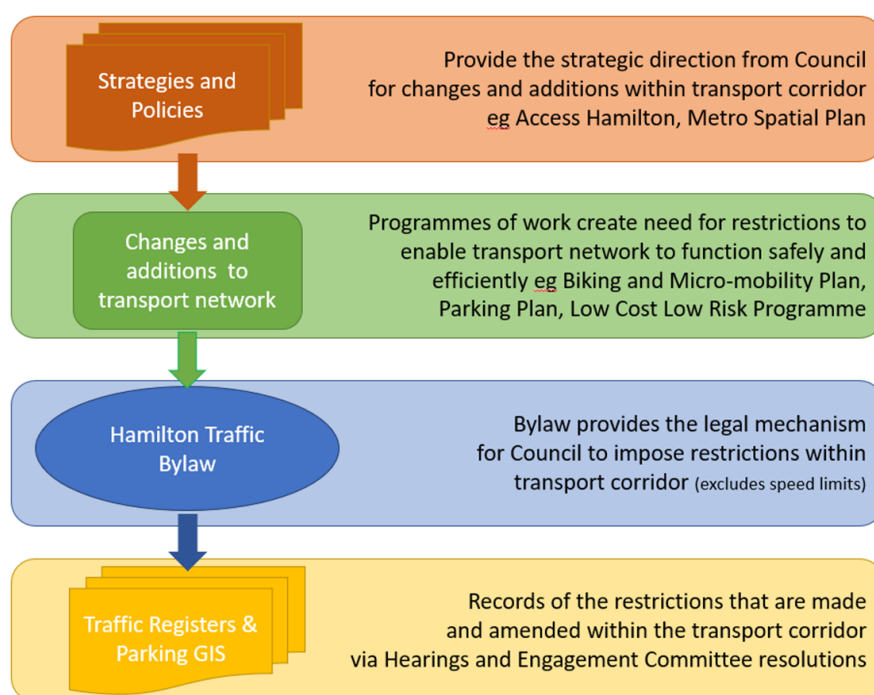
23 August – 23 September 2021

Hamilton City Council (the Council) is seeking feedback on the review of the Hamilton Traffic Bylaw 2015, which is being completed to comply with the Local Government Act 2002 (LGA) review requirements.

## **WHY ARE WE DOING THIS?**

The current Hamilton Traffic Bylaw was adopted in 2015 and repealed the Hamilton City Traffic Bylaw 2012 (Amended). The Council is required to review the existing bylaw after five years, as per section 158 of the LGA. This provides an opportunity for the Council to check in with our community on how the bylaw is working and consider feedback.

The following diagram illustrates the role that the Bylaw plays in allowing Council to regulate the use of the transport corridor:



*Diagram: role of the traffic bylaw in the operation of the transport corridor*

## **PROPOSED CHANGES**

The Council are proposing minor changes to the current Hamilton Traffic Bylaw 2015 to keep it up to date and ensure that it reflects current best practice and legal requirements

We are seeking feedback on the review of the bylaw from people who will or may be affected by, or have an interest in, the proposed changes.

In June 2021, Council determined that a bylaw is still the most appropriate means of controlling issues related to traffic in Hamilton City, under section 155(1) of the LGA.

It is important note that the scope of the bylaw review excludes:

- speed limits - these are addressed in the Speed Limit Bylaw; and
- all the [Hamilton Traffic Bylaw 2015](#) registers (pages 16- 48 of the bylaw) . These registers are referenced as part of the bylaw, rather than forming part of it. The registers are regularly updated via the Hearings and Engagement Committee.

## REASONS FOR THE PROPOSAL

The purposes of this bylaw are to protect the public from nuisance and protect, promote, and maintain public health and safety. It does this through setting the requirements for parking, establishing standards for activities within the road reserve and general control of vehicular or other traffic.

The bylaw covers Garden Place, transport stations (e.g. Rotokauri Transport Hub) and any road in Hamilton City Council's district including State Highways controlled by Waka Kotahi New Zealand Transport Agency.

The key reasons for the proposed amendments to the current bylaw are:

- recent and proposed legislative changes and case law, e.g. Accessible Streets Regulatory Package
- technology advancements; and
- to increase clarity in the bylaw for ease of interpretation and effective administration.

## OPTIONS

The Council is consulting on its intention to retain the current bylaw and update with minor amendments. There are two options to consider.

Option description	Advantages	Disadvantages
<b>Option one - Amend the current bylaw (preferred)</b>		
Retain the current bylaw and make minor amendments.	<ul style="list-style-type: none"> <li>• Updates based on recent and proposed changes to legislation and case law would ensure that the bylaw reflects current best practice and legal requirements e.g. accommodating the proposed changes to places where e-scooters can legally be ridden.</li> <li>• Technology advancements are able to be accommodated.</li> <li>• Changes to increase clarity in the bylaw will improve ease of interpretation and effective administration.</li> </ul>	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>
<b>Option two - Do not amend the bylaw</b>		
Retain the current bylaw and do not amend.	<ul style="list-style-type: none"> <li>• Nil.</li> </ul>	<ul style="list-style-type: none"> <li>• Council and the public would need to rely on the bylaw as it</li> </ul>

		<p>is currently written and interpreted for the public.</p> <ul style="list-style-type: none"> <li>• The bylaw will not reflect recent changes to legislation or accommodate changes that are being proposed in the Accessible Streets Regulatory Package.</li> </ul>
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## **TELL US YOUR THOUGHTS ON THE TRAFFIC BYLAW**

Before making any final decisions, we'd like to have your input. You can give us feedback between 23 August – 23 September 2021.

### **HOW TO GIVE FEEDBACK:**

- Fill out a feedback form online at [hamilton.govt.nz/haveyoursay](https://hamilton.govt.nz/haveyoursay)
- Fill out the feedback form included in this Statement of Proposal and send to: Hamilton City Council, Communication and Engagement team, Hamilton Traffic Bylaw, Private Bag 3010, Hamilton, 3240.
- Fill out the feedback form and deliver to the Municipal Building Reception or any branch of Hamilton City Libraries.

Feedback forms and a copy of the proposed Hamilton Traffic Bylaw 2021 are available from all Hamilton City Libraries, and from the Ground Floor reception of the Council's Municipal Building in Civic Square.

For any queries, please ring 07 838 6699 or email [haveyoursay@hcc.govt.nz](mailto:haveyoursay@hcc.govt.nz)

## **NEXT STEPS**

Staff will collect and analyse all feedback at the close of the submission period.

The analysis of this feedback will be presented to Hearings and Engagement Committee meeting in early November 2021. At this meeting, submitters who want to speak to their written submission will be able to do so.

The Council will then consider all the views and make a decision on the proposed Hamilton Traffic Bylaw 2021.

## **FEEDBACK FORM**

**TRAFFIC BYLAW REVIEW [23 August – 23 September 2021.]**

Hamilton City Council has reviewed the **Traffic Bylaw 2015**.

### **FEEDBACK FORMS CAN BE:**

- Completed online at [hamilton.govt.nz/haveyoursay](https://hamilton.govt.nz/haveyoursay)
- Posted to: Freepost 172189, Hamilton City Council, Communication and Engagement team, Hamilton Traffic Bylaw, Private Bag 3010, Hamilton, 3240.
- Delivered to the Municipal Building Reception or any branch of Hamilton City Libraries.
- Emailed to: [haveyoursay@hcc.govt.nz](mailto:haveyoursay@hcc.govt.nz)

### **Privacy statement:**

*The Local Government Act 2002 requires submissions to be made available to the public. Your name and/or organisation will be published with your submission and made available in a report to elected members and to the public. Other personal information supplied will be used for administration and reporting purposes only. Please refer to Council's Privacy Statement at [hamilton.govt.nz](https://hamilton.govt.nz) for further information.*

### **WHICH OPTION DO YOU PREFER?**

- ☐ Option 1: Retain the current bylaw and make minor amendments
- ☐ Option 2: Retain the current bylaw and **do not** make any amendments

**Reasons** *(Please print clearly)*

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*Run out of room? Feel free to attach additional pages.*

### **WOULD YOU LIKE TO MAKE A VERBAL SUBMISSION?**

*Note: A verbal submission is around 5 - 10 minutes and is a chance for you to strengthen the key points in your written submission at the Council meeting.*

- ☐ Yes ☐ No

Verbal submissions will take place in early November 2021 and we will contact you to arrange a time.

Please give us your contact details in the next section.

**ABOUT YOU:**

*This section tells us a bit more about you. By capturing this information, we will be able to better understand who is, and isn't, providing feedback.*

**WHERE DO YOU LIVE?**

I live in Hamilton, my suburb is: \_\_\_\_\_

I live outside Hamilton city:

☐ Waipa ☐ Waikato ☐ Elsewhere in New Zealand ☐ Overseas

**CONTACT DETAILS** (Please print clearly)

We will use this to get in touch with you if you would like the opportunity to talk to us about your submission in person.

Name: \_\_\_\_\_

Organisation (if responding on behalf of): \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**WHAT IS YOUR AGE GROUP?** (at your last birthday)

☐ Under 16 ☐ 16-19 ☐ 20-24 ☐ 25-29 ☐ 30-34  
☐ 35-39 ☐ 40-44 ☐ 45-49 ☐ 50-54 ☐ 55-59  
☐ 60-64 ☐ 65-69 ☐ 70-74 ☐ 75-79 ☐ 80+

**WHICH ETHNIC GROUP DO YOU IDENTIFY AS?** (tick all that apply)

☐ NZ European ☐ Maaori ☐ Indian ☐ Chinese ☐ Samoan  
☐ British ☐ Filipino ☐ Tongan ☐ South African ☐ Cook Island Maaori  
☐ Other \_\_\_\_\_

**WHICH OF THE FOLLOWING BEST DESCRIBES YOUR HOUSEHOLD SITUATION?**

☐ Living alone ☐ Household with dependants (e.g. children/other family)  
☐ Living with others that are not family ☐ Household with no dependants (e.g. no children/no other family)

**Please get your feedback to us by 23 September 2021.**



## Hamilton Traffic Bylaw Review 2021 ENGAGEMENT AND INSIGHT REPORT

Report prepared by:  
Phoebe Flexman, Transport and Urban Mobility Planner, City Transportation  
October 2021

Report reviewed by:  
Robyn Denton, Acting City Transport Unit Manager, Infrastructure Operations  
October 2021

## EXECUTIVE SUMMARY

### The Reason:

The Council are proposing minor changes to the current Hamilton Traffic Bylaw to keep it up to date and ensure that it reflects current best practice and legal requirements

The key reasons for the proposed amendments to the current bylaw are:

- recent and proposed legislative changes and case law, e.g. Accessible Streets Regulatory Package
- technology advancements; and
- to increase clarity in the bylaw for ease of interpretation and effective administration.

### The Options:

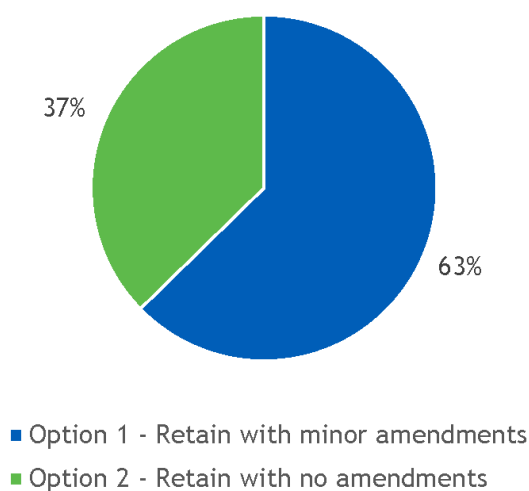
There were two options asked during consultation:

1. Retain the current bylaw and make minor amendments. (preferred option)
2. Retain the current bylaw and do not amend.

### The Results:

Of the 66 responses, 63% (42 respondents) indicated they wished to retain the current bylaw and make minor amendments, and 37% (24 respondents) chose the second option, retain the current bylaw with no amendments.

Respondent choice



From the 66 responses, we had 43 comments. Of the 43 comments, 21 in scope, and 46 out of scope or provided no reasoning/ justification for their decision.

5 people have indicated that they wish to make verbal submissions at the 2 November 2021 Hearings and Engagement Meeting.



## ENGAGEMENT TACTICS

### GOAL

Hamiltonians feel they have had the opportunity to provide feedback on proposed changes to the Hamilton Traffic Bylaw.

### OBJECTIVES

- To engage with all key stakeholders and the wider public on changes to the bylaw.
- To ensure sound understanding of individual responsibilities with regards to traffic in Hamilton.
- To produce a bylaw that thoroughly reflects the needs and aspirations of the city.

### ENGAGEMENT OUTCOME

An engagement campaign that was city-wide to allow for all Hamiltonians to have an opportunity to have their say.

### ENGAGEMENT CAMPAIGN REVIEW

The campaign utilised a number of tactics to encourage Hamiltonians to share their voice. Due to the COVID-19 alert levels (3 & 4), submissions were only able to be made online via the Have Your Say website. The campaign utilised mainly online channels for promotion:

#### Internal tactics:

- Executive Update for Elected Members
- Moorena Mail for all staff
- Customer Services team briefed

#### External tactics (all promoting the Have Your Say link):

- Our Hamilton story/media release
- Web tile on Our Hamilton website and banner on Hamilton City Council website
- Social media advertising campaign (Facebook/LinkedIn/Instagram)
- Press adverts in local papers – Hamilton Press and Waikato News
- Public notice (post-consultation) – Hamilton Press advert and uploaded to website

## ENGAGEMENT RESULTS

### SUBMISSION FORM

A link to the submission Have your say report can be found [here](#).

### SOCIAL MEDIA

Post	Reach	Engagements	Comments	Reactions	Shares	Post Clicks
<a href="#">23 August 2021</a>	33,041	10,646	370	81	16	10,179

### WEBSITE

The Have Your Say webpage (link below) received 2,998 views and the Our Hamilton story (link below) received 63 views.

- <https://haveyoursay.hamilton.govt.nz/city-transportation/trafficbylaw/>  
<https://ourhamilton.co.nz/on-the-move/review-keeps-traffic-bylaw-moving-in-right-direction/>

### CAMPAIGN DESIGN EXAMPLES


*Social media:*



*Website banner:*



Press advert:




The poster features a central illustration of a person riding a bicycle on a green hill. Above them is a large red sign that reads "Hamilton Traffic Bylaw" and a blue sign below it that says "Share your voice". To the left of the cyclist are icons for a parking 'P' sign, a scooter, a question mark, and a "no right turn" sign. To the right are icons for a hand, a "STOP" sign, and a lightbulb. The background is light blue with green hills at the bottom.

**We're making some changes to our Hamilton Traffic Bylaw to make sure it's up to date and relevant for our growing city.**

Tell us what you think about these changes.

**GO TO** [haveyoursay.hamilton.govt.nz](https://haveyoursay.hamilton.govt.nz)

07 838 6699  
 info@hcc.govt.nz  
 HamiltonCityCouncil


**Hamilton City Council**  
 Te kaunihera o Kirikiriroa

D-3917650

## SUBMISSIONS INSIGHTS

### FEEDBACK THROUGH SUBMISSION FORMS (ONLINE & PAPER COPY)

The survey gave an opportunity for the community to provide feedback on the review of the Hamilton Traffic Bylaw 2015.

Participants were asked if they support the Council's plan to amend the current bylaw with minor amendments or wish to retain the current bylaw with no amendments. Participants were asked to comment on the reason for their choice, and comments from each group of respondents (those supporting the bylaw change with minor amendments or those wishing to retain the current bylaw with no amendments) were then analysed and the key insights are outlined below.

Participants were also asked standard demographic questions.

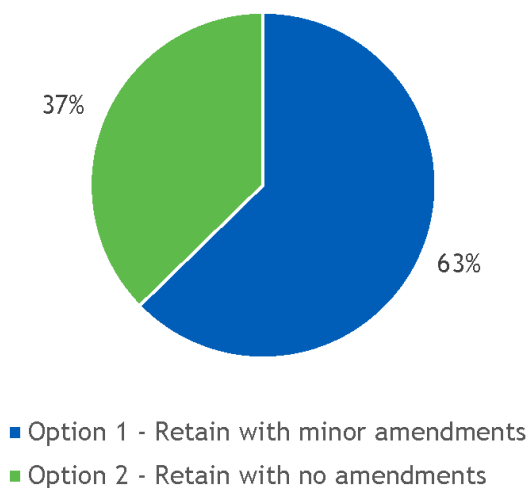
It should be noted that as these are opt-in surveys and not randomly selected samples from the population, so may not accurately reflect the wider populations views on the proposal.

We received 66 responses which have been analysed below. There were submissions from four organisations. Thematic analysis of verbatim responses has been done and the top themes have been noted below.

### INSIGHTS

Of the 66 responses, 63% (42 respondents) indicated they wished to retain the current bylaw and make minor amendments, and 37% (24 respondents) chose the second option, retain the current bylaw with no amendments.

Respondent choice



From the 66 responses, we had 43 comments. From the 43 comments, 21 were in scope, and 46 out of scope or provided no reasoning.

The most common reasons for participants choosing to **retain the current bylaw with minor**

**amendments** (preferred option) were:

I support the amendments as need to be adaptable/ flexible as our community and way of transport changes (10 of 66, or 15% of total respondents)

*"Allows Council ability to be fluid in future to adapt to best practice in different scenarios as they come to light."*

I support the amendments as we need to include micro-mobility (9 of 66, or 13% of total respondents)

*"We need to be able to include e-scooters as they are everywhere now."*

I support the amendments but we need to enforce the bylaws more (5 of 66, or 7% of total respondents)

*"More enforcement of engine braking in town. Absolutely ignored by some truckies." (sic)*

*"I think it's very important for Hamilton to look at the issue of the bike lanes. After only living in Hamilton for a few months I was shocked at the speed of commuters generally, the way vehicles are parked in the bike lanes and literally making riding in the bike lanes a hazard for those using them. It's important to stay up to date with changes including escooters & ebikes. I'd like to see the bike lanes kept clear so it's safer for eriders & others to ride safely, while keeping the general traffic volume lowered."*

The most common reasons for participants choosing to retain the current bylaw with no amendments were:

Retain the bylaw as is, as I disagree with recent changes Council has made in regard to roads (8 of 66, or 12% of total respondents)

*"There is nothing whatsoever wrong with the way the present Bylaw operates. Best practice is not always an appropriate measure for deciding how to formulate a Bylaw. Council has already faced considerable embarrassment having to alter/amend road layouts e.g. in Ward Street, Founders Theatre area. This demonstrates that a "best practice" idea today may not be what the ratepayer wants in a few months time."*

Retain the current bylaw, no change is needed as the current bylaw is appropriate (4 of 66, or 6% of total respondents)

*"I feel as though changes to the current bylaw are unnecessary. I feel as though the more that's changed, the lower the possibility for the public to have the bylaw changed in the future if it turns out to be unsatisfactory. In my past experiences (and for those close to me too) many past bylaw changes have just made things worse, and cannot be reverted. Please just leave the bylaw alone."*

Retain the bylaw, as I am concerned around added costs with implementing more traffic-related changes (4 of 66, or 6% of total respondents)

*"Listed as a disadvantage, was that the bylaw will not be able to accommodate changes proposed in the Accessible Streets Regulatory Package."*

*I do not think that HCC should be wasting any more money (neither local government money nor central government money - which we all pay for either way), by implementing any Accessible Streets projects."*

*"Council should focus on reducing costs and change is costly. Stop putting traffic impediments around the town including cycleway barriers and speed bumps at intersections. These do nothing to promote safety and are yet another example of frivolous spending."*

Additionally, people mentioned their concerns regarding recent changes to cycleways (5 of 66, or 8% of total respondents)

*"All the changes that you have made and are looking at making are making the city harder to navigate, and more in favour of cyclists."*

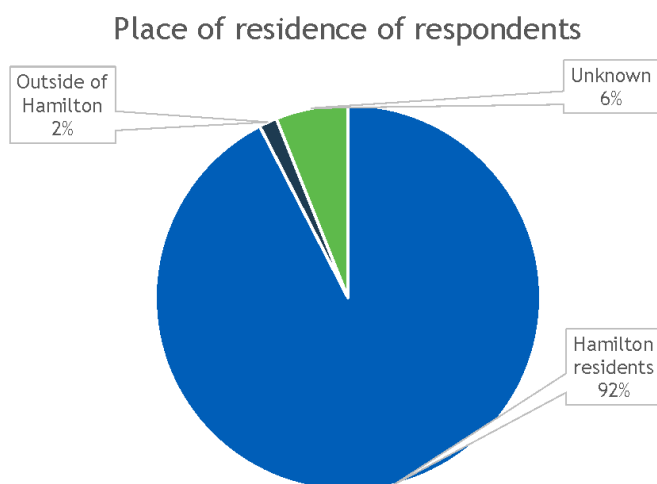
*"The council has started to make many unpopular changes to roads and bridges around Hamilton which have caused greater traffic congestion. These and further changes should be undone or prevented. Cycle lanes are among the worst of the changes. Thousands of drivers are forced to slow to a crawl for the sake of literally a handful of cyclists."*

#### DEMOGRAPHIC COMPARISON OF RESPONSES FROM INDIVIDUALS

The demographics of respondents are shown below. Due to a low sample size (66 respondents), comparisons of responses with Hamilton city profile statistics would not yield meaningful insights.

##### Place of residence

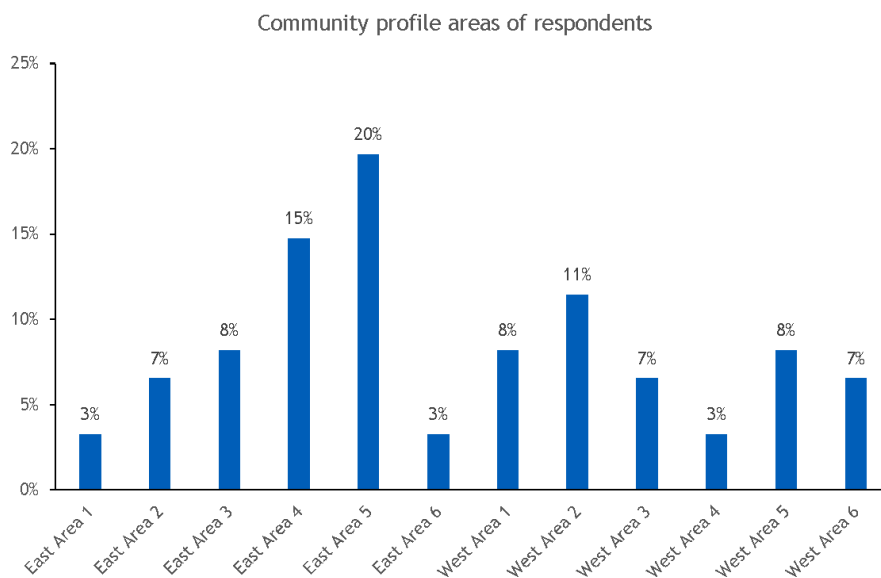
Hamilton residents constituted 92% (61) of the 66 respondents to our survey. 2% (1) were from outside of Hamilton (elsewhere in New Zealand) and 6% (4) did not specify their location.



##### Community profile areas

From the 61 Hamilton residents, we had a high representation from East Area 4 (Enderley, Fairfield, Fairview Downs) and East Area 5 (Claudelands, Hamilton East, Peachgrove) with 9 (15%)

and 12 (20%) Hamilton residents living in these areas respectively. See table below for a list of suburbs in these community profile areas.

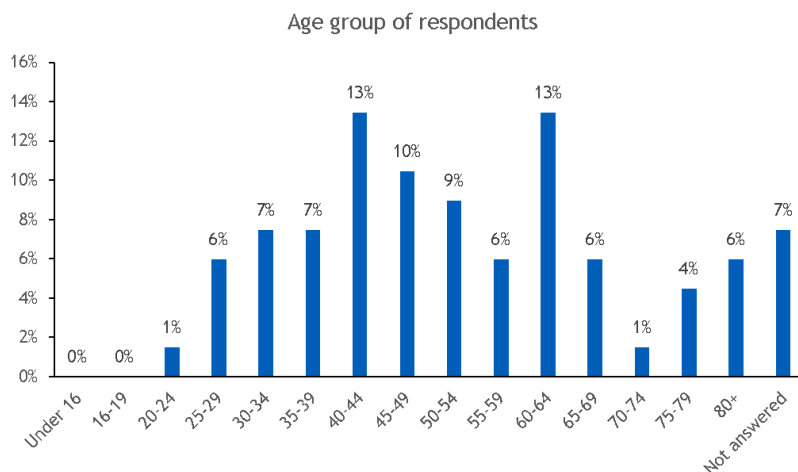


\*Hamilton city profile statistics are from the 2018 Census published by Stats NZ.

Community Profile Area	List of suburbs
East Area 1	Flagstaff
East Area 2	Callum Brae, Huntington, Rototuna, Rototuna North
East Area 3	Chartwell, Chedworth, Harrowfield, Queenwood
East Area 4	Enderley, Fairfield, Fairview Downs
East Area 5	Claudlands, Hamilton East, Peachgrove
East Area 6	Hillcrest, Ruakura, Riverlea, Silverdale
West Area 1	Avalon, Beerescourt, Forest Lake, Northgate, Pukete, St Andrews, Te Rapa
West Area 2	Crawshaw, Grandview Heights, Nawton, Rotokauri, Western Heights
West Area 3	Aberdeen, Dinsdale, Temple view
West Area 4	Frankton, Maeroa, Swarbrick
West Area 5	Hamilton Central, Hamilton Lake, Hospital, Whitiara
West Area 6	Bader, Deanwell, Fitzroy, Glenview, Melville, Peacocke

### Age group

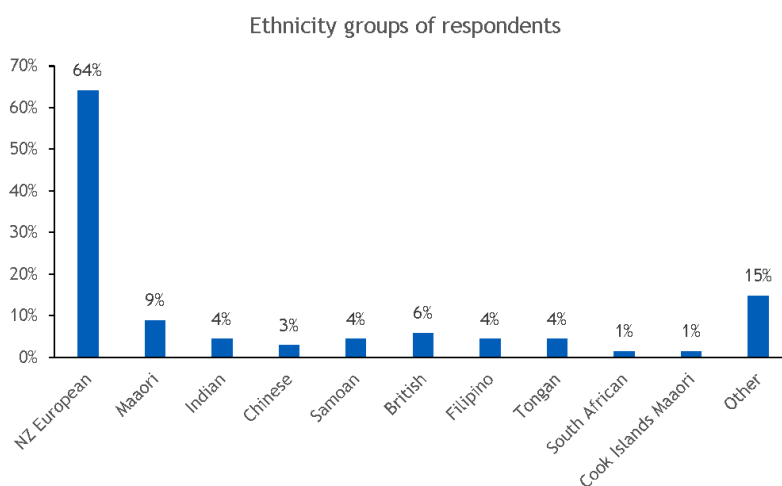
We had representation across most age groups except those under 16 years of age and aged 16-19. We had high representation from those aged 40-44 years (13%) and those aged 60-64 years (13%). 7% (5) of respondents did not provide their age. We noted that those choosing to retain the current bylaw with minor amendments were more varied in age, whereas all respondents who chose to retain the bylaw with no amendments were over the age of 30.



\*Hamilton city profile statistics are from the 2018 Census published by Stats NZ.

### Ethnic group

We had a high representation of NZ Europeans and Other, with 64% of respondents identifying themselves as NZ European, and 15% as Other. There was low representation from the South African and Cook Island Maaori ethnic groups.



\*Hamilton city profile statistics are from the 2018 Census published by Stats NZ.



## RESPONSES FROM ORGANISATIONS

We received responses from 4 organisations. Three of the four organisations supported retaining the bylaw with minor amendments, and one organisation supported retaining the bylaw with no amendments. Below is a summary of what people responding on behalf of these organisations said.

Organisation	Option	Summary of comments
Te Whanau Roopu O Aotearoa	Option 1: Retain the current bylaw and make minor amendments.	Supports the change to the bylaw. The current bylaw is fit for purpose, but minor amendments. Specific recommendations are: Include a section indicating expectations of road crossing sites for pedestrian use (ensure crossings are raised, with speed bumps prior to crossing, include directional tactiles for pedestrians, and increased signage for road users). Turn Lyndon Court into a shared zone.
Disabled Persons Assembly	Option 1: Retain the current bylaw and make minor amendments.	Supports the change to the bylaw, but recommends that the updated bylaw fully accommodates the needs of disabled people, while also ensuring transport safety. Specific recommendations are: Further clarification for the definition of 'pedestrian', and which definition a manual wheelchair user would come under. DPA strongly recommends that manual wheelchair users and people pushing child's strollers are included in the definition of a 'pedestrian'. Further clarification and engagement are needed for the definition of 'powered wheelchair' and its inclusion/exclusion of mobility scooter users. This bylaw review should also be an opportunity to address issues with unsafe mobility scooter use. Support should be provided for disabled people experiencing homelessness who breach bylaws, instead of financial penalties. Shared paths need clear signage and definitive separate areas for cyclists and pedestrians. Council should ensure that disabled persons organisations (including Disabled Persons Assembly) in Hamilton are included in any further discussions.
Member of the National 'Cycling Advocates Network', and All-Weather Cyclist	Option 1: Retain the current bylaw and make minor amendments.	Supports the change to the bylaw with minor amendments, as believes the bylaw needs to incorporate recent legislative changes of the Government's new Zero Carbon Legislation focusing on reducing carbon emissions and encouraging active modes of transport. Believes the bylaw amendments need to reflect the changes made by Central Government and account for more people walking, cycling, micro-

		mobility users, and people with mobility impairments. Furthermore, the bylaw amendments should focus on providing more, and safer off-road shared-use Pedestrian/Cycle paths around Hamilton city, to encourage people to take up safer, viable, greener alternative modes of transportation. By providing safer alternatives, this will help slow and reduce carbon emissions by otherwise personal car users, which will be important with the new Waikato Expressway, and expected population growth in Hamilton.
Placemakers NEU	Option 2: Retain the current bylaw and do not make any amendments.	Does not support the change to the bylaw. Believes the yellow barriers between cyclists and cars are dangerous. Believes cycleways should be separate to the road.

## WHAT'S NEXT

The proposed bylaw changes, informed through engagement, will be presented to the Hearings and Engagement Committee on 2 November 2021 where verbal submissions will also be heard. Following verbal submissions at the Hearings and Engagement Committee meeting, a deliberations report will be presented to the Infrastructure Operations Council Committee on 7 December 2021 seeking a recommendation to Council.

Following any decision of Council, we will report outcomes to the community via the 'We asked, you said, we did' part of the Have Your Say website.

# Council Report

Item 6

**Committee:** Hearings and Engagement Committee

**Date:** 02 November 2021

**Author:** Robyn Denton

**Authoriser:** Eeva-Liisa Wright

**Position:** Network Operations and Use Leader

**Position:** General Manager  
Infrastructure Operations

**Report Name:** Parking Restrictions and Traffic Bylaw Changes

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

1. To seek approval from the Hearings and Engagement Committee of the proposed changes to traffic controls throughout Hamilton City.

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

2. That the Hearings and Engagement Committee:
  - a) receives the report;
  - b) approves the changes to parking restrictions and controls as set out in the table below:

Location	Amendments to current restrictions
Hamilton Central Transport Centre Carpark	Remove 2 carpark spaces to install 1 Shuttle Bus Park space for the Demand Responsive airport service, by: <ol style="list-style-type: none"><li>a) Installation of a 9m 'P30 Shuttle Parking At All Times'</li><li>b) Rescind 6.5m of '15min – 8am – 6pm Mon-Fri' parking</li></ol>
Hood Street	Add 1 Mobility carpark outside #33 Hood St, by: <ol style="list-style-type: none"><li>a) Installation of 4m 'P120 Mobility Parking'</li><li>b) Rescind 8.5m No Stopping restriction</li><li>c) Gazetting existing '4m' 'P120 CDB Zoned Parking'</li><li>d) Gazette New Length '48.5m' No Stopping restriction</li></ol>

## Executive Summary - *Whakaraapopototanga matua*

3. The Hamilton City Traffic Bylaw 2015 (the Traffic Bylaw) sets out the requirements for transport-related activities within the road reserve. A resolution of the Council (via the delegation to the Hearings and Engagement Committee) is required to make changes to any of the restrictions contained within the Traffic Bylaw registers.

4. The changes proposed for approval in this report for consideration are, parking restriction changes, including No Stopping and time restrictions for a demand-responsive service at the Transport Centre, and a Mobility carpark in Hood Street.
5. Changes are recommended to improve safety and accessibility which have been identified by Hamilton City Council and Waikato Regional Council staff.
6. Targeted consultation has been completed for all proposed changes and there is support for these.
7. Staff consider that the decisions in this report have low significance and that the recommendations comply with Council's legal requirements.

### **Background - *Koorero whaimaarama***

8. The Traffic Bylaw sets out the requirements for a variety of restrictions within the road reserve including:
  - i. parking;
  - ii. general control of vehicular or other traffic e.g. banning of turns, installation of No Stopping restrictions;
  - iii. creation of cycle lanes and paths; and
  - iv. establishment of specific parking zones such as bus stops, taxi stands, loading zones.
9. A resolution of the Hearings and Engagement Committee is required to make changes to any of these restrictions.
10. Regular changes to traffic restrictions (including parking controls) are required throughout the city – often in response to requests from the general public or businesses in regard to safety or accessibility concerns.
11. Opportunities for improvement are also identified by staff when considering changes in parking use patterns, or changes made to the built environment e.g. developments or discretionary transport projects.

### **Parking Restriction Changes**

12. Two changes to parking restrictions are proposed in this report:
  - i. installation of a shuttle stop at the Hamilton Central Transport Centre to cater for the new demand-responsive airport service being introduced by Waikato Regional Council. This will be a key interchange point between the city public transport services and the new demand-responsive service connecting to the airport.
  - ii. installation of a new mobility carpark in Hood Street
13. The details of each of these are illustrated for each site in **Attachment 1**, with a list of the proposed changes included in **Attachment 2**.
14. Consultation with adjacent property owners, occupiers and any other affected parties has been undertaken for each of the proposed changes. The feedback received was positive and supportive of the proposed changes.

### **Financial Considerations – *Whaiwhakaaro Puutea***

15. Funding for the implementation of the proposed parking changes is included in the 2021/22 City Transportation Operations and Parking Activity budgets.

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

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

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

17. 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').
18. 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.
19. The recommendations set out in this report are consistent with that purpose.

#### **Social**

20. The recommendations included in this report helps the community achieve their goals by ensuring their safety and ability to access key facilities such as education, health and employment.

#### **Economic**

21. The recommendations included in this report enable the proposed demand responsive airport service to operate efficiently and for mobility card holders to enjoy the hospitality services in the southern area of the CBD by ensuring safe and convenient access.

#### **Environmental**

22. There are no known environmental considerations associated with this matter.

#### **Cultural**

23. There are no known cultural considerations associated with this matter.

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

24. There are risks associated with not approving the recommendations in this report as set out as follows:
- i. parking restriction changes at the Hamilton Central Transport Centre are required to enable proposed new demand responsive airport service to operate effectively; and
  - ii. the proposed mobility carpark in Hood Street provides a safe and accessible location in the southern hospitality area of the CBD where there are currently limited mobility carparks.

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

#### **Significance**

25. Staff considered the following under the Significance and Engagement Policy:
- the form of engagement used in the past for similar proposals and decisions.
26. Based on these factors, staff have assessed that the recommendations have low significance.

#### **Engagement**

27. Community views and preferences are already known to the Council through the consultation that has been undertaken prior to the preparation of this report.

## Item 6

### Attachments

Attachment 1 - Illustrations of proposed parking restrictions

Attachment 2 - Schedule of proposed parking restrictions

Attachment 1 - Illustrations of proposed parking restriction changes

# Hearings and Engagement Committee

## Proposed Parking Restriction Changes

02 November 2021



Item 6

Attachment 1

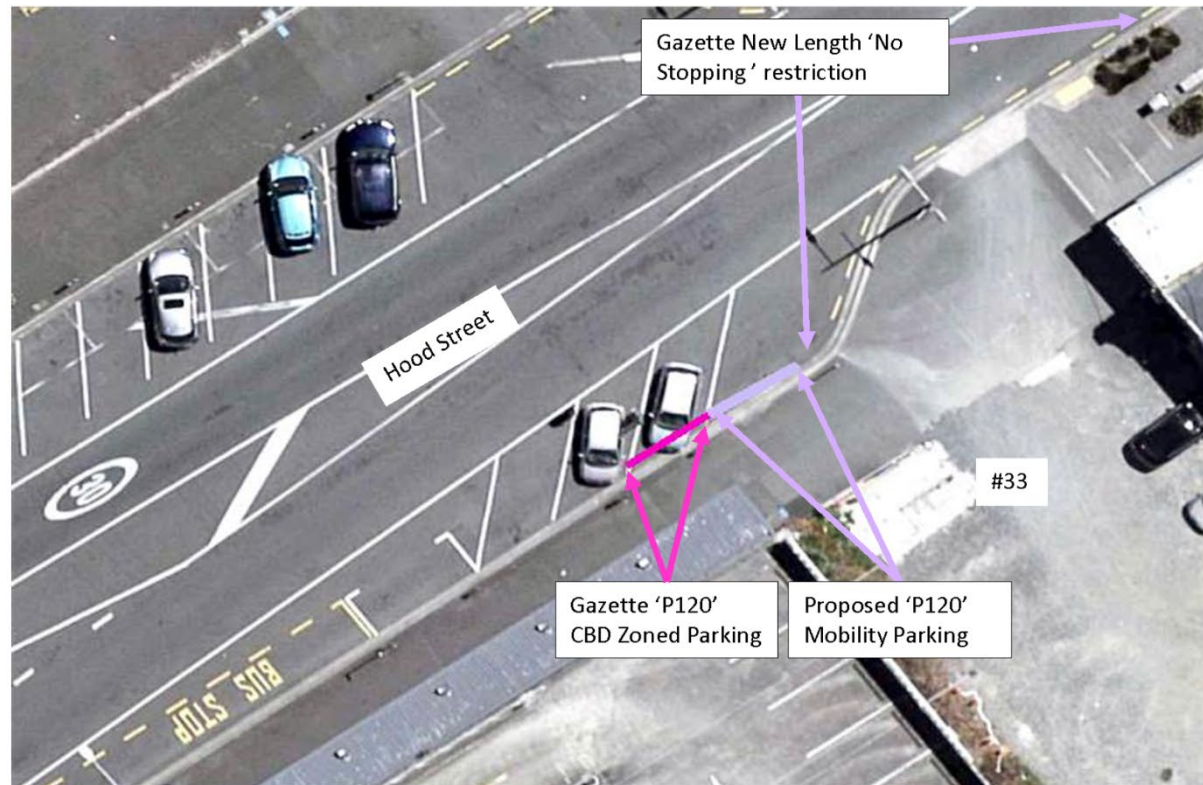


# Transport Centre





# Hood Street



## Attachment 2 - Schedule of proposed parking restriction changes

NEW PARKING RESTRICTIONS TO BE INSTALLED			
Location	Requested By	Reason	Description
Transport Centre Carpark	WRC	To accommodate for the Demand Responsive Airport shuttle services run by WRC	Installation of 9m 'P30 Shuttle Parking At All Times'
Hood Street	Customer Request	There is a need for more mobility parking in the southern end of the CBD	Installation of 4m 'P120 Mobility Parking' outside #33 Hood Street Installation of 4m 'P120 CBD Zoned Parking' outside #33 Hood Street Installation of new length - 48.5m 'No Stopping' restriction outside #17-#33 Hood Street
EXISTING PARKING RESTRICTIONS TO BE RESCINDED			
Location	Requested By	Reason	Description
Transport Centre Carpark		To accommodate for the Demand Responsive Airport shuttle services run by WRC	Rescinding 6.5m '15min – 8am – 6pm Mon-Fri' parking
Hood Street		There is a need for more mobility parking in the CBD	Rescind 8.5m 'No Stopping Lines'

# Council Report

Item 7

**Committee:** Hearings and Engagement Committee  
**Date:** 02 November 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 Parade to Celebrate 100 years of Waikato Rugby Union

## Report Status

Open

### Purpose - *Take*

1. To seek approval from the Hearings and Engagement Committee for temporary road closure of Knox Street, associated with a Mooloo parade to celebrate 100 years of Waikato Rugby Union that was rescheduled during 2021 due to COVID 19 restrictions.

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

2. That the Hearings and Engagement Committee:
  - a) receives the report;
  - b) approves the notification of intent for closure of Knox Street between Anglesea Street and Victoria Street under the provisions of the Local Government Act 1974, Schedule 10, Clause 11 (e) to accommodate a Mooloo paraded to celebrate 100 years of Waikato Rugby Union that has been rescheduled due to COVID 19 restrictions during 2021:
  - c) approves the temporary closure of Knox Street between Anglesea Street and Victoria Street under the provisions of the Local Government Act 1974, Schedule 10, Clause 11(e) to accommodate a Mooloo paraded to celebrate 100 years of Waikato Rugby Union that has been rescheduled due to COVID 19 restrictions during 2021:
  - 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 the aggregate 31 days within 2021.

### Executive Summary - *Whakaraapopototanga matua*

3. Applications for temporary road closures to accommodate a Mooloo parade to celebrate 100 years of Waikato Rugby Union have been approved in 2021.
4. Due to COVID 19 restrictions, changes to the dates of the parade 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 date and times for rescheduled parade 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. A parade to mark 100 years of the Waikato Rugby Union (1921-2021) is being proposed to recreate the Mooloo parades that were very popular in the city. The past parades have included sponsors, supporters, the team, and a variety of other floats.
14. The plan is for floats to gather in Knox Street (which will need to have a temporary closure) and then under rolling road closure and signal management, make their way to Claudelands Arena.
15. They will be having a series of celebration events, including a Legends Game where an invitational South African side take on a Legends Waikato team, re-enacting the historic first international that Waikato ever played.
16. The parade is planned for Sunday 21 November 2021 and the parade will gather in Knox Street from 9.30am, then steps off at 11.00am.
17. The parade (and the other centenary events) have been postponed twice already because of Covid Alert Levels, and will only go ahead if we are in Alert Level 1 at the time.
18. The exact timing of the parade may therefore have to change again and may not be able to be decided until a few days immediately prior to the event.
19. Staff are therefore seeking a generic approval from the Hearings and Engagement Committee to accommodate any change to the timing of the parade due to COVID 19 restrictions.
20. 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.

21. 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.
22. A Notice of Decision will be issued with the specific details of the event and closure times on if the parade is again rescheduled as a result of COVID 19 restrictions following consultation with NZ Police and Waka Kotahi.
23. The temporary road closure is proposed for Knox Street between Anglesea Street and Victoria Street between 9.00am and midday. This will provide time for setup and pack down of temporary traffic management associated with the road closure.

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

24. 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***

25. 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***

26. 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').
27. 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.
28. The recommendations set out in this report are consistent with that purpose.

#### **Social**

29. The recommendations included in this report helps the organisers and participants in the parade to gather safely prior to the commencement of the parade.

#### **Economic**

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

#### **Environmental**

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

#### **Cultural**

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

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

33. There are no risks associated with the recommendations included in this report.
34. There is a risk that if the road closure approval is not granted the parade organisers and participants will not be able to gather safely prior to the parade and the event would have to be cancelled.

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

35. Staff considered the following factor under the Significance and Engagement Policy:
  - the form of engagement used in the past for similar proposals and decisions.
36. 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**

37. 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.
38. 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.
39. In addition, the applicants have provided notification to all properties in the sections of road closures.
40. If temporary road closures are required to accommodate changes in the timing of the parade due to COVID 19 restrictions, a public notice of the decision to temporarily close the roads will be issued.

**Attachments - *Ngaa taapirihanga***

There are no attachments for this report.