

Notice of Meeting:

I hereby give notice that an ordinary meeting of Strategy & Policy Committee will be held on:

Date: Tuesday 26 May 2015
Time: 1.30pm
Meeting Room: Council Chamber
Venue: Municipal Building, Garden Place, Hamilton

Richard Briggs
Chief Executive

Strategy & Policy Committee OPEN AGENDA

Membership

Chairperson	Cr A O'Leary
Deputy Chairperson	Cr A King
Members	Her Worship the Mayor J Hardaker Cr G Chesterman Cr M Forsyth Cr M Gallagher Cr K Green Cr D Macpherson Cr G Mallett Cr R Pascoe Cr L Tooman Cr E Wilson Cr P Yeung

Quorum: A majority of members (including vacancies)

Meeting Frequency: Six weekly

Brendan Stringer
Committee Advisor

19 May 2015
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Terms of Reference:

- To develop and recommend strategies, plans and policies to the Council that advance the Council's vision and goals, and comply with the purpose of the Local Government Act.
- To monitor implementation and effectiveness of strategies, plans and policies.
- Develop and recommend bylaws to the Council.
- Develop and approve submissions to government, local authorities and other organisations.

Power to act:

- Recommend all strategies, policies and plans.
- Approve all submissions made by Hamilton City Council to other Councils, central government and other bodies.
- Recommend reserve management plans.
- In relation to bylaws, approve for consultation and consider submissions.

Power to recommend:

- Bylaws to Council.
- Strategies, policies and plans.
- Reserve management plans.

Sub-committees:

This Committee will be supported in its work by the:

- Civil Defence and Emergency Management Sub-committee.
- Community Forum Sub-committee.
- Business and Investment Sub-committee.
- Hearings Sub-committee.

Matters may be referred to this Committee from the:

- Event Sponsorship Sub-committee.
- External Funding Sub-committee.
- Council Controlled Organisations (CCO) Sub-committee.

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1 Apologies

2 Confirmation of Agenda

The Committee to confirm the agenda.

3 Declaration of Interest

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

4 Public Forum

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

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

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

If you have any questions regarding Public Forum please contact Democracy by telephoning 07 838 6772.

Committee: Strategy & Policy Committee **Date:** 26 May 2015
Report Name: Strategy and Policy Committee **Author:** Brendan Stringer
Open Minutes 8 April 2015

Status	<i>Open</i>
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Recommendation

That the Committee confirm and adopt as a true and correct record the Open Minutes of the Strategy and Policy Committee Meeting of 8 April 2015.

1. Attachments

- Attachment 1 - Strategy and Policy Committee Open Minutes 8 April 2015

Strategy & Policy Committee

OPEN MINUTES

Minutes of a meeting of the Strategy & Policy Committee held in Council Chamber, Municipal Building, Garden Place, Hamilton on Wednesday 8 April 2015 at 1.30pm.

PRESENT

Chairperson	Cr A O'Leary
Deputy Chairperson	Cr A King
Members	Her Worship the Mayor J Hardaker
	Cr G Chesterman
	Cr M Forsyth
	Cr M Gallagher
	Cr K Green
	Cr G Mallett
	Cr R Pascoe
	Cr L Tooman
	Cr E Wilson
	Cr P Yeung

In attendance	Chief Executive, General Manager Performance, General Manager City Infrastructure, General Manager Community, General Manager Customer Services, Strategy and Research Unit Manager, Community Development and Leisure Manager, City Safe Unit Manager, Parks & Open Spaces Manager, Museum Director, Manager Social Development, Acting Programme Manager, Strategy & Relationships Management, Team Leader Planning and Assets and Communication Advisor
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Also in attendance	Kaye Clark, State Highways Manager, New Zealand Transport Agency (NZTA)
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Committee Advisors	Mr B Stringer and Mrs J Pani
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1. Apologies

Resolved: (Crs O'Leary/King)

That the apologies from:

- a) Cr Macpherson; and
- b) Crs Chesterman, Gallagher and Wilson (lateness),
be received and accepted.

2. Confirmation of Agenda

Resolved: (Crs O'Leary/Yeung)

The Committee confirmed the agenda, noting that Item 9 – Waikato Expressway – would be taken after the Public Forum.

3. Declarations of Interest

No members of the Council declared a Conflict of Interest.

4. Public Forum

As per Hamilton City Council's Standing Orders, a period of up to 30 minutes had been set aside for a public forum.

Mr Tony Kirton spoke to Item 9 – Waikato Expressway – highlighting concerns with safety issues at the Kay Road/Osborne Road intersection, in particular that no Osborne Road bridge was provided for in the proposal. Mr Kirton's statement was tabled and circulated to the Elected Members.

In response to questions, Mr Kirton confirmed that visibility at the intersection would be improved if the sides of the road were cleared and grassed. Mr Kirton had spoken to the Waikato District Council about his concerns, who had directed him to the Hamilton City Council. He said he had not spoken to Council staff regarding his concerns, though these had been aired in other public forums.

Item 9 was taken at this time to accommodate external attendees.

9. Waikato Expressway

The General Manager Infrastructure, supported by Kaye Clark, State Highways Manager, NZTA, presented this report seeking Council's support of the connection strategy for the Waikato Expressway and approval of the macro scope of the HCC Resolution Drive extension project.

The GM advised that the financial implications would be presented to an upcoming Finance Committee meeting and that the Strategy and Policy Committee focus was on the connection strategy that would help inform the financial considerations.

The GM and State Highways Manager responded to Mr Kirton's concerns:

- i. The Osborne Road overbridge issue was within Waikato District Council territory.
- ii. Staff were aware of the safety concerns on Kay Road raised by local residents, which would

be considered as part of future infrastructure developments in this neighbourhood. There would be opportunities for the public to be consulted in that regard, in addition to the consultation that had already occurred.

The following matters were noted in response to questions:

- **Osborne Road overbridge**
The NZTA-recommended omission of an overbridge at Osborne Road would be subject to further public consultation as part of the alteration to the designation of Osborne Road. The extension of Resolution Drive was considered to be the optimal solution.
- **Resolution Drive development**
The development of Resolution Drive into a 4-lane road from the Wairere Drive intersection would be considered on a 'just in time' basis, rather than as part of the recommended extension of Resolution Drive in the report. A 4-lane road was not included in Council's 2015-25 Ten Year Plan.
- **Resolution Drive Interchange**
NZTA did not propose to build two additional (south-facing) ramps from/to Resolution Drive to connect to the Expressway as had been requested by Council, though initial ground works would be completed to enable such ramps to be developed at a later stage if required. As such, the proposed construction only contemplated completion of two north-facing ramps. The State Highways Manager confirmed that funding responsibilities would need to be discussed should the Council request such development take place at an earlier stage.

Councillor Wilson (1.47pm) and Councillor Chesterman (2.05pm) joined the Meeting during discussion on Item 9.

Resolved: (Crs Tooman/Mallett)

Recommendation to Council

That

- a) the Report be received;
- b) Council supports the updated connection principles for the Waikato Expressway-Hamilton section as set out in Attachment 2 to the staff report noting that:
 - i. Council will accept the responsibility for upgrading the Link Road between Wairere Drive and the Greenhill Drive Interchange from two lanes to four lanes at some time in the future when required; and
 - ii. NZTA propose to exclude the Osborne Road over bridge and to mitigate its exclusion by providing, in consultation with the affected community, good quality walking and cycling facilities on Reynolds Road and Resolution Drive and to work with Council to incorporate a Roundabout at the intersection of Resolution Drive and Kay Road.
- c) Council agrees the macro scope of its Resolution Drive extension project to include:
 - i. A four lane corridor;
 - ii. Initial two lane construction;
 - iii. A roundabout connection at the intersection with Kay Road consistent with other adjacent roundabouts;
 - iv. A significant east-west walking and cycling link under Resolution Drive located between Borman Road and Kay Road; and
 - v. A north-south walking and Cycling link under the Waikato Expressway to service the north-east Rototuna area.
- d) staff present to the 21 May 2015 Finance Committee meeting a Memorandum of Understanding (MOU) between NZTA, Hamilton City Council, Waikato District Council and Tainui Group Holdings (Tainui) that sets out the respective responsibilities for delivering the Waikato Expressway –Hamilton section along with a Multi Party Funding Agreement (MPFA) that defines cost responsibility to deliver the Resolution Drive interchange.

5. Strategy and Policy Committee Chairperson's Report

The Chair noted:

- the updated Work Programme for the Committee, which was tabled; and
- that an update in relation to the Local Alcohol Policy (LAP) would be brought to a Councillors' Briefing in the near future.

Resolved: (Crs O'Leary/King)

That the Report be received.

6. Strategy and Policy Committee Open Minutes 24 February 2015

Resolved: (Crs O'Leary/Wilson)

That the Committee confirm and adopt as a true and correct record the Open Minutes of the Strategy and Policy Committee Meeting of 24 February 2015.

7. Review of the Public Places Liquor Control Bylaw 2010 - Determination Report

The City Safe Manager and Acting Programme Manager, Strategy & Relationships Management presented this report for the Council to determine whether a bylaw was the most appropriate mechanism to address issues associated with the possession and consumption of alcohol in public places.

The Acting Programme Manager, Strategy & Relationships Management confirmed the following in response to questions:

- Staff were not proposing any changes to the existing bylaw other than required to reflect legislative amendments.
- Council was not required to consult with the public prior to the Determination Report being presented.
- It was proposed that the draft bylaw proceed through the Business and Investment Subcommittee, which would align with that Subcommittee's current work programme.

There was discussion on the consultation requirements when reviewing a bylaw where no or only minor changes were required to that bylaw. It was noted that staff would provide clarity on the bylaw process prior to 13 May 2015 (i.e. when the Business and Investment Subcommittee was due to meet).

Councillor Gallagher (2.23pm) joined the Meeting during discussion on Item 7.

Resolved: (Crs O'Leary/Forsyth)

Recommendation to Council

That:

- a) the Report be received;
- b) pursuant to s155(1) of the Local Government Act 2002, Council resolve that a bylaw is the most appropriate way of addressing the issues relating to the possession and consumption of alcohol in public places; and
- c) Council resolve that a draft bylaw and stakeholder feedback be reported to the Business and Investment Subcommittee on 13 May 2015.

8. Hamilton Lake Domain - Reserve Management Plan Review

Parks and Open Space Manager and Team Leader Planning and Assets presented this report and responded to questions:

- **Costs of Review**
The budget allocated to the review comprised staff time and was included in the Parks & Open Space work plan. Staff were requested to track costs in completing the review.
- **Plan Changes**
There were indications that existing users, such as tenants, wanted some changes to the current Plan.
- **Visitor Numbers**
Staff would distribute to Elected Members updated information as to the number of visitors to the Hamilton Lake.
- **Approach of Review**
The review would be undertaken holistically with the Long-Term Plan taken into account. It was noted that the review findings would be brought to a Councillors' Briefing in due course. Staff would also advise Elected Members of the dates when public consultation would take place, should they wish to attend. Waikato-Tainui would be engaged early in the consultation process. As part of that public consultation it was suggested that staff create a hash-tag to increase potential feedback.

It was confirmed that the last comprehensive review took place in mid-1990s.

Resolved: (Crs Gallagher/Forsyth)

Recommendation to Council

That:

- a) the Report be received; and
- b) the Strategy and Policy Committee recommend to Council that:
 - (i) Council gives public notice of its intention to review the Operative Hamilton Lake Domain Management Plan 2010 under section 41(5) of the Reserves Act 1977;
 - (ii) The public are invited to make written suggestions to Council on the Proposed Hamilton Lake Domain Management Plan; and
 - (iii) Staff report back to the Strategy and Policy Committee with a draft Proposed Hamilton Lake Domain Management Plan for endorsement for consultation under section 41(6) of the Reserves Act 1977.

10. Community Assistance Policy

Community Development & Leisure Manager and Manager Social Development presented the report and noted the revised draft policy addressed the concerns previously raised by the Committee. The following matters were highlighted in response to questions:

- **Multi-year Grants Criteria**

The focus on 'operating costs' for determining Multi-Year Grants reflected the ongoing support that such grants were intended to address. Changes to the criteria aligned to Council's Long-Term Plan.

It was clarified that applicant organisations must have their principal location in Hamilton and primarily contribute to or benefit Hamilton City residents.

The timeframe during which organisations could apply for Multi-Year Grants would be amended from what was currently stated in Schedule 2 following the conclusion of public consultation.

- **Single-Year Grant cap**

A financial cap on Single-Year Grants was to focus the provision of such grants to small community organisations.

- **Allocation Committees**

It was clarified for the appointment of Allocation Committee members for Multi-year Grants would take place every three years. The Policy would be updated to reflect this.

- **Available Funds – Single-Year Grants vs Multi-Year Grants**

The larger pool of funds available for Multi-Year Grants reflected that the focus was to be on such grants going forward. It was considered the longer-term support would derive better value for the investment that was made. Staff noted that provision of both Single-Year Grants and Multi-Year Grants continued to be best practice adopted by similar funders.

Staff were asked to include the Community Assistance Policy on the Committee's Policy Monitoring Report.

Resolved: (Crs Yeung/Chesterman)

Recommendation to Council

That:

- a) the report be received; and
- b) the proposed 'Community Assistance Policy' and supporting schedules (Attachment 1 to the staff report) be adopted.

Councillor Mallett dissenting.

11. Community Facilities Report

The General Manager Community and Community Development & Leisure Manager presented the Report. The Committee discussed the membership of the Community Facilities Working Group recommended by staff.

The Community Development & Leisure Manager confirmed that there would be community engagement in relation to future proposals for community facilities.

Resolved: (Her Worship the Mayor Hardaker/Cr Wilson)

That:

- a) the Report be received;
- b) a Community Facilities Working Group be established to agree on a process and scope to review the community facilities portfolio;
- c) the Community Facilities Working Group is comprised of General Manager Community, Community Development and Leisure Manager, Strategic Property Manager and 5 elected members (being Her Worship the Mayor Hardaker, and Councillors Gallagher, Forsyth (Chair), Pascoe and Yeung); and
- d) this matter be reported back to Council in July 2015.

12. Waikato Museum Strategic Review

The General Manager Community and Museum Director spoke to this Report. They highlighted the following points in response to questions:

- **Museum Expenditure**
Expenses for the Museum amounted to \$3.9 million (net) each year with \$800,000 annual revenue recorded.
- **Public Consultation**
The review was considered to be in relation to one of Hamilton City's key assets, with interest having been expressed from the Public Arts Forum and local tangata whenua that a review took place to capture community feedback.
- **Review Costs**
Staff would track costs of undertaking the review. The GM confirmed the review costs were factored into the Community Unit's work programme.

Resolved: (Her Worship the Mayor Hardaker/Cr Forsyth)

That:

- a) the Report be received; and
- b) the Strategy and Policy Committee approve the development of the new Waikato Museum Strategic Plan.

Councillors King and Mallett dissenting.

13. Consideration and Retrospective Approval of Two Hamilton City Council Submissions

In relation to the Submission to the Waikato District Council's Sports Park Draft Reserve Management Plan and Draft General Policies Reserve Management Plan (Attachment 2 of the staff report), the General Manager Community stated staff were working with the Waikato Regional Council to ensure neighbouring Waikato councils took account of the Waikato Regional Sports Facilities Plan.

Resolved: (Crs Pascoe/Chesterman)

That

- a) the Report be received;
- b) the following two HCC submissions be retrospectively approved:
 - i. WEL Energy Trust's 2015-2016 Draft Annual Plan (Attachment 1 of the staff report)
 - ii. Waikato District Council's Draft Sports Park and General Policies Reserve Management Plans (Attachment 2 of the staff report);
- c) the two finalised submissions be uploaded to HCC's website; and
- e) local Members of Parliament be advised of the two HCC submissions adopted at the 8 April 2015 Strategy and Policy Committee meeting.

Councillor Mallett voted against b) i. – WEL Energy Trust's 2015-2016 Draft Annual Plan.

Items 14 (Regional Operations Roundup Report) and 15 (Action List) were deferred to the next Committee Meeting to allow the Mayor and Councillors to receive information from the Waikato Regional Council on their Long Term Plan.

The meeting closed at 3.30pm.

Committee: Strategy & Policy Committee

Date: 26 May 2015

Report Name: Biking Plan

Author: Brendan Stringer

Status	<i>Open</i>
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The Report will be circulated prior to the Meeting.

Committee: Strategy & Policy Committee

Date: 26 May 2015

Report Name: Older Persons Plan

Author: Deanne McManus-Emery

Report Status	<i>Open</i>
Strategy, Policy or Plan context	
Financial status	<i>There is/is not budget allocated Amount \$Nil</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is/is not considered to have a high degree of significance</i>

1. Purpose of the Report

- The purpose of the report is to present the Hamilton Older Persons Plan for approval by Council.

3. Executive Summary

- The Older Persons Plan has been developed by the Older Persons Advisory Panel.
- The purpose of the Plan is to ensure that Hamilton is a desirable place for older people to live, and is supported through a number of outcomes, goals, objectives and actions.

6. Recommendations from Management

That:

- the Report be received;
- Council approve the Hamilton Older Persons Plan; and
- Progress on the Plan be reported annually through the Community Forum Subcommittee.

7. Attachments

- Attachment 1 - Hamilton's Older Persons Plan
- Attachment 2 - Background to Older Persons Plan

Key Issues

- Background
 - The Older Persons Advisory Panel was appointed in early 2014 for a three-year term.

- The Panel was tasked with developing an Older Persons Strategy (later changed to Older Persons Plan) through the panel's terms of reference.
- A number of older person's policies, plans and strategies from New Zealand and Australia were consulted for reference as well as guidelines to developing Age Friendly cities from the World Health Organisation.
- The Plan's purpose is that "Hamilton is a desirable place for older people to live"
- The Plan has three outcomes; Access, Safety and Inclusion. There are a number of objectives and actions to support the outcomes and to ensure they are achieved.
- The Plan has been developed with feedback from relevant agencies that have an interest in older person's issues in Hamilton.
- The Older Person's background document makes reference to the following council plans; Hamilton Plan, Hamilton City River Plan, Disability Policy, Library Strategic Plan, Hamilton Central Safety Plan, Hamilton Playground Policy and Central City Transformation Plan as requested at the briefing held 12th May 2015.

11. Consultation

- The Older Persons Panel has, at times asked for feedback on the developing Older Persons Plan with their networks.
- Council also undertook two information sessions with groups and individuals who have an interest in older person's issues to ensure actions would meet the needs of the population group. Approximately 50 people attended the information sessions, representing 18 different organisations.

12. Implementation issues

- All actions identified in the plan have been agreed to by relevant business units to ensure there is capacity to implement them.

13. Financial and Resourcing Implications

14. Actions in the plan will be met within existing budgets.

Signatory

Authoriser	Lance Vervoort, General Manager Community
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OLDER PERSONS PLAN

OUTCOME

GOALS

OBJECTIVES

ACTIONS

PLAN PURPOSE
HAMILTON IS A
DESIRABLE PLACE
TO LIVE FOR
OLDER PEOPLE

ACCESS

Older people can get around Hamilton and use facilities and services easily.

Facilities and services provided to older people are age appropriate and accessible

1. Consideration will be given to ensuring council facilities are accessible to older people, and recognise decreasing levels of independence and mobility of users.
2. Consideration will be given to the transport and mobility needs of older people.
3. Council documents are publicised in a format which older people can read and access easily.

1. Newly installed outdoor furniture from 2016 is of an age-friendly design.
2. Conduct a review of parking options and pick up and drop off zones at key locations used by older people by December 2016.
3. Council's 2 annual disability audits will continue to consider the needs of older people.
4. Continue to consider transport options for older people (both public and active transport), including provision of accessible bus shelters and footpaths/walkways, when preparing the Minor Safety and Access Improvements programme of work.
5. Develop guidelines for council information in formats more accessible to older people by December 2015.
6. Council utilises the communication channels available to it to raise awareness of and provide information about older person's issues relating to access, safety and inclusion.

SAFETY

Older people are safe and secure in Hamilton.

Increase older people's perceptions of safety and security

4. City programmes for safety and personal well-being consider the needs of older people.
5. Programmes aimed at increasing readiness for Civil Defence emergencies and evacuation will address the needs of older people.

7. City Safety signage will continue to be produced in large font and contrasting colours, and can be easily read by older people.
8. A minimum of 2 city safety workshops will be held with older people's groups annually.
9. Hamilton's Resident Survey will continue to monitor issues for those aged 65-80 and 80 and over.
10. Make new resources available to prepare older people for a Civil Defence Emergency.

INCLUSION

Older people are a valued part of the Hamilton community

Older people can actively participate in the community and be engaged with issues that matter to them

6. Older people are well informed and opportunities exist for them to be engaged with Hamilton City Council.
7. Barriers to older people participating in the community will be identified and addressed.
8. Opportunities are provided for older people to participate in recreational and community activities that are age appropriate and affordable.

11. Continue early engagement with Older Persons Advisory Panel on Council plans and strategies.
12. Continue to provide age appropriate services and collections within city libraries.
13. Provide 6 workshops in rest homes on using mobile technology services provided by libraries by December 2015.
14. Undertake an audit of recreation programmes for older people by December 2016.
15. Develop guidelines to support community gardens, which may be used by older people by December 2017.
16. Explore opportunities to provide computers for use by older people in Council facilities by June 2016.

The contribution that older people make to the Hamilton community is acknowledged and celebrated

9. The ethnic diversity of our older residents is celebrated.
10. The contribution older people make to Hamilton is celebrated and acknowledged.
11. The contribution of older people to the voluntary sector is acknowledged.

17. Implement 2 culturally appropriate programmes annually for all older people in partnership with Hamilton's ethnic community from January 2016.
18. Continue to acknowledge International Older Persons Day annually on 1 October and support organisations who celebrate it.
19. The Older Persons Panel will develop a plan for communicating with and obtaining the views of older people by June 2016.
20. Profile 10 volunteers within the older person's community during the annual volunteer week in June 2016.

Hamilton City Council

Older Persons Plan

Background Document

May 2015



Introduction

The Older Persons Plan has been developed by the Hamilton Older Persons Advisory Panel, with support from Hamilton City Council staff. The Panel was guided by a number of resources (see references). These included policies and strategies of other local body councils throughout New Zealand and internationally, along with research and demographic data on the profile of older people in New Zealand and around the world.

In the course of the Panel's discussions, three clear themes have developed in terms of priority areas. These are:

Access/Connectivity - The ability of older people to move around the city, and the accessibility of facilities and services offered. Older people often have different levels of need when it comes to access. Decreased mobility may force older people away from private transport and onto public transport. Older people are also more likely to walk as a means of transport than other age groups. Decreasing mobility may have an impact on the time it takes to cross roads or be seated on public transport. Older people may also have more difficulty in accessing facilities and services provided within the community.

Safety and Security – The desire for older people to feel safe in their community. Older people often live alone (about 25% of older people throughout New Zealand), and may have a lack of social connections and networks, making them more vulnerable in their own homes and in the community. Decreased mobility may also make built and natural environments more dangerous for older people.

Inclusion – The desire for older people to feel they are a part of the community. This includes the ability to be involved in what is happening in the city and to have their contribution is acknowledged by the wider community. These themes also recognise the higher level goal of ensuring Hamilton is a desirable place to live for older people, building on features that currently exist in Hamilton such as relatively affordable housing, a good hospital, existing transport options, recreation facilities and libraries, and social opportunities.

The overall aim of the Plan is for Hamilton to be a desirable place for older people to live. It recognises the diversity and value of Hamilton's older population, supports the concept of positive ageing and to being responsive to the changing profile of Hamilton's ageing population. The Plan outlines the desire to include older people in civic life, promote and celebrate their contribution to Hamilton and improve the accessibility of facilities and services for older people in a city which is "age-friendly".

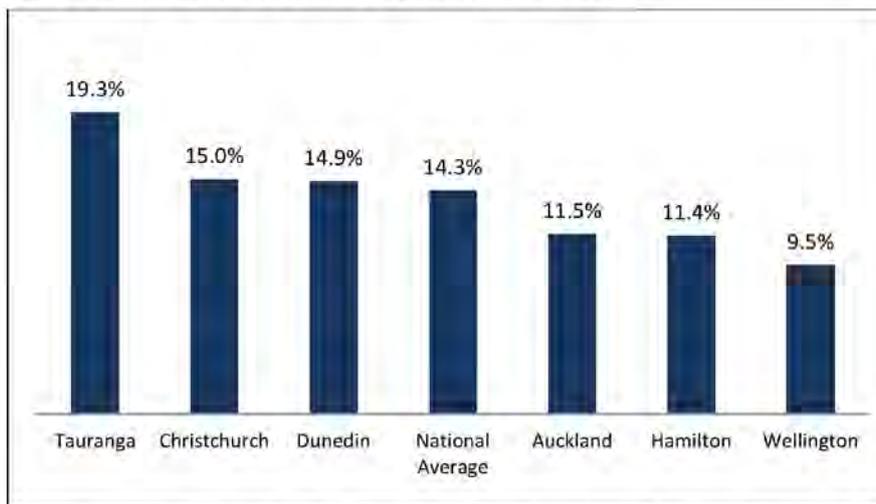
The Plan has common objectives with a number of other council documents, including:

- Access Hamilton Strategy
- Hamilton Central City Safety Plan
- Hamilton City Council Disability Policy
- Hamilton City Libraries Strategic Plan
- Hamilton City River Plan
- Hamilton Playground Policy
- Central City Transformation Plan

Background

Like many other areas of New Zealand, Hamilton has an ageing population. Census 2013 figures show 11.4% of Hamilton City's population are aged 65+, less than the New Zealand rate of 14.3% (see Figure 1).

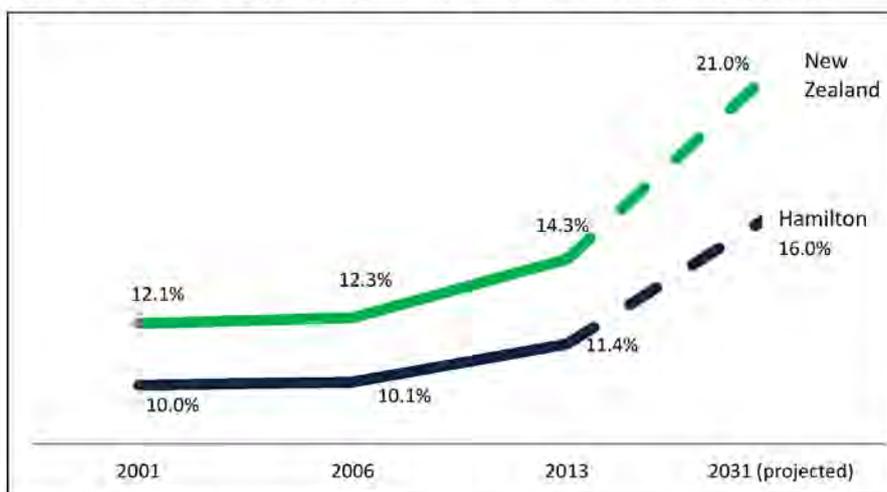
Figure 1: Percentage of New Zealand Population 65+ Years, 2013



Source: Statistics New Zealand (2013), Census 2013, Wellington: Statistics New Zealand

The proportion of Hamiltonians 65+ has increased. This will continue to increase significantly in the future to approximately 16% by 2031 compared to the New Zealand rate of 21% (see Figure 2).

Figure 2: Proportion of Population 65+ Years, Hamilton and New Zealand, 2001-2031



Source: Statistics New Zealand (2013), *ibid.*

The areas of Beerescourt, Chedworth, Flagstaff, Peachgrove, Peacocke, Rotoruna and Te Rapa all have a high proportion of older people (between 15 and 28%). Most of Hamilton's older population do not live near the centre of the city. The attached map (Figure 3) shows the density of the Hamilton population aged 65+ years.

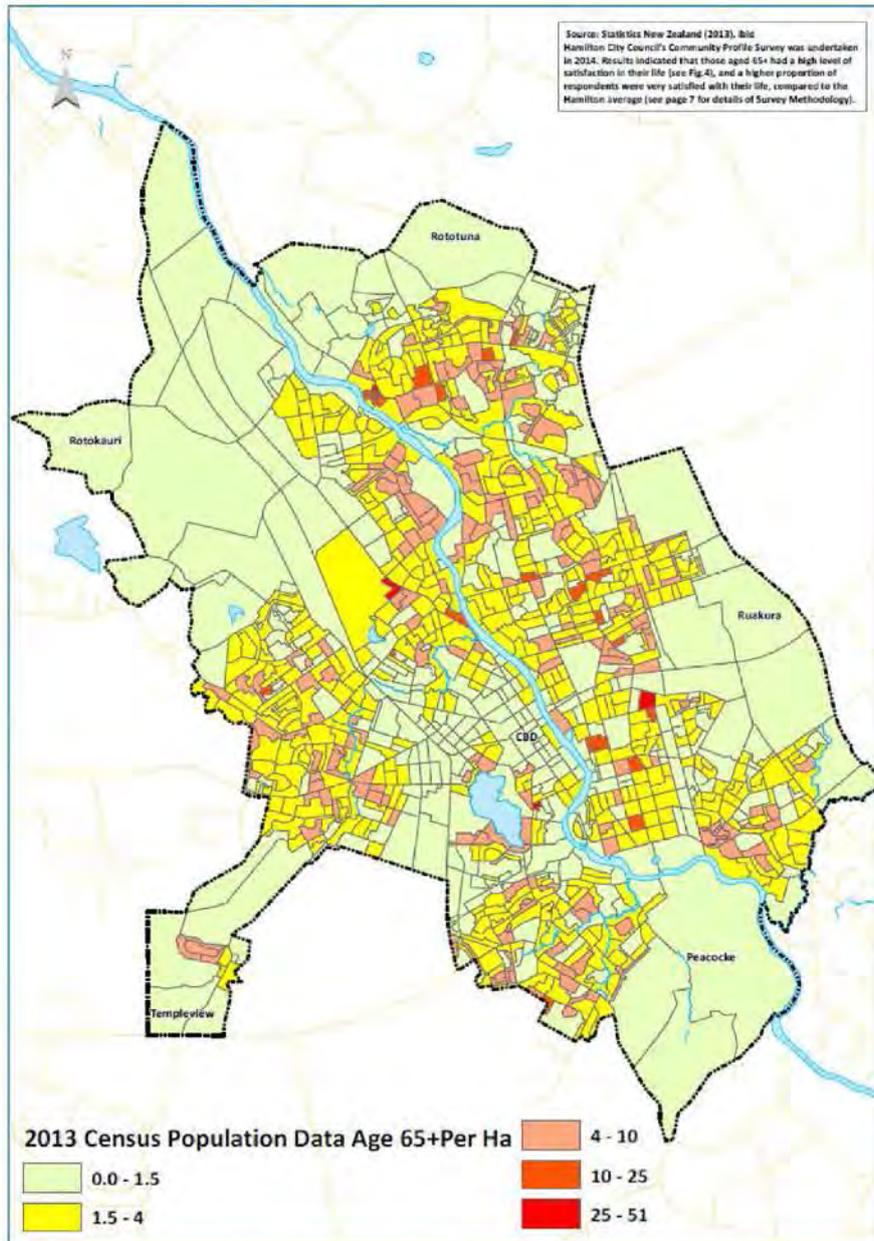
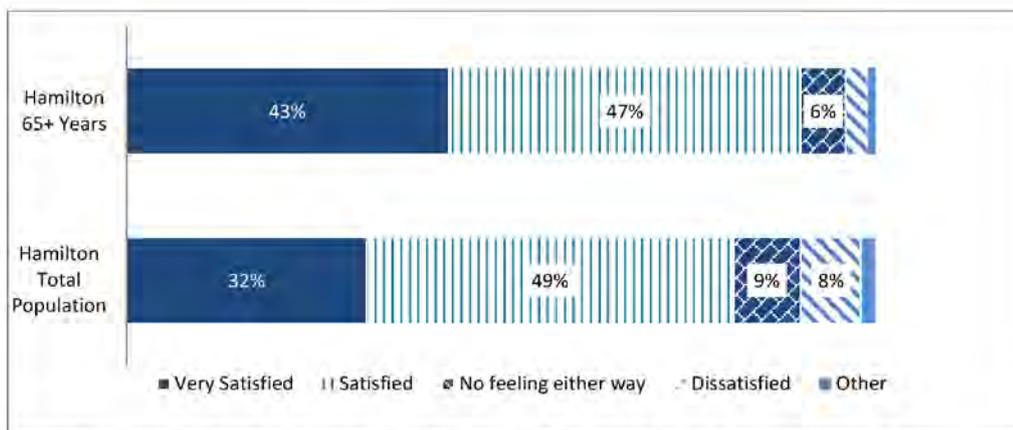


Figure 3: Distribution of Older People (65+ Years) in Hamilton, 2013
 Source: Statistics New Zealand (2013), *ibid*

Hamilton City Council’s Community Profile Survey was undertaken in 2014. Results indicated that those aged 65+ had a high level of satisfaction in their life (see Fig.4), and a higher proportion of respondents were very satisfied with their life, compared to the Hamilton average (see page 7 for details of Survey Methodology).

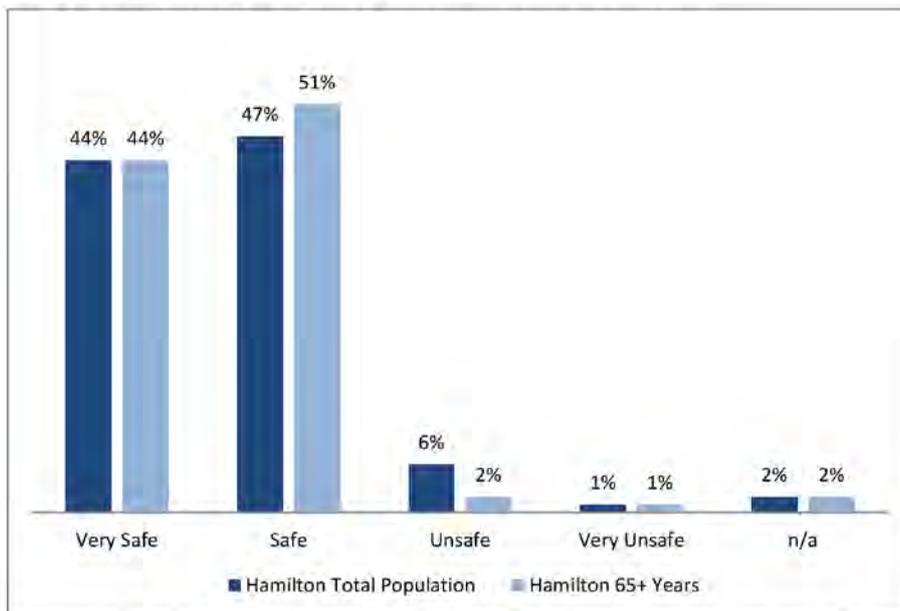
Figure 4: Level of Overall Satisfaction in Quality of Life, Hamilton Population, 2014



Source: Hamilton City Council, Community Profile Survey 2014. Question 19: “How do you feel about your life as a whole right now?”

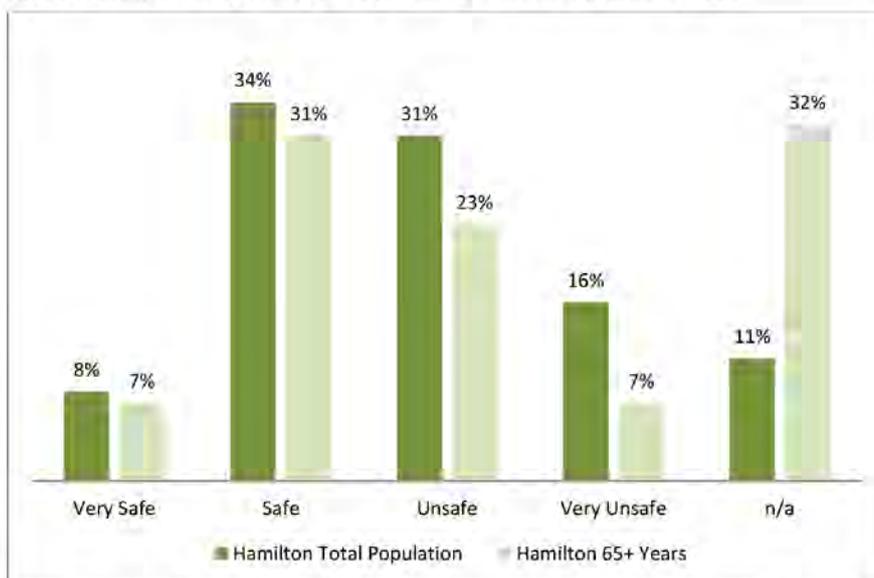
Survey responses also indicated that those aged 65+ have different perceptions of safety in their own neighbourhood than the Hamilton average (see Figures 5 and 6).

Figure 5: Level of Safety during the Daytime, Hamilton Population, 2014



Source: Hamilton City Council, Community Profile Survey 2014. Question 14: “How safe do you feel walking alone in your neighbourhood during the Daytime?”

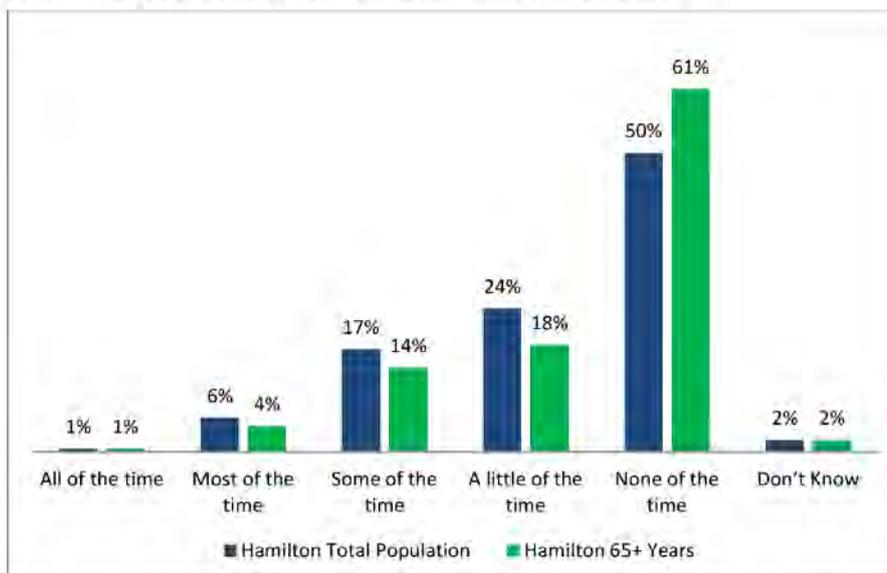
Figure 6: Level of Safety during the Night Time, Hamilton Population, 2014



Source: Hamilton City Council, Community Profile Survey 2014. Question 16: 'How safe do you feel walking alone in your neighbourhood during the Night Time?'

A lower proportion of respondents aged 65+ felt socially isolated compared to the Hamilton average (see Figure 7).

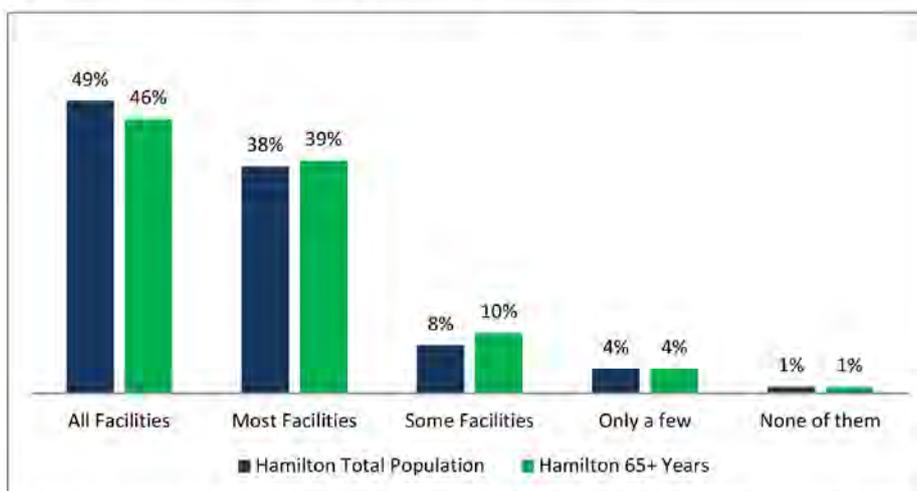
Figure 7: Degree of isolation from others, Hamilton Population, 2014



Source: Hamilton City Council, Community Profile Survey 2014. Question 41: 'Some people say they feel isolated from the people around them while others say they don't. They might feel isolated even though they see family or friends every day. In the last four weeks, how often have you felt isolated from others?'

Respondents aged 65+ indicated a similar level of access to facilities as the Hamilton average (see Figure 8).

Figure 8: Level of Access to Facilities, Hamilton Population, 2014



Source: Hamilton City Council, Community Profile Survey 2014. Question 25: 'The following questions are about facilities that are in Hamilton, such as shops, schools, post shops, libraries, medical services and so on. How many of the facilities that you want to go to can you easily get to?'

Hamilton Community Profile Survey Methodology Note

The Hamilton Community Profile Survey was undertaken in September–October 2014. A sixty question online survey was open to all Hamilton residents and asked a series of questions about living in Hamilton. 1524 total responses were received, of which 251 (16.5%) were completed by people aged 65 and over. A selection of results pertaining to responses received from those aged 65+ is presented in Figures 4-8.

References

- Hamilton City Council (2014), Community Profile Survey 2014.
- Hamilton City Council (2014) *Terms of Reference*, Hamilton Older Persons Advisory Panel.
- Ministry of Social Development (2001) *New Zealand Positive Ageing Strategy* (2001) and subsequent Annual Reports.
- Office for Senior Citizens, Ministry of Social Development (2008) *Positive Ageing Goals and Objectives*
- Statistics New Zealand (2013) *Census 2013: Quickstats about a Place: Hamilton*. Retrieved on 22 October 2014 from Statistics NZ website <http://www.stats.govt.nz/Census/2013-census/profile-and-summary-reports/quickstats-about-a-place.aspx>
- World Health Organisation (2007), *Age Friendly Cities, A Guide*. Geneva: World Health Organisation

Committee: Strategy & Policy Committee **Date:** 26 May 2015
Report Name: Public Art Plan and Development Guide - Adoption **Author:** Aaron Fleming

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Arts Agenda, Public Art Plan, Art in Public Places Policy</i>
Financial status	<i>There is budget allocated</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance and Engagement Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- The purpose of this report is to present the Draft Public Art Plan and Development Guide for adoption by Council.

3. Executive Summary

- Council's Public Art Development Process was last adopted by Council at the [17 October 2012 Operations and Activity Performance Committee](#).
- At the [5 February 2014 Strategy and Policy Committee](#), a Public Art Working Group of Her Worship the Mayor, Cr. O'Leary and Cr. Yeung was established to review the Public Art Panel Terms of Reference and the Public Art Development Process. The revised Public Art Panel Terms of Reference was approved by Council at the [26 June 2014 Ordinary Council meeting](#).
- The Working Group recommended that the review of the Public Art Development Process, and subsequently the Public Art Plan and the Art in Public Places Policy, be completed by the Arts Forum. Council resolved for the Arts Forum to undertake this review at the [4 June 2014 Strategy and Policy Committee](#).
- To review the Public Art Development Process the Arts Forum held a public art review workshop with the Public Art Panel on 27 August 2014. The feedback from this workshop was used by the Working Group to inform the review process.
- The review of Art in Public Places Policy and Public Art Plan has now been completed.
- A revised Public Art Plan is presented for adoption. Staff recommend that the Art in Public Places Policy be deleted as the principles of the policy has been included in the revised plan.

10. Recommendations from Management

That:

- a) the Report be received;
- b) Council adopt the revised Draft Public Art Plan and Development Guide;
- c) a Terms of Reference for a Public Art Subcommittee be reported back to the 7 July Strategy and Policy Committee; and
- d) the Art in Public Places Policy be deleted.

11. Attachments

- 12. Attachment 1 - Draft Public Art Plan and Development Guide

Signatory

Authoriser	Blair Bowcott, General Manager Performance Group
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PUBLIC ART PLAN AND DEVELOPMENT GUIDE





**OUR AIM IS FOR HAMILTON TO BE A
CITY OF VIBRANT, ENGAGING AND
DYNAMIC PUBLIC ART.**



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Left: Te Ohomauri o Matariki
Dion Hitchens, 2011

Cover Image: Te Waharoa ki te Ao Maarama
Lonnie Hutchinson, 2013



Ripples
Neil Dawson, 1987



INTRODUCTION

Public art plays an important role in the development of a city. It gives expression and energy to public places and has the power to transform a place of functionality into one that inspires and challenges the observer.

The Council adopted the Hamilton Arts Agenda in April 2012 with a priority to integrate art into a wide range of activities in the city. With a new focus on increasing development of public art and raising its profile, the Council has worked in partnership with local arts organisations to develop significant permanent and temporary artwork installations.

The Public Art Plan and Development Guide outlines the Council's public art vision and provides a step-by-step process for developing a public art project in Hamilton.

Proposals for public art projects come from a variety of sources – individual artists, arts organisations, private individuals or entities (e.g. gifts, donations and commissions) and Hamilton City Council. All projects from these sources will go through the same assessment process to ensure they achieve the desired public art outcomes.

THE ROLE OF PUBLIC ART

Public art can be broadly defined as artistic works created for, or located in a public space.

Public art:

- reflects and expresses identity
- tells our stories
- celebrates our people and places
- contributes to our sense of pride and belonging
- activates spaces
- defines places
- helps us reinterpret our places and spaces
- creates spaces to meet and pause from the daily rush
- creates surprise and delight
- offers an artistic interpretation
- challenges what we know, think and feel.

The following sites are indicative of the types of places and spaces where public art activity can be effective:

- streets, pavements, walls, and open spaces in developments and revitalisation projects
- parks, gardens and reserves
- significant cultural and heritage locations
- walkways and cycleways
- neighbourhoods
- expressways and gateways
- public and community amenity, facility and utility development projects.



The Plant - Temporary Public Artwork
Judy Darragh, 2011

OUTCOMES

The following outcomes describe the Council's vision for public art and form the basis for acquisition and prioritisation of public art projects.

1. Our artworks challenge, surprise, entertain and inspire.
2. Our artworks are relevant to Hamilton's history and tell our stories.
3. Our artworks engage diverse communities and stimulate interaction.
4. Our artworks are at the core of urban transformation and revitalisation.

PRIORITIES

Public art projects that respond to the following areas will be prioritised.

WAIKATO RIVER

Council has a vision for the Waikato River to be the defining heart of Hamilton. Artworks that enhance the unique Waikato River experience will be prioritised.

MAAORI ART

Council acknowledges the significance of Maori as tangata whenua and their relationship with the land and the Waikato River. Artworks that express local traditional and contemporary Maori art forms will be prioritised.

REVITALISATION PROJECTS

Council has a vision to create thriving suburban villages. To achieve this vision, artworks that lead to transformation and revitalisation of these urban villages will be prioritised.

CENTRAL CITY

One of the ten priorities is for Hamilton over the next 10 years to have an active, strong commercial central city. Artworks that activate and enhance our central city public spaces will be prioritised.

GATEWAYS

Council wishes to create visually distinctive gateways into Hamilton to provide a sense of arrival and departure. Artworks that reflect the character of Hamilton and the specific gateway will be prioritised.



Te Tiaho o Matariki
Neil Miller, 2011



THE ROLE OF THE COUNCIL

To achieve our outcomes for public art in Hamilton and to increase public art in the city, the Council will:

- **Foster partnerships** with local arts trusts, tertiary institutions, the business sector, the philanthropic sector and individuals to produce high quality public artworks.
- Provide **strong leadership** and oversight to achieve balanced management of the city's public art activity. This includes a mix of local, national and international artists, and different forms of public art.
- Appoint and support the Public Art Panel (see Page 10) to **seek independent expert advice** for recommendations on all public art decisions.
- Make it easier to produce artworks by **reducing regulatory barriers.**
- **Promote** Hamilton's public art to stimulate engagement.
- **Assess public art projects** through the Council's Public Art Development Process (Appendix 1 and 2) to ensure artworks are durable and of a high artistic standard.
- **Consult with mana whenua** on all permanent artwork installations in public spaces.
- Consider and make **financial contributions** towards selected public art projects from the Public Art Support Fund.
- **Seek opportunities** to support Hamilton artists in developing artworks for public spaces.
- **Maintain all artworks** in Hamilton's Public Art Collection.

PUBLIC ART PANEL

The Public Art Panel is an independent advisory group appointed by the Council to help ensure the development of high quality public art in Hamilton. The Public Art Panel provides recommendations and advice to members of the Public Art Subcommittee and Council staff on all public art matters.

ACQUIRING PUBLIC ARTWORKS

Public art projects will be assessed by the Public Art Panel to ensure they align with the outcomes listed in this plan, as well as ensuring they:

- are high quality
- are site specific, especially where they are intended to be permanent
- deliver to Hamilton's future-looking aspirations
- are likely to stimulate, inspire, surprise and challenge residents and visitors
- over time demonstrate a broad range of types of public art
- broaden the understanding and appreciation of the diversity of public art possibilities
- engage diverse communities
- are linked to and coordinated with the city's growth, planning and development priorities
- reflect and express Hamilton's significant cultural sites and heritage places, events and people.

The Public Art Panel's recommendations regarding the artist brief, concepts, developed designs and use of the Public Art Support Fund (if applicable), will be presented to the Public Art Subcommittee for approval as per the Public Art Development Process.

DEACCESSIONING AND RELOCATING PUBLIC ARTWORKS

The Public Art Panel will recommend whether a public artwork needs to be de-accessioned or relocated.

Their decision will be based on factors such as:

- condition of artwork and/or the cost of maintenance/conservation
- whether an artwork continues to be relevant to its location
- whether another more appropriate site becomes available
- nominated lifespan has expired
- terms of acquisition are no longer able to be met.

The Public Art Panel will advise on the appropriate process for de-accessioning or relocating any given artwork. The process will involve consultation with the artist(s) and other key stakeholders.

As outlined in the Public Art Panel Terms of Reference, the Council will approve membership to the Panel as required.

HOW TO APPROACH THE COUNCIL WITH A PROJECT

Hamilton City Council will work closely with organisations, tertiary institutions and members of the public to support the development of public art projects. Whether it be a short-term temporary installation or a permanent artwork, Council staff are available to discuss your proposal.

PERMANENT ARTWORK INSTALLATIONS

Permanent artworks are assessed and approved through the three-stage Public Art Development Process for Permanent Artworks (Appendix 1).

If you have a proposal for a permanent artwork in a public space, please prepare a brief proposal statement and staff will arrange an initial meeting with the Public Art Panel.

TEMPORARY ARTWORK INSTALLATIONS

Temporary artwork installations in public spaces are assessed and approved through the two-stage Public Art Development Process for Temporary Artworks (Appendix 2).

If you have a proposal for a temporary public art project, please prepare a brief proposal statement about the project and discuss your project with a Council staff member.

MURAL / STREET ART

Murals and street artworks are assessed and approved through the two-stage Public Art Development Process for Temporary Artworks (Appendix 2).

If you have a proposal for a mural or street artwork in a public space, please prepare a brief proposal statement about the project and discuss your project with a Council staff member.

Council staff can also check proposed artwork sites if you are unsure whether the space is public or private land.





Tongue of the Dog - Artist Impression
Michael Parekowhai, 2015

ARTISTS

If you are an artist seeking commission opportunities, please contact Council staff with your resume / portfolio.

You can email or send a physical copy to:

Strategy and Research Unit
Hamilton City Council
Garden Place
Hamilton 3240

The Council will refer to the artist database when considering any Council-led public art projects.

For all public art enquiries, please contact strategy@hcc.govt.nz or call **07 838 6699**.

APPENDIX 1

PUBLIC ART DEVELOPMENT PROCESS FOR PERMANENT ARTWORKS

Project group to prepare a proposal statement and contact Strategy and Research.

STAGE ONE

Introductory meeting with the project group, staff and the Public Art Panel.

Staff work with project group to explore sites. The curatorial approach is detailed in an artist brief.

The proposed site and artist brief are reviewed by the Public Art Panel. Recommendations and rationale from the Public Art Panel and staff are reported to the Public Art Subcommittee.

Public Art Subcommittee decision to approve the site and artist brief.

STAGE TWO

Artist(s) produce concepts for project group within the scope of the artist brief.

The preferred concept is reviewed by the Public Art Panel. Recommendations and rationale from the Public Art Panel and staff are reported to the Public Art Subcommittee.

Public Art Subcommittee decision to approve the concept and to endorse the project.

STAGE THREE

Artist and project group prepare developed design of the artwork.

The developed design is reviewed by the Public Art Panel. Recommendations and rationale from the Public Art Panel and staff are reported to the Hamilton City Council CE and the Chairperson of the Public Art Subcommittee.

CE and Chair of the Public Art Subcommittee decision to approve the developed design.

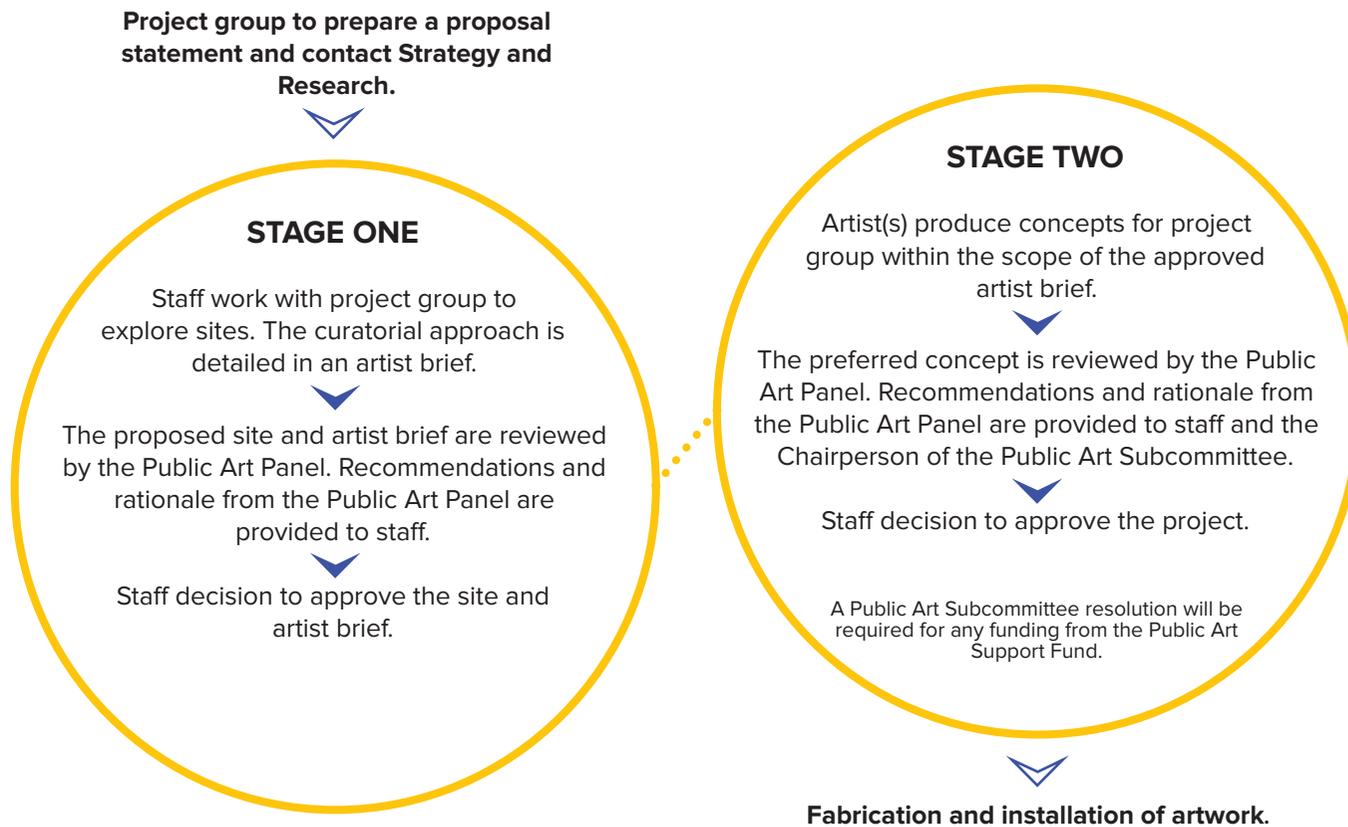
A Public Art Subcommittee resolution will be required for any funding from the Public Art Support Fund.

Fabrication and installation of artwork.

Any minor changes after stage three will need to be reviewed by the Public Art Panel and approved by the CE. Any major changes will require the project to return to stage three.

APPENDIX 2

PUBLIC ART DEVELOPMENT PROCESS FOR TEMPORARY ARTWORKS



APPENDIX 3 TERMINOLOGY

Acquisition – the addition of a new artwork to Hamilton’s Public Art Collection.

Artist – person appointed by project group to deliver on the approach described in the artist brief.

Artist brief – requirements the artist must respond to when developing a concept for the site.

CE – Chief Executive of Hamilton City Council.

Concept – an early visual representation of a proposed artwork design.

Deaccession – the removal of an artwork from Hamilton’s Public Art Collection.

Developed design – detailed in-situ images, engineering plans, and landscape design for a proposed artwork.

Minor change – a change from the approved developed design that will not affect the reading of the artwork.

Permanent artwork – artwork in Hamilton’s Public Art Collection that is owned and maintained by Hamilton City Council. Artworks are either commissioned by the Council or gifted to the Council.

Project group – organisation leading the public art project.

Project manager – person appointed by project group to lead the project.

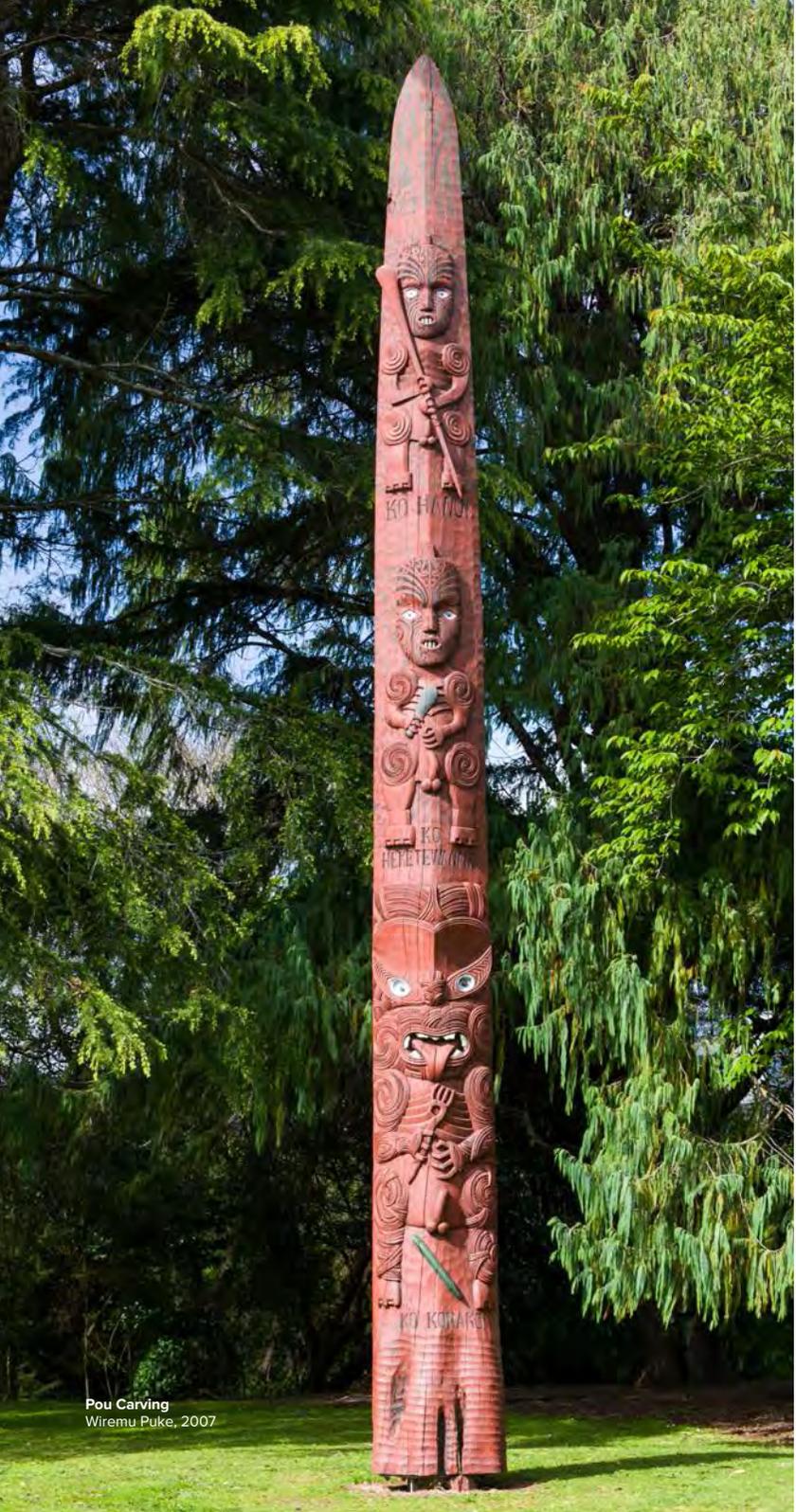
Public Art Panel – Hamilton City Council advisory group on all public art matters.

Public Art Subcommittee – a subcommittee of the Hamilton City Council. Public Art Subcommittee resolutions are ratified by the Strategy and Policy Committee.

Public Art Support Fund – a Council fund to support the development of public art in Hamilton. All funding decisions are made by the Public Art Subcommittee and are required to be ratified by all elected members in the Strategy and Policy Committee.

Staff – Hamilton City Council staff.

Temporary artwork – artwork that is installed for a set period of time, or artworks on public land that are not in the city’s Public Art Collection.



Pou Carving
Wiremu Puke, 2007

APPENDIX 4

ART ACTIVITY EXEMPTIONS

The following art and design activities are exempt from following the Public Art Development Process.

- performance art – dance, musical performances, kapa haka, busking
- film screenings
- impromptu public art activity – yarnbombing, chalk drawing
- pouwhenua
- planting and landscape designs
- exhibitions and art acquisitions by Waikato Museum and ArtsPost
- art acquisitions by Hamilton City Libraries and Hamilton Gardens
- all art activity within H3 event facilities
- any art activity on privately-owned land, buildings and structures.

If you are interested in using a public space for performance art or any other art-forms outside the scope of this document, please contact Council on **(07) 838 6699** for more information.

For more information, please contact

Strategy and Research Unit
PH: 838 6699
E: strategy@hcc.govt.nz

 /hamiltoncitycouncil

 @CouncilHamilton

Find out more at: Hamilton.govt.nz



May 2015

Committee: Strategy & Policy Committee **Date:** 26 May 2015
Report Name: Draft Heritage Plan and Historic Heritage Fund Guidelines **Author:** Alice Morris

Report Status	<i>Open</i>
Strategy, Policy or Plan context	
Financial status	<i>There is budget allocated</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- To obtain the Committee's approval to undertake targeted stakeholder consultation on the draft Heritage Plan and draft Historic Heritage Fund Guidelines.

3. Executive Summary

- Council resolved in late 2013 to establish a Heritage Advisory Panel, comprising external experts and two councilor representatives to advise Council on heritage related matters.
- The primary task for the Heritage Advisory Panel, under their terms of reference in the Council's Governance Structure, is to formulate a heritage plan.
- The Panel, working with staff, has formulated a draft Heritage Plan ('Plan') (Attachment 1). Staff, with input from the Panel, drafted the draft Historic Heritage Fund Guidelines ('Guidelines') (Attachment 2) to manage the proposed \$100,000 heritage fund as outlined in the recently released draft Long Term Plan (LTP).
- The draft Plan formalises Council's commitment to coordinate the management of Hamilton's heritage. It also sets the framework to ensure the protection, maintenance and use of heritage is incentivised beyond reliance on existing statutory methods.
- The proposed actions set out in the Plan indicate how Council intends to support owners of heritage buildings, structures and sites to ensure the ongoing preservation and use of these resources in an ever changing environment through existing statutory processes as well as introducing actions for incentives, education and promotion of the city's historic heritage. The Plan also sets out an implementation and monitoring process to achieve the five goals.
- Feedback received on both the Plan and the Guidelines from targeted consultation in June-July will be discussed with the Heritage Advisory Panel and final draft Plan and Guidelines

documents will be prepared for consideration by the Strategy and Policy Committee in November 2015.

10. Recommendations from Management

That:

- a) the Report be received;
- b) the Committee authorizes the draft Heritage Plan and draft Historic Heritage Fund Guidelines be released to enable targeted consultation with key stakeholders; and
- c) staff report back to the 3 November 2015 Strategy and Policy Committee meeting with a final draft Heritage Plan and Heritage Fund Guidelines for consideration.

11. Attachments

12. Attachment 1 - Draft Hamilton Heritage Plan (*separate page numbers*)
13. Attachment 2 - Hamilton City Historic Heritage Fund Guidelines (*separate page numbers*)

14. Key Issues

Background

15. The Plan and Guidelines have been developed by the Heritage Advisory Panel with input from staff. There are no statutory powers attached to the proposed Heritage Plan.

Draft Heritage Plan Overview

16. The Plan sets out five key goals (Identification, Protection, Promotion, Sustainability & Use, and Management & Implementation) to ensure a clear approach to the management of heritage within Hamilton.
17. The Plan also sets out an implementation and monitoring process to achieve its five goals. Implementation will be achieved through existing statutory processes undertaken by Council as well as introducing actions for incentives, education and promotion of the city's historic heritage.

Draft Historic Heritage Fund Guidelines Overview

18. The draft Guidelines compliment and assist in the implementation of the Plan's actions as well as setting out the manner in which Council proposes to financially assist owners of listed heritage buildings, structures and sites. It is anticipated that the proposed heritage fund identified in the draft LTP, available from 2017, would be administered in accordance with the criteria set out in the draft Guidelines.
19. The administration and management of the processes relating to funding allocations will utilize Council's existing online platform ('SmartyGrants'). City Planning staff, with the assistance of the Heritage Advisory Panel, will assess any applications seeking to receive funding and all grants will require approval of full Council.

Legislative requirements or legal issues

20. There are no statutory powers attached to the proposed Heritage Plan. The Heritage Plan is a document to inform and set out the actions Council wishes to undertake to complement its statutory obligations and to demonstrate Council's support for the City's heritage.

Consultation

21. Targeted stakeholder consultation is intended to be undertaken during June - July 2015. The feedback will be discussed with the Heritage Advisory Panel prior to finalising final versions of the draft documents for consideration by the Strategy and Policy Committee in November 2015.

22. Consultation will be in the form of targeted meetings to enable discussion and feedback. The stakeholders to be consulted will include:
 - All owners of heritage buildings and structures and of archaeological sites (listed in Schedules 8A and 8B of the Proposed District Plan)
 - Heritage groups (e.g. NZ Archaeological Association, Waikato Tree Trust, Waikato Heritage Society, Hamilton East Community Trust, Temple View NZ Heritage Society)
 - Statutory bodies (e.g. Waikato Regional Council, Department of Conservation, Heritage NZ, Waikato River Authority)
 - Waikato Tainui
 - Business groups (e.g. Property Council, Waikato Chamber of Commerce, Hamilton Central Business Association, Creative Waikato, Master Builders Association)

23. There will also be general information released through the City News, Council’s website and news release(s) to highlight the process being undertaken and where people can view the draft documents. To accommodate anticipated informal feedback from the general public contact details of the key City Planning staff will be published.

Treaty requirements/implications

24. There are no specific Treaty requirements or implications in the formulation of the Plan or Guidelines.

25. Financial and Resourcing Implications

26. The formulation of the Plan and the Guidelines and any consultation processes are funded through the existing operational budget of the City Planning Unit. Costs relating to actions set out in the draft plan that are not related to the proposed heritage fund will rely on existing budgets or addressed at relevant annual and or 10 year planning periods..

27. Risk

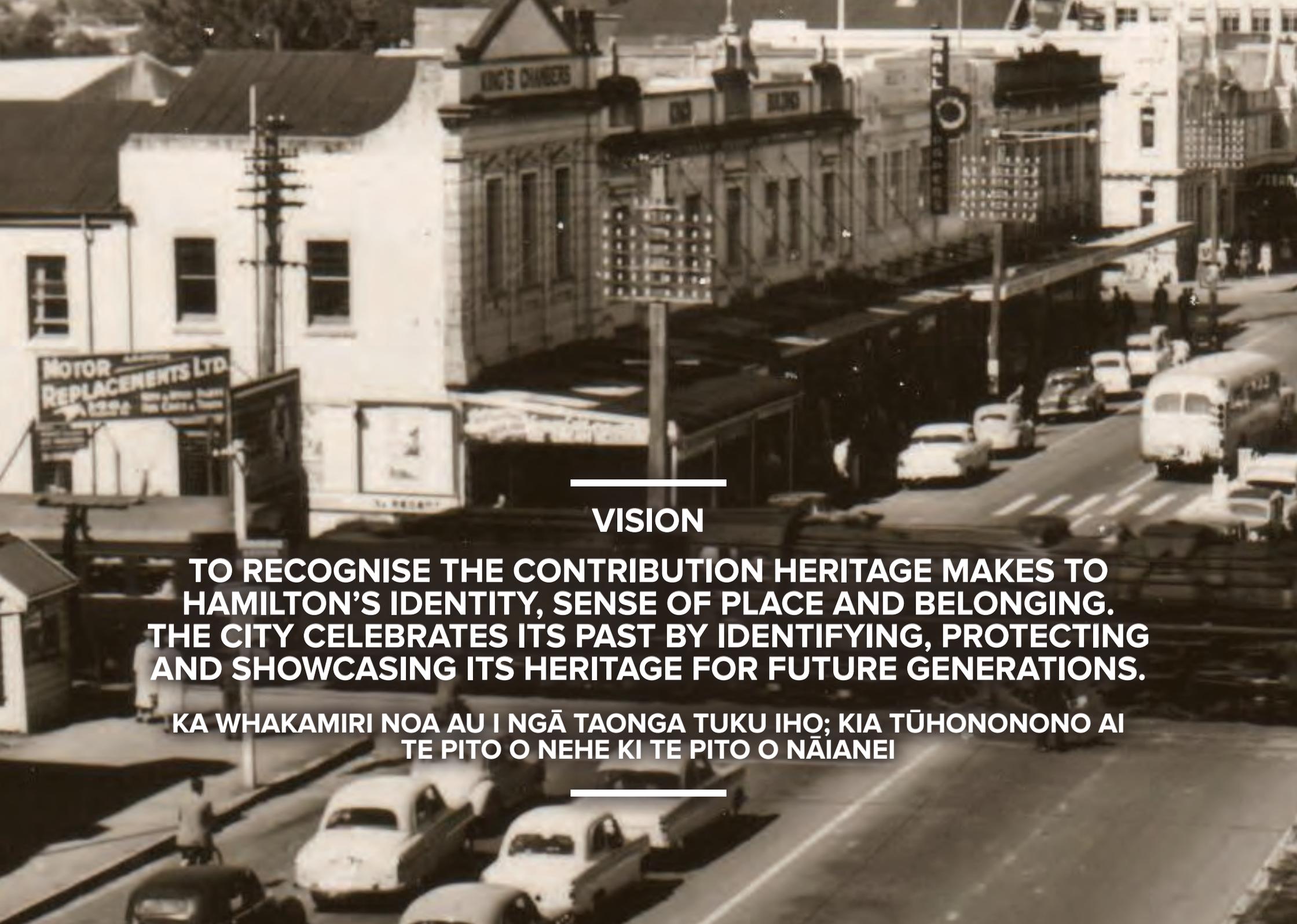
28. A potential risks lies in not setting an overall policy direction for the Council via the formation of a heritage plan. The formulation of the Plan will ensure the overall management of the City’s historic heritage is addressed in a comprehensive manner to achieve positive heritage outcomes for Hamilton.

Signatory

Authoriser	Brian Croad, General Manager City Environments Group
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HAMILTON HERITAGE PLAN

DRAFT MAY 2015



VISION

TO RECOGNISE THE CONTRIBUTION HERITAGE MAKES TO HAMILTON'S IDENTITY, SENSE OF PLACE AND BELONGING. THE CITY CELEBRATES ITS PAST BY IDENTIFYING, PROTECTING AND SHOWCASING ITS HERITAGE FOR FUTURE GENERATIONS.

KA WHAKAMIRI NOA AU I NGĀ TAONGA TUKU IHO; KIA TŪHONONO AI TE PITO O NEHE KI TE PITO O NĀIANEI



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INTRODUCTION

This plan sets out the Council's approach to celebrating Hamilton's heritage in all its forms. It also outlines actions for the Council to ensure the identification, protection and use of heritage.

Why is heritage important?

Heritage is defined as something from the past that has value and needs to be safeguarded for future generations.

An appreciation of the past contributes to a sense of identity and belonging for residents and visitors.

Heritage is represented in a number of ways; buildings and structures, heritage areas and landscapes, natural and archaeological sites, places or areas of significance to Maaori, totaonga, artefacts and documents. All of these contribute to the story of pre- and post-European settlement in Hamilton.

Why should we protect heritage?

Protection and conservation of heritage is essential to ensuring the story of Hamilton, dating back to pre-European settlement, is told and passed on to future generations.

What the law requires

The definition and interpretation of historic heritage is taken from a number of sources including the Resource Management Act, Heritage New Zealand Pouhere Taonga Act, the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act and the Reserves Act.

Under these Acts the plan identifies the following heritage:

- built heritage
- archaeological sites
- natural heritage
- cultural sites
- places or areas of special significance to Maaori
- significant trees
- landscapes

- cemeteries
- taonga
- artefacts
- documentary heritage.

The Council is required to:

- Collect, manage and maintain heritage documents and artefacts through the libraries and museums.
- Provide objectives and polices for the management of natural heritage and historical items and sites.
- Protect regionally significant natural and cultural heritage resources under the Waikato Regional Policy Statement.

In addition, under the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act and the Waikato-Tainui Environmental Plan, the Council is required to increase its engagement with Waikato-Tainui to ensure their participation in resource and environmental management matters.

The Council is also required under the Resource Management Act to ensure both historic and natural heritage is sustainably managed.

Sections 5 and 6 of the Resource Management Act identify matters of national importance relating to heritage, cultural and natural areas by recognising and providing for the following:

- The preservation of the natural character of the coastal environment, wetlands, and lakes and rivers and their margins.
- The protection of outstanding natural features and landscapes.
- The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.
- The relationship of Maaori and their cultural and traditional links with their ancestral lands, water, sites, wāhi tapu and other taonga.
- The need to sustainably manage historic heritage.

HOW WILL THIS BE ACHIEVED?

This plan has been developed in collaboration with experts and feedback from the public and heritage groups.

The purpose of the plan is to provide a holistic approach to heritage protection in collaboration with owners of heritage places, Waikato-Tainui, Heritage New Zealand, Waikato Regional Council, and other interested parties and organisations.

The protection of heritage resources has citywide benefits. However, there are high costs of maintenance and upkeep that can be viewed as a barrier to the ongoing protection and use of these resources. The Council will support owners of heritage to ensure the ongoing preservation and use of these resources. To achieve this, the actions outlined on the following pages are required.



GOALS

The Hamilton Heritage Plan is based on the following goals:

1. **Identification** – All historic and natural heritage is identified and documented.
2. **Protection** – Heritage is conserved for future generations.
3. **Promotion** – Heritage is celebrated and its importance and value promoted.
4. **Sustainability and use** – Heritage buildings and sites within the city are functional places to be occupied and used.
5. **Management and implementation** – Effective and efficient implementation of the Heritage Plan and its actions.



IDENTIFICATION

IDENTIFY HERITAGE

Heritage places need to be identified and reviewed regularly to ensure that Hamilton's rich historic and natural heritage is retained and incorporated into the fabric of the city for future generations to enjoy. Identification is of critical importance to recognise and value heritage places and is the first step in protecting and conserving heritage.



ACTIONS

- Ensure that national and international best practice principles for the identification and assessment of heritage are followed.
- Research, identify and recognise the city's heritage.
- Implement the requirements under the Waikato River Settlement Act.

WHAT WE WILL DO AND WHEN

1. Develop a process for the identification and assessment of all Hamilton's heritage by 2016.
2. Identification and scoping of spatial and thematic heritage projects by 2016.
3. Update the heritage inventory lists within the District Plan by 2018.
4. Take into account the objectives and policies set out in the Waikato-Tainui Environmental Plan when dealing with discovery and identification of Waahi Tapu and Waahi Tuupuna and archaeological sites. This is an ongoing process.





PROTECTION

PROTECT AND CONSERVE HERITAGE

Heritage is always at risk from inappropriate subdivision, use and development, natural disasters, neglect, and building control requirements such as fire protection, physical access and seismic upgrading. Strong measures need to be in place to ensure that heritage continues to be conserved for future generations.

ACTIONS

- The Council shows leadership in the conservation of heritage.
- All significant heritage places in the city are protected through the District Plan.
- Provide advice and information on retaining heritage features of sites and buildings.
- Promote the Council's ability to purchase significant heritage that may be under threat.
- Develop and implement procedures to ensure the ongoing protection and conservation of cultural heritage.
- Implement the requirements under the Waikato River Settlement Act.

WHAT WE WILL DO AND WHEN

1. Establish criteria for the use of encumbrances, heritage orders, covenants and the vesting of reserves and esplanade strips by 2016.
2. Develop and implement a heritage overlay within the central city by 2018.
3. Develop design guides and information sheets for protection of heritage by 2016.
4. Update the District Plan relating to heritage by 2018.

ONGOING PROCESSES

5. Develop conservation/maintenance plans and ensure they are implemented.
6. Follow the principles set out in the guidelines established by Heritage New Zealand, The River Authority and the International Council on Monuments and Sites (ICOMOS) Charter NZ as far as practically possible when protecting and conserving heritage places.
7. Take into account the objectives and policies within the Waikato-Tainui Environmental Plan when protecting sites of significance to Maaori.
8. Provide advice to people wanting to do work on heritage places.

PROMOTION

HERITAGE IS PROMOTED AND CELEBRATED

Celebration of heritage, along with education about its importance, will lead to acceptance of the need for the ongoing protection of heritage. The promotion of heritage needs to recognise the cultural and economic benefit of heritage.

ACTIONS

- Showcase the contribution heritage makes to Hamilton.
- Recognise and reward outstanding heritage conservation projects.
- Increase accessibility to documentary heritage.
- Work with Waikato-Tainui, tourism and business sectors, and the community to promote heritage.

WHAT WE WILL DO AND WHEN

1. Give heritage more prominence on the Council website by 2016.
2. Identify heritage through the use of plaques and interpretive signage by 2018.
3. Develop heritage trails in key heritage areas by 2018.

ONGOING PROCESSES

4. Establish working relationships between the Council and Waikato-Tainui, Tangata Whenua, Heritage New Zealand, Waikato Regional Council, Department of Conservation, heritage groups and organisations and the local community.
5. Complete the digitisation of documents, held by the central library and make them available to the public.
6. Publicly recognise owners of heritage places and members of the wider community who have made an outstanding contribution to the conservation of heritage.
7. Provide workshops and training courses for council staff and stakeholder groups.





SUSTAINABILITY AND USE

SUPPORT THE ONGOING USE OF HERITAGE PLACES

To enable the ongoing retention of heritage we need to support activities that promote the continued use of places. Many buildings require upgrading to meet building code which can result in the existing uses not being a viable option. We need to ensure that best practice in heritage conservation is followed by the Council, owners and occupiers to minimise the loss of heritage values when undertaking adaptive reuse of heritage buildings.

ACTIONS

- Support and encourage methods of conserving heritage that complement the statutory methods.
- Encourage owners of heritage buildings and structures to continue to use, or repurpose their building or structure.
- Ensure the sustainable use or re-use of heritage buildings that retain their heritage values.
- Ensure the sustainable management and use of sites and areas.

WHAT WE WILL DO AND WHEN

1. Establish a heritage specialist list to assist owners of heritage places by 2015.
2. Establish a working group to investigate the sustainable use of heritage within the central city by 2017.
3. Develop design guides that encourage sustainability and appropriate use by 2016.
4. Develop statutory and non-statutory incentives to encourage the use of heritage places by 2017.
5. Investigate the establishment of an acquisition fund to acquire heritage that is under threat or risk by 2017.

MANAGEMENT

FOSTER BEST PRACTICE AND ENCOURAGE COLLECTIVE STEWARDSHIP

There needs to be a shared responsibility to the management of heritage with the Council leading by example to ensure an integrated and holistic approach to the sustainable management of heritage.

ACTIONS

- The Council follows best practice when it comes to the conservation and protection of the heritage it owns or manages.
- Develop stronger working relationships with owners of heritage sites, Waikato-Tainui, Heritage New Zealand, Waikato Regional Council and other parties involved in the protection and management of heritage.
- Ensure relevant heritage expertise is available within the Council.
- Funding support for heritage.
- Ensure the continued collection, protection and management of cultural heritage.
- Monitor the effectiveness of the policy and implementation of its actions.

WHAT WE WILL DO AND WHEN

The following are ongoing processes:

1. Secure funding to support the promotion, protection and management of heritage.
2. Develop and implement a training programme for staff.
3. Best practice procedures are followed with regards to the collection, storage and protection of heritage artefacts and taonga.
4. Follow the principles set out in the guidelines established by Heritage New Zealand, The River Authority and the ICOMOS Charter NZ when managing heritage places.
5. Take into account the objectives and policies within the Waikato-Tainui Environmental Plan when managing and protecting sites of significance to Maaori.
6. Benchmark the Council processes nationally and internationally to ensure best practice is followed.







IMPLEMENTATION

The actions in this plan will be implemented through a number of methods including provisions within the District Plan, the development of incentives, education and promotion, and through the strengthening of relations with other organisations.

MONITORING

The plan is intended to be a working document and should be monitored on a regular basis to ensure its effectiveness and that the objectives are being achieved. The monitoring of the Plan will be undertaken on the following basis:

- City Planning Unit will report on the progress of the Plan and the implementation of the deliverables on an annual basis.
- A comprehensive review of the Heritage Plan will be undertaken every three years.
- The review will be measured against the actions and deliverables for each goal.

KEY INDICATORS

When reviewing the plan the success of the goals will be assessed against the following key indicators:

- IDENTIFICATION**
1. Increased number of additional historic heritage places identified.
 2. Commencement and completion of new historic heritage projects.

-
- PROTECTION**
1. Increased number of heritage items and archaeological sites protected.
 2. All applications for resource consents for heritage listed items include a conservation and/or maintenance plan.
 3. 50 per cent of the heritage buildings identified as earthquake prone are earthquake strengthened.

-
- PROMOTION**
1. Increased media coverage of historic heritage.
 2. Increased hits to the Council website regarding historic heritage.
 3. Public recognition of people and/or organisations for their contribution to the conservation of heritage.
 4. Increased percentage of heritage documents digitised by the libraries and made available to the public.

-
- SUSTANIABILITY AND USE**
1. Reduction in the number of vacant heritage buildings.
 2. Increase in the number of reused heritage buildings.

-
- MANAGEMENT AND IMPLEMENTATION**
1. Increased opportunities for staff to attend heritage training courses.
 2. Increase in the amount of funding provided for the protection of heritage.
 3. The Council's heritage management performs well when benchmarked against other metropolitan councils.

GLOSSARY

Archaeological sites: Pre-1900 sites that are associated with human activity. An archaeological site can also be a site that through archaeological methods provides evidence relating to the history of New Zealand. It must also be noted that structures can be deemed to be archaeological sites if they are associated with human activity that occurred prior to 1900.

Artefacts: Objects of cultural or historical interest made by human beings.

Built Heritage: Includes buildings, structures (e.g. bridges or memorials), historic sites, special heritage zones, places and areas. Built heritage not only includes the external elements (such as façades) but also elements located within buildings (such as fixtures, and fittings). The courtyard and associated surroundings form a setting (such as the surrounding garden) which can have significance to the overall heritage value of an identified heritage building or structure.

Cemeteries: Important cultural and historic symbols and are a record of linkages with past generations.

Cultural heritage: represents the human experience. This includes:

- tangible heritage – the representation of the presence of human settlement within the area, including artefacts, and have historic, social, spiritual, aesthetic or scientific and technological values; and
- intangible heritage – documentary heritage, the oral traditions, stories, legends and spiritual association with the area or people from the area.

Documentary heritage: Comprises material which “documents” or “records” something by intellectual intent and which helps inform the community about its past. It includes books, manuscripts, records, archives, photographs, maps, sound recordings etc.





Historic heritage: Defined as those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures and is derived from any of the following; built heritage, archaeological sites, cultural heritage, areas of significance to Maaori, significant trees, natural heritage.

Natural heritage: includes indigenous flora and fauna, freshwater, ecosystems and habitats, landscapes, landforms, soils and the natural character of waterways.

Places or areas of significance to Maaori: Wahi tapu or other places associated with ancestors such as Wahi tupuna. These sites may also be archaeological sites, areas of significance to Maaori related to physical archaeological evidence, and natural features such as the Waikato River.

Significant Trees: Trees that have heritage significance by way of being planted to commemorate a specific occasion, in memory of a specific person or location.

ICOMOS the International Council on Monuments and Sites.

REFERENCES

Resource Management Act 1991— <http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230265.html>

Reserves Act 1977— <http://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444305.html>

Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010—<http://www.legislation.govt.nz/act/public/2010/0024/latest/DLM1630002.html>

Heritage New Zealand Pouhere Taonga Act 2014— <http://www.legislation.govt.nz/act/public/2014/0026/latest/DLM4005414.html>

Waikato-Tainui Environmental Plan 2013 —http://www.wrrt.co.nz/wp-content/uploads/EBook_FINAL_EP_Plan_sp.pdf

Proposed Waikato Regional Policy Statement February 2013—http://www.waikatoregion.govt.nz/PageFiles/10522/2320314_RPS_Decisions_1_Feb_2013.pdf

Hamilton City District Plan 2014—<http://www.hamilton.govt.nz/our-council/council-publications/districtplans/Pages/default.aspx>

ICOMOS New Zealand Charter for the conservation of Places of Cultural Heritage Value 2010—http://www.icomos.org.nz/docs/NZ_Charter.pdf

Sustainable Management of Historic Heritage Guidance series—<http://www.heritage.org.nz/resources/sustainable-management-guides>





HERITAGE ADVISORY PANEL

Councillor Gordon Chesterman

Councillor Martin Gallagher

Councillor Lois Livingston

Robin Byron

Brian Squair

Tom Roa

Ann McEwan

Wendy Turvey

Laura Kellaway

Dave Pearson

Heritage Advisory Panel Chairperson

Hamilton City Council representative

Waikato Regional Council representative

Heritage New Zealand representative

Property Council representative

Waikato Tainui representative

Heritage Consultant

Heritage Planning Expert

Heritage Architect

Heritage Architect

For more information, please contact

City Planning Unit
PH: 838 6699
E: planning@hcc.govt.nz

Find out more at: Hamilton.co.nz



HAMILTON CITY HISTORIC HERITAGE FUND GUIDELINES

DRAFT MAY 2015

INTRODUCTION

These guidelines result from the actions set out in the Hamilton Heritage Plan. The plan recognises the contribution heritage makes to Hamilton's identity and the need to protect, conserve and restore this heritage.

PURPOSE

To incentivise the protection, conservation, restoration and use of both the built heritage and archaeological sites within Hamilton.

WHO CAN APPLY?

This contestable fund is available from 2017 to support owners of historic heritage. The fund is open to private individuals, companies and non-profit organisations/groups:

1. For a project within Hamilton, and
2. a building that is listed as a heritage item in Schedule 8A of the Proposed District Plan, or
3. a site that is listed as a group I archaeological and cultural site in Schedule 8B of the Proposed District Plan.

Only applications for works that have not yet commenced will be considered for funding.

WHO WILL NOT BE CONSIDERED FOR FUNDING?

1. the Crown
2. state owned enterprises
3. district health boards
4. tertiary education institutions, local and regional authorities.

WHAT TYPE OF PROJECTS ARE ELIGIBLE FOR FUNDING?

The following types of projects are eligible for funding:

1. Essential repairs, stabilisation or core structural works of the original heritage fabric
2. Restoration projects
3. Upgrades to code/regulation standards to enable contemporary use of heritage places, e.g. fire, earthquake, access provisions
4. Specific “like for like” material replacement or maintenance projects that protect the integrity of heritage buildings
5. Preparation of heritage conservation plans and/or maintenance plans
6. Emergency or protective works to protect heritage fabric.

HOW ARE APPLICATIONS ASSESSED?

Priority will be given to projects where:

- Heritage buildings are earthquake-prone under the Building Act 2004
- Buildings and structures are on the Heritage New Zealand Pouhere Toanga List
- Does not detract from the heritage values of the item
- Works contribute to the retention, preservation and the continued use or compatible reuse of the heritage building
- Work is supported by a conservation/maintenance plan prepared by a heritage professional.

Along with the above the following will be considered:

- Financial contribution to be made by the applicant
- Applicant's ability to access funding from other sources
- Financial and project management capacity of the applicant
- Applicant's funding history.

The amount of funding is subject to the availability of funds and will be at the discretion of the Council. Applicants will be able to apply for up to \$100,000. Any other costs will be needed to be funded separately by the applicant, including arrangements such as an "in-kind contribution" (e.g. voluntary labour and material contributions).

WHAT TYPES OF WORKS WILL NOT BE FUNDED?

To ensure the best use of the Fund, funding will not be available for the following:

- Demolition or relocation of heritage buildings or structures off-site
- Construction of new buildings or structures not for the purpose of preserving heritage values
- Additions and/or extensions to existing heritage buildings or structures that are not in keeping with the heritage values of the building or structure
- Reconstruction or replicas of heritage buildings, structures or items
- Routine building maintenance including interior re-fits where there is no public benefit, e.g. private homes.
- Projects that are not supported by a conservation professional.

RESOURCE CONSENT LODGEMENT FEE WAIVER

To support owners to retain and conserve heritage buildings and sites, the Council will also consider a reduction in non-notified resource consent fees for the following activities provided these activities protect and conserve the heritage values of the building or site:

- earthquake strengthening
- signage erection, construction or extending a structure or fence
- relocation of buildings on its existing site
- earthworks on a group 1 archaeological site.

Activities that require a resource consent due to underlying zoning or failing requirements other than those relating to heritage, will not be eligible for the resource consent fee waiver. However the waiver of, and the amount to be waived, is at the discretion of the Council.

FREQUENCY OF FUNDING

Eligible applicants may only receive one funding grant or resource consent waiver each calendar year. Funding will only be provided on completion of the project and certification of works.

COMPLETION OF WORKS

Works must be completed within one year of receiving approval for funding unless a staged development programme has been agreed.





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WHO WILL ASSESS APPLICATIONS?

Applications will be received by the City Planning Unit who will process the applications, consult with other Council departments, and the Council's Heritage Advisory Panel when necessary.

All grants will require the approval of full Council. Information on funding grants will be reported to the Council every six months. All approved funding grants will be made available to the public on the Council website.

TERMS AND CONDITIONS OF THE HISTORIC HERITAGE FUND

The Council may impose specific conditions on applications that have been awarded funding in addition to the following:

- Applicants that accept funding from the Council will be required to account for their expenditure through the provisions of invoices and receipts prior to the final inspection and the release of funds. Failure to provide this information may result in the loss of approved funding.
- General details of an application (property address, amount of funding and purpose) will be reported publicly to the Council. This information may also be used for publicity following the awarding of funding.
- Successful applicants and their projects may be used as part of ongoing publicity for the promotion of the Fund and heritage.
- Retrospective applications will not be considered for funding.

HOW TO APPLY

The Council will call for applications every six months (e.g. March and September), depending on the availability of funding. Application forms will be available on Hamilton City Council's website or by emailing planning@hcc.govt.nz.

For more information, please contact

City Planning Unit
PH: 838 6699
E: planning@hcc.govt.nz

Find out more at: Hamilton.co.nz



Committee: Strategy & Policy Committee **Date:** 26 May 2015
Report Name: Stormwater Bylaw 2015 **Author:** Liz Hallsworth
 Deliberation and Adoption
 Report

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Sub-regional Three Waters Strategy, Vision and Strategy for the Waikato River and Comprehensive Stormwater Discharge Consent</i>
Financial status	<i>There is budget allocated for making this bylaw</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance and Engagement Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

2. To provide an overview of feedback and issues raised by the community in relation to the proposed Stormwater Bylaw and staff recommendations on the feedback for Councils deliberation.
3. A proposed Stormwater Bylaw 2015 (Attachment 1) and associated Stormwater High Risk Facilities Register (Attachment 2) are presented to Council for consideration and adoption.

4. Executive Summary

5. The proposed Stormwater Bylaw 2015 was adopted for public engagement at the [24 February Strategy and Policy Committee](#).
6. The feedback period was from 4 March 2015 through to 1 April 2015. Feedback was received from five respondents. None of those who provided feedback opposed the bylaw.
7. The individual submissions are available to view on Council's website [here](#).
8. A number of issues were raised through the feedback process. To clarify the intent of the bylaw staff are recommending minor amendments.
9. The Proposed Hamilton Stormwater Bylaw 2015 is attached (Attachment 1), with proposed changes shown.

10. Recommendations from Management

That:

- a) the Report be received;

- b) Council determine that the Hamilton Stormwater Bylaw 2015 does not give rise to implications under the New Zealand Bill of Rights 1990;
- c) Council accepts the recommended changes to the Hamilton Stormwater Bylaw 2015 as shown in Attachment 1 and that the Stormwater Bylaw 2015 be adopted;
- d) Council adopt the associated Stormwater High Risk Facilities Register; and
- e) the Hamilton Stormwater Bylaw 2015 comes into force on 28 September 2015.

11. Attachments

- 12. Attachment 1 - Proposed Stormwater Bylaw 2015 - Final tracked changes
- 13. Attachment 2 - Stormwater High Risk Facilities Register
- 14. Attachment 3 - Proposed Stormwater Bylaw 2015 Feedback Summary Report

15. Report format

- 16. This report is prepared and should be considered in two parts:
 - a. Part 1: Deliberation – Issues and options
 - b. Part 2: Decision – Recommendations for adoption

17. Part 1: Deliberation – Issues and options

- 18. This section discusses issues raised by respondents and recommended responses from staff for Council to deliberate on.
- 19. **Issues resulting in recommended changes to proposed bylaw**
- 20. The table below shows the issues raised by respondents where staff have recommended changes be made to the bylaw. For a summary of all the issues raised in the feedback and staff recommendations based on this feedback, please see Attachment 3.

Issue raised	Staff comments
Definition – Concern around the meaning of the Overland Flow Path definition and how it will be applied.	Staff agree that the definition is potentially confusing. The Proposed District Plan (PDP) appeals process has resulted in a new definition being suggested which is clearer than the one currently being used. Staff recommend rewording the bylaw definition to align with the PDP
Clause 7.1.b – Concern that this clause allows Council too much discretion to determine what is acceptable on a case by case basis.	Staff agree that the current wording is too broad with regard to discretion. Staff recommend rewording this clause
Clause 7.3.a.ii - Change 'facet' with 'part' to ensure clarity.	Staff agree that the word change provides added clarity. Staff recommend replacing the word 'facet' with 'part' where it occurs in the bylaw

21. Part 2: Decision and recommendations for adoption

22. Following the review of the feedback staff recommend that the following changes are made to the proposed bylaw (see Attachment 1, note that the changes highlighted in yellow are in response to feedback, while tracked changes are for readability):

- Reword definition of Overland Flow Path to:
“Means the route along which stormwater flows. A subset of overland flow path is called “secondary flow path”. These routes carry water which cannot flow through the primary stormwater system (usually piped) because the water flow has exceeded the capacity of that network.”
- Clause 7.1.b is reworded to reflect a pragmatic approach to addressing risk and supporting the emphasis on education rather than enforcement. Changed to:
“A person must take all practicable steps to store, handle, transport and use materials in a way that prevents prohibited materials entering the stormwater system.”
- Replace the word ‘facet’ with ‘part’ in the definition of Prohibited Materials and Clause 7.3.a,ii,
- Minor changes to the bylaw to improve readability without changing the intent.

23. Staff recommend that the majority of the bylaw comes into force on Monday 28 September 2015 to enable the implementation of the education plan prior to its enforcement.

24. This bylaw includes two clauses where provision has been made for a period of delayed enforcement to allow Council staff to implement targeted education with High Risk Facilities prior to the enforcement date. These include:

- 7.1.e – Installation of appropriate interceptor system in High Risk Facilities (will come into force 28 March 2016)
- 7.1.f – Development of a Pollution Control Plan for High Risk Facilities (will come into force 28 September 2016)

25. Legal requirements.

26. The Local Government Act 2002 (LGA 2002) requires that Council determine that a bylaw does not give rise to implications under the New Zealand Bill of Rights Act 1990.

27. Staff have reviewed the bylaw and recommend that it does not give rise to implications under the New Zealand Bill of Rights Act 1990.

28. Financial and Resourcing Implications

29. Enforcement of the bylaw is covered under current budgets. No extra budget is required for education or communication of the bylaw.

30. Risk

31. This bylaw is in line with Councils abilities under the LGA 2002 and modelled on bylaws from similar territorial authorities, therefore there is little risk associated with the bylaw.

32. If a bylaw is not adopted, there is a risk Council will be unable to satisfactorily manage the risks associated with management of stormwater in the city. This could adversely affect Council's ability to meet the conditions of the Comprehensive Stormwater Discharge Consent with Waikato Regional Council or our responsibilities under the Joint Management Agreement with Waikato Tainui.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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Hamilton City Council
BYLAWS



Approved By:	Date Adopted :
Date In Force: Section Clause 7.1(e) - 12 months from enforcement date Section Clause 7.1(f) – 6 months from enforcement date	Review Date:

PROPOSED HAMILTON ~~CITY~~ STORMWATER BYLAW 2015

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Hamilton City Council BYLAWS



Hamilton City Council, in exercise of its powers and authorities ~~conferred on given to~~ it under the Local Government Act 2002 (~~LGA 2002~~) and the Health Act 1956 and any subsequent amendments to the Acts and all other relevant powers, makes the following bylaw.

1. INTRODUCTION

Hamilton City Council has the ability to make bylaws for regulating and protecting land drainage. In addition, Council has a duty under s17 of the Waikato River Settlement Act 2010, to have regard to the Vision and Strategy for the Waikato River which lists water degradation as a fundamental issue to be resolved. Hamilton City's Council's Comprehensive Stormwater Discharge resource consent and Stormwater Management Plan aims to manage stormwater discharge for quality and quantity and to avoid, remedy and mitigate any adverse effects on the environment. The management of stormwater ultimately aims to assist in achieving the Vision and Strategy for the Waikato River by helping to protect aquatic habitats, minimising scour, erosion and flooding and improving bathing water quality.

(Note: the above introduction does not form part of this bylaw and is intended to be read as an introductory note)

2. SHORT TITLE, COMMENCEMENT AND APPLICATION

- 1.1. The bylaw shall be known as the "Hamilton Stormwater Bylaw 2015".
- 1.2. The bylaw shall apply to the Hamilton City Council District.
- 1.3. The bylaw shall come into force on *(date to be determined)*

3. SCOPE

This bylaw shall apply to the district of Hamilton City pursuant to the Local Government Act 2002 and any land, building, work, or property or catchment under the control of the Council, although situated beyond Council's district. This bylaw applies to both public and private stormwater systems and watercourses.

4. PURPOSE

- 4.1. The purposes of this bylaw are to enable Council to:
 - a) Manage the land, structure or infrastructure associated with stormwater drainage within its ~~jurisdiction~~control.
 - b) Protect and regulate against damage, misuse, or loss of the land, structures, or infrastructure ~~associated-related with~~to stormwater drainage.
 - c) Prevent the unauthorised use of the land, structures or infrastructure ~~associated with~~related to stormwater drainage.
 - d) Ensure ~~that streams and tributaries of the Waikato River~~waterways, which form part of Hamilton City Council's stormwater systems, remain clear and unobstructed.
 - e) Manage the entry of contaminants into the stormwater system.
 - f) Protect, promote, and maintain public health and safety.

5. COMPLIANCE WITH OTHER ACTS AND CODES

- 5.1. This Bylaw has been developed in accordance with all relevant legislation and guidance.
- 5.2. Compliance with the requirements of this bylaw does not remove the need to comply with the requirements of any Act, regulation or other bylaw.

Hamilton City Council BYLAWS



6. DEFINITIONS

6.1. In this bylaw except where inconsistent with the context:

Approval	Means approved in writing by the Council, either by resolution of the Council or by any Authorised Officer of the Council.
Authorised Officer	Means an employee or contractor of the Council warranted under the Local Government Act 2002, authorised to carry out general or specific duties in relation to stormwater including enforcement arising from any of the provisions of this act and this bylaw.
Council	Means Hamilton City Council or an employee or contractor of the Council appointed to carry out duties relating to Stormwater management.
Ecological device	Means a device such as fish ramps and constructed fish protection structures designed to preserve aquatic habitat.
High Risk Facility	Means a facility carrying out or intended to carry out any of the activities listed in the High Risk Facilities Register, and includes the land and buildings of the site. Council may, by resolution, specify any activity to be included in or removed from the High Risk Facilities Register.
Open Drain	Means any system that collects and transports stormwater or groundwater through a series of open channels or ditches, but may include culverts and pipes in areas of vehicle or road crossings.
Overland Flow Path	<u>Means a secondary flow path or the overland route taken by any concentration of, or significant sheet flow of, stormwater on its way to a flood plain or second stormwater system. Means the route along which stormwater flows. A subset of overland flow path is called "secondary flow path". These routes carry water which cannot flow through the primary stormwater system (usually piped) because the water flow has exceeded the capacity of that network.</u>
Pollution Control Plan	Means a plan that includes appropriate policies, procedures and review timetable that is held onsite that guides appropriate management of any material either held on site or intended or likely to be onsite that may cause entry of prohibited materials into the stormwater system or any other breach of this bylaw.
Prohibited materials	Means anything that is not stormwater, including but not limited to substances that; <ol style="list-style-type: none"> i. Pose a danger to life ii. Pose a danger to public health iii. Cause flooding of any building floor or sub-floor, or public roadway iv. Cause damage to property v. Cause a negative effect on the efficient operation of a stormwater system vi. Cause damage to any <u>facepart</u> of a stormwater system vii. Cause erosion or subsidence of land viii. Cause long or short term adverse effects on the environment

Hamilton City Council
BYLAWS



- ix. Cause adverse loss of riparian vegetation
- x. Cause wastewater overflow to land or water
- xi. And means anything that causes a breach of any stormwater discharge consent condition binding Council

Stormwater Surface water runoff that:

- a) Enters or may enter the stormwater system as a result of a rain event and;
- b) Contains any substance where the type and concentration of the substance is consistent with the contributing catchments landuse(s) and that of the receiving environment.

Stormwater System Includes any land, structure or infrastructure associated with stormwater drainage, including:

- a) **Private Stormwater System** - Means all privately owned components of a stormwater system ~~which-that~~ are located on private property, up to the point of discharge into the public stormwater system or a watercourse.
- b) **Public Stormwater System** - Means all components of the stormwater system owned by the Council, including drains, kerb and channel, catch pits, pipes, manholes and lateral connections that carry away stormwater, whether or not any part of the system passes through private property.
- c) **Watercourse** - Means a natural channel that conveys water whether or not it passes through private property. This includes channels where, due to seasonal variations, water does not flow.

Wastewater System Includes all pipes, fittings, manholes, pumps, pump stations; and any land, buildings, treatment works which are under the control of the Council for the purpose of providing a wastewater service.

7. STORMWATER SYSTEMS

7.1. Protection of Stormwater System

- a) A person must not, without the prior approval of Council, discharge or allow to be discharged anything other than stormwater to the stormwater system.
- b) ~~A person must not store, transport, handle or use materials in a way which may result in prohibited materials entering the stormwater system. A person must take all practicable steps to store, handle, transport and use materials in a way that prevents prohibited materials entering the stormwater system.~~
- c) Any person undertaking earthworks must ensure that controls are in place to prevent sediments entering the stormwater system.
- d) Any person who knows of the entry or imminent entry of prohibited materials to the stormwater system must immediately:
 - i. Take all practicable steps to stop the imminent entry or further entry of any prohibited materials to the stormwater system; and
 - ii. ~~Notify Inform~~ an authorised officer /Council as soon as reasonably practicable.

Hamilton City Council BYLAWS



- e) Any owner or occupier or manager of a high risk facility must install and maintain appropriate private stormwater interception system to ~~adequately eliminate~~ ~~or~~ as far as practicable and otherwise minimise the risk of prohibited materials entering the public stormwater system.
- f) Any owner or occupier of a high risk facility must develop, maintain and keep available for inspection a pollution control plan which eliminates as far as is practicable and otherwise minimises the risk of breach of this bylaw. Council may require the pollution control plan to be submitted for approval.
- g) The owner, occupier and all persons on the site of a high risk facility must comply with the requirements of the pollution control plan.

Note 1 (This note does not form part of the bylaw) - ~~F~~or further information on sediment control refer to ~~the~~ Council's "A Guide to Sediment Control on Building Sites".

Note 2: (This note does not form part of the bylaw) - ~~W~~here prohibited materials are not managed to the satisfaction of Council, Council may require the owner/occupier to divert the prohibited material to wastewater and apply for a tradewaste consent in accordance with the current Hamilton Tradewaste Bylaw.

7.2. Damage to Stormwater System

- a) No person shall cause or allow to be caused any damage to, or destroy any:
 - i. Dam
 - ii. Weir
 - iii. Stormwater detention device
 - iv. Swale
 - v. Overland flow path identified in a consent notice, other documents of Council or illustrated in integrated catchment management plans.
 - vi. Stopbank
 - vii. Headworks
 - viii. Building; or, treatment device
 - ix. Drainage reserve land
 - x. Ecological device
 - xi. Erosion and scour control structures
 - xii. Stormwater inlet and outlet structures
 - xiii. Stormwater ~~outlet structures~~ pipes
 - xiv. Any other installation connected with the stormwater system and under control of the Council
- b) No person shall modify, interfere with or remove items listed in Clause 7.2 (a) without the prior approval of Council.
- c) Every person excavating or working around the public stormwater system must take due care to ensure that the excavation or work is carried out in a manner that does not damage and/or compromise the integrity of the stormwater system.

Hamilton City Council BYLAWS



- d) Any person who knows of damage to a stormwater system must report it to Council or an Authorised Officer immediately.

7.3. Obstructions and Capacity of the stormwater system

- a) A person must not, without the prior approval of Council:
- i. Do anything that directly or indirectly obstructs, alters or impedes the natural flow of the stormwater system.
 - ii. Obstruct or hinder any ~~facet part~~ of any public or private stormwater system in a manner that is likely to cause nuisance.
 - iii. Erect any structure or stop bank, grow any vegetation, deposit any waste or carry out any activity ~~in a place or manner~~ that is likely to cause nuisance to ~~a the~~ public stormwater system during a storm event.
 - iv. Obstruct or alter any overland flow paths ~~or flood plains~~ identified in a consent notice, or other documents of council with any material or structures such as earth bunds, buildings, fences, retaining walls and rock gardens.
 - v. Pump or divert water into any watercourse or public stormwater system.
 - vi. Cause water to flow into a watercourse or public stormwater system from outside the ~~c~~Catchment ~~A~~rea where, in the opinion of the Authorised Officer, the water will overload the capacity or will otherwise interfere with the proper functioning of the watercourse or public stormwater system.
- b) A person must not, without the prior approval of Council,:
- i. Stop, modify, divert or deepen any open drain or,
 - ii. Divert any open drain or otherwise cause stormwater to flow into the wastewater system ~~without first obtaining written approval from Council.~~

7.4. Private Stormwater System

- a) Council may require an owner/ occupier to fix or upgrade private stormwater systems, at the owners cost, to meet original design specifications.
- b) No owner or occupier may, without Council's written approval, remove a private stormwater system or do anything which reduces its effectiveness.
- c) No person shall allow stormwater to enter the wastewater system without prior approval from Council.
- d) Owners and occupiers are responsible for ensuring the maintenance of any watercourse on their premises, including the removal of any obstruction that impedes or is likely to impede the free flow of water.

8. ACCESS

- 8.1. In accordance with section 171 of the Local Government Act 2002, an Authorised Officer may enter and inspect any land or building (other than a dwelling house):
- a) for routine inspection or monitoring or for post breach monitoring. The Authorised Officer must give at least 24 hours notice of the intended entry ~~if the land or buildings are unoccupied.~~

Hamilton City Council BYLAWS



- b) of a high risk facility for routine inspection and monitoring. The Authorised Officer must give at least 24 hours notice of the intended entry ~~(if the land or buildings are unoccupied).~~

8.2. In accordance with section 172 of the Local Government Act 2002, an Authorised Officer may enter and inspect any land for the purpose of detecting a breach of this bylaw if the Authorised Officer has reasonable grounds for suspecting that a breach has occurred or is occurring on the land. The Authorised Officer must give reasonable notice unless the giving of notice would defeat the purpose of entry.

8.3. In accordance with section 173 of the Local Government Act 2002, in the event of a sudden emergency causing or likely to cause damage to property or the environment or where there is danger to any works or adjoining property, an Authorised Officer may enter occupied land or buildings. Notice is not required.

9. FEES & CHARGES

9.1. In accordance with Sections 150 of the Local Government Act 2002, Council may charge a fee for any inspection or re-inspection or remedial work carried out under this Bylaw. Inspection and re-inspection fees will be set by Council through the Annual Plan process.

10. BREACHES

10.1. It is a breach of this bylaw to:

- a) Fail to comply with any requirement of this bylaw;
- b) Fail to comply with any defect notice issued by an Authorised Officer pursuant to this bylaw;
- c) Obstruct an Authorised Officer in the performance of their function under this bylaw.

10.2. The Authorised Officer may report breaches or imminent breaches to Waikato Regional Council and the Environment Protection Authority for further enforcement.

10.3. A person is not in breach of this Bylaw if that person proves that the act or omission complained of was:

- a) Necessary:
 - i. To save or protect life or health or prevent injury; or
 - ii. To comply with Council's obligations under the Health Act 1956 and any subsequent amendments
 - iii. To prevent serious damage to property; or
- b) To avoid actual or likely damage to the environment; and
 - i. The conduct of the defendant was reasonable in the circumstances; and
 - ii. The effects of the act or omission were adequately remedied or mitigated by the defendant after the offence occurred.

11. REMEDIAL WORK COSTS OF REMEDYING DAMAGE ARISING FROM BREACH OF BYLAW

11.1. In accordance with section 186 of the Local Government Act 2002, if an Authorised Officer serves a notice on the owner or occupier requiring works to be carried out or materials to be provided in connection with the premises, Council or an Authorised

Hamilton City Council
BYLAWS



Officer may carry out the work or provide the materials where the owner or occupier fails to comply with the notice, either:

- a) within the time specified in the notice, or
- b) within 24 hours if notice certifies that the work is urgent, or
- c) if the owner or occupier fails to proceed with the work with all reasonable speed.

11.2. In accordance with section 187 of the Local Government Act 2002, if an Authorised Officer serves a notice on any person under this bylaw, and the person fails to take the steps within the time specified, then Council or any Authorised Officer is authorised to take the steps set out in the notice. Council may recover the cost of doing the work, together with reasonable administrative and supervision charges.

11.3. In accordance with section 176 of the Local Government Act 2002, a person who has been convicted of any offence against this Bylaw is liable to pay to Council the costs of remedying any damage caused in the course of committing the offence. The costs must be assessed by a District Court Judge and are recoverable summarily as if they were a fine.

11.4. Costs recoverable under this clause are in addition to any other penalty for which the person who committed the offence is liable.

Costs recoverable under this clause are in addition to any other penalty under other legislation for which the person who committed the offence is liable.

12. OFFENCES AND PENALTIES

12.1. A person who breaches this bylaw and is convicted of an offence is liable to a penalty not exceeding \$20,000 pursuant to Section 242 under the Local Government Act 2002.

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

Councillor: _____

Councillor: _____

Chief Executive: _____

Hamilton City Council Stormwater High Risk Facilities Register

High Risk Facilities Register

Approved By:	Date Adopted:
Date in Force	
Data Amended:	Amendments recorded:

The following is a list of high risk facilities:

Activity	Reason for High Risk Classification
Mechanical workshops and service stations	These sites use and handle large volumes of oils and other petroleum products. Spillages of these substances are not uncommon, hence the greater risk of stormwater discharges to the environment.
Printers	Relatively large quantities of dyes and paints are handled at these sites. The risk of spillages is relatively high.
Spray painting facilities	Paints can not only be spilt at these sites but can enter stormwater as a consequence of drift from spray painting operations.
Meat, fish and shellfish processing industries	Wastes from these industries can typically have a high Biological Oxygen Demand (BOD). This can cause significant adverse effects.
Dairy products processing	Wastes from these industries can typically have a high BOD. This can cause significant adverse effects.
Waste management sites (transfer stations, compost sites, landfills etc.)	Litter, hazardous substances and high BOD wastes can all enter stormwater systems from these sites.
Truck wash facilities	The activity of truck washing can generate hazardous contaminants from trucks as well as sediments and wastes from spillages on site.
Unenclosed manufacturing and bulk storage of fertiliser	Fertilisers can give rise to high levels of nutrient in stormwater discharges. Where fertilisers are manufactured or stored in such a way that fertilisers can enter stormwater the risk of adverse effects is unacceptably high.
Textile fibre and textile processing industries where dyeing and washing of fabric occurs	Large quantities of dye and high BOD wastes (from wool scourers for instance) are handled on these site. The risk of spillages that could enter stormwater is high.
Tanneries and leather finishing	Large quantities of dye and high BOD wastes are handled on these sites. The risk of spillages that could enter stormwater is high.
Footwear manufacture	Large quantities of dye and high BOD wastes are handled on these sites. The risk of spillages

**Hamilton City Council
Stormwater High Risk Facilities Register**

	that could enter stormwater is higher.
Manufacture of paper and paper products	Hazardous substances such as chlorine based bleaches and dyes are regularly handled on these sites. The risk of spillages etc. entering stormwater can be high.
Manufacture or processing of chemicals, and of petroleum, coal, rubber and plastic products	The risk of spillages associated with hazardous substances used in these industries can be high.
Manufacture of clay, glass, plaster, masonry, asbestos and related mineral products	The risk of spillages associated with hazardous substances used in these industries can be high.
Manufacture of fabricated metal products, machinery and equipment	The risk of spillages associated with hazardous substances used in these industries can be high.
Electroplaters, Foundries, galvanizers and metal surfacing	The risk of spillages associated with hazardous substances used in these industries can be high.
Concrete batching plants and, asphalt manufacturing plants	The risk of spillages associated with hazardous substances used in these industries can be high.
Stock saleyards	High BOD run-off can be associated with these sites.
Bakeries	Outside washing of trays, dishes and pans can result in high BOD, fats, greases and detergents entering stormwater systems.
Car wash and valet services	High oil, solvent and solid discharges can occur from these activities.
Commercial laundries (excluding self-service laundrettes and Laundromats)	The risk of spillages associated with detergents, alkalis and salts used in this industry can be high.
Furniture/wood manufacturing and refinishing industries	Some of these industries work outside extensively, usually with no stormwater treatment, Contaminants such as sawdust, glues and alkali stripper solution in the stormwater coming out of these sites can include high solids, BOD and high pH.
Timber preservation, treatment and storage sites where chemically treated timber is sorted	A range of hazardous substances are used on these sites (e.g. Copper Chrome, Arsenic, Boron and copper-quinoline compounds). In addition, timber treatment chemicals have been shown to be able to leach from treated wood in storage.
Stockpiled tyres	Large quantities of tyres when ignited can produce hazardous air emissions and toxic effluent run-off which have adverse health and environmental implications.

Proposed Hamilton Stormwater Bylaw 2015 – Feedback Summary Report

Attachment 3

Respondent 01		
Summary of Respondent Comments	Staff Comment	Staff Recommendation
General support of proposed bylaw	Noted	No change to bylaw

Respondent 02		
Summary of Respondent Comments	Staff Comment	Staff Recommendation
<p>Definitions or wording changes:</p> <p>1. Clause 7.1. – Use of ‘practicable’ (where should be using ‘practical’). Concern that the meaning of practicable may be misconstrued and used to enforce standards on private property owners that are not practical (financially or technically).</p> <p>2. Prohibited materials and stormwater (part b) – allows for road runoff but tap water from damaged mains is not.</p>	<p>1. In the context of this bylaw, the Resource Management Act, and its relationship to the Hamilton citywide stormwater discharge consent the word ‘practicable’ is the most appropriate approach. The word ‘practicable’ is in the context of an option (which may include method, plan or practice) and has regard to the effects on the environment, of that option when compared with other options; and the current state of technical knowledge and the likelihood that the option can be successfully applied.</p> <p>2. Council has provided for prohibited materials runoff in the definition (xi) and in 10.3. Tap water running from a damaged mains riser is unlikely to breach definition (i)-(xi). If this issue did cause damage, such as erosion, then it would be in breach of the bylaw and Council would be liable for damages.</p> <p>With regard to the definition of Stormwater part b, the intent of this is to acknowledge that some landuse activities such as vehicle use roads, will ultimately, result in contaminants such as copper and zinc (from tyres and brake linings) being included in stormwater. The bylaw can not prevent persons from driving on roads to prevent that type of contaminant; therefore it is deemed that that some</p>	<p>1. No change to Bylaw</p> <p>2. No change to bylaw</p> <p>3. Change the definition to ensure alignment with the Proposed District Plan. Definition to now be:</p> <p><i>“Means the route along which stormwater flows. A subset of overland flow path is called “secondary flow path”. These routes carry water which cannot flow through the primary storm water system (usually piped) because the water flow has exceeded the capacity of that network.”</i></p>

<p>3. Overland Flow Path – too broad and confusing (clarify magnitude)</p>	<p>substances are consistent with that landuse. 3. Staff agree that the definition of overland flow path is broad and could be confusing. There is some clarification through 7.2 a) v. In this clause the overland flow path that is to be protected will have been identified through Councils standard risk assessment methodology and documented in the listed documents. While this will mitigate concerns about the discretionary nature of the definition and the application in respective clauses, it should also be noted that the definition of overland flow path has been changed following the appeals process for the Proposed District Plan.</p>	
<p>Clause 7.1.b Respondent states that a private property owner not being allowed to do anything that may let contamination into the stormwater system is unreasonable and allows HCC too much discretion to determine what is acceptable on a case by case basis.</p>	<p>The intention of this clause was to provide clarity on what is expected for due diligence to protect the stormwater system. It is accepted that the current wording may not represent a pragmatic approach.</p>	<p>Reword to ensure consistency with other clauses in this section. Proposed new clause: “A person must take all practicable steps to store, handle, transport and use materials in a way that prevents prohibited materials entering the stormwater system.”</p>
<p>Clauses 7.1. d. e. f. g. Standard is too high for High Risk Facilities with regard to taking all practicable steps to eliminate and/or minimise risk of prohibited materials going into the stormwater. This is especially the case where the insurance premiums are excessive due to the type of risk.</p>	<p>The intent of this clause is to ensure owners are managing risks as far as practicable to achieve the purposes of the bylaw. A template Pollution Control Plan, that is being developed now, will provide guidance on the level of management required dependent on risk and complexity of the facility and its activities.</p>	<p>No change to bylaw</p>
<p>Clause 7.2.a.v Reference to “any other document” represents a large amount of discretion and potential for</p>	<p>It is important that any overland flow path is identified and quantified by Council. This process of identifying these flow paths is in progress and will take time to complete. When</p>	<p>No change to bylaw</p>

Proposed Hamilton Stormwater Bylaw 2015 – Feedback Summary Report

Attachment 3

HCC to change positions without notification to all affected parties.	Council identifies an overland flow path, staff will need to consider the most appropriate mechanism to inform affected parties. For example, LIMs and consent notices are not publicly notified but will have important information that the property owner must acknowledge. Council would take into account the ability of the person to have known about an overland flow path that is not in the district plan or on a property notice.	
Clause 7.3.ii Change 'facet' with 'part' to ensure clarity.	Agree	Replace 'facet' with 'part'
Clause 7.3.a.iii. Respondent suggests that risk/liability of tree damage should be with HCC rather than home owner. This is based on home owner not knowing or being able to understand either the risks from certain plants or how to mitigate any issues and thereby incurring extra, unwarranted costs.	For the respondent's position to be workable, Council would need to have the powers to restrict the planting to plant species that would not damage the network. This power does not exist and is unlikely to be supported by rate payers.	No changes to bylaw but include guidance in education material (when available).
Clause 7.3.a.iv Uncertainty about how Council will progress with this clause with regard to what constitutes an overland flow path and how private owners will be required to make changes to their properties where an overland flow path has been identified.	Council carries out flood hazard assessments to specific storm events in order to manage risk to people and property in accordance with the Waikato Regional Policy Statement which requires the identification, avoidance and mitigation of natural hazards. It is Council's intent and responsibility to ensure that future obstructions are avoided where these are likely to negatively affect people and property.	No changes to bylaw but include guidance in education material (when available).
Clause 7.4.b Respondent asks that people should be free to remove old pipes and other infrastructure that is no longer working.	Private stormwater systems play an important part in managing potential flooding and/or stormwater quality. This includes drains, swales, rain gardens, soakage pits and retention tanks. Removal of such devices has the potential to negatively affect how land responds to storm events and could cause flooding effects in neighbouring properties.	No change to bylaw

	The bylaw does not stop private owners from replacing old infrastructure provided they have approval from Council (this does not necessarily require a consent).	
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Respondent 03		
Summary of Respondent Comments	Staff Comment	Staff Recommendation
Comprehensive Stormwater Discharge Consent (referenced in introduction) Note that this consent includes a requirement for a Stormwater Quality Improvement Programme, within which a bylaw would help ensure compliance.	Noted and agree with this point. The use of a stormwater bylaw is referred to in Clause 28 of the CSDC.	No change to bylaw
Spill management and response (see Purpose) Emphasis on the importance of working together to minimize the risk or magnitude of a spill. The bylaw allows for the management of this response to be as quick and effective as possible.	Noted and agree that partnership with WRC is critical to responding properly to actual or imminent spill events.	No change to bylaw
Small lot developments – bylaw allows for staff to work proactively with developers to ensure property developments do not cause any issues based around sedimentation and contaminant runoff from construction sites.	Noted and agree. The Proposed District Plan also supports this work.	No change to bylaw

Respondent 04		
Summary of Respondent Comments	Staff Comment	Staff Recommendation
Supports bylaw as provides clear set of guidelines for the management of stormwater. This effectively protects the waterways from any misuse.	Noted	No change to bylaw

Proposed Hamilton Stormwater Bylaw 2015 – Feedback Summary Report

Attachment 3

Supports need for a development of an education plan to run alongside the bylaw.	Noted. Staff have developed an education plan in consultation with key stakeholders and will be rolling out initiatives to directly support the bylaw once it has been adopted.	No change to bylaw
Notes that Waikato-Tainui have a Joint Management Agreement with Hamilton City Council. Would like to ensure that Waikato-Tainui work closely with HCC to support the effective implementation and monitoring of the bylaw.	Noted. Staff meet Waikato-Tainui representatives on an ongoing basis to discuss the planning of current and future activities that may impact the Waikato River. This includes opportunities for joint management and education of key stakeholders and people in the community.	No change to bylaw

Respondent 05		
Summary of Respondent Comments	Staff Comment	Staff Recommendation
1. Introduction Reference to improving the River to bathing water quality – no mention of improving the quality of the other tributaries in the city.	Ultimately all tributaries and other waterways from Hamilton City discharge into the Waikato River. As well, all tributaries within the City boundary form part of the public (and private) stormwater network and so are implicitly mentioned and protected throughout the bylaw.	No change to bylaw
Clause 4.1.e Lack of information regarding ongoing auditing and monitoring or standards for measuring a contamination breach.	Through our Comprehensive Stormwater Discharge Consent, we are required to abide by the Waikato Regional Council's standards, which are also taken from the EPA Guidelines. Given that these may be subject to change during the period of this bylaw, it is not best practice to state these standards explicitly.	No change to bylaw but will include guidance on this issue in education material (when available).
Clause 7.1a The system for approval is not included in the bylaw. This results in uncertainty for people who are washing their cars, driveways, or industrial activities such as discharging cooling water or condensates (uncontaminated). What is the approval system for these activities?	The process for approval will depend on the scale, intensity and duration of the proposed activity. Approval could vary from as little as a confirmation email through to a full resource consent process. Guidance on this will be provided in the education plan and City Waters compliance staff are available to answer any questions from the community.	No change to bylaw but will include guidance on this issue in education material (when available).

<p>Clause 7.1.f Supports use of Pollution Control Plans to proactively manage activities. Mentions that there may be sites that are not within the High Risk Facility definition that may still be discharging prohibited materials (such as low activity sites but with unsealed areas).</p>	<p>Support of the PCP approach is noted. The definition of a High Risk Facility includes the provision for Council to make changes to the register through resolution if required. Any private property must comply with the other clauses of the bylaw, which should enable effective management of any site not already captured in the High Risk Facility register.</p>	<p>No change to bylaw</p>
<p>Clause 7.3.a.i to iv Respondent would like to add the words “unless written approval is given by HCC or Resource Consent allows it”.</p>	<p>This clause requires prior approval of Council which may include coverage of the activity under a Resource Consent. Staff consider that a bylaw covers a wider remit of activities than a resource consent and that there is risk that a resource consent may potentially be used inappropriately to cover the activity.</p>	<p>No change to bylaw</p>
<p>Clause 7.4.c The system for approval is not included in the bylaw – assumed part of trade waste consent application process.</p>	<p>The process for approval will depend on the scale, intensity and duration of the proposed activity and could vary from as little as a confirmation email through to a full resource consent process. Guidance on this will be provided in the education plan and City Waters compliance staff are available to answer any questions from the community.</p>	<p>No change to bylaw but will include guidance on this issue in education material (when available).</p>

Committee: Strategy & Policy Committee **Date:** 26 May 2015
Report Name: Dog Control Policy and Bylaw **Author:** Liz Hallsworth
 2015 Adoption Report

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Review of existing Dog Control Policy and Bylaw 2009</i>
Financial status	<i>There is budget allocated to the review of the policy and bylaw</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance and Engagement Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

2. To provide an overview of the hearings, submissions and issues raised by the submitters in relation to the proposed Hamilton Dog Control Policy (the Policy), Hamilton Dog Control Bylaw 2015 (the Bylaw) and Dog Control Off-Lead Exercise and Prohibited Areas Register (Register) for Council deliberation.
3. The proposed Policy, Bylaw and Register are presented to Council for consideration and adoption.

4. Executive Summary

5. Consultation was open for submissions from 4 March 2015 to 7 April 2015. A total of 49 submissions were received, for an overview and analysis of the submissions, please see Attachment 1.
6. Full submissions are available on Council's website at www.hamilton.govt.nz/dogbylaw.
7. The Dog Control Policy and Dog Control Bylaw Hearings Subcommittee (the Subcommittee) met on 7 May 2015 to hear submissions and undertake initial deliberations on the feedback received through the public submissions.
8. Staff and the Subcommittee are recommending minor amendments to the Policy, Bylaw and the Register (Attachments 2, 3 and 4) to address the issues raised through consultation.

9. Recommendations from Management

That:

- a) the Report be received;
- b) the draft Hamilton Dog Control Policy and Register be amended with the following

changes:

- (i) Remove Hammond Park from the Dog Control Off-Lead Exercise and Prohibited Areas Register; and
 - (ii) Update the Policy with the tracked changed wording so it is easier to read.
- c) the Hamilton Dog Control Policy and Bylaw 2015 be adopted and come into force 1 July 2015;
 - d) the amended Dog Control Off-Lead Exercise and Prohibited Areas Register be adopted; and
 - e) the Hamilton City Dog Control Bylaw 2009 be revoked on 1 July 2015.

10. Attachments

- 11. Attachment 1 - Hamilton Dog Control Policy and Bylaw 2015 Summary of Submissions
- 12. Attachment 2 - Hamilton Dog Control Policy 2015
- 13. Attachment 3 - Hamilton Dog Control Bylaw 2015
- 14. Attachment 4 - Dog Control Off Lead Exercise and Prohibited Areas Register
- 15. Attachment 5 - Dog Control Policy and Bylaw Deliberation Report
- 16. Attachment 6 - Chairpersons Report Dog Control Policy and Bylaw Hearing Subcommittee

17. Report format

- 18. This report is prepared and should be considered in two parts:
 - Part 1: Deliberation – Issues and options
 - Part 2: Adoption – Recommendations for adoption

19. Part 1 - Deliberation

- 20. Council received suggestions for changes to the Policy and Bylaw relating to:
 - Removing Hammond Park from the register
 - Improving multiple dog permit process
 - Improving education with a focus on signage in parks and river paths
 - Expanding neutering rules
 - Inclusion of other parks to the off-lead register
 - Providing more facilities in dog parks such as seating and agility equipment
- 21. Staff reviewed the submissions and provided recommendations, noting that a number of the requests are being addressed through other Council processes (see Attachment 5).
- 22. The Dog Control Policy and Dog Control Bylaw Hearing Subcommittee met on Thursday 7 May to hear verbal submissions and consider staff recommendations (see Chairs report, Attachment 6).
- 23. Following the hearings the Subcommittee resolved to support the staff recommendations.
- 24. Following the hearings staff have identified a number of small wording changes in the policy to make it easier to read.

25. Part 2 - Adoption

26. The following change to the policy and register is recommended:
- Removal of Hammond Park as an off-lead exercise area.
 - Update the policy with the tracked changed wording so it is easier to read.

27. Financial and Resourcing Implications

28. The proposed draft policy, bylaw and register have no additional resourcing or financial implications than those required by the current policy and bylaw.

29. Risk

30. Council is required by law, through the Dog Control Act, to have a Dog Control policy and, as the policy requires enforcement, via the Local Government Act 2002, a corresponding bylaw. Without a bylaw Council is unable to manage issues related to dog ownership effectively in the City.

Signatory

Authoriser	Brian Croad, General Manager City Environments Group
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SUMMARY OF SUBMISSIONS

PROPOSED DOG CONTROL POLICY AND BYLAW 2015

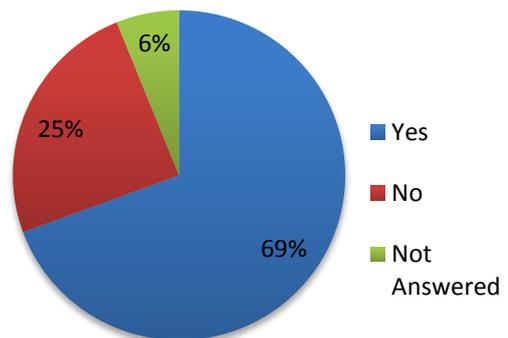
This report:	This report provides a summary of the main themes and points included in submissions to Council’s proposed changes to the Dog Control Policy and Bylaw.
Submission Period:	4 March – 7 April 2015
Total Submissions:	49
Hearing requests:	6 (2 attended)

1. PART 1 – summary of submissions

In general do you support the proposed changes to the bylaw and policy?

Of the 49 submissions received:

- 34 submitters (69%) *supported* the proposal in principle
- 12 submitters (25%) *did not support* the proposal in principle, although of those, 9 were submitting on a specific park that was not supported and had no further comments on the proposed policy and bylaw.
- 3 submitters (6%) did not answer this question



Supports the proposed policy and bylaw in principle

Of the 34 submitters that supported in principle, the main reasons were as follows:

SUPPORT FOR PROPOSED BYLAW	
Reasons	Number of submissions commenting on this topic
Support off lead parks register in general	11
Neutering of roaming dogs	8
Emphasis on education in parks and communities	11
Support approach but changes required to boundaries	3

Oppose the bylaw in principle

Of those submitters (12) that disagree in principle with the proposal, the main reasons were as follows:

OPPOSE THE BYLAW IN PRINCIPLE	
Reasons	Number of submissions commenting on this topic
Not support Hammond Park as an off lead exercise area	9
Multiple dog permit process	1
General dislike of dogs in parks	2

Additional issues not included with policy and bylaw

Submitters also referenced other issues not directly referred to in the policy and bylaw.

Issues not included	
Issues	Submissions commenting on this topic
Reducing fees for Community Card holders	1
Classifying dog owners based on previous performance - relating to roaming dogs. A poor rating means not being able to own a dog.	1

DOG CONTROL POLICY

The purpose of this policy is to state how Council will fulfil its legislative responsibilities pursuant to the Dog Control Act 1996 and the Dog Control Bylaw 2015.

Purpose and Scope

This Policy has been adopted pursuant to the functions, duties and powers conferred on Hamilton City Council ('Council') by the Dog Control Act 1996 (www.legislation.govt.nz) and takes into account:

1. The need to minimise danger, distress, and nuisance to the community generally; and
2. The need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and
3. The importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
4. The exercise and recreational needs of dogs and their owners.
5. To enable people to enjoy the benefits of dog ownership and provide for the exercise and recreational needs of dogs and their owners.
6. This policy applies to the whole of the district administered by Hamilton City Council, and other locations that are controlled by Hamilton City Council, now and in the future.

Policy

Education

1. Council considers that involvement in education, and liaison with dog clubs and other service providers, is an appropriate and valuable role. Dogs need to be trained and socialised so that they learn how to behave in a public environment. Council staff will undertake education initiatives with dog owners to enhance the knowledge and skill of dog owners on the care and control of dogs, with a particular focus on the owners of dogs with behavioural issues.
2. Council will also seek to enhance the knowledge of the public generally, particularly children, on safety around dogs and other dog-related issues. Liaison with dog obedience clubs and other [dog-related](#) service providers in the city is considered an important role for Council. Council will seek to develop a partnership with the clubs and service providers to achieve the objective of this policy.

Regulation and Enforcement

3. Council has ~~formulated~~ [developed](#) a Dog Control Bylaw that is the primary enforcement mechanism of this policy. The prohibited areas and exercise areas, including maps, are

set out in the Dog Control Off Lead Exercise and Prohibited Areas Register referred to in the Dog Control Bylaw 2015.

4. Whilst Council will pursue education of dog owners and the public generally to avoid and minimise dog related issues in the city, enforcement of the provisions of the Dog Control Bylaw is critical to maintain public safety and to minimise danger, distress, and nuisance to the community from dogs.

Exercise Areas, Restricted Areas and Prohibited Areas

5. Council aims to provide appropriately for the exercise and recreational needs of dogs. Council has designated a number of areas within the city where dogs may exercise without being on a lead or similar device (see clause 6), and areas where dogs are prohibited (see clause 7).

6. Off Lead Dog Exercise Areas

Below is a list of parks within Hamilton City designated as Off Lead Dog Exercise Areas:

Aberfoyle Park
 Beetham Park
 Braithwaite Park*
 Bristol Park
 Chelmsford
 Claudelands Park*
 Crawshaw Park
 Days' Park
 Hamilton Gardens*
~~Hammond Park*~~
 Innes Common*
 Lake Domain Reserve *
 Melville Park
 Minogue Park*
 Porritt Stadium*
 Pukete Farm Park
 Resthills Park*
 Tauhara Park*
 Te Kooti*
 Te Manatu*
 Temple View Reserve*
 Till's Lookout
 Waiwherowhero Park*

Maps of the of the Off Lead Dog Exercise Areas for each park can be found in the Dog Control Off Lead Exercise and Prohibited Areas Register.

* The specific commencement dates and any details on rules for each of these off lead dog exercise areas can be found in the Dog Control [Off Lead Exercise and Prohibited Areas Register](#).

7. Below are a list of areas in Hamilton where dogs are prohibited:

- Within 10 metres of all areas of children's playgrounds,
- Hamilton West Cemetery,
- Hamilton Gardens Cemetery,
- Hamilton Gardens, Themed Gardens,
- Waiwhakareke Natural Heritage Park,
- Identified areas in:
 Hamilton Lake Domain, and
 Porritt Stadium.

8. Council's intention is to progressively upgrade the ~~network of~~ designated dog exercise areas within the city, ~~and the associated facilities within those areas,~~ to enhance provision for the exercise and recreational needs of dogs and their owners.

Neutering

9. Council will ~~look to~~ encourage neutering of dogs to support the overall aims of responsible dog ownership by reducing the number of roaming dogs, unwanted litters of puppies and the number of impounded dogs.
10. Council will require mandatory neutering of dogs classified as menacing in accordance with the provisions of the Dog Control Act 1996. Mandatory neutering also includes dogs classified as menacing by other territorial authorities where that dog is in the jurisdiction of Hamilton City Council.
11. Council may require the owner of a dog to cause that dog to be neutered if the dog has, on more than one occasion in a 12-month period, not been kept under control.

Probationary Owners

12. Council may require a person that is classified as a probationary owner in accordance with the provisions of the Dog Control Act 1996 to undertake, at his or her own expense, a dog owner education programme and/or a dog obedience course ~~(or both)~~ approved by Council.

Fees and Charges

13. The Dog Control Act 1996 empowers Council to impose reasonable fees and charges for the registration and control of dogs. The fees and charges aim to incentivise through the use of fee categories and discounts, responsible dog ownership, and the prompt payment of registration fees. The fees and charges will be prescribed each year on the Schedule of Fees and Charges through the Annual Plan.

Implementation processes

The policy will be implemented using a combination of public education, liaison with other service providers, and where necessary enforcement action.

The Policy is enforced through the Hamilton City Dog Control Bylaw 2015.



Approved By:	Date Adopted:
Date In Force:	Review Date:

HAMILTON DOG CONTROL BYLAW 2015

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Hamilton City Council BYLAWS



1. SHORT TITLE

This bylaw may be cited as the Dog Control Bylaw 2015.

2. PURPOSE

The purpose of the bylaw is:

- a) To give effect to Council's Dog Control Policy.
- b) To protect and maintain public safety.
- c) To address how Council will fulfil its functions and duties pursuant to the Dog Control Act 1996.

This bylaw gives effect to the Dog Control Policy for the city, the objective of which is to enable people to enjoy the benefits of dog ownership and provide for the exercise and recreational needs of dogs and their owners, whilst minimising danger, distress, and nuisance to the community generally.

This bylaw shall apply to the whole of the district administered by Hamilton City Council, and other locations that are controlled by Hamilton City Council, now and in the future.

3. DEFINITIONS

In this bylaw except where inconsistent with the context:

Council	means Hamilton City Council.
Dog Control Officer	has the same meaning as defined in the Dog Control Act 1996.
Owner	has the same meaning as defined in the Dog Control Act 1996.
Neuter	has the same meaning as defined in the Dog Control Act 1996
Private Way	has the same meaning as defined in Section 315(1) of the Local Government Act 1974.
Public Place	has the same meaning as defined in the Dog Control Act 1996.
Registered Address	means the dog owner's property, the address listed in the dog's registration, or another address which the Council has agreed to in writing for the purpose of clause 7.
Working Dog	has the same meaning as defined in section 2 of the Dog Control Act 1996, but excluding (b)(ii) – 'kept solely or principally for the purposes of herding or driving stock', (b)(v) – 'owned by a property guard as defined in section 9 of the Private Security Personnel and Private Investigators Act 2010 or a property guard employee as defined in section 17 of that Act, and kept solely or principally for the purpose of doing the things specified in section 9(1)(a) to (c) of that Act', and (b)(vi) – declared by resolution of the territorial authority to be a working dog for the purposes of this Act', or any dog of a class so declared by the authority, being a dog owned by any class of persons specified in the resolution and kept solely or principally for the purposes specified in the resolution.'

Hamilton City Council BYLAWS



4. CONTROL OF DOGS IN PUBLIC PLACES

- 4.1. Every owner of a dog must exercise control over it and must prevent it from wandering or remaining at large or free in any public place or private way.
- 4.2. Except as provided in clauses 4.3 and 4.4, every owner of a dog in any public place or private way must secure the dog by an effective lead or similar contrivance which keeps the dog under continuous control.
- 4.3. Dogs may be exercised free of restraint in those locations specified in the Dog Control Off Lead Exercise and Prohibited Areas Register, Part 1 as designated off lead dog exercise areas. The owner must maintain continuous control over the dog and remain within the dog exercise area while the dog is off its lead.
- 4.4. Dogs in the process of immediately accessing game hunting areas are exempt from the lead requirements outlined in clause 4.2 above, however the dog must be kept under the direct control of the owner at all times.

5. DOG EXERCISE AREAS

- 5.1. Dogs may be exercised free of restraint in those locations specified in the Dog Control Register as being designated off lead dog exercise areas. The owner must have continuous control of the dog and remain within the dog exercise area while the dog is off its lead.
- 5.2. The Dog Control Off Lead Exercise and Prohibited Areas Register, Part 1, lists each Off Lead Dog Exercise Area with the date from which each area is available to be used and any rules that apply to its use as such.
- 5.3. Council may, by resolution, amend the commencement date of an Off Lead Dog Exercise Area within the Dog Control Register.

6. PROHIBITED AREAS

- 6.1. Dogs are not allowed to enter the public places specified in Part 2 of the Dog Control Off Lead Exercise and Prohibited Areas Register as being prohibited areas, whether under control or not. However, the owner of a working dog may enter with that dog into any prohibited area.

7. PREVENTION OF PUBLIC NUISANCE

- 7.1. The owner or any person in possession or control of any dog that defecates in a public place or on land or premises occupied by anyone other than the owner of the dog must immediately remove the faeces and dispose of them in a legal manner.
- 7.2. Every owner of a dog that has a contagious disease must ensure that it is confined at all times within its registered address, or when not at this address fully contained within a cage that prevents contact with other animals, domestic or otherwise, or fully enclosed and secured within a vehicle.
- 7.3. Every owner of a dog must prevent it from attacking any person or any other animal.
- 7.4. A bitch in season may only be allowed outside the registered address when under the direct control of the dog owner or a person over the age of 16, and must be on a lead at all times.

Hamilton City Council BYLAWS



Despite clause 4.3 a bitch in season must not be exercised off lead in any area of Hamilton including Off Lead Dog Exercise Areas in Part 1 of the Dog Control Off Lead Exercise and Prohibited Areas Register, and game hunting areas. This clause does not relieve the dog owner of responsibility to provide adequate exercise as required by section 54(1)(b) of the Dog Control Act 1996.

8. LIMITATION ON NUMBER OF DOGS

- 8.1. No person shall keep, or permit to be kept, on or within any premises within the city, more than two (2) dogs of greater age than three months unless such premises have been approved by a dog control officer and a permit issued. Such permit will be subject to a fee approved and set by Council through the Annual Plan process and will be subject to renewal annually.
- 8.2. Approval by a dog control officer of the above permit will only be given subject to compliance by the owner with any reasonable requirements imposed by the dog control officer for the purpose of ensuring proper care and control of the dogs and the prevention of any nuisance.
- 8.3. On the expiry of any permit or at any other time, any approval given during that year for any person to keep more than two (2) dogs on their premises may be reviewed by a dog control officer. On review, the approval may be modified or revoked in the event of non-compliance with any condition of approval over the period of the permit under review. Renewal of a permit will be subject to a fee set by Council through the Annual Plan process.

9. MENACING DOGS

- 9.1. Any dog that Council classifies as menacing pursuant to the Dog Control Act 1996 must be neutered within one month after the receipt of the notice of classification. If the dog is not in a fit condition to be neutered within the specified time, the owner must produce a certificate from a registered veterinarian certifying that the dog is not in a fit condition to be neutered, and if the condition continues, produce a new certificate as specified within section 33E of the Dog Control Act 1996.

10. PROBATIONARY OWNERS

- 10.1. If any owner of a dog is classified as a probationary owner pursuant to the Dog Control Act 1996, Council may require at its discretion the person to complete at his or her expense, a dog owner education programme and/or a dog obedience course.

11. DOGS WITHIN PARKS

- 11.1. Every person must prevent any dog within their care and/or control from interfering with the use or enjoyment of any park by other persons in that park.
- 11.2. An owner of a dog that is not a working dog as defined in this bylaw, must prevent his or her dog from entering any place specified in Part 2 of the Dog Control Register

12. IMPOUNDMENT OF DOGS

- 12.1. Any dog found at large in any public place, whether or not the dog is wearing a collar having the proper registration label or disc attached; or found at large in any public or private way in breach of this bylaw, may be impounded by a dog control officer.
- 12.2. The owner of any dog impounded shall pay to the Council reasonable fees for the sustenance of the dog and for the giving of notice to the owner, together with a poundage fee as set through the Annual Plan process.

Hamilton City Council BYLAWS



13. REQUIREMENT TO NEUTER UNCONTROLLED DOG

13.1. The council may require the owner of a dog to cause that dog to be neutered if that owner has breached, on more than one occasion within a 12-month period, any of the sub-clauses 4.1-4.4 or 5.1 or 6.1 in respect of that dog. It is sufficient if the same sub-clause is breached twice or if two of the sub-clauses are breached.

14. OBJECTION TO REQUIREMENT TO NEUTER UNCONTROLLED DOG

- 14.1. If a dog is required to be neutered under clause 13, the owner of that dog –
- (a) may, within 14 days of receiving the notice, object in writing to the council in regard to the requirement; and
 - (b) has the right to be heard in support of the objection.
- 14.2. The council when considering an objection under sub-clause (1) may uphold or rescind the requirement, and in making its determination must have regard to—
- (a) the evidence which formed the basis for the requirement; and
 - (b) the matters relied upon in support of the objection; and
 - (c) any other relevant matters.
- 14.3. The council must, as soon as practicable, give written notice to the owner of—
- (a) its determination of the objection; and
 - (b) the reasons for its determination.

15. EFFECT OF REQUIREMENT TO NEUTER AN UNCONTROLLED DOG

- 15.1. If a dog is required to be neutered, the owner of that dog must, within 1 month after receipt of the notice of the requirement, produce to the council a certificate issued by a veterinarian certifying –
- (a) that the dog is or has been neutered; or
 - (b) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
 - (c) must, if a certificate under subclause (1)(b) is produced to the council, produce to the council, within 1 month after the date specified in that certificate, a further certificate under subclause (1)(a).

16. PENALTIES

- 16.1. Any person who acts in breach of this Bylaw commits an offence and is liable upon conviction to a penalty, as provided for under the Local Government Act 2002.

Hamilton City Council
BYLAWS



The foregoing Bylaw was duly made by the Hamilton City Council by a resolution passed on the DAY of MONTH 2015 following consideration of submissions received during the special consultative procedure. This Bylaw repeals and replaces the Hamilton City Dog Control Bylaw 2009. The Hamilton Dog Control Bylaw 2015 was ordered to come into force on the 1 JULY 2015.

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

Councillor _____

Chief Executive _____

**Hamilton City Council
REGISTER**

Approved By: Council	Date Adopted:
Date in Force:	
Date Amended:	Amendments recorded:

**DOG CONTROL OFF LEAD EXERCISE AND PROHIBITED
AREAS REGISTER**

**PART 1 – AREAS WITHIN HAMILTON CITY
DESIGNATED AS OFF LEAD DOG EXERCISE AREAS**

- Key:**
- Identifies off lead areas in current use
 - Identifies off lead areas proposed and the date from which they will be available to be used as off lead areas
 - Prohibited areas (no dogs allowed)

Aberfoyle Park – New area to be used from 1 November 2018

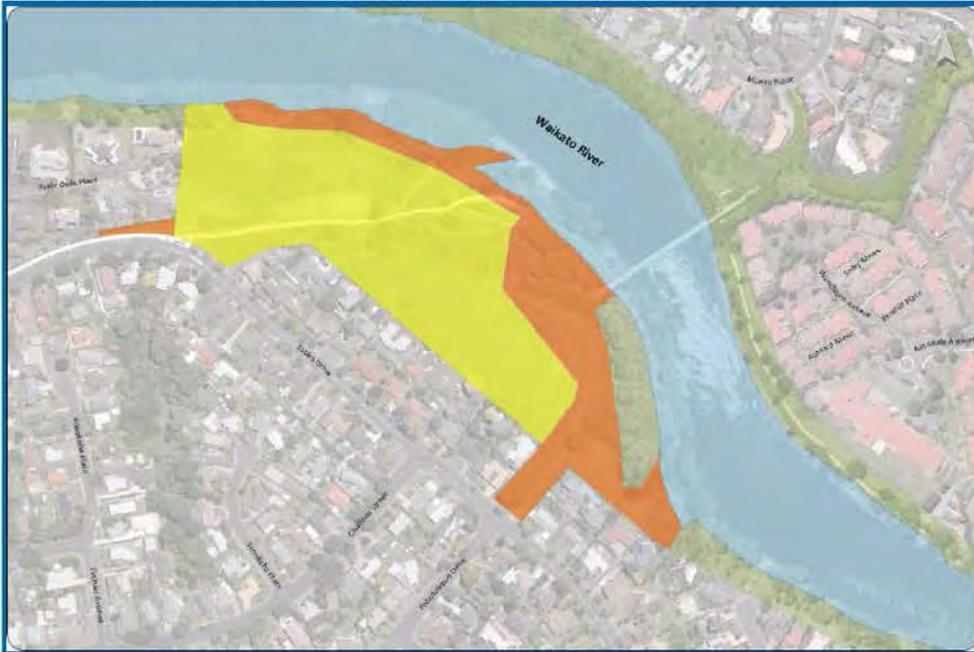


**Hamilton City Council
REGISTER**

Beetham Park



Braithwaite Park – Extended area to be used from 1 November 2015



**Hamilton City Council
REGISTER**

Bristol Park



Chelmsford – New Area to be used from 1 November 2018



**Hamilton City Council
REGISTER**

Claudeland's Park - Extended area to be used from 1 November 2016

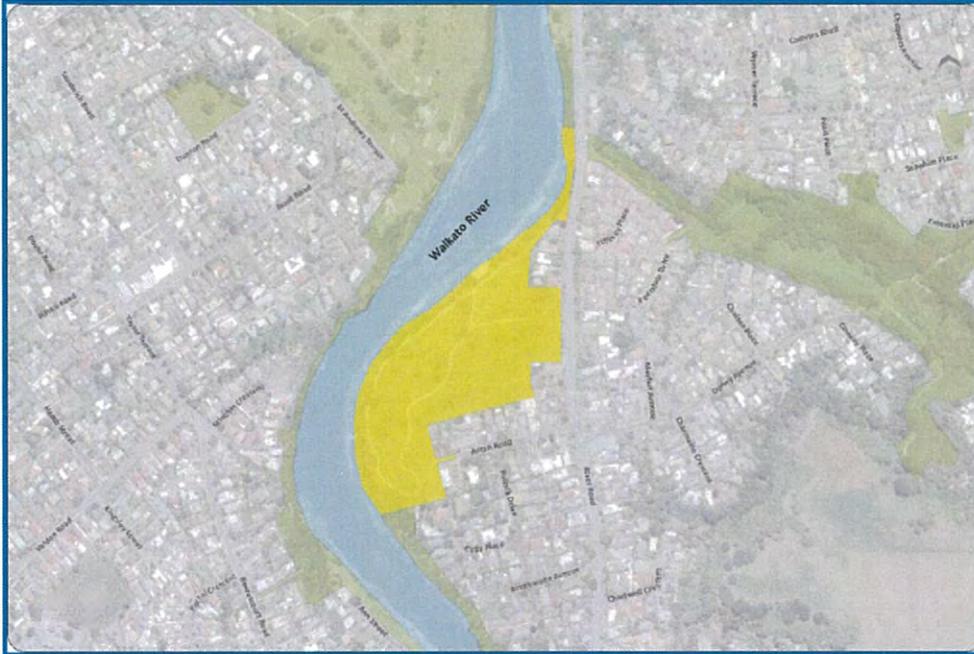


Crawshaw Park

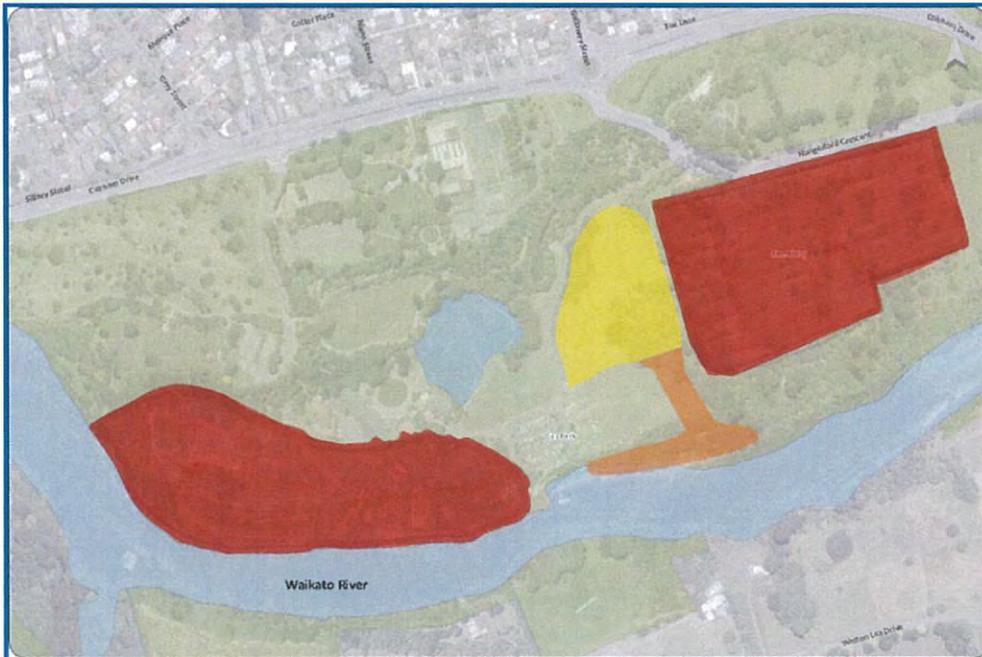


Hamilton City Council REGISTER

Days' Park



Hamilton Gardens - Extended area to be used from 1 November 2015



Hamilton City Council REGISTER

Hamilton Lake Domain – New Area to be used from 1 November 2017



Melville Park - Extended area to be used from commencement date of the Hamilton Dog Control Bylaw 2015

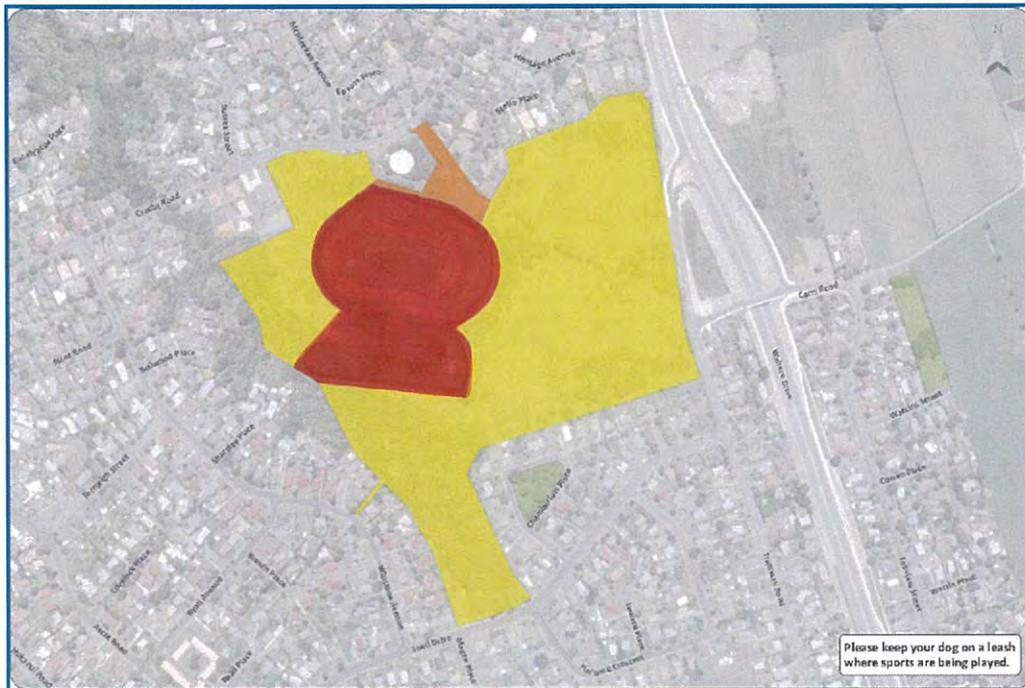


Hamilton City Council
REGISTER

Minogue Park

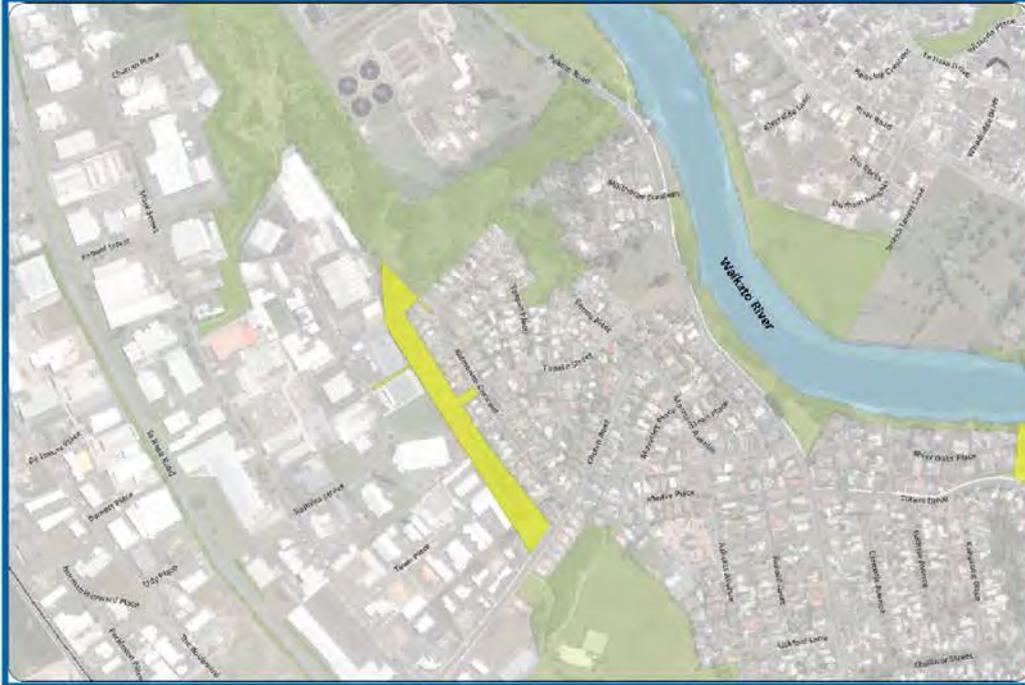


Porrirt Stadium - Extended area to be used from 1 November 2015

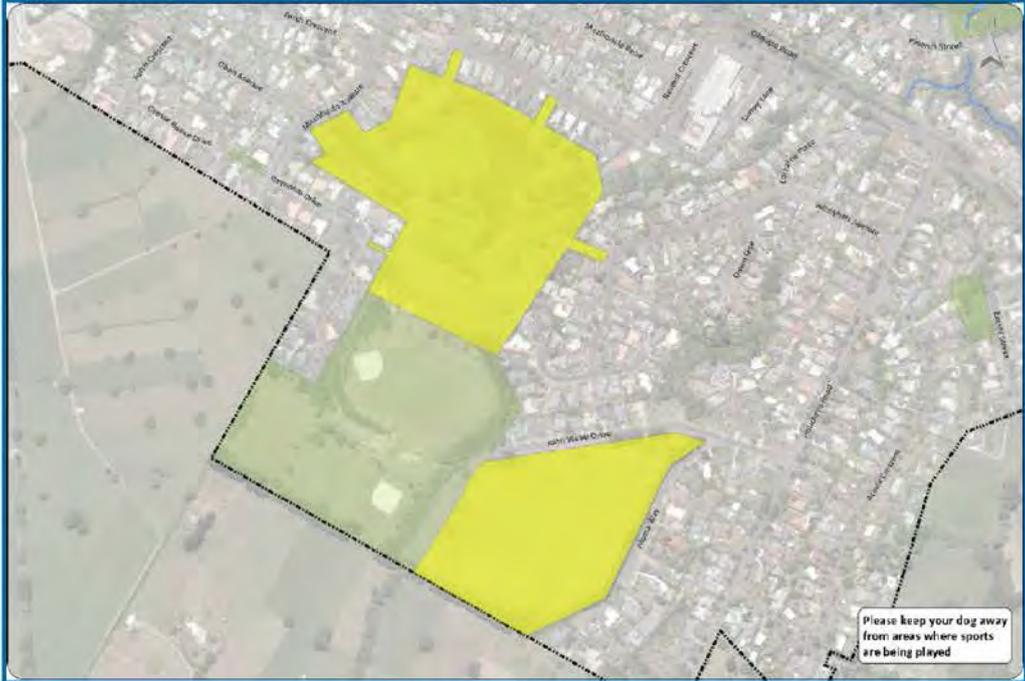


Hamilton City Council REGISTER

Pukete Farm Park



Resthills Park – Area to be reduced from 1 November 2015



**Hamilton City Council
REGISTER**

Tauhara Park - Extended area to be used from 1 November 2015



Te Kooti – New Area to be used from 1 November 2018



Hamilton City Council REGISTER

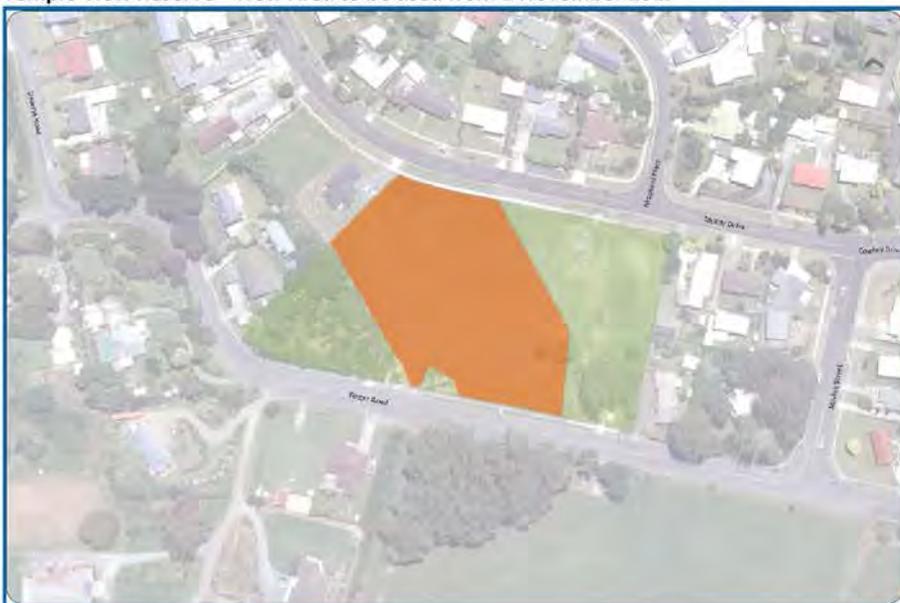
Te Manatu – Area to be used from 1 November 2018.

Te Manatu park, as mapped below, may be used as a Trial Off Lead Dog Exercise Area once signs have been erected at the park identifying the Trial Off Lead Dog Exercise Area.

The park will remain a Trial Off Lead Dog Exercise Area until the Te Manatu Park Management Plan has been prepared in Accordance with the Reserves Act 1977. The Te Manatu Park Management Plan will determine whether the trial area becomes a permanent Off Lead Dog Exercise Area .



Temple View Reserve – New Area to be used from 1 November 2017

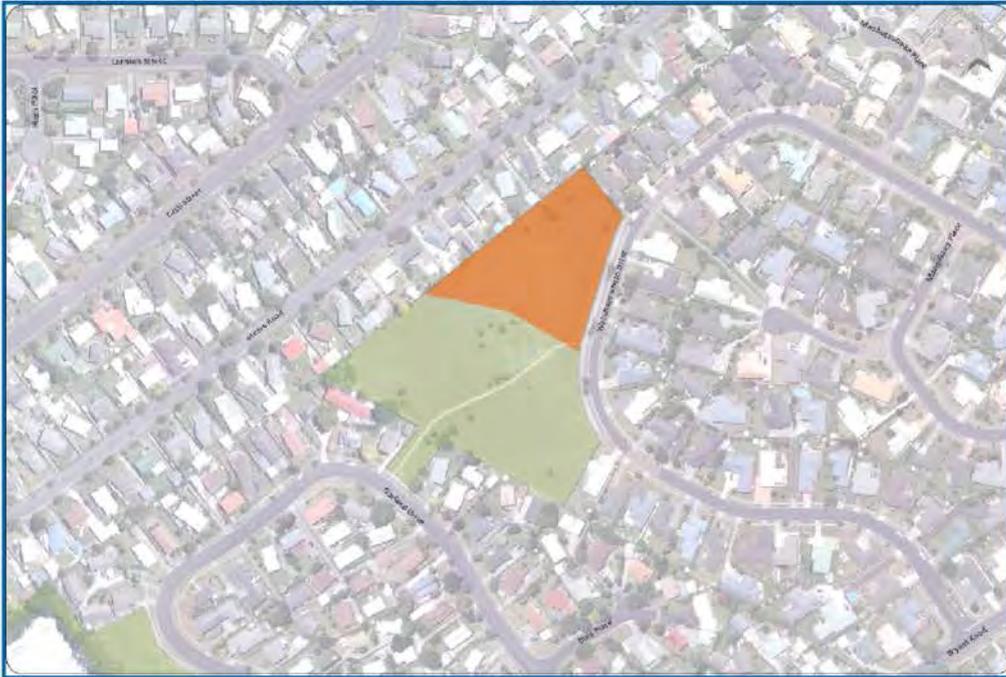


**Hamilton City Council
REGISTER**

Till's Lookout



Waiherowhero Park – New area to be used from 1 November 2018



**Hamilton City Council
REGISTER**

**PART 2 - AREAS WITHIN HAMILTON CITY WHERE
DOGS ARE PROHIBITED**

Note:

- 1. Prohibited areas shown above within the maps for:
 - a. Hamilton Gardens Cemetery,
 - b. Hamilton Lake Domain, and
 - c. Porritt Stadium.

- 2. Dogs are prohibited within 10 metres of all areas of children’s playgrounds.

Hamilton West Cemetery



DELIBERATION REPORT

PROPOSED DOG CONTROL POLICY AND BYLAW 2015

This report:	This report provides staff recommendations based on the themes in the submissions to Council's proposed changes to the Dog Control Policy and Bylaw.
Submission Period:	4 March – 7 April 2015
Total Submissions:	49
Hearing requests:	6 (2 attended)
Hearings date	7 May 2015

Deliberations

Submitters made comments in relation to specific clauses within the proposed policy and bylaw. The following table outlines the key issues and staff recommendations on how to address them within the policy and bylaw.

COMMENTS ON POLICY AND BYLAW CLAUSES		
Summary of Submitter Comments	Policy, Clauses 1 and 2	Staff Recommendation
<p>General support for emphasis on education and signage.</p> <ul style="list-style-type: none"> Education is fine but must be followed up with enforcement. Dog owners must understand how to train their dogs (socialisation, obedience under all situations) All park users should be educated, not just dog owners, so that everyone is aware of how to behave around dogs. Ensure good signage is included for off lead areas as well as critical on lead areas such as the River walkway. 	<ol style="list-style-type: none"> Council considers that involvement in education, and liaison with dog clubs and other service providers, is an appropriate and valuable role. Dogs need to be trained and socialised so that they learn how to behave in a public environment. Council staff will undertake education initiatives with dog owners to enhance the knowledge and skill of dog owners on the care and control of dogs, with a particular focus on the owners of dogs with behavioural issues. Council will also seek to enhance the 	<p>Submitter comments noted.</p> <p>An education plan is being developed and submitter comments will be used to inform this plan.</p> <p>The implementation of new off lead areas requires signage. Effective signage will help to ensure boundaries between off lead areas are clear. These signs will be installed as funding permits.</p>

Please note: This report is a summary of the view expressed in the submission made to Hamilton City Council's Proposed Dog Control Policy and Bylaw, and are not the opinion held by Hamilton City Council. For the full account of submitter's views please go to: www.hamilton.govt.nz/dogbylaw

<ul style="list-style-type: none"> Reference to specific resource to be made available to dog owners – “A Dogs Life”. <p>Submitters that addressed this issue: 1, 3, 5, 8, 9, 11, 18, 24, 30, 37, 39, 45, 46, 47, 48</p>	<p>knowledge of the public generally, particularly children, on safety around dogs and other dog-related issues. Liaison with dog obedience clubs and other service providers in the city is considered an important role for Council. Council will seek to develop a partnership with the clubs and service providers to achieve the objective of this policy.</p>	<p>Recommendation: No change to policy</p>
Summary of Submitter Comments	Policy: Section 5/6, Bylaw: Section 5	Staff Recommendation
<p>Inclusion of Hammond Park as an off lead dog exercise area is not supported for a number of reasons, including:</p> <ul style="list-style-type: none"> High ecological value of neighbouring areas could be threatened. Proximity of Hamilton Gardens means no need for further off lead area. High number of other uses for the park (running, children’s play, general family use) incompatible with off lead dogs especially when uncontrolled. Uncontrolled dogs entering unfenced properties neighbouring the park. <p>Note: a number of submitters referred directly to the Geoffrey Place section of Hammond Park as the area of concern.</p> <ul style="list-style-type: none"> A further submitter had concerns regarding Days’ Park due to uncontrolled dogs causing safety issues. Submitters also asked for other parks to be made available for off lead dog exercise, including; expansion of the area in Innes Common as well as Chartwell, Donny, Sandford, Jesmond, Pukete Farm Parks and general request for more parks in the southern area of the city. This was due to 	<p>Policy Clause 5 Council aims to provide appropriately for the exercise and recreational needs of dogs. Council has designated a number of areas within the city where dogs may exercise without being on a lead or similar device (see clause 6), and areas where dogs are prohibited (see clause 7).</p> <p>Bylaw - Clause 5.2. The Dog Control Off lead Exercise and Prohibited Areas Register, Part 1, lists each Off lead Dog Exercise Area with the date from which each area is available to be used as an Off lead Dog Exercise Area and any rules that apply to its use as such.</p>	<p>Hammond Park was included in the register due to a majority of people supporting the inclusion during the development of the Dog Plan in 2014 and recognition of existing use patterns. However, this consultation round has shown an increase in the number of residents not supporting the off lead status for the park.</p> <p>Staff recognise the added amenity of having off lead exercise parks within short walking distance of all residents. However the additional parks requested by the submitters are used intensively for sports, recreation, events and/or have a high ecological value and are not suitable for off lead exercise of dogs for these reasons.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> The removal of Hammond Park from the register to address the concerns

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<p>requirement for closer off lead parks.</p> <ul style="list-style-type: none"> Other submitters asked for fences or agility equipment at various parks. <p>Submissions that addressed this issue: 4, 6, 7, 14, 16, 17, 19, 20, 23, 26, 29, 30, 31, 33, 34, 35, 36, 38, 41, 43</p>		<p>raised by the submitters.</p> <ul style="list-style-type: none"> No other changes to the register.
Summary of Submitter Comments	Bylaw: Section 8 Limitation on number of dogs	Staff Recommendation
<ul style="list-style-type: none"> Does not agree with the requirements for annual review and subsequent charges. Creates uncomfortable situation with neighbours, especially if there is an issue. Suggests that a number of multiple dog owners are not registering their dogs as a result of difficult process. These unregistered dogs are usually the cause of the problems. <p>Submissions that addressed this issue: 21, 28, 32</p>	<p>Clause 8.1. No person shall keep, or permit to be kept, on or within any premises within the city, more than two (2) dogs of greater age than three months unless such premises have been approved by a dog control officer and a permit issued. Such permit will be subject to a fee approved and set by Council through the Annual Plan process and will be subject to renewal annually.</p>	<p>The bylaw does not specify the process for multiple dog permits. However, there has been a recent change in the renewal process for multiple dog permits. Dog owners renewing multiple dog permits are no longer required to seek approval from their neighbours annually; only on the initial application. A property inspection will still be undertaken annually as this is to ensure the property remains suitable for the housing of multiple dogs.</p> <p>Recommendation: No change to the bylaw</p>
Summary of Submitter Comments	Bylaw - Clause 13, Requirement to neuter uncontrolled dog	Staff Recommendation
<ul style="list-style-type: none"> Neutering approach is generally supported by 3 submitters Roaming process should include provision to increase the penalty, including; instant fine, requirement for dog to be neutered, dog is surrendered to HCC. 	<p>Clause 13.1. The council may require the owner of a dog to cause that dog to be neutered if that owner has breached, on more than one occasion within a 12-month period, any of the subclauses 13 4.1-4.4 or 5.1 or 6.1 in respect of that dog. It is sufficient if the same sub-clause is breached twice or if two of</p>	<p>There is already a cost to dog owners whose dogs are caught while roaming and impounded. The current fee structure is as follows:</p> <ul style="list-style-type: none"> first impounding \$76, second impounding \$138,

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<ul style="list-style-type: none"> Submitters do not support the HCC approach of euthanizing unwanted dogs from the pound. As a method to address this issue, they have asked that all dogs (not from a registered breeder) be required to be neutered. <p>Submissions that addressed this issue: 10, 12, 16, 24, 25, 45, 46, 47, 48</p>	<p>the subclauses are breached.</p>	<ul style="list-style-type: none"> third impounding \$223. In addition there is a sustenance fee while dog is impounded of \$18.50per night. The dog owner could also receive a fine/infringement of \$200-\$300. A dog owner who receives three fines/infringements for three separate events in a 24 month period may then be disqualified from dog ownership and be required to rehome the dog. <p>Staff consider this process to be an adequate response to the issue of roaming.</p> <p>While noting submitters dislike of the practice of euthanizing dogs at the pound, Staff do not consider neutering all dogs not from a registered breeder as a workable solution.</p> <p>Recommendation: No change to the bylaw</p>
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Please note: This report is a summary of the view expressed in the submission made to Hamilton City Council's Proposed Dog Control Policy and Bylaw, and are not the opinion held by Hamilton City Council. For the full account of submitter's views please go to: www.hamilton.govt.nz/dogbylaw

COMMENTS NOT RELATED DIRECTLY TO POLICY AND BYLAW CLAUSES	
Summary of Submitter Comments	Staff Recommendation
<p>General concern regarding dogs Submitters do not agree that dogs should be allowed off lead in public places. Concerns are based on perceived safety issues stemming from the inability of most owners to be able to adequately control their dogs.</p> <p>Submitters that addressed this issue: 49</p>	<p>Submitter comments noted.</p> <p>Responsible dog ownership is a requirement in the policy and bylaw. Council's position is that the majority of dog owners are responsible. Where this is not the case, there are a number of responses available to warranted officers to enforce against irresponsible dog owners.</p> <p>An education plan is being developed which is aimed at improving dog owner awareness of their responsibilities.</p> <p>Recommendation: No change to the bylaw</p>

General Comments from Social Media	
Jacqui Stokes	Isn't 15 enough, so long as they are spread around the city so that they are easily accessible to people. Some people are terrified of dogs and it would be terrible to not have a local park accessible to locals because there are dogs running around in it. Where my Aunt lives in Auckland they can take their dogs to parks and let them off the lead between 7pm and 7am and that works well.
Mamira Ali	I was almost attacked by a dog at Claudelands park once so I believe 15 are good especially with young children there should be parks without the dogs. Although I have seen people bringing their dogs even when they aren't allowed.
Cushla Kemp	Are any of them fully fenced, it makes me nervous letting our dogs off if it is by a busy road ie river road.
Kyle Carter	What there are 15 really I have only ever found two I feel the dog parks are great but really get up my nose when your dog is running off its lead then another person is doing the same and then if your dog gets too close to them they start to panic it's a golden lab btw and tells us to lead our dog so I would love to know where these other parks are.
Christina Turner	They don't need more, they need a few of those fenced. Bristol park please. Since its only really used as a dog park not a sports or kids park
Kerri Grey	Another one near the outskirts of Nawton/Farnborough Drive area please current one in Nawton is horrible and close to a playground
Carolyn Notknown	There are already 15 areas for dogs - why do they need more???

Please note: This report is a summary of the view expressed in the submission made to Hamilton City Council's Proposed Dog Control Policy and Bylaw, and are not the opinion held by Hamilton City Council. For the full account of submitter's views please go to: www.hamilton.govt.nz/dogbylaw



Committee: Strategy and Policy Committee **Date:** 26 May 2015

Report Name: Dog Control Policy and Bylaw 2015 Hearings Subcommittee Chairpersons Report **Author:** Leo Tooman

Report Status	<i>Open</i>
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1. The purpose of this report is to provide a full and thorough statement of what took place during the hearing held on 7 May 2015 for the Dog Control Policy and Bylaw 2015.
2. Seven submitters wished to be heard, however four sent their apologies and another did not turn up on the day.
3. A recording of the hearings can be found on the FTP site under: /HCC/2015/Dog Control Policy and Bylaw 2015 Subcommittee. Full minutes are available [here](#).
4. Key points raised by submitters were as follows:
 - Due to the efforts of Council and local residents, Hammond Park includes a large area that has high ecological value. Given that dogs do not understand the boundary between open park and high value native land there is a high risk of damage to the native flora and fauna by having dogs off lead.
 - Off-lead dog exercise is often incompatible with other uses of Hammond Park such as impromptu sports and general family activities. This is especially the case when dog owners have poor control of their dogs (which is often).
 - Concern that there are other users of Hammond Park who are unable to protect themselves from dogs that are not well controlled.
 - The issues mentioned above are perhaps not well understood given that many people do not complain about incidences to Council due to not expecting a result if they did.
 - Congratulate Council on the process for reviewing the policy and bylaw and for the great progress made in the last 11 years in catering for responsible dog owners in parks.
 - Council need to be very clear with dog owners about their responsibilities, including the need to be in control of their dog at all times. This may mean the use of a lead in off-lead exercise parks where necessary.
 - There should be a focus on adult education for all park users regarding dog etiquette.
 - 'A Dogs Life' manual for dog owners was very helpful in the past because it was very clear about expectations. Council should consider this when developing signage and other communication approaches.
 - Support for better education and clear signage at all parks and walkways.
 - Would like to see Council introduce rewards for good ownership; maybe reflected in lower registration fees to encourage better behaviour and understanding.
 - Suggested that neutering of all non-breeding dogs be part of good dog ownership practice anyway (recognised that this may or may not be an appropriate rule for a bylaw).
5. Key questions and comments from the subcommittee to submitters and staff were:
 - Referencing a submitter comment on Days Park, there was a request for greater clarity on the process for donating seats. A brochure that provides the process for members of

- the public to donate memorial seats is available; Parks and Open Spaces staff to work with Communications Unit to improve visibility of the process.
- Support from Subcommittee regarding the need for signage on parks that provides clear guidance on dog owner responsibilities. Staff confirmed that a Signage Plan is being developed and that the Focus Group used for the Pooches in Parks Plan will be consulted during the process.
 - Comment from Councillor suggesting that the inclusion of agility equipment in some parks might be a good idea. Staff confirmed that, through the Pooches and Parks Plan, agility equipment is planned for installation in 2 parks (Braithwaite and Days’).
 - Clarification requested on whether the extension of Innes Park off-lead area to include area from Yacht Club through to Killarney Road was feasible. Staff replied that there were a number of reasons why this should not be considered, focused mainly on competing uses (balloons launching site, events and playgrounds).
 - A request from the Subcommittee to provide staff comment on the multiple dog owner permit process. Staff stated that there has been a change to the process following an internal review. Owners will now only be required to get neighbour permission once, although will still need to pay an annual administration fee to cover site checks.
 - Councillors requested that staff respond to submitters issues during the feedback process. Staff confirmed that submitters will receive a response that summarises the submission points and the response from Council following the Strategy and Policy Committee meeting.
 - Clarity requested regarding how impounded dogs are handled in response to submitters concerns around euthanizing unwanted dogs. Staff follow a set procedure to either find the owners or rehome any dogs that pass a behaviour test. Staff also confirmed that Hamilton’s approach to euthanizing unwanted dogs is consistent with other cities in New Zealand.
 - Councillor asked for clarification about where the impounded dogs were coming from in the city. Staff stated that there are parts of the city that have a high proportion of unregistered dogs being collected. Staff also confirmed that 40% of roaming dogs that are impounded were not registered (these make up the majority of dogs that are euthanized).
6. The Subcommittee support the staff recommendations and that these should be included in the deliberation and adoption report to Strategy and Policy Committee meeting on 26 May 2015.

Committee: Strategy & Policy Committee **Date:** 26 May 2015
Report Name: District Plan - Management of Bulk Storage of Materials **Author:** Luke O'Dwyer

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Proposed District Plan</i>
Financial status	<i>N/A</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- To outline how the bulk storage of materials is currently managed under existing regulatory arrangements and to propose several options for the enhanced management of the storage of bulk materials.

3. Executive Summary

- The bulk storage of **hazardous materials** is controlled under well defined and specific hazardous material provisions in both the Operative District Plan (ODP) and the Proposed District Plan (PDP), with consent for such activities generally required to ensure adequate mitigation and impacts can be assessed and determined.
- Many sites across the city are used for the bulk storage of hazardous materials and continue to do so in a safe manner.
- The bulk storage of **non-hazardous** materials under the ODP and the PDP is a permitted activity in the Industrial Zone, requires consent in the City's Business zones, and is non-complying in the City's residential areas.
- The activity status provisions for the bulk storage of non-hazardous materials across the City are long standing and have enabled legitimate businesses to operate with ease, especially in the Industrial zone.
- In the Industrial zone, the permitted activity approach has successfully enabled many business that store bulk materials and products to operate with minimum RMA regulatory compliance requirements, with little risk to life or property to date.
- Nevertheless, there is a prospect to introduce new provisions to better manage the storage of **non-hazardous** bulk materials both inside structures and on vacant sites to improve amenity impacts and to reduce potential fire risks.
- There may be opportunities to introduce these improvements through negotiations with some appellants to the PDP, or to introduce changes through a variation to the PDP.

11. Recommendation from Management

That the Report be received.

12. Attachments

13. There are no attachments for this report.

14. Key Issues

15. Background

16. At the Finance Committee meeting held on 23 April a request was made for the Strategy and Policy Committee to receive a report on how the bulk storage of materials is managed in Hamilton. This request had resulted from recent issues relating to the storage of used tyres in Frankton.

17. Current management framework

18. The bulk storage of materials is classified in to two categories – hazardous materials and non-hazardous materials, with different controls in place for each category.

19. Hazardous materials are defined in the PDP as being any substance with one or more of the following intrinsic properties:

Explosiveness, flammability, a capacity to oxidise, corrosiveness, toxicity, or which in contact with air or water generates a substance with any one or more of the following properties specified above, or contains radioactive materials or that in water has a high level of biologically dissolved carbon.

20. The management of hazardous substances primarily occurs through a defined hazard screening process under the PDP. Further, hazardous material are also subject to the provisions of the Hazardous Substance and New Organisms Act 1996 (HSNO) that need to be complied with in terms of the management and storage of such materials.

21. It is important to note that tyres do not fall within the definition of hazardous substances under the PDP or in the HSNO legislation.

22. Tyre storage (new, or used) is not defined as a separate land use under the PDP.

23. The bulk storage of tyres (and, indeed, other materials such as wood, paper, and plastics) are ordinarily regarded as light industrial activities in the PDP. Light industrial activities, including the bulk storage of non-hazardous materials, is a permitted activity in the Industrial zone and requires consent in the City's Business zones.

24. Any potential fire risk resulting from the storage of non-hazardous bulk materials is currently addressed through the Building Act for the storage of materials in built structures. Building Act regulation of these activities outside and on vacant sites if more difficult to control.

25. In the recent case of used tyres being stored in Frankton, the volume of material being stored on the site changed the classification of the building under the Building Act. This enabled Council to initiate a regulatory response to reduce the number of tyres on site and to reconfigure the remaining tyres to reduce any potential remaining fire hazard.

- 26. Potential solutions
- 27. A review of the existing general standards and assessment criteria in the PDP indicates that there is an opportunity to introduce enhanced provisions in to the PDP for the bulk storage of non hazardous materials. Potential enhancements could address amenity impacts and fire risk resulting from the bulk storage of non-hazardous materials.
- 28. Given that the potential impacts relating to the storage of tyres are similar to those of other inert materials (such as wood, paper, plastic etc.) it is recommended that any changes address all non-hazardous materials to ensure a consistent approach to the management of this issue is rolled out across the City.
- 29. Potential provisions could address the quantity of materials being stored, internal and external setbacks, ingress and egress, screening and landscaping.
- 30. There may be an opportunity to introduce new provisions addressing bulk storage issues through the appeals currently lodged against parts of the PDP. Such an approach would enable a quicker introduction of controls in to the PDP without the need for a separate variation to the PDP.
- 31. Further work and liaison with key appellants would be required to determine if this option was feasible. If it was, a separate briefing with elected members could be held to inform elected members of potential new provisions for introduction to the PDP before a report was brought back to the full Council in June.

32. Financial and Resourcing Implications

- 33. Any variation to the District Plan would incur costs. The extent of these costs are currently unknown however would be within the City Planning budget.

34. Risk

- 35. The costs of tyre storage removal have been now been carried by the City on two occasions. Tougher PDP controls will likely reduce the possibility of problematic tyre storage operations being established in the city.

Signatory

Authoriser	Brian Croad, General Manager City Environments Group
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Committee: Strategy & Policy Committee **Date:** 26 May 2015

Report Name: Consideration and Retrospective Approval of Three HCC Submissions to External Organisations **Author:** Mark Brougham

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

1. Purpose of the Report

2. For the Strategy and Policy Committee to consider and retrospectively approve HCC's submission to:
 - Local Government New Zealand's February 2015 Local Government Funding Review Discussion Paper (submission sent 9/4/15).
 - The Waikato Regional Council's Draft Waikato Regional Development Fund Policy (submission sent 15/4/15).
 - Heritage New Zealand's Five General Statements of Heritage Policy (submission sent 17/4/15).

3. Executive Summary

4. The three submissions outlined in Section 2 are seen as being of significance to Hamilton and to HCC's operations and have already been sent to the respective organisations to meet the submission closing date.
5. All Elected Members have the opportunity to provide feedback on draft submissions. Feedback received by Elected Members during the development of these three submissions was included in the final version of the submission before it was approved by the Chief Executive.
6. As part of the process for developing submissions to external organisations, all HCC submissions need to be considered and approved by the Strategy and Policy Committee.

7. Recommendations from Management

That:

- a) the Report be received;
- b) the three HCC submissions outlined in Section 2 be considered and retrospectively approved;
- c) the relevant organisations be advised of any changes made to the three HCC submissions at the 26 May 2015 Strategy and Policy Committee meeting;
- d) subsequent to the Strategy and Policy Committee's approval, the three finalised submissions be uploaded to HCC's website; and
- e) local Members of Parliament be advised of the three HCC submissions adopted at the 26 May 2015 Strategy and Policy Committee meeting.

8. Attachments

9. Attachment 1 - HCCs Submission to LGNZs February 2015 Local Government Funding Review Discussion Paper (9 April 2015) (PDF)
10. Attachment 2 - HCCs Submission to WRCs Draft Waikato Regional Development Fund Policy (15 April 2015) (PDF)
11. Attachment 3 - HCCs Submission to Heritage NZs Five General Statements of Heritage Policy (17 April 2015) (PDF)

Signatory

Authoriser	Blair Bowcott, General Manager Performance Group
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Submission by

Hamilton City Council

**LOCAL GOVERNMENT NEW ZEALAND'S LOCAL AUTHORITY FUNDING REVIEW
DISCUSSION DOCUMENT (FEBRUARY 2015)**

9 April 2015

1 Executive Summary

LGNZ's Funding Review Discussion Paper

- 1.1 Hamilton City Council (HCC) commends LGNZ's initiative in outlining to the local government sector and beyond the significant funding issues facing all councils and the range of potential options for addressing them through its Funding Review discussion paper. It is a debate that's long overdue.

Funding Growth Infrastructure – Submission to the NZ Productivity Commission

- 1.2 Our submission to the NZ Productivity Commission's November 2014 Issues Paper 'Using Land for Housing' outlined that funding growth infrastructure is Hamilton's biggest issue. Key points and recommendations from this submission are outlined in Section 3.

Funding Infrastructure – Hamilton's 2015-2025 10-Year Plan

- 1.3 With the city's assets totalling \$3.2 billion, provision of core growth infrastructure and investing in existing assets is the main focus of Hamilton's 2015-25 10-Year Plan. Funding growth infrastructure is the biggest issue facing most growth councils throughout the country. Deferring upgrades and maintenance of core infrastructure is no longer seen as a viable option for HCC. This would also be the case for many other councils, particularly high growth metros.

Co-Funding 3 Waters Infrastructure

- 1.4 Provision of 3 waters infrastructure is critical for community health and well-being. However, many local authorities are struggling to fund the associated significant ongoing operating and capital costs.
- 1.5 Our view is that a similar funding arrangement to that of transport should be available from central government or a national agency. We see this as a critical means of assisting the local government sector grapple with a growing funding problem.
- 1.6 We suggest that a co-funding arrangement could be limited to funding capital improvements and related operating costs that are required to address compliance issues. Key drivers for this expenditure are often increasing national standards or policy and these are imposed in part on local government.

- 1.7 HCC's has spent \$267.15 million over the past 10 years to fund wastewater, water and stormwater infrastructure, making it the second biggest budget spend next to transport between 2004/05 and 2013/14.
- 1.8 Over the next 10 years HCC's 2015-25 10-Year Plan makes funding provision \$821.47 million for 3 waters infrastructure (operating and capital) to cover levels of service, renewals and growth. Expenditure on 3 waters infrastructure (operating and capital) is the main financial focus of the 2015-25 10-Year Plan, placing it ahead of transport (\$521.62 million).
- 1.9 If central government co-funding had been in place over the past 10 years, HCC's current budget balance sheet (with total overall debt of just under \$440 million) would be in a much more favourable position.

Costs Associated with New Government Policies

- 1.10 HCC encourages central government to give greater consideration to the 'cost-benefit' analysis when introducing new policy, particularly where implementation of such policy falls directly on local authorities.

Collaborative Partnerships for Great Efficiencies and Reduced Funding

- 1.11 In alignment with Part 4 of LGNZ's discussion paper, we support development of collaborative partnerships on key projects, particularly those involving multiple local authorities in a localised area. Such partnerships can often lead to greater efficiencies, reduced funding costs and an increased knowledge base for participating councils.

Flat Tax Rate for Development Contributions

- 1.12 Analysis should be undertaken on the introduction of a flat tax rate for development contributions, as the current method for calculating them is relatively complex and tends to differ markedly between councils.

'Lost' Rates Revenue from Non-Rateable Land

- 1.13 Most councils face a significant amount of 'lost' revenue from not being able to fully rate the likes of churches, education institutes and district health board properties through the Local Government (Rating) Act 2002. This issue seems inequitable and should be revisited by central government.
- 1.14 In addition, property owners in these rating categories don't contribute towards transport related activities. Schools and tertiary institutes in particular have a significant impact on the city's transport network yet pay nothing towards this infrastructure. The ability for councils to charge 'Education' rated properties for transport related activities needs further investigation by central government.

2 Introduction

- 2.1 HCC welcomes the opportunity to make a submission to LGNZ's February 2015 Local Authority Funding Review Discussion Paper.
- 2.2 We acknowledge LGNZ's excellent work in developing the discussion paper, particularly around highlighting the demographic, economic and infrastructure challenges facing councils and the work that has gone into outlining and analysing various options for change (part 7 of the discussion paper).

- 2.3 This submission focuses on the issue of funding core city infrastructure. Of note is that the key platform of HCC's 10-Year Plan is to maintain existing essential city infrastructure and invest in new infrastructure to support the city's growth, with a strong focus on water, wastewater and stormwater.
- 2.4 In particular, we believe that funding assistance from central government towards 3 waters infrastructure needs to be highlighted and urgently addressed.

3 Funding Growth Infrastructure – Submission to the NZ Productivity Commission

- 3.1 Our submission to the NZ Productivity Commission's November 2014 Issues Paper 'Using Land for Housing' outlined that funding growth infrastructure is Hamilton's biggest issue.
- 3.2 Key points from the submission were:
- Funding infrastructure is the biggest challenge for Hamilton and all growth councils in the housing affordability debate.
 - HCC is not in a position to forward fund growth related infrastructure in all identified growth areas of the city.
 - Legislation and regulations (e.g. Local Government (Financial Reporting and Prudence Regulations 2014), set the context in which councils must operate.
 - Department of Internal Affairs reporting shows that many high growth councils (including Hamilton) are already highly indebted which limits the ability to borrow further to fund growth infrastructure.
 - Development contributions only fund 50% of growth infrastructure and require investment upfront, with a long-lead time to recoup this investment. This puts pressure on council balance sheets.
 - As Hamilton is a high growth metro, assistance from Government should be investigated and additional funding options made available which minimise pressure on local ratepayers.
- 3.3 Recommendations around provision of infrastructure for housing were that a form of Government assistance should be investigated and additional funding options made available which minimise pressure on local ratepayers and enable large capital investment in infrastructure. The Government should investigate:
- Additional direct or indirect Government funding, such as via a regional infrastructure funding source.
 - Subsidies for growth councils.
 - Direct provision of housing by the Government.
 - Exceptions for growth areas.
 - Zero percent loans (subject to considerations regarding debt levels).
 - Funding guarantees, and grants.
 - Land uplift taxes as used in the UK.
 - Not charging GST on rates, or providing a refund.
- 3.4 The submission also noted that clarification in the LGA 2002 regarding obligations on territorial authorities and developers in regard to providing trunk and bulk infrastructure to service development would reduce delays to service provision and ultimately the supply of serviced land.
- 3.5 In addition, financial regulations that came into force in 2014 act as a barrier to use debt funding for infrastructure investment to enable housing development and should be examined.

- 3.6 HCC's submission to the NZ Productivity Commission can be accessed at:

<http://www.hamilton.govt.nz/our-council/consultation-and-public-notice/councilsubmissions/Documents/HCCs%20Final%20Submission%20to%20the%20NZ%20Productivity%20Commissions%20November%202014.pdf>

4 Funding Infrastructure: Hamilton's 2015-25 10-Year Plan

- 4.1 With the city's assets totalling \$3.2 billion, provision of core growth infrastructure and investing in existing assets is the main focus of Hamilton's 2015-25 10-Year Plan.
- 4.2 The Plan notes that *"more and more pressure is going on our water and sewerage infrastructure assets, which are now reaching maximum capacity. That, combined with predicted future population growth, means that soon some assets will need to be replaced or upgraded. We must have land available to build houses. There is no shortage of zoned land in Hamilton; the challenge is paying for the infrastructure to enable people to live on that land. In the next 10 years, we need to spend money on pipes and roads to the new areas like Rototuna, Rotokauri, Peacocke and Ruakura. If we make investments in certain infrastructure now, in a carefully planned and staged way, we can put in place the assets we need for the long term and avoid a huge backlog of expensive work in the next 20 – 30 years"*.
- 4.3 Delivering services to ratepayers also needs to be affordable. The 2015-25 10-Year Plan balances resident's expectations with the cost to deliver those expectations and sets a realistic financial strategy. The Plan also notes that deferring upgrades and maintenance of core infrastructure is no longer seen as a viable option for HCC. This would also be the case for many other councils, particularly high growth metros.

5 Co - Funding 3 Waters Infrastructure

- 5.1 Provision of 3 waters infrastructure is HCC's second biggest budget spend next to roading. While many local authority roading projects are eligible for NZ Transport Agency funding through the National Land Transport Fund, there is no such provision for co-funding/subsidising 3 waters infrastructure.
- 5.2 Over time, increasing demands are being placed on councils for the treatment of water and wastewater. For example, emerging updates to the National Freshwater Policy Statement are likely to target improvements in the quality of discharges to water bodies. The Waikato River Vision and Strategy sets a range of expectations, one of which is to develop and implement a programme of action to improve the health and well-being of the Waikato River.
- 5.3 Often new capital and operational funding is required to comply with these increasing standards. In many cases compliance programmes of work will be planned for treatment plants and processes. Where this is the case, we suggest that a co-funding model be explored.
- 5.4 Given that provision of this type of infrastructure is critical for community health and well-being and that many local authorities are struggling to fund the significant ongoing operating and capital costs of compliance related infrastructure, our view is that a similar funding arrangement to that of transport should be available from central government or a national agency. We see this as a critical means of assisting the local government sector grapple with a growing funding problem.
- 5.5 We suggest that a co-funding arrangement could be limited to funding capital improvements and related operating costs that are required to address compliance issues. Key drivers for this

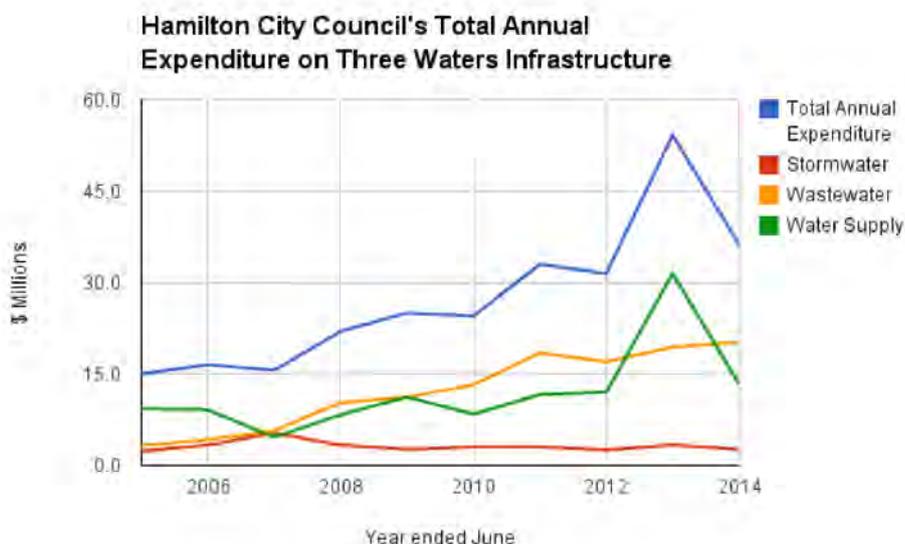
expenditure are often increasing national standards or policy and these are imposed in part on local government.

- 5.6 HCC has analysed the costs of funding three waters infrastructure (operating and capital costs) for Hamilton over the past 10 years. The table below shows that HCC spent a total of **\$267.15 million** on 3 waters infrastructure (operating and capital expenditure) between 2004/05 and 2013/14.
- 5.7 Of this total amount, wastewater accounted for 46% (\$123 million), water supply 42.2% (\$112.7 million) and stormwater 11.8% (\$31.5 million).

**Operating and Capital Costs (\$) for 3 Waters Infrastructure
Hamilton City Council: 2005-2014 (Year ended June)**

Year	Total Annual Expenditure	Stormwater			Wastewater			Water Supply		
		Opex	Capex	Total	Opex	Capex	Total	Opex	Capex	Total
2014	\$29,508,786	1,784,843	882,450	2,667,293	11,364,314	8,844,125	20,208,439	6,626,355	6,698,120	6,633,053
2013	\$54,276,987	1,732,488	1,586,799	3,319,287	10,725,025	8,732,241	19,457,266	24,048,617	7,451,817	31,500,434
2012	\$31,550,653	1,861,626	728,086	2,589,712	10,361,781	6,670,155	17,031,936	6,156,965	5,772,040	11,929,005
2011	\$33,029,132	1,741,155	1,258,821	2,999,976	3,087,493	15,334,722	18,422,215	6,397,772	5,209,168	11,606,941
2010	\$24,594,537	1,741,155	1,258,942	3,000,097	3,124,235	10,069,160	13,193,396	2,721,061	5,679,983	8,401,044
2009	\$25,098,058	1,620,328	1,051,751	2,672,079	2,719,298	8,498,479	11,217,777	2,063,292	9,144,911	11,208,203
2008	\$21,931,601	1,324,256	1,968,595	3,292,851	2,405,558	7,920,845	10,326,403	1,933,158	6,379,189	8,312,346
2007	\$15,667,958	1,630,215	3,694,746	5,324,961	2,459,868	3,270,676	5,730,545	1,655,239	2,957,214	4,612,453
2006	\$16,578,146	1,470,328	1,813,141	3,283,469	2,157,241	2,011,493	4,168,735	1,308,473	7,817,470	9,125,943
2005	\$14,910,859	1,109,554	1,219,079	2,328,634	1,860,661	1,385,122	3,245,783	1,107,573	8,228,870	9,336,443
Total	\$267,146,717	16,015,948	15,462,411	31,478,359	50,265,475	72,737,020	123,002,494	54,018,504	58,647,360	112,665,864

Source: Hamilton City Council



- 5.8 If central government co-funding/subsidy similar to that available for many transport projects (currently 53% through NZTA) had been in place over this period, HCC's current budget balance sheet (with total overall debt of just under \$440 million) would be in a much more favourable position.
- 5.9 Moving forward, over the next 10 years HCC's 2015-25 10-Year Plan makes funding provision \$821.47 million (non-inflation adjusted) for 3 waters infrastructure (operating and capital) to cover levels of service, renewals and growth.
- 5.10 It is likely that if a central government co-funding/subsidy system for 3 waters infrastructure were to be introduced, significant work would be required by local authorities around consistent use of asset management information systems and subsequent auditing requirements.
- 5.11 HCC notes that Water New Zealand also advocates the need for some form of co-funding 3 waters infrastructure.

6 Costs Associated with new Government Policies

- 6.1 Also of concern to HCC is imposition of new policies on local authorities by central government with the aim of creating national benefit.
- 6.2 An example of such policy is the recently released National Policy Statement for Freshwater Management. This policy is likely to have a significant financial consequence to HCC by way of stormwater treatment and increased discharge standards for Wastewater discharges. These consequences can not yet be quantified.
- 6.3 HCC therefore encourages central government to give greater consideration to the 'cost-benefit' analysis when introducing new policy, particularly where the implementation of such policy falls directly on local authorities.

7 Collaborative Partnerships for Greater Efficiencies and Reduced Funding

- 7.1 Part 4 of LGNZ's discussion paper outlines the benefits of a partnership approach between local government and central government. While we acknowledge the points outlined in this section, we also believe that similar emphasis should be given to partnerships between local authorities in a localised area as these also have numerous benefits, particularly around funding.
- 7.2 HCC has a number of partnerships and initiatives with neighbouring councils in the Waikato through the Mayoral Forum and Local Authority Shared Services Ltd. These include programmes such as one overall insurance policy, property valuation information, an Economic Development Strategy, development of a Spatial Plan for the Waikato, a standardised approach to looking after our roads and joint IT projects.
- 7.3 The aim of these partnerships and initiatives is to ensure greater efficiencies, reduced funding costs and an increased knowledge base for participating councils.
- 7.4 Examples of these partnerships and some of their key initiatives are outlined in Appendix 1.

8 Flat Tax Rate for Development Contributions

- 8.1 Revenue from development contributions is a key means of part-funding the significant cost of providing infrastructure required for city growth, with rates having to meet the balance. However,, currently the method for calculating them is relatively complex and tends to differ markedly between councils.
- 8.2 HCC would like to see analysis undertaken on the possibility of introducing a flat tax rate for development contributions. The advantages and disadvantages of introducing this type of flat tax are outlined below.
- 8.3 **Advantages:**
- Replaces current complicated and administratively heavy regime.
 - Provides certainty to developers.
 - Provides for more accurate revenue forecasts/budgets.
 - Removes need for extensive input from engineers, consultants, legal etc.
- 8.4 **Disadvantages:**
- Issues of inequity would be highlighted – certain developments would clearly pay more than their share of infrastructure provided.
 - Would represent a switch away from user-pays.
 - Switch costs – changing regimes would be costly/complicated.
 - Business community may resist a new tax at local government level.

9 'Lost' Funding From Non-Rateable Land

- 9.1 As with all local authorities in New Zealand, HCC is not able to rate the likes of churches, education institutes, and health authorities under the Local Government (Rating) Act 2002 (apart from key services such as water, wastewater and refuse). The 'lost' revenue to HCC for any one financial year of not receiving full rate income from these types of organisations is relatively significant.

- 9.2 As a scenario, the additional rates revenue that HCC would gain in 2014/15 if a 'Residential' or 'Commercial' rate for the categories 'Church', 'Education' and 'Sporting and Cultural' were allowed to be applied for 2014/15 are outlined in the following table.

'Lost' Rates Revenue for Hamilton City Council from Church, Education, Sporting/Cultural and Community Rating Categories 2014/15

Rating Category	Current Rate Revenue	Revenue if Rated Residential	Revenue if Rated Commercial
Church	\$179,917	\$363,363	\$1,030,837
Education	\$456,778	\$1,454,397	\$3,625,101
Sporting and Cultural	\$188,305	\$145,170	\$520,108
Community	\$459,613	\$766,034	\$2,129,013
Total	\$1,284,613	\$2,728,964	\$7,305,059

Source: Hamilton City Council (Note: 'Community' includes Waikato District Health Board properties).

- 9.3 Essentially, HCC would gain additional rate income (over and above the current rate revenue) of \$1.4 million if these four property categories were able to be rated on a 'Residential' rate and \$6.02 million if rated on a 'Commercial' rate (although in reality we would never apply a 'Commercial' rate).
- 9.4 In addition, property owners in these rating categories don't contribute towards transport related activities. Schools and tertiary institutes in particular have a significant impact on the city's transport network, yet pay nothing towards this infrastructure. This was also a key observation from the 2007 'Shand' report on the Local Government Rates Inquiry. The ability for councils to charge 'Education' rated properties for transport related activities needs further investigation by central government.
- 9.5 HCC is of the view that given the significant amount of 'lost' revenue to councils from implementation of the current legislation, the ability for local authorities to fully rate such properties is inequitable and should be revisited by central government.

10 Further Information

- 10.1 Should LGNZ require clarification of the points raised in this submission, or additional information, please contact Blair Bowcott (General Manager Performance) on 07 958 5987, email blair.bowcott@hcc.govt.nz in the first instance.

Yours faithfully



Richard Briggs
CHIEF EXECUTIVE

Although this submission has been circulated to HCC's Elected Members for consideration and feedback, it has not been adopted through the formal committee process. HCC's submission is to be considered and adopted retrospectively at the 26 May 2015 Strategy and Policy Committee meeting. We will advise you after this meeting if HCC makes any changes to its submission.

APPENDIX 1

EXAMPLES OF PARTNERSHIPS THAT HCC HAS WITH NEIGHBOURING COUNCILS IN THE WAIKATO

- 1.0. **Future Proof** - Outlines key influences and drivers and considers the directions councils in the Waikato Sub-Region wish to take to ensure the region's long-term sustainability. One of the key initiatives has been adoption of the Sub-Regional Three Waters Strategy in September 2012 (a strategy to guide the management of wastewater, stormwater and water supply) for HCC and Waipa and Waikato District Councils. Refer following link for further information <http://www.futureproof.org.nz/file/final-sub-regional-three-waters-strategy-september-2012-pdf-version-.pdf>
- 2.0. Other areas that Future Proof has impacted positively on include:
 - A collaborative approach to growth management contributed to securing funding for the Waikato Expressway.
 - A collaborative approach to resource management hearings (e.g. Southern Links, Waikato expressway, Auckland Plan) has meant that councils have been able to share the costs of expert evidence.
 - Less adversarial approach to hearings, in theory reducing the chance of ending up in Court, which has cost saving implications.
 - Growing evidence base that all partners can utilise, with costs split amongst partners.
 - An agreed settlement pattern and growth strategy means that we can all plan with some certainty within a 50 year time horizon. This also allows us to determine where growth cells will be in advance, which ultimately this means we have more control and the ability to plan for an optimal infrastructural solution.
 - Joint procurement of demographic forecasting and other technical documents, with costs shared across the partnership.
- 3.0. **Waikato Spatial Plan** - A project being undertaken collaboratively by the Waikato Mayoral Forum to create one plan that outlined a collective voice about issues that affect all current and future residents. These issues include: transport; housing; water; the environment; natural hazards; settlement patterns; future employment and development opportunities; as well as arts, cultural, recreation, education, heritage and health needs.
- 4.0. **The Waikato Plan**, when complete, will provide a higher level of certainty for funding major infrastructure and facilities, particularly those requiring partnership with central government. Overall, the Plan will:
 - Establish a collective for the Waikato when needed.
 - Enable future planning decisions based on agreed evidence.
 - Align separate but similar documents and regulations.
- 5.0. **Upper North Island Strategic Alliance -UNISA** - Establishing a long-term collaboration between the Auckland Council, Bay of Plenty Regional Council, Northland Regional Council, Waikato Regional Council, Hamilton City Council, Tauranga City Council and Whangarei District Council for responding to and managing a range of inter-regional and inter-metropolitan issues.
- 6.0. **UNISA Freight Story** - Provides a strategic approach and evidence base for a more efficient freight system across the upper North Island. There was no direct cost to this study as it was undertaken collaboratively.
- 7.0. **UNISA Industrial Land Demand Study** - This has resulted in an interim report (soon to be finalised) which provides evidence as to how we can utilise industrial land more effectively and efficiently, and

provides a bespoke tool that can be used by any council to project industrial land demand. Splitting the cost by seven councils resulted in a more affordable way of obtaining this information.

- 8.0. **The Upper North Island Tourism Campaign** - Allowed pooling of funds for a co-ordinated tourism campaign across the whole of the upper North Island, allowing advertising in the Australian market to occur. There are also numerous less tangible benefits of the collaborative approach such as sharing of information, agreed strategic approaches etc.
- 9.0. **Local Authority Shared Services – LASS** - A Council Controlled Organisation (CCO) owned by the Waikato Region's councils. Examples of projects include the Waikato Regional Traffic Model and the Smart Water Alert Levels.
- 10.0. Under LASS HCC, along with Waikato District Council and Waipa District Council is also part-funding a \$650,000 joint study into how water, wastewater and stormwater services might best be delivered in the future. The study, to be completed in mid-2015, will be undertaken by an independent advisory firm and will examine three options to look at improving the delivery and management of water services i.e.:
- Boosting the existing shared service arrangements between all three councils.
 - Retaining the status quo with each council running its own operations.
 - Forming a ratepayer-owned and Council Controlled Organisation (CCO) to run water services on behalf of all three councils.
- 11.0. A governance group comprising representatives from all three councils will oversee the project. Any changes recommended as a result of this study would need to be widely discussed with the Hamilton community. Further information about this project can be found at www.waterstudywaikato.org.nz
- 12.0. **Waikato Building Consent Group** - A cluster of seven councils working together to bring consistency to the building consent process.
- 13.0. Collaborative Working Agreement with a large roading contractor for all transport maintenance and operation activities on a cost plus basis. All previous HCC contracts have been consolidated.
- 14.0. **Road Asset Technical Accord (RATA)** - Regional procurement of transport maintenance management services to ensure greater consistency regionally and to use greater economy of scale to reduce costs.
- 15.0. **NZTA One Network Road Classification** - Looks at a national consistent road classification system. This is a project to develop a national consistent road classification system, particularly in regard to road hierarchy and consistency across all Roothing Authorities for road users (currently in progress). HCC works closely with others in developing consistency between the various local networks.
- 16.0. **Road Advisory Group (RAG)** - A forum of regional cooperation of transport managers throughout the region. It is a consultative body at management level to support consistent regional initiatives and coordinated responses to local, regional or national activities. It is also a valuable forum for receiving and discussing NZTA information regarding policy, funding and related initiatives and in providing feedback.
- 17.0. **Joint NZTA/HCC Traffic Signal Operations** – The management of all traffic signals within Hamilton, Huntly and Ngaruawahia on both State Highways and local roads including 80 sets of traffic signals operated as one entity. This provides coordinated traffic management on all arterial routes for best efficiency operating under the One Network approach.

- 18.0. **Bridge inspections** - Joint contract between HCC, Waipa District Council and Waikato District Council (professional services contract) to achieve economy of scale and reduced administration.

Submission by

Hamilton City Council

DRAFT WAIKATO REGIONAL COUNCIL REGIONAL DEVELOPMENT FUND POLICY

15 April 2015

This submission responds to only one aspect of the Waikato Regional Council's 10 year plan; the proposal to establish a regional development fund.

1 Submission

- 1.1 Hamilton City Council (HCC) supports the concept of a regional development fund but does not support the proposal or options as presented in the consultation document. There is a real opportunity to make a significant impact in the region with a fund of this kind, but HCC does not believe the proposal as presented will achieve that.
- 1.2 The reasons for this are:
 - The fund amount is inadequate to make any real impact on the region's economic outcomes or to fund large-scale regional projects, especially infrastructure projects.
 - The criteria in the Regional Development Fund Policy are lengthy, layered and complex.
 - It is not clear how the development fund's equity is maintained or grown in the long-term.
 - There is no process in the Regional Development Fund Policy to set regional priorities that inform funding decisions.
 - Regional community facilities are excluded unless part of a national programme and supported by government funding.
 - Decision-making on project funding sits with the Waikato Regional Council.
- 1.3 Hamilton City Council will expand on these reasons at the hearing.
- 1.4 Hamilton City Council does not support a targeted rate for this fund.
- 1.5 There is still debate about whether regional councils should operate in the economic development space as proposed. We will speak to this point in more detail at the hearings.

2 Further Information and Hearings

- 2.1 If the Waikato Regional Council requires clarification of the points raised in this submission, or additional information, please contact Blair Bowcott (General Manager Performance) on 07 958 5987, email blair.bowcott@hcc.govt.nz in the first instance.
- 2.2 Hamilton City Council **does wish to speak** at the hearings.

Yours faithfully



Richard Briggs
CHIEF EXECUTIVE

Although this submission has been circulated to HCC's Elected Members for consideration and feedback, it has not been adopted through the formal committee process. HCC's submission is to be considered and adopted retrospectively at the 26 May 2015 Strategy and Policy Committee meeting. We will advise you after this meeting if HCC makes any changes to its submission.



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Submission by

Hamilton City Council

**HERITAGE NEW ZEALAND'S FIVE GENERAL STATEMENTS OF HERITAGE
POLICY**

17 April 2015

1 Introduction

- 1.1 Hamilton City Council (HCC) welcomes the opportunity to make a submission to Heritage New Zealand's Five General Statements of Heritage Policy i.e.:
- Administration of the archaeological provisions of the Heritage New Zealand Pouhere Taonga Act 2014.
 - Management and use of historic places owned or controlled or vested in Heritage New Zealand.
 - Administration of the NZ Heritage List/Rārangi Kōrero.
 - Administration of the National Historic Landmarks List/Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu.
 - Statutory role of advocacy for historical and cultural heritage.
- 1.2 HCC's comments do not relate to the "Draft Archaeological Guidelines Series No. 5".

2 Specific Comments

- 2.1 HCC recognises that heritage contributes to defining Hamilton in the local context and also helps tell the City's story. Accordingly, it is important that historic heritage at both a local, regional and national level is identified, managed, protected, conserved and appreciated. In response to this, and in addition to the statutory requirement placed on Council, HCC has established a Heritage Advisory Panel and is currently developing a Heritage Plan and Funding Guidelines.
- 2.2 HCC supports the development of Heritage New Zealand's five heritage policies that assist in setting the scene at a national level. These policies will also assist the protection of heritage at both a regional and local level.
- 2.3 HCC has taken a broad approach in reviewing the five draft policy statements rather than a detailed technical focus.

- 2.4 In general, HCC supports the approach taken by Heritage New Zealand and also supports the continued development and elevation of heritage protection at a national wide level. However, HCC is concerned that there is still a strong reliance on local authorities to provide the mechanisms for any package of incentives and protection, both statutory and non-statutory for the retention of built heritage.

Comments on 'General Statement of Policy: Statutory Advocacy'

- 2.5 HCC supports the ten principles for sustainable management of historic heritage as set out on pages 11 and 12 of the document. Clearly, there is a collaborative approach needed in the protection of heritage (objectives 10, 11 and 12). Nevertheless, it is concerning that the distinct message from the general policy statement is that Heritage New Zealand's advisory role is reliant on local government in the provision of incentives to enable heritage protection. As heritage is of national importance, there is the need for a greater degree of financial support at a central government level rather than the "last resort" approach as stated in this document with regard to financial support (e.g. purchase).

Comments on 'New Zealand Heritage List/Rarangi Korero Policy'

- 2.6 HCC supports the need to work collaboratively with owners, iwi and relevant organisations to identify historical and cultural history; and that the research undertaken to determine eligibility of an item or site on the list is robust and reliable.
- 2.7 In particular, HCC is supportive of the approach Heritage New Zealand is proposing for the scope of the heritage list as set out in Objective 6, especially the adoption of no minimum age for entries and recognising that age should not be the resounding criteria to warrant protection.
- 2.8 The draft application process is also key in ensuring that the protection of heritage is both an open and inclusive process; and that it is the heritage, and not ownership, that is the key determinant of whether an item is protected or not. HCC is fully supportive of this approach, whilst ensuring that the owner's rights are considered and they are fully engaged with the process. In particular, policy 7.12 that sets out when an item should not be listed. This provides clear guidelines and parameters for the nominee, owners, public interest and Heritage New Zealand.
- 2.9 In addition, the determination of entries onto the Heritage List is informative to local authorities when revaluating the specific heritage item list as required under the RMA within their respective district plans.

Comments on 'National Historic Landmarks Nga Manawhenua o Aotearoa me ona Korero Tuturu Policy'

- 2.10 This is an aspirational step that HCC supports to ensure that the most outstanding national heritage areas are prioritised and to ensure that they are celebrated and kept for future generations.
- 2.11 HCC is also supportive of the approach to ensure nationally significant heritage, at risk from damage or destruction as a result of disaster (manmade or natural) is safeguarded to ensure the retention of those legacies. As well as having such policies and provisions

in place prior to such events occurring to ensure clear understanding of what, who and why preservation should be upheld.

- 2.12 HCC nevertheless would suggest there also be clear advice provided by Heritage New Zealand as to the expectations on local authorities with regard to whether such 'landmark listed' items would be expected to have an elevated protection under the RMA through the district plan process. As such an expectation would have direct financial cost to Local authorities in the form of plan review and undertaking a First Schedule process under the RMA to change the heritage component of the district plan.

3 Further Information

- 3.1 Should Heritage New Zealand require clarification of the points raised in this submission, or additional information, please contact Alice Morris (City Planning Policy Team Leader) on 07 838 6431, email alice.morris@hcc.govt.nz in the first instance.

Yours faithfully



Richard Briggs
CHIEF EXECUTIVE

Although this submission has been circulated to HCC's Elected Members for consideration and feedback, it has not been adopted through the formal committee process. HCC's submission is to be considered and adopted retrospectively at the 26 May 2015 Strategy and Policy Committee meeting. We will advise you after this meeting if HCC makes any changes to its submission.

Committee: Strategy & Policy Committee **Date:** 26 May 2015
Report Name: Regional Operations Roundup Report **Author:** Phil Consedine

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Various</i>
Financial status	<i>Not applicable</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- An update on key issues discussed at the Waikato Regional Transport Committee, the Hamilton Public Transport Joint Committee, Waikato Regional Public Transport Plan Development Committee and the Waikato Civil Defence Emergency Management Joint Committee are outlined in the report.

3. Recommendation from Management

That the Report be received.

4. Attachments

- Attachment 1 - RLTP - Transport Planning Projects Update - March 2015

6. Key Issues

7. Waikato Regional Transport Committee

Regional Land Transport Plan

- A key function of the Regional Transport Committee (RTC) is to prepare the 2015-2045 Regional Land Transport Plan (RLTP) for the approval of the Waikato Regional Council and to monitor its implementation. This new transport policy document will combine the previous requirements for a Regional Land Transport Strategy and a Regional Land Transport Programme.
- The RLTP sets the strategic framework for long term development of the land transport system in the region along with the shorter term prioritized programme of transport activities requiring investment through the National Land Transport Programme (via NZTA).

10. The agendas and minutes of each of the meetings can be found using the following link:
<http://www.waikatoregion.govt.nz/Community/Whats-happening/Council-meetings/Agendas-and-minutes-for-council-and-standing-committees-from-28-November-2013/Transport/>
11. The final draft RLTP will be reported to the RTC on 7 April 2015 with a recommendation to the Waikato Regional Council to adopt the RLTP at its meeting on 30 April 2015. Note that these dates have been updated from earlier advice.
12. The RLTP includes all transport related projects as proposed by Hamilton City Council.
13. The RTC received a report with an update on current regional transport planning projects. This report provided a useful summary of the status of key projects and it is included as Attachment 1 to this report for councillor's information.
14. The NZTA advised the Committee that the government has now confirmed the funding for the completion of the Waikato Expressway. There are two remaining sections involved - Hamilton and Long Swamp – and the completion date are 2019 as previously programmed.

NZTA Investment Assessment Framework

15. NZTA has released its draft Investment Assessment Framework which is intended to give effect to the changes signaled in the draft Government Policy Statement on Land Transport (GPS) for the 2015/16 to 2024/25 period. This framework will be used to support road controlling authorities to develop their land transport activities for the RLTP programme. A number of building blocks are expected to come together to support this investment assessment process approach including the One Network Road Classification (ONRC), the Business Case (four stage) approach and Activity Management Plans (AMPs).

One Network Road Classification (ONRC) Update

16. This item updates and expands on the item to the September 2014 Strategy and Policy Committee.
17. The ONRC is designed to provide a nationally consistent framework that will help to inform investment and management decisions in a more strategic, consistent and affordable way throughout the country. Consistent levels of service for roads with similar use and environments across the country will help provide for a fit for purpose and self-explaining national road network with the inherent safety and efficiency benefits. More information on the ONRC can be found on the Road Efficiency Group website at:
<http://www.nzta.govt.nz/projects/road-efficiency-group/onrc.html>
18. The Road Efficiency Group (REG) is a combined Local Government New Zealand, Road Controlling Authority Forum and New Zealand Transport Agency governance group whose role is to oversee the implementation of the Road Maintenance Task Force recommendations (released in 2012). As part of these recommendations, the requirement to apply a ONRC is being developed by all Road Controlling Authorities.
19. Progress on the three functional elements of the development of the ONRC is described below.

Classification.

- The classification has been completed for Hamilton City using the national system and a cross check has been made with our District Plan hierarchy to compare the alignment.
- While there are different labels for the various hierarchies between Hamilton City's District Plan and the ONRC we have found broad alignment for the Arterial routes but there is a gap in the alignment for the Collector and Local roads. The overall length of Collector roads has increased to 234 Km (from 72 Km) and the Local roads has reduced to 286 Km (from 448 Km) under the ONRC system.
- The link for the range of classifications is

<http://www.nzta.govt.nz/projects/road-efficiency-group/docs/functional-classification.pdf>

Customer Levels of Service.

- There is expected to be consistency across all roading authorities in regard to the Levels of Service for the various classifications. This is being developed and refined jointly with other authorities in the region to provide a comprehensive set of CLoS that will eventually need to be applied. A draft set of CLoS is expected to be available by the end of June 2015.
- As these CLoS are developed staff will consider and advise on any funding implications.
- The link to provisional LOS is below:
<http://www.nzta.govt.nz/projects/road-efficiency-group/docs/customer-levels-of-service.pdf>

Performance Measures and Targets

- Staff are working closely with NZTA and other local authority staff to agree suitable and appropriate performance measures based on an early draft proposal from NZTA. This is a lengthy process as the various local and regional priorities are required to be matched with national measures and targets. This is on track to be completed to draft status by the end of June 2015.
 - The differences between the national and local expectation on the number and extent of measures to be determined and used are being addressed to arrive at a suitable and appropriate set.
20. As a local authority, we will be expected to apply the ONRC to our network, identify differences in Customer levels of service (CLoS) by using the agreed performance measures, and understand the financial implications of the ONRC so that by the 2018 LTP we are fully consistent with the new classification.
21. Local authorities are also expected to align their Transportation AMP's with this classification and align the road hierarchies in the District Plan with the ONRC classification and it is acknowledged that this process may require a number of years until full alignment is achieved.

Regional Speed Management Governance Group

22. Progress is being made at a national level on a revised Speed Limits Rule (lead by Ministry of Transport) and a national Speed Management Guide (lead by NZTA). It is expected that a draft of the Speed Limits Rule will be available for consultation prior to the end of 2015 in conjunction with a communications and education programme.
23. The Regional Speed Management Governance Group was established with Councilor Tooman nominated as Chair.
24. **Hamilton Public Transport Joint Committee**
25. Waikato Regional Council has set up a Joint Committee to consider Hamilton Public Transport matters and Hamilton City Councils representatives are Councilors Forsyth and Tooman. The Joint Committee also has two representatives from Waikato Regional Council (Councilors Livingston and Hennebry), one from NZTA (Andrew McKillop) and one access and mobility representative.
26. The scope of this Joint Committee is to consider and recommend on matters relevant to the implementation and monitoring of the Regional Public Transport Plan as it affects Hamilton City.

27. There are no significant matters to report at this time due to the development of the next Regional Public Transport Plan.

28. **Waikato Regional Public Transport Plan Development Committee**

29. The scope of the Development Committee was to recommend a draft Regional Public Transport Plan (RPTP) to Waikato Regional Council for consultation and to ensure consistency with the developing Regional Land Transport Plan.

The following is a link to all of the agenda items and minutes of the Development Committee including the public submissions: <http://www.waikatoregion.govt.nz/Community/Whats-happening/Council-meetings/Agendas-and-minutes-for-council-and-standing-committees-from-28-November-2013/Regional-Public-Transport-Plan-Development-agendas-and-minutes/>

The RPTP 2015-2025 was adopted by the Regional Council on 26 March 2015.

30. **Waikato Civil Defence Emergency Management Joint Committee**

Community Response Planning

31. Work continues on the production of Community Response Plans across the region with Hamilton City Council's Plan now completed.

32. It is considered that the average household in Hamilton requires at least 3 plans; for home preparedness, for the coordination of arrangements for work and also for children at school.

33. The aim is to provide a city wide Community Response Plan which details the locations of identified primary Civil Defence Centre's (formally known as welfare centres) as well as advice and guidance on household preparedness in order for the community to plan for an event.

34. The existing relationships with community groups and societies are key to the success of the plan and the dissemination of information to the public. Representatives of these groups have been engaged and a formal network has been created to promote community preparedness, educate the community in how to plan for an event as well as actively engaging more closely with the local community.

35. Community Response Planning is a major project for the Hamilton City Emergency Management team throughout 2015 and the next phase is to focus on the local business as part of the community. This focus will be small, locally owned business and, through the facilitation of business advisory groups to determine their own needs whilst the EM team educates and promotes Business Continuity Planning. The mandate is to enhance local resilience through such topics as supply chain issues and access priorities during emergency events.

2016-2021 Group Plan

36. The 2011-2015 Group Plan is a long term strategic plan for civil defence and emergency management across the region. This plan forms the basis for the improvement programmes and operations of our civil defence teams. This plan must be reviewed by November 2016.

Group Emergency Management Office 6 Year Strategy

37. The Group Emergency Management Office has commenced a project to prepare the 2016-2021 Group Plan as well as set the foundations for Local emergency management plans. The new plan will incorporate the findings from the recent audit of Civil Defence by the Ministry.

38. As part of the preparation process, the strategy has been work shopped by Group Emergency Management Office (GEMO) and the local Civil Defence Professionals on a regular basis with a particular focus being placed on organizational readiness including response staff capability and interagency communications.

39. A following link is to the unconfirmed minutes from the 2 March 2015 Joint Committee meeting;

http://www.waikatoregioncdemg.govt.nz/PageFiles/348/EWDOCS_n3296770_v2_Minutes_Waikato_Civil_Defence_Emergency_Management_Group_Joint_Committee_2_March_2015.pdf

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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Report to Regional Transport Committee 2 March 2015 – To be received

File No: 03 04 11
Date: 18 February 2015
To: Chief Executive Officer
From: Director Science and Strategy
Subject: Transport Planning and Projects update March 2015
Section: **A (Committee has delegated authority to make decision)**

Purpose

To provide the Regional Transport Committee (RTC) with an update on current regional transport plans and projects as at 2 March 2015.

Recommendation:

That the report **Transport Planning and Projects update** (Doc # 3262667 dated 18 February 2015) be received for information.

Background

A number of transport projects are being undertaken as part of the Regional Land Transport Strategy 2011-41 Implementation Programme. This report provides an update on these projects, together with other national and regional transport matters of interest, sorted by national, inter-regional and regional sub-groups.

National activities

Project	Status	Future actions
Proposed reforms to the Resource Management Act (RMA)	<p>Minister for the Environment/Building and Housing Nick Smith has recently put forward proposed changes to the RMA that seek to remove perceived barriers to building and development; resulting in an overhaul of the current legislation if the proposals are to be passed through Parliament.</p> <p>The Minister had commissioned reports indicating that the tight land regulation under the RMA was the reason for the rapidly increasing land prices up in Auckland and stunted development growth. The report has also highlighted that the plan making process within Council organisations is "too cumbersome and slow".</p>	<p>Updates will be provided to the RTC at upcoming meetings pending further changes to the Resource Management Act.</p>

Docs # 3262667

Project	Status	Future actions
Government Policy Statement on Land Transport Funding 2015-25 (GPS)	<p>The Ministry of Transport (MOT) released the final Government Policy Statement on Land Transport (GPS) on 18 December 2014, which comes into effect on 1 July 2015 until its review on 1 July 2018.</p> <p>This GPS is a \$38.7 billion investment, allocated as \$3 billion annually over the next 10 years for road improvements and maintenance, public transport, road safety, and walking and cycling. Additional funding is also available for the Accelerated Regional Roading Package's.</p> <p>3,599 submissions were received, most seeking additional funding for cycling. Local government submissions primarily sought additional funding for areas of public transport and local roading projects.</p> <p>The new GPS will continue the overall strategic direction set in the previous GPS 2012 focusing on economic growth and productivity, road safety, and value for money priorities.</p>	The new GPS informs and provide direction for the 2015-45 Regional Land Transport Plan.

Inter-regional activities

Project	Status	Future actions
SH1/29-ECMT Working Group	<p>The next SH1/29-ECMT Working Group meeting is planned for Friday 9th March 2015.</p> <p>The agenda for the meeting is:</p> <ul style="list-style-type: none"> • SH1/29-ECMT Draft Strategic Case – NZTA will be looking for the steering group to indicate their support for the Strategic Case. • Bay of Plenty Regional Land Transport Plan (RLTP) Update – An update of progress towards completing the RLTP including a brief description of projects affecting the SH1/29-ECMT corridor and also the SH2 corridor. • Waikato Regional Land Transport Plan (RLTP) Update – An update of progress towards completing the RLTP including a brief description of projects affecting the SH1/29-ECMT corridor and also the SH2 corridor. • Update from NZ Police (TBC) • Update from KiwiRail (TBC) 	Further updates on the activities of the SH 1/29 – ECMT Working Group will be provided to the RTC at the April meeting.

Project	Status	Future actions
SH3 Working Group	<p>The SH3 Working Group is currently involved in a Programme Business case being undertaken for the Mt Messenger to Awakino section of SH 3 to identify projects to be undertaken as part of the Accelerated Funding package. Stakeholders including both Waikato and Taranaki Regional Councils have planned an upcoming meeting. There are further workshops planned for the business case in February/March.</p> <p>Friday 27 March 2015 is the next scheduled meeting of the SH 3 Working Group</p>	Further updates on the activities of the SH 3 Working Group will be provided to the RTC at the 7 April meeting.

Regional activities

Project	Status	Future actions
Draft Regional Land Transport Plan 2015-45 (RLTP)	<p>The submission period closed on the 15th December 2014 for the draft RLTP and hearings were held over 16 and 17 February 2015. Deliberations will be held on 3 March 2015. The final Plan is due to be considered and endorsed by the RTC at its meeting on 7th April 2015 and then recommended to Waikato Regional council for adoption.</p> <p>The total number of submitters to the RLTP was 47 coming mainly from organisations involved with, or having an interest in, transport. Submissions tended to come from Hamilton City or outside the region; while NGO's and Local Government were the main submitters.</p>	Approval of the RLTP by the RTC on 7 April and recommended to Waikato Regional Council for adoption at their meeting on 30 April 2015
Draft Regional Public Transport Plan 2015-2025 (RPTP)	<p>The Submissions period has ended for the draft PT Plan and hearings will be held over the 2nd and 10th February 2015. Deliberations over 23-25 February 2015. The final Plan is due to be approved by WRC on 26 March 2015.</p> <p>The total number of submitters to the PT Plan was 97 coming from a wide range of organisations and the public. The most submissions tended to come from the wider Waikato District and Hamilton City areas; while Individuals, Non-Government Organisations and Local Government were the main submitters.</p>	Adoption of the Regional Public Transport Plan by Council at their meeting on 26 March 2015
Waikato Spatial Plan	<p>The Waikato Spatial Plan aims to be the collective voice for the Waikato Region on high priority issues, challenges and opportunities that affect the regional community and is being developed through a Joint Waikato Spatial Plan Committee.</p> <p>A meeting was held 12 February 2014, and outcomes will be presented at the next RTC meeting.</p>	Updates will be provided to the RTC on an ongoing basis.

Project	Status	Future actions
Waikato Expressway Designation alteration: Ruakura Interchange	<p>The NZ Transport Agency lodged a notice of requirement (NOR) with Hamilton City Council and Waikato District Council for an interchange at Ruakura (where previously there has been no interchange identified in the designation).</p> <p>Waikato Regional Council has lodged a submission to the Notice of Requirement supporting the proposal and noting the project is consistent with the Operative Regional Policy Statement and Regional Land Transport Strategy.</p> <p>A total of 38 submissions were received on the NOR (Supportive 7, Neutral 3, Opposing 28).</p> <p>A decision on the designated interchange has not yet been reached.</p>	An update will be provided to RTC once a decision is released.
Upper North Island Strategic Alliance (UNISA)	<p>Work to ascertain a realistic understanding for industrial land in the Upper North Island is underway.</p> <p>The Upper North Island Freight Story was published in April 2013. The Freight Story contained a number of implementation actions. A brief summary of recent work on the implementation actions is provided below.</p> <ol style="list-style-type: none"> 1. The nationwide HPMV priority investment programme continues to be implemented by NZTA. The identified UNI priority routes between Whangarei and Auckland, Auckland and Hamilton and Taupō via Rotorua to Tauranga are now open. The key route on SH29 between Tauranga and Hamilton opened in November 2014. 2. As part of the current development of RLTP's and the NLTP a second tranche of HPMV routes are being investigated for implementation. 	WRC will continue to work with the NZTA to determine further development of the HPMV network in the region.

Project	Status	Future actions
Draft Forward Programme for the RTC 2015	<p>RTC meeting April 7th.</p> <ul style="list-style-type: none"> • RTC to adopt final RLTP • One Network SG Guest – South-East Hamilton Network Operating Framework including SH1 Cobham Drive/ Wairere Drive connection. • Introduction to future priorities work • Road Safety and Police report <p>Meeting 8th June</p> <ul style="list-style-type: none"> • NZTA Quarterly Report • Potential Iwi representative • Potential Ministry of Transport representative talking of Future Focus • Continuation of future priorities work • Road Safety and Police report <p>Meeting 3rd August</p> <ul style="list-style-type: none"> • NZTA Quarterly Report • Road Safety and Police report • Continuation of future priorities work • Guest speaker <p>Meeting 5th October</p> <ul style="list-style-type: none"> • Possible Field Trip date • Transport Monitoring Report • Road Safety and Police report • Guest speaker <p>Meeting 30th November</p> <ul style="list-style-type: none"> • NZTA Quarterly Report • Road Safety and Police report • Possible Field Trip (alternative date) <p>Hamilton Joint Public Transport Committee meetings are scheduled for 7th April, 3rd June, 8th September and 2nd November – Standing agenda items include the Strategic Influences on Public Transport and Hamilton Public Transport Operations Report</p> <p>The NZ Transport Agency is due to adopt the NLTP by 30th June 2015.</p> <p>Work is ongoing to secure a visit from the Minister of Transport at some stage during 2015</p>	Updates on the next meeting and other events will be provided to the RTC.

Assessment of significance

To the best of the writer's knowledge, this decision is not significantly inconsistent with nor is anticipated to have consequences that will be significantly inconsistent with any policy adopted by this local authority or any plan required by the Local Government Act 2002 or any other enactment.

Andrew Tester
Analyst/Senior Policy Advisor

Tracey May
Director Science and Strategy

Committee: Strategy & Policy Committee **Date:** 26 May 2015

Report Name: Strategic Round Up Report **Author:** Loren Brown

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Future Proof Growth Strategy and Implementation Plan Mayoral Forum</i>
Financial status	<i>There is budget allocated</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- To update elected member on HCC's involvement in regional and sub-regional planning partnerships through our commitments to Future Proof, the Upper North Island Strategic Alliance, the Waikato Mayor Forum and strategic waters matters.

3. Executive Summary

- As a key partner in Future Proof, UNISA and the Waikato Mayoral Forum, HCC is demonstrating its commitment to land use, infrastructure and spatial planning at a sub-regional level.
- The relatively mature collaborative arrangements of the Future Proof and UNISA partnerships are now being realised with successes of some key pieces of work such as assisting in ensuring NZTA commitments to the Waikato Expressway, establishment of HPMV routes and aligned district plan outcomes to manage growth and infrastructure investment.
- In relation to Future Proof, the recently completed monitoring report, illustrates the implementation of the agreed settlement pattern will take time, but is moving in the right direction. Now with the Future Proof principles secured in the Proposed Regional Policy Statement, the mediation of appeals on the relevant district plans is also helping ensuring the collectively agreed position is being given effect to.
- Future planned work projects for UNISA and the proposed Future Proof update are looking carefully at cross boundary relationships and, in particular, the continuing growth of Auckland and its impacts.
- The business case on water, wastewater and stormwater service collaboration opportunities by Cranleigh was presented to Hamilton City Council, Waikato District and Waipa District Councils on 11 May 2015. The report now requires consideration by the councils.

9. Recommendation from Management

That the Report be received.

10. Attachments

11. There are no attachments for this report.

12. Key Issues

13. Future Proof

14. One of the key drivers for the establishment of the Future Proof Growth Strategy and Implementation Plan, was to support Central Government investment in the **Waikato Expressway**. The Strategy and the subsequent implementation through local and regional planning documents, has provided NZTA with confidence that land-term land use and transport integration is occurring in the sub-region.
15. The decision by NZTA in March 2015 to fund the remaining sections of the Expressway, is therefore a considerable achievement for the Future Proof partnership as a whole.
16. Future Proof is involved in mediation proceedings on both the **Proposed Hamilton District Plan** and the **Proposed Waipa District Plan**. The focus of Future Proof, in both instances, is to support the Council's in upholding key Future Proof principles.
17. For HCC, these include implementing the centres hierarchy, ensuring that industrial land is not used for non-industrial purposes and supporting the Hamilton CBD. For Waipa, this is primarily about ensuring new residential and industrial development occurs in a planned and timely manner in recognized growth nodes.
18. In April, Future Proof and several Future Proof partners presented evidence to the Auckland Council on the Regional Policy Statement elements of the **Proposed Auckland Unitary Plan**. Although decisions on the PAUP are some way off, the submission points raised by Future Proof have been accepted particularly relating to the need for the PAUP to better consider cross-boundary issues to the south of Auckland.
19. A project plan is currently being worked through on a **Future Proof update**. The update will have a limited scope as the principles behind the strategy are still sound.
20. It is however, proposed to update the Strategy to incorporate the north Waikato (formerly part of Franklin District) to reflect the boundary change. There may also be a focus on the Southern Growth Corridor, including the Airport and the land use pressures on the interface between Waipa, Waikato and Hamilton City.
21. The Future Proof Implementation Advisor and Independent Chair, and the partner staff, are working closely with the Waikato Plan team to ensure there is no duplication of effort.
22. The first **Future Proof Monitoring Report** is now available on the Future Proof website (www.futureproof.org.nz). This looks back on the first 4 years of implementation of the Strategy and analyses planning and development trends. The purpose of the monitoring is to test if the Strategy is being implemented as intended, and are the outcomes as expected.
23. The evidence shows that for the most part, development within Hamilton and Waipa District, is generally giving effect to the Future Proof settlement pattern. In Waikato District, there results still show issues with non-rural development within rural areas, although it is acknowledged there will be a time lag between development patterns, and the relevant plan changes and new District Plan regimes.
24. Waikato Plan
25. The Waikato Plan project, chaired by Margaret Devlin, is progressing and an update will be provided after the next Waikato Plan Joint Committee meeting in June.

26. Upper North Island Strategic Alliance
27. UNISA has examined **industrial land demand** across the upper North Island. Industry preferences for industrial land; regulatory and charging regimes; and proposed a methodology for projecting future industrial land demand needs were all explored. The methodology has been tested via a Northland test case.
28. The completed study will be reported to UNISA Mayors and Chairs in June. This work will provide an approach supported by both planning and funding agencies.
29. A new **economic development project** will examine key industry sector trends and future labour force demand. It will build on previous work to identify emerging constraints and opportunities for growth of key sectors in the upper North Island economy. The work will also look at value chains for key industry sectors. The scope of this work was reported to the UNISA Mayors and Chairs in March. The work is expected to be complete by November this year.
30. The New Zealand Transport Agency highlighted the **success of the UNISA and NZTA Freight Story partnership** to the UNISA Mayors and Chairs in March. Work on the High Productivity Motor Vehicle routes, HPMV, has resulted in a full route now available from Whangarei to Wellington for vehicles with a 50 tonne capacity.
31. Auckland Council, Auckland Transport, and the Northland, Auckland, Waikato and Bay of Plenty regional transport committees worked together to produce a **shared upper North Island transport statement** for incorporation into their regional land transport plans. This statement signals the intent to continue to collaborate at an upper North Island scale to improve transport investment decision-making and transport outcomes.

Mayoral Forum

32. Water and Wastewater services
33. Councillors from Waikato and Waipa District Council, along with Hamilton City Council, were briefed on 11 May 2015 on the Waikato Water Study and the outcomes of the report, which was commissioned by the three Councils.
34. This report, known as the **Cranleigh Report**, examined options for an enhanced shared service for managing water across the three Councils, and a **Council Controlled Organisation** model against the status quo model.
35. A copy of the report and all other information in relation to this study can be found at www.waterstudywaikato.org.nz.
36. Each council will now move to discuss the report individually and then collectively determine their response to the report conclusion and recommendations.
37. Local Authority Shared Services (LASS) Policy/Bylaw work stream – Phase II
38. The recently adopted **Significance and Engagement Policy** was an early output from this project (Phase I), with a standard policy template/content for all Council's to use.
39. In Phase II, LASS will create a standardised process for the high level review of council policies based on the process undertaken by HCC in April 2014.
40. This process has been shared with all participating councils. In addition to HCC, one other council has now completed the process, while most are in progress, and another couple are due to commence shortly due to LTP resourcing issues.

41. It is hoped all will have a clear indication of what policies will be deleted and what requires review by the end of May 2015. This should result in a set of **streamlined policy manuals**.

42. The next step will be the development of a **policy review programme** with agreements as to which policies can be reviewed collaboratively and when.

43. Roading

44. No changes to report.

45. Economic Development

46. An implementation plan to give effect to the Waikato Economic Development Strategy (known as 'Waikato Means Business') has been finalised. The implementation plan was presented to the Mayoral Forum in February 2015. Funding for the plan is through Waikato Regional Council as per their draft 2015-25 Long Term Plan.

47. Strategic Waters matters

48. No changes to report.

49. Financial and Resourcing Implications

50. There is allocated budgets for Future Proof, UNISA, Mayoral Forum and Waters projects for the 2014/15 year. Spending is on track.

51. Risk

52. This report is for information purposed only so there is no decision making risk at this stage.

Signatory

Authoriser	Brian Croad, General Manager City Environments Group
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Committee: Strategy & Policy Committee **Date:** 26 May 2015
Report Name: Action List for 26 May 2015; **Author:** Blair Bowcott
Actions Still Underway or
Pending for HCC submissions
to External Organisations; and
Policy & Bylaw Review
Scheduling

Status	<i>Open</i>
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Recommendation

That the Report be received.

1. Attachments

2. Attachment 1 - Strategy and Policy Action List for 26 May 2015
3. Attachment 2 - Actions Underway or Pending for HCC Submissions to External Organisations
4. Attachment 3 - Policy and Bylaw Review Scheduling

Strategy and Policy Committee - Action List at 18 May 2015

D-1330420

Meeting Date	Item	GM Responsible	Action	Status
06-Aug-13	Smoke-free Environment Policy Review	Performance	Staff to report back on alternative options for enforcement of the Smoke-free stance and the inclusion of synthetic cannabis.	In development (an action of Central City Safety Plan)
28-Nov-13	Events Strategy Development	E&ED	Present draft strategy to S&P Committee meeting by 30 June 2015	In progress
28-Nov-13	Develop and recommend a strategy to optimise use of the Municipal Endowment Fund and Domain Endowment Fund	E&ED	Present draft strategy to S&P Committee meeting by 30 June 2015	In Progress
05-Feb-14	Public Art Process Review	Performance	An update on the review to be reported to 26 May 2015 S & P Committee meeting	Completed - report in 26 May Agenda.
26-Jun-14	Public Art Panel and Arts Forum Terms of References	Performance	Review of Public Art process, policy and plan is in progress. The Arts Forum is aiming to complete a review of the Arts Agenda for 7 July 2015.	In progress
18-Mar-14	Public Art Update (Passing Red Sculpture) - Hinemoa Park	Community	Site adjacent to proposed Te Awa Cycleway (former Horotiu Landfill) has been identified as the preferred location for the artwork – supported by the Public Art Panel, Te Awa and the artist. Timing being considered as part of Te Awa development. No funding for Hinemoa Park redevelopment in 10-Year Plan.	In progress
30-Apr-14	Wairere Drive to Cobham Connection	Community	Parks and Open Spaces to include consideration of space required to four lane Wairere Drive during the review process of the East Town Belt Concept Plan which will take place in 2015/16.	In progress
15-Aug-14	Sustainable Hamilton Strategy (Sustainability Panel Report)	Performance	Circulate report to Sustainability Strategy Leadership Forum for consideration (resolution from Community Forum Sub-Committee).	In progress
16-Jul-14	Biking Plan (Cycleways)	Infrastructure	Staff report on Biking Plan to 26 May 2015 S&P Committee meeting.	Completed - report in 26 May Agenda.
16-Jul-14	Zoo Strategic Review - Zoo Master Plan	E&ED	The Working Group will reconvene in August, followed by a Council Briefing, before being reported back to S&P Committee on 3 November 2015.	In progress
03-Sep-14	Herbicides Policy (Streetscape Beautification)	Community	Staff to report on plants used in streetscapes as part of the Streetscape Beautification and Management Policy Review to be scheduled for Business and Investment Sub-committee.	In progress

Meeting Date	Item	GM Responsible	Action	Status
19-Nov-14	Cemeteries Draft Management Plan	Community	Following hearings on 31 March 2015, final plan reported to 7 July S&P Committee meeting.	In progress
24-Feb-15	Wairere Drive/Huntington Drive (west) intersection	Infrastructure	a. Staff to consult further with the Huntington community on minor safety management measures; and b. Staff continue monitoring the safety performance of the intersection.	In progress Staff met with the petition organisers to discuss developing options for improvements to the intersection. Staff would be in contact again in May/June for discussions on these options with a view to include implementation in the 2015/16 programme. Staff have also advised the petition organisers that there is opportunity to submit to the 10-Year Plan. A letter has been delivered to all residents by the petition organisers letting them know what is happening.
24-Feb-15	Social Housing Strategy	Community	To provide progress report to the Committee on strategy development by 11 August 2015.	In progress
24-Feb-15	Liquor Licensing Policy	Performance	A full briefing to be provided to Elected Members before the Policy comes before Council again. Presentation delivered at 12 May Briefing. Working Group to reconvene to review status of Policy and take work forward.	In progress.
08-Apr-15	Waikato Expressway	Infrastructure	Staff to present an update on the MOU between NZTA, Hamilton City Council, Waikato District Council and Tainui along with a Multi-Party Funding Agreement (MPFA) that defines cost responsibility to deliver the Resolution Drive interchange at the 23 July 2015 Finance Committee.	In progress
08-Apr-15	Public Places Liquor Control Bylaw 2010	City Environments	Staff to provide clarity on legal process where no or only minor changes required to an existing bylaw. Update to be provided prior to 13 May 2015.	In progress
08-Apr-15	Hamilton Lake Domain - Reserve Management Plan Review	Community	a. Staff to track costs in completing the review. b. Staff to engage Tainui early in consultation process. c. Staff to report back to the Committee with a draft Management Plan for public consultation.	In progress

Meeting Date	Item	GM Responsible	Action	Status
08-Apr-15	Community Facilities Report	Community	Community Facilities Working Group reports back to Committee in July 2015. A working group meeting was held on 30 April 2015 to determine the scope of the review. The Working Group have requested additional information regarding the Community Facilities portfolio and will be presented back at the next working group meeting in June. The Working group have requested an extension on the Community Facilities Report to have this deferred till September 2015, to ensure it aligns to the Libraries Facilities Plan.	In progress
08-Apr-15	Waikato Museum Strategic Review	Community	Staff to track costs in completing the review.	In progress

ACTIONS STILL UNDERWAY OR PENDING FOR HCC SUBMISSIONS TO EXTERNAL ORGANISATIONS: 26 MAY 2015 STRATEGY AND POLICY COMMITTEE AGENDA

(For all submissions made by HCC, refer <http://www.hamilton.govt.nz/our-council/consultation-and-public-notice/councilsubmissions/Pages/default.aspx>)

INFORMATION CURRENT AS AT 18/5/15

Submissions Removed – Process now Complete

- # 399 - Psychoactive Substances Regulations: A Consultation Document (submission sent 21/3/14).
- # 418 - NZ Transport Agency's Notices of Requirement to Alter Existing Designations for the Waikato Expressway (Hamilton Section) to Accommodate the Ruakura Interchange and Connecting Roads (submission sent 22/10/14).

New Submissions Added

- No new submissions added.

Note: The following schedule identifies submissions made by HCC to external organisations since April 2013 where the process has not been fully completed and where various actions are still underway or pending. Updates to the schedule that formed part of the 8 April 2015 Strategy and Policy Committee meeting agenda are highlighted in yellow.

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
386B	Alteration to Designation for the Waikato Expressway – Hamilton Section Website no longer available	Waikato District Council	18/12/13	Final submission considered and retrospectively approved on 5/2/14.	<p>Waikato District Council and Hamilton City Council received Notices of Requirement from the NZ Transport Agency (NZTA) for alterations to the existing designation for the Hamilton section of the Waikato Expressway.</p> <p>Waikato Regional Council has received resource consent applications from the NZTA in relation to construction and operation of the Hamilton section of the Waikato Expressway. The hearing commenced on the 28/4/14 and the City Planning Manager tabled evidence on behalf of HCC. The hearing was then adjourned to 26/5/14 and closed on 10/6/14. Recommendations were sent to NZTA as the Requiring Authority.</p> <p>The NZTA sent their decisions to all submitters and directly affected parties. The appeal period closed on 8/8/14. Two appeals were received to the Designation within Waikato District.</p> <p>HCC has lodged a notice with the Environment Court to be a party to the proceedings under Section 274 of the Resource Management Act in relation to one of the appeals (appellant A), which relates to the Resolution Drive Interchange. The Environment Court has been advised that HCC is agreeable to participating in mediation of the appeal in the first instance.</p>

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
398	HCC's and the NZ Transport Agency's Notices of Requirement to the Southern Links Project http://www.waipadc.govt.nz/HamiltonSouthernLinks	Waikato District Council, Waipa District Council and Hamilton City Council	28/2/14	Final submission considered and retrospectively approved on 18/3/14.	<p>The NZTA has been unable to resolve the appeal with Appellant A. At a judicial conference held on 21 April Judge Harland directed the appeal be set down for Court-assisted mediation, preferably before 28 May 2015, otherwise mediation will be unlikely until early July 2015. If mediation fails to resolve the appeal, the NZTA has indicated a preference to have the appeal heard by end of 2015.</p> <p>The negotiations with Appellant B have continued; the basic terms of settlement of the appeal have been agreed between the parties, but wording of the agreement requires fine tuning. Another judicial conference has been rescheduled for 21 May 2015.</p> <p>The hearing commenced on 21/7/14. Staff spoke in support of HCC's submission on the NZTA's requirement on 24/7/14. Hearings were adjourned to 1/9/14 and were completed on that day.</p> <p>On 24/10/14, the Commissioners' made their recommendations on the NZTA's requirements and decisions on HCC's requirements and the NZTA's and HCC's resource consent applications. The decisions and recommendations were issued to the parties the following week.</p> <p>The decision confirms HCC's requirement (with conditions, including a lapse period of 20 years) and grants HCC consent (with conditions, including lapse periods of 20 years) to construct a bridge over the Waikato River east of Hamilton Gardens and another over the Mangakotukutuku Stream. One appeal was lodged against the decision on HCC's requirement. HCC did not appeal the decision.</p> <p>The Commissioners have granted the NZTA consent (subject to conditions, including a lapse period of 20 years) to construct a bridge crossing the Waikato River at the Narrows and recommended the NZTA confirms the new designations and alteration to existing designation subject to conditions, including lapse periods of 20 years. The NZTA's decisions on the Commissioner's recommendations regarding the NZTA's requirements were issued in December 2014. Two parties have appealed aspects of the NZTA's decisions. HCC (as territorial authority) has not appealed and will not become a Section 274 party to these appeals. HCC (as Requiring Authority and the NZTA's Southern Links project partner) submitted a notice to become a Section 274 party to one of the appeals.</p>

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
404	Building (Earthquake-Prone Buildings) Amendment Bill http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL12960_1/building-earthquake-prone-buildings-amendment-bill	Local Government and Environment Select Committee	17/4/14	Final submission considered and retrospectively approved on 30/4/14.	<p>A Council workshop on this topic was held on 15/5/13. Councillor O'Leary presented HCC's submission via teleconference to the Local Government and Environment Select Committee hearing on 19/6/14 at 11.20 a.m. (a 20 minute timeslot). HCC's Building Control Manager was also in attendance at the hearing.</p> <p>In December 2014 HCC staff sent an information update to all stakeholders/building owners advising them that the Building (Earthquake-Prone Buildings) Amendment Bill could potentially replace HCC's 'Earthquake-Prone, Dangerous and Insanitary Buildings Policy' with a national regime for earthquake strengthening work. The letter updated stakeholders/building owners on key changes and how the Bill could affect them if enacted.</p> <p>The Local Government and Environment Select Committee is now scheduled to report back on this Bill to Parliament by 30/7/15 (the previous committee was originally scheduled to report back to Parliament on 5/9/14 – this was then extended to 30/3/15).</p> <p>On 10 May 2015, the Government announced major changes to how quickly earthquake-prone buildings will need to be assessed and strengthened to "better target regulations on buildings where location, use and type pose the greatest risk to life".</p> <p>The four significant changes to the policy are:</p> <ul style="list-style-type: none"> • Varying the timetable for strengthening relative to earthquake risk. • Prioritising education and emergency buildings for strengthening. • Reducing the number of buildings requiring assessment. • Introducing new measures to encourage earlier upgrades. <p>Building and Housing Minister Dr Nick Smith says the changes will reduce the number of buildings that would require assessment from an estimated 500,000 to 30,000, and bring down the total estimated cost from \$1,360 million to \$777 million. Currently buildings that could be a risk need to be assessed within five years, with any strengthening carried out within 15 years.</p> <p>The country will now be split into 3 zones according to the risk of a big earthquake, and the timeframes for assessment and strengthening vary accordingly i.e.:</p> <ul style="list-style-type: none"> • High Risk Zone – including Gisborne, Napier/Hastings, Palmerston North, Wellington,

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					<p>Blenheim, and Christchurch (will keep the existing timeframe of assessment within five years and strengthening within 15 years).</p> <ul style="list-style-type: none"> • Medium Risk Zone – including Hamilton, Tauranga, Rotorua, New Plymouth, Wanganui, Nelson, Invercargill and Timaru. • Low Risk Zone – including Northland, Auckland, Oamaru and Dunedin. <p>The Government has also confirmed that the earthquake-prone building definition as being less than 34% of the new building standard, a 10-year extension for listed heritage buildings, and exemptions from strengthening for low risk, low occupancy buildings, would remain in the policy.</p> <p>As Hamilton has been classed as 'medium risk', buildings will have 10 years to be assessed and 25 years to be strengthened under the proposed policy. Many of Hamilton's buildings have already been assessed by engineers and it is unlikely they will be subject to any further assessment.</p> <p>The return period for a significant earthquake (MM8) ranges from 120 years in Wellington, to 720 years in Christchurch, to 1700 years in Dunedin, and only once every 7,400 years in Auckland. Education and emergency buildings (e.g. hospitals) will be targeted by requiring that in high and medium seismic risk areas they be identified and strengthened in half the standard time.</p>
414	<p>Proposed Auckland Unitary Plan – Further Submissions http://www.aucklandcouncil.govt.nz/EN/planspolicies/projects/plansstrategies/unitaryplan/Pages/submissions.aspx</p>	Auckland Council	22/7/14	<p>Submissions and further submissions in 2014 made under the Chief Executive's delegated authority for RMA submissions.</p>	<p>The consultation period for further submissions opened on 11/6/14 and closed on 22/7/14. City Planning staff analysed approximately 100,000 further submission points and identified where any further submissions were required to be made in line with HCC's original 28/2/14 submission.</p> <p>As there were no points of a contentious nature, HCC's 'further submission' was made under the Chief Executive's delegated authority for RMA submissions.</p> <p>Hearings for further submissions commenced in September 2014 and the process will continue until July 2016. HCC's submission and further submissions will be considered as part of the Independent Hearings Panel hearing process. Hearing documents can be found at http://www.aupihp.govt.nz/hearings/</p> <p>HCC staff have not appeared in person at the hearings, given the structure of the hearings</p>

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
					and the time/cost involved. However, Future Proof and the Future Proof partners of Waikato Regional Council and Waikato District Council have appeared at hearings covering the topic of Auckland growth. The focus of the evidence given is to highlight to Auckland Council the impacts of growth in the south of the Auckland Region on land use, settlement patterns and infrastructure impacts (namely the Waikato Expressway) in the Waikato.
423	Using Land for Housing (Issues Paper, November 2014) http://www.productivity.govt.nz/inquiry-content/2060?stage=2	New Zealand Productivity Commission	23/1/15	Final submission to be considered and retrospectively approved on 24/2/15.	<p>The Government asked the NZ Productivity Commission to review and make recommendations on how to improve planning and development systems in order to deliver an adequate supply of land for housing.</p> <p>In particular, the Commission was asked to examine the by-laws, processes and practices of local planning and development systems across New Zealand's faster-growing urban areas. The Commission was also asked to identify councils that are effective in making enough land available to meet housing demand and processes that could be adopted more widely. In addition, the Commission will examine overseas approaches to identify leading practices that may provide valuable lessons for New Zealand.</p> <p>HCC's draft submission was circulated to Elected Members for feedback on 15/1/15. There was significant Elected Member input into development of HCC's final 23/1/15 submission.</p> <p>Staff from the NZ Productivity Commission met with HCC representatives on 23/2/15 to discuss Council's submission as well as the various processes that are used to ensure Hamilton has an adequate supply of land for housing development. The meeting was very successful and provided a useful opportunity to outline HCC's land release processes and key issues impacting Hamilton.</p> <p>The NZ Productivity Commission will now consider all feedback and develop a draft report by May 2015. This report will also be available for public submissions. Their final report will be sent to Government in September 2015.</p>

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
426	<p>WEL Energy Trust's 2015- 2016 Draft Annual Plan http://www.welenergytrust.co.nz/documents.cfm</p>	WEL Energy Trust	19/3/15	Final submission to be considered and retrospectively approved on 8/4/15.	<p>HCC's draft submission was circulated to Elected Members on 16/3/15 for feedback. As there were no comments, the final submission sent to the Trust remained unchanged to that of the draft.</p> <p>HCC did not speak in support of its submission at the Trust's 24/3/15 hearings. The final 2015-2016 Annual Plan was adopted at the Trust meeting held on 24/3/15.</p> <p>The Trust's response letter was circulated to Elected Members on 22/4/15 and thanked HCC's support of the Trust's strategic direction, particularly in regard to the new funding structures. The Trust also noted that:</p> <ul style="list-style-type: none"> • \$2,650,000 has been allocated to distributions this financial year, and that they will determine if funds will be available for Major Transformational Projects towards the end of the calendar year. • They agree that the Healthier Homes Programme is important for the city and has allocated \$230,000 to Energy Efficiency and Healthier Homes in the 2015-16 budget. Since the withdrawal of the EECA subsidy for home insulation, the Trust has been proactive about alternative options and has supported the Waikato Health Trust's Whare Ora initiative.
427	<p>Waikato District Draft Sports Park Reserve Management Plan http://www.waikatodistrict.govt.nz/Documents-Library/Files/Have-your-Say/Public-consultations/Sports/Draft-Sports-Park-Management-Plan-compressed.aspx</p> <p>Waikato District Council Draft General Reserve Policies Management Plan http://www.waikatodistrict.govt.nz/Documents-Library/Files/Have-your-Say/Public-consultations/Sports/Draft-General-Policies-Reserve-Mgmt-Plan-Master.aspx</p>	Waikato District Council	19/3/15	Final submission to be considered and retrospectively approved on 8/4/15.	<p>The Draft Sports Park Reserve Management Plan outlines the future use and development of sports parks (including golf courses and tennis courts) administered by Waikato District Council. The Draft General Reserve Policies Management Plan outlines management policies for all reserves in Waikato District.</p> <p>This was high level strategic submission (developed by the Parks and Open Spaces Unit) recommending that WDC's use and development of sports parks:</p> <ul style="list-style-type: none"> • Is aligned to the Waikato Regional Sports Facility Plan 2014. • Takes a holistic view and considers important cross-boundary issues that are cost-effective for ratepayers of Hamilton and the Waikato District. <p>HCC's draft submission was circulated to Elected Members for feedback on 10/3/15, with comments due by 18/3/15. There were some minor revisions made to the final submission to make it clearer that the Draft Sports Park Management Plan does not demonstrate how WDC has considered the findings and recommendations of the Waikato Regional Sports Facilities Plan i.e. it now states that "HCC seeks that WDC demonstrate</p>

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
					<p>how the Proposed Facility Approach of the Waikato Regional Sports Facilities Plan has been considered in developing proposals to develop, upgrade and renew sports fields, in particular Tamahere Recreation Reserve".</p> <p>HCC's General Manager Community spoke on behalf of Her Worship the Mayor and the Chair of the Strategy and Policy Committee in support of HCC's submission at the Waikato District Council hearings on 13/5/15.</p>
429	<p>Local Government Funding Review: A Discussion Paper (February 2015) http://www.lgnz.co.nz/home/news-and-media/2015-media-releases/lgnz-review-launches-discussions-on-new-funding-model-for-local-government/ http://www.lgnz.co.nz/assets/Uploads/Our-work/Local-Government-Funding-Review.pdf</p>	LGNZ	9/4/15	<p>Final submission to be considered and retrospectively approved on 26/5/15.</p>	<p>On 2/2/15 LGNZ released a consultation paper outlining a number of fundamental challenges facing local government in New Zealand and said that a new cooperative funding model with central government is required.</p> <p>In the first of a two-stage review, LGNZ describes the extent of the demographic, economic and infrastructure challenges facing councils, and considers options and alternatives which can complement councils' available funding tools and provide incentives to stimulate economic growth.</p> <p>The paper notes that the funding challenge is not limited to operational costs. There are also pressures on long-term capital expenditure e.g. Auckland alone is likely to spend \$10 to \$15 billion over the next 30 years.</p> <p>LGNZ proposes a "principles-based partnership" model with central government. This would include central government "<i>fully considering the costs and benefits of decisions for local communities and co-funding costs where policy proposals have significant national and local benefit</i>".</p> <p>The second stage of the review will be to receive responses and incorporate the best ideas into a final paper which proposes a strategy and long-term, sustainable funding model. Councils presently spend approximately 10.5% of all public expenditure, yet raise only 8.3% of all public revenue.</p> <p>HCC's draft submission was circulated to Elected Members for feedback on 2/4/15, with comments due by 8/4/15. As no feedback was received, the final submission sent to LGNZ remained unchanged to that of the draft. LGNZ provided us an extension to the original 27/3/15 submission closing date through to 9/4/15.</p>

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
430	<p>Waikato Regional Council's Proposed Regional Development Fund</p> <p>http://www.waikatoregion.govt.nz/ltp/</p>	Waikato Regional Council	15/4/15	Final submission to be considered and retrospectively approved on 26/5/15	<p>Through the 2015-2025 Draft Long Term Plan submission process, the Waikato Regional Council (WRC) is also seeking feedback on the proposed Regional Development Fund.</p> <p>The proposed Regional Development Fund has two key aims, which are to:</p> <ul style="list-style-type: none"> • Enable the WRC to make strategic investments in projects that will improve the region's economic outcomes in a way that also supports environmental, social and cultural outcomes. • Ensure projects receive support commensurate with the level of regional benefit by using a robust assessment framework. <p>Specifically, the WRC is seeking feedback on the merits of the proposal; the funding source; and the criteria of the draft Regional Development Fund Policy.</p> <p>Elected Members were advised of the draft plan being available for public submissions on 17/3/15 through Executive Update and given the opportunity to provide any key messages on the proposed Regional Development Fund and other sections of WRC's 2015-2025 Draft Long Term Plan by 23/3/15.</p> <p>WRC representatives made a presentation to HCC on their 2015-2025 Draft Long Term Plan and the Proposed Regional Development Fund Policy on 8/4/15.</p> <p>HCC's draft submission to the Proposed Regional Development Fund Policy (based on feedback raised by HCC's Elected Members at the 8/4/15 presentation) was circulated to Elected Members for comment on 10/4/15.</p> <p>HCC's final submission to the Proposed Regional Development Fund Policy was sent to WRC on 15/3/15. We received a half day extension from WRC to the submission closing date i.e. from 14/4/15 through to noon on 15/4/15.</p> <p>Her Worship the Mayor spoke in support of HCC's submission at the hearings on 6/5/15.</p>

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
432	Five General Statements of Heritage Policy http://www.heritage.org.nz/	Heritage New Zealand	17/4/15	Final submission to be considered and retrospectively approved on 26/5/15	<p>Heritage New Zealand is preparing five general statements of policy under the Heritage New Zealand Pouhere Taonga Act 2014 to provide leadership and direction in key areas of work.</p> <p>The five policies being consulted on are:</p> <ul style="list-style-type: none"> • Administration of the archaeological provisions of the Heritage New Zealand Pouhere Taonga Act 2014. • Management and use of historic places owned or controlled or vested in Heritage New Zealand. • Administration of the NZ Heritage List/Rārangi Kōrero. • Administration of the National Historic Landmarks List/Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu. • Statutory role of advocacy for historical and cultural heritage. <p>The draft policies will be reviewed based on feedback and considered by Heritage New Zealand's Maori Heritage Council and Board for final approval. The final policies will be published on Heritage New Zealand's website no later than 20/11/15.</p> <p>Members of the Hamilton Heritage Advisory Panel were contacted to see if there were any matters/specific issues that they would like included in HCC's submission.</p> <p>HCC's draft submission was circulated to Elected Members for feedback on 10/4/15, with comments due back by 16/4/15.</p> <p>Feedback was received from the Deputy Mayor, who wanted to ensure that the submission took account of points raised by HCC's Heritage Taskforce members, and that it was in alignment with HCC's Draft Heritage Plan and Heritage New Zealand's Five General Statements of Heritage Policy. He was advised that the submission complied on all counts of his query.</p> <p>As there was no other feedback, the final submission sent to Heritage New Zealand remained unchanged to that of the draft.</p>

SUB #	TITLE OF DOCUMENT/ISSUE	ORGANISATION	DATE SUB. SENT	STRATEGY & POLICY COMMITTEE APPROVAL	STATUS OF SUBMISSION PROCESS
435	<p>Rules Reductions Submissions</p> <p>https://www.govt.nz/browse/housing-and-property/renovating-and-building/rules-reduction-submissions</p> <p>http://beehive.govt.nz/release/taskforce-cut-red-tape-announced</p>	Department of Internal Affairs	Closing date is 1/6/15	Final submission to be considered and retrospectively approved on 7/7/15	<p>The Rules Reduction Taskforce was established to remove confusing and costly property rules and regulations that are stopping people from 'getting on with the job'. Taskforce members have considerable experience across the building and trades sectors as well as central and local government.</p> <p>The Taskforce is holding public meetings around the country between March and May 2015, as well as consider submissions made online, and will report back to Government outlining areas where improvements can be made and red tape cut.</p> <p>The Mayor and a number of Councillors met with members of the Rules Reduction Taskforce on 17/4/15. Staff identified 12 areas where improvements could be made to existing rules/regulations. This information was circulated to Elected Members on 8/5/15 (along with LGNZ's draft submission) for consideration and potential inclusion in HCC's draft submission.</p> <p>Elected Members are scheduled to meet at noon on 21/5/15 (prior to the Finance Committee meeting) to outline issues they would like included in HCC's submission and to discuss the 12 items circulated by staff on 8/5/15.</p>
436	Watercare's December 2013 Application for a Water - Take Resource Consent from the Waikato River	Waikato Regional Council	TBC	TBC	<p>SLT discussed the Watercare application (amongst other strategic water issues) on 8/9/14. An update on strategic water issues, including the Watercare application, was outlined in the 'Strategic Round Up Report' discussed at the 24/2/15 Strategy and Policy Committee meeting (Item 18 of the agenda).</p> <p>The 24/2/15 Strategy and Policy Committee report noted that:</p> <ul style="list-style-type: none"> • "Watercare has made an application to the Waikato Regional Council to take a further 200,000 m³ of water, per day from the Waikato River to supply Auckland's growing water need. • Future Proof is currently looking at whether HCC, Waipa and Waikato District Council's have enough consented water to support current and projected populations. • The findings of this work will inform our position on the Watercare consent, should the application be publicly notified". <p>The Waikato Regional Council is still to assess the application and has indicated that they are unlikely to do so until 2016.</p>

Policy and Bylaw Review Scheduling 2015

S&P		Information current as at 18/5/15	
Committee	Draft policies or bylaw reports	Description of report	Review led by
Date			
26 May	Art in Public Places	<ul style="list-style-type: none"> To be reviewed in conjunction with the Public Art Plan Largely operationally focused to guide the management and maintenance of Council's public art collection e.g. public art panel role and de-accessioning or relocation criteria Recommendation is to delete policy and capture key content in Public Art Plan. 	Community / Hamilton Arts Forum
	Older Persons Plan	<ul style="list-style-type: none"> Council tasked the Older Persons Advisory Panel with the development of an Older Persons Plan for Hamilton. A variety of goals and actions designed to consider the needs of older people in terms of council facilities and services, safety, having their say on key issues and being recognised and celebrated Recommendation is to adopt plan Briefing recommended to provide context 	Community/ Older Persons Advisory Panel
	Heritage Plan	Adoption of Plan for public engagement	City Environments
	Storm Water Bylaw – Adoption	Presents the proposed bylaw for adoption following consultation, taking into account feedback received during consultation	City Infrastructure
	Dog Control Bylaw Amendment 2009 – Adoption* **	Presents the outcome of the consultation, submissions and deliberation process with a draft Dog Control Policy and Dog Control Bylaw 2015 for Adoption.	City Environments
7 July 2015	Liquor licensing Policy Licensed Premises Policy LAP**	<ul style="list-style-type: none"> This work is now ready to proceed again 	City Environments
	Trade Waste Bylaw 2006 Determination Report*	<ul style="list-style-type: none"> LGA 2002 requires the bylaw be reviewed 10 years after it has been made. The review process set out in the LGA 2002 for Trade Waste bylaws requires at least a two month consultation period and specific consultation with the Minister of Health. The bylaw review needs to start at least a year prior to the required review date. 	City Infrastructure
	Class 4 Gambling Venue Policy* **	<ul style="list-style-type: none"> To be reviewed in conjunction with the Board TAB Venue Policy Gambling Act amended 4 September 2013. New provisions required to be considered at first review of policy. Policy due for review August 2016 	City Environments

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Policy and Bylaw Review Scheduling 2015

S&P		Information current as at 18/5/15	
Committee	Draft policies or bylaw reports	Description of report	Review led by
Date			
		<ul style="list-style-type: none"> ▪ Direction sought on need to review earlier to clarify relocation requirements and amend other inconsistencies identified ▪ Briefing provided April 2015 	
	Gambling – Board (T.A.B) Venue Policy* **	<ul style="list-style-type: none"> ▪ To be reviewed in conjunction with the Class 4 Venue Policy ▪ Policy due for review August 2016 ▪ Direction sought on need to review earlier and consider change to policy stance ▪ Briefing provided April 2015 	City Environments
	<ul style="list-style-type: none"> ▪ Councillor’s attendance at Conferences, Seminars and Training ▪ Elected Member’s Expenses and Allowances ▪ Remuneration to External Members of Council Committees ▪ Elected Member’s Remuneration ▪ Elected Member’s IT ▪ Corporate Hospitality and Entertainment Policy ▪ Elections – Comms with the Public ▪ Election signs 	<ul style="list-style-type: none"> ▪ Policies outline guidelines or ‘rules’ around elected member activity ▪ Review has identified overlap between policies and opportunity for significant streamlining. ▪ Recommendation that the current 7 policies be deleted and the key content be captured into 2 overarching key policies ▪ Briefing strongly recommended. Review contains some complex matters and potential implications on current practise. 	Democracy
11 August 2015	Citizens Initiated Referenda		Customer Relationships
Unknown	Municipal Endowment Fund Investment		Events & ED/ Business and Investment subcommittee
	Property Sale & Disposal		Events & ED/ Business and Investment subcommittee
	Free holding of Council Domain & Municipal Endowment Leases Policy		Events & ED/ Business and Investment subcommittee
	Smoke-free Environments Policy	<ul style="list-style-type: none"> ▪ Reports back on alternative options for enforcement of the Smoke-free stance and the inclusion of synthetic cannabis. 	Community/City Environments

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Policy and Bylaw Review Scheduling 2015

S&P Committee Date	Draft policies or bylaw reports	Description of report	Information current as at 18/5/15	Review led by
	Earthquake prone, Dangerous and Insanitary Buildings* **			City Environments
	Speed Management Policy			City Infrastructure
	Business Improvement District Policy (BID)	<ul style="list-style-type: none"> ▪ The policy provides guidance on the establishment and administration of BID programmes and associated targeted rates ▪ Need to review to ensure its up to date and aligns with CCTP. ▪ Minor changes suggested and need for supporting documents identified. 		Draft presented to Business and Investment subcommittee 13 May 2015
	Street & Directional Signage	<ul style="list-style-type: none"> ▪ To be reviewed in conjunction with the Gateways Policy ▪ Largely operational detail to guide staff implementation ▪ Recommendation is to delete both policies and incorporate into the Signage Plan ▪ Signage criteria likely to remain the same 		City Infrastructure/ Business and Investment subcommittee
	Hamilton City Gateways Policy	<ul style="list-style-type: none"> ▪ To be reviewed in conjunction with the Directional Signage Policy ▪ Strategic decisions required to determine location and LOS for gateways but does not need to be documented in Policy ▪ Significant funding implications in the 10 Year Plan ▪ Recommendation is to delete both policies and incorporate into the Signage Plan 		City Infrastructure (Community)/ Business and Investment subcommittee
	Streetscape Beautification & Management	<ul style="list-style-type: none"> ▪ The Policy outlines the high level approach to managing the road reserve and has several focuses: street trees, street planting and berm management. ▪ Recommendation is that the policy be retained with some changes <ul style="list-style-type: none"> - streamline content - add in a broad criteria and process for the removal and/or replacement of trees - change name of policy to 'street beautification and berm maintenance' 		City Infrastructure/ Business and Investment subcommittee
	{Trading in } Public Places Policy and Bylaw determination report	<ul style="list-style-type: none"> ▪ Public Places bylaw requires reviewing, and the policy need to be reviewed alongside. ▪ City Environments/B&I subcommittee input 		Business and Investment subcommittee early consideration
	Alcohol Control Bylaw 2015 -	<ul style="list-style-type: none"> ▪ Present draft bylaw to Council to adopt for public consultation 		Draft bylaw reviewed by

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Policy and Bylaw Review Scheduling 2015

S&P Committee		Draft policies or bylaw reports		Information current as at 18/5/15	
Date		Description of report		Review led by	
	Statement of Proposal Report and draft bylaw*			Business and Investment subcommittee	13 May 2015

10 Year Plan Related Policies (Full Council) - <i>in conjunction with 10 Year Plan</i>	Revenue and Financial Policy * (s103)	Finance
	Development Contributions Policy * (s106)	Performance
	Investment & Liability Policy	Finance
	Rating Policy	Finance
	Growth Funding Policy	Performance
	Asset Management Policy	Performance

Bylaw or policy linked to bylaw
 New policies
 * Legislatively required
 ** Requires SCP

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Policy and Bylaw Review Scheduling 2015

Completed Reviews/Bylaw Milestones		Status
4 June 2014	External Funding Applications Policy	Policy updated
16 July 2014	Council Representation on External Organisations Policy	Policy updated
3 Sept 2014	Fencing Policy	Deleted - key content captured in management policy
	Use of Herbicides Policy	Deleted - key content captured in management policy
15 Oct 2014	Library Censorship Policy	Deleted - key content captured in management policy
	Library Collection Policy (proposed)	Incorporated into censorship management policy
19 Nov 2014	Significance and Engagement Policy	New policy adopted
26 Nov 2014	Safety in Public Places Bylaw Adopted	New bylaw adopted
24 Feb 2015	Proposed Storm Water Bylaw – Statement of Proposal	Adopted for consultation
	Dog Control Policy and Dog Control Bylaw 2015 Statement of Proposal	Adopted for consultation
	Traffic Bylaw 2012 Amendment – Deliberations and Adoption Report	Bylaw adopted
	Amendment to Garden Place Pedestrian Mall, Deliberation and Declaration Report	Pedestrian mall declaration completed
	Proposed Open Air Burning Bylaw – Deliberations and Adoption Report	New bylaw adopted
	Risk Management Policy	Policy updated
8 April 2015	Public Places Liquor Control Bylaw 2010 Determination Report	Determination confirmed
	Community Assistance Guidelines and Criteria	Policy updated
7 May 2015	Dog Control Bylaw and Policy 2015 – Hearings	Deliberations completed

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